

CITY COUNCIL WORK SESSION
TUESDAY, NOVEMBER 8, 2016
8:30 A.M.
(NOTE TIME CHANGE)
CITY COUNCIL CONFERENCE ROOM, CITY HALL, ROOM 290
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

1. Report of the City Manager - **David Cooke, City Manager**
 - a. Changes to the City Council Agenda
 - b. Upcoming and Recent Events
 - c. Organizational Updates and Employee Recognition(s)
 - d. Informal Reports
 - [IR 9957](#): Financial Management Policy Statements - Restated Policy Governing Payments from Water and Sewer Fund to Other Funds

 - [IR 9958](#): Amendment to Economic Development Program Agreement with Clearfork Development Company, LLC to Extend the Completion Deadline for the First Phase

 - [IR 9959](#): Interlocal Agreements with Tarrant County to Support the County's Texas Enterprise Zone Nominations for Andrews Distributing Company of North Texas, LLC and EFW, Inc.

 - [IR 9960](#): Texas Enterprise Zone Nomination for Alcon Laboratories, Inc.

 - [IR 9961](#): PEG Funds and FWTV Operations
2. Current Agenda Items - **City Council Members**
3. Responses to Items Continued from a Previous Week
4. Presentation on Proposed Economic Development Program Agreement with Rural Media Group, Inc. to Support a Corporate Relocation Project and a Community Facilities Agreement with Fort Worth Heritage Development, LLC for Public Improvements in the Fort Worth Stockyards - **Robert Sturns, Economic Development**
5. Briefing on Adoption of 2015 International Codes with Local Amendments - **Allison Gray, Planning and Development and Bob Morgan, Fire**
6. City Council Requests for Future Agenda Items and/or Reports
7. Executive Session (CITY COUNCIL CONFERENCE ROOM, CITY HALL, ROOM 290) - **SEE ATTACHMENT A**
Attachment(s):
[Executive Session - Attachment A.pdf](#)

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

ATTACHMENT A
EXECUTIVE SESSION
CITY COUNCIL CONFERENCE ROOM
CITY HALL, ROOM 290
Tuesday, November 8, 2016

- A. The City Council will conduct a closed meeting in order to discuss matters permitted by the following sections of Chapter 551 of the Texas Government Code:

CITY ATTORNEY

1. Section 551.071, CONSULTATION WITH ATTORNEY

To seek the advice of its attorneys concerning the following pending or contemplated litigation or other matter that is exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules:

- a. Legal issues concerning any item listed on today's City Council meeting agendas.

CITY MANAGER

1. Section 551.072, DELIBERATIONS REGARDING REAL PROPERTY

Deliberate the purchase, sale, lease or value of real property where deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party.

2. Section 551.087, DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Deliberate the commercial or financial information or the offer of a financial or other incentive to a business prospect.

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

**CITY COUNCIL AGENDA
FOR THE MEETING AT 10:00 A.M. TUESDAY, NOVEMBER 8, 2016
CITY COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

- I. CALL TO ORDER**
- II. INVOCATION** - Ms. Avis Herndon, University Christian Church
- III. PLEDGE OF ALLEGIANCE**
- IV. CONSIDERATION OF MINUTES OF THE CITY COUNCIL WORK SESSION AND THE REGULAR MEETING OF NOVEMBER 1, 2016**
- 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-18873](#) - Authorize Execution of a Professional Services Agreement with Halff Associates, Inc., in the Amount Not to Exceed \$650,000.00 for Drainage Design Review Services (ALL COUNCIL DISTRICTS)
- 2. [M&C G-18874](#) - Authorize Acceptance of Funds from the Department of Justice and State Asset Forfeiture Fund in the Amount of \$80,105.00 for Fiscal Year 2017 and Adopt Appropriation Ordinances (ALL COUNCIL DISTRICTS)
- 3. [M&C G-18875](#) - Authorize Application for and, if Awarded, Acceptance of the Fiscal Year 2016 Homeland Security Grant from the State of Texas, Office of the Governor, Up to the Amount of \$2,987,850.00, Approve Execution of All Applicable Grant Contracts and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
- 4. [M&C G-18876](#) - Authorize Acceptance of the Fire Department's Share of Tarrant County 9-1-1 Public Safety Answering Points' Assistance Reimbursement Program Funds for Fiscal Year 2017 in the Amount of \$126,712.00 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

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

- 1. [M&C P-11962](#) - Authorize Sole Source Purchase Agreement in the Amount of \$140,167.00 for the Jurisdictional Crisis Incident Management - Incident Command Post Training and Certification from Texas A&M Engineering Extension Service for the Fire Department (ALL COUNCIL DISTRICTS)
- 2. [M&C P-11963](#) - Authorize Purchase of Six Police Package Sedans from Cowboy Motor Company, LC d/b/a Cowboy Chrysler Dodge Jeep for an Amount Up to \$159,052.00, Using a Cooperative Contract for the Police Department Through

C. Land - Consent Items

1. [M&C L-15962](#) - Authorize Initiation of Zoning Changes for Approximately 93.4 Acres of Land in Tarrant County, Located Along Jacksboro Highway and East of the Town of Lakeside, in the Far West Planning Sector (FUTURE COUNCIL DISTRICT 7)
2. [M&C L-15963](#) - Authorize Direct Sale of Tax-Foreclosed Property Located at 1416 Hendricks Street for a Total Cost of \$4,600.00 to Shadrach M. Rodriguez, in Accordance with Section 34.05 of the Texas Property Tax Code (COUNCIL DISTRICT 8)

D. Planning & Zoning - Consent Items - None

E. Award of Contract - Consent Items

1. [M&C C-27984](#) - Authorize Execution of Unit Price Contracts with Independent Utility Construction, Inc., and Bean Electrical, Inc., Each in an Amount Up to \$500,000.00 for Task Order Construction Services for the Installation of Street Lights and Related Construction Components (ALL COUNCIL DISTRICTS)
2. [M&C C-27985](#) - Authorize Acceptance of Funds in the Amounts of \$226,532.00 from the Town of Westlake and \$257,790.00 from the Trophy Club Municipal District No. 1 for their Respective Contributions to the Northeast Northside II 30-inch Water Transmission Main Along State Highway 170 from N. Beach Street to US 377, Authorize Execution of an Engineering Agreement with CP&Y, Inc., in the Amount of \$456,340.00 for Engineering and Design Services for the Northeast Northside II 30-inch Water Transmission Main Along State Highway 170 from N. Beach Street to US 377, Provide for Staff Costs, Utility Coordination, Property Acquisition and Materials Testing for a Design Phase Cost Amount of \$954,200.00 and Adopt Appropriation Ordinances (COUNCIL DISTRICT 7)

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

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

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Proclamation for Miguel Padilla Day

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

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

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

XII. PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS, COMMISSIONS

AND/OR CITY COUNCIL COMMITTEES

XIII. REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-18877](#) - Adopt Ordinance Amending Police Department Staffing to Increase the Number of Authorized Positions in the Classification of Officer by Twenty-One, the Number of Authorized Positions in the Classification of Corporal/Detective by Eleven, the Number of Authorized Positions in the Classification of Sergeant by Three and the Number of Authorized Positions in the Classification of Lieutenant by One, Thereby, Increasing the Total Number of Authorized Civil Service Positions by Thirty-Six to Reflect Civil Service Changes Included in the Fiscal Year 2017 Budget (ALL COUNCIL DISTRICTS)

C. Purchase of Equipment, Materials, and Services

1. [M&C P-11964](#) - Authorize Purchase of Midsize Through One Ton Trucks from Caldwell Country Chevrolet, LLC, and Sam Pack's Five Star Ford, LTD, in an Amount Up to \$1,314,901.00, Using Cooperative Contracts for Multiple City of Fort Worth Departments Through the Property Management Department (ALL COUNCIL DISTRICTS)
2. [M&C P-11965](#) - Authorize Non-Exclusive Purchase Agreements for Roof Repair and Replacement Services with Multiple Vendors Using the Interlocal Purchasing System Cooperative Contract in the Amount of \$8,000,000.00 for the Property Management and Human Resources Departments (ALL COUNCIL DISTRICTS)

D. Land

1. [M&C L-15964](#) - Authorize Contract for Sale with Current Residential Lessees of City-Owned Lake Worth Lease Addition Lots for Fair Market Value and Authorize Contemporaneous Lease Amendment to Provide for a Shorter Term and the Disposition of Improvements Upon Expiration (COUNCIL DISTRICT 7)
2. [M&C L-15965](#) - Authorize Execution of an Agreement to Reinstate the Option to Purchase Agreement with Eligible Lessees of Lake Worth Leases Addition for an Extended Term (COUNCIL DISTRICT 7)

E. Planning & Zoning - None

F. Award of Contract

1. [M&C C-27986](#) - Authorize Execution of a Three Year Contract with Employer Direct Healthcare, LLC d/b/a EDHC Solutions, LLC, for SurgeryPlus®, a Supplemental Benefit for Non-Emergent Surgeries, in an Amount Not to Exceed \$1,085,760.00 During the Initial Term (ALL COUNCIL DISTRICTS)

2. [M&C C-27987](#) - Authorize Execution of an Agreement with Casa Manana, Inc., for the Construction of Additional Facilities Located at 3101 West Lancaster Avenue and Authorize City of Fort Worth Funding Participation Up to \$409,000.00 (COUNCIL DISTRICT 9)

XIV. CITIZEN PRESENTATIONS

- XV. EXECUTIVE SESSION (CITY COUNCIL CONFERENCE ROOM, CITY HALL, ROOM 290) - SEE ATTACHMENT B**

XVI. ADJOURNMENT

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

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

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CITY HALL, ROOM 290
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No Documents for this Section



Updated November 4, 2016

City of Fort Worth
City Council Work Session Agenda Calendar

November 8, 2016 *(National Election Day)*

8:30 a.m. City Council Work Session (NOTE: Time Change)

- o Presentation on Proposed Economic Development Program Agreement with Rural Media Group, Inc. to Support a Corporate Relocation Project and a Community Facilities Agreement with Fort Worth Heritage Development, LLC for Public Improvements in the Fort Worth Stockyards [*Robert Sturns, Economic Development*]
- o Briefing on Adoption of 2015 International Codes with Local Amendments [*Allison Gray, Planning and Development and Bob Morgan, Fire*]

November 10, 2016 *(Thursday)*

5:30 p.m. Fort Worth Crime Control and Prevention District Board of Directors Meeting (4th Quarter Meeting)

November 15, 2016

***2:30 p.m. Fort Worth Local Development Corporation
LoneStar Local Government Corporation (Immediately Following LDC)
3:00 p.m. City Council Work Session***

Continued Items:

- **ZC-16-157** - (COUNCIL DISTRICTS 8 – Kelly Allen Gray) - Tony Cervantes and Marie Chairez, 2210 E. Vickery; From: "A-5" One-Family To: "C" Medium Density Multifamily (Recommended for Approval by the Zoning Commission) (**Continued from November 1, 2016 by Council Member Allen Gray**)
- o Presentation FY2017 Federal Legislative Program [*Scott Corley and Casey Pipes, Corley Pipes Consultants*]
- o Update on Blue Zones Project [*Matt Dufrene, Blue Zones Project Fort Worth*]
- o Briefing on Smoking Ordinance [*Christa R. Lopez-Reynolds, Law and Fernando Costa, City Manager's Office*]
- o Briefing on Cyber Security [*Kevin Gunn, IT Solutions and TBD, Police*]
- o Briefing on Flood Mitigation in Fort Worth [*Greg Simmons, Transportation and Public Works*]



Updated November 4, 2016

City of Fort Worth
City Council Work Session Agenda Calendar

November 22, 2016

City Council Work Session (cancelled)

November 24, 2016 *(Thursday)*

City Hall Closed – Thanksgiving Holiday

November 25, 2016 *(Friday)*

City Hall Closed – Thanksgiving Holiday

November 29, 2016

City Council Work Session (cancelled)

December 6, 2016 *Monthly Zoning Meeting*

1:00 p.m. Legislative and Intergovernmental Affairs Committee
Housing and Neighborhood Services Committee (Immediately Following LIGA)
Fort Worth Housing Finance Corporation (Immediately Following HNS)
3:00 p.m. City Council Work Session

Continued Items:

- **ZC-16-107** - (COUNCIL DISTRICTS 8 – Kelly Allen Gray and 9 – Ann Zadeh) - City of Fort Worth Planning & Development Department, Etal, Map Amendment: Generally bounded by Forest Park Boulevard, Northside Drive, Interstate Highway 35, and the T & P Railroad Track to Interstate Highway 30; from: Multiple zoning districts to: Expand and revise Downtown Urban Design District Overlay (Recommended for Approval by the Zoning Commission) (**Continued from September 13, 2016 by Council Member Allen Gray**)
 - o Overview of Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
 - o Briefing on Multipurpose Arena Contracts [*Susan Alanis, City Manager’s Office*]
 - o Briefing on Customer Relationship Management Software [*Lynda Johnson, Performance and Budget*]
 - o Briefing on Open Data and One Address [*Kevin Gunn, IT Solutions*]



Updated November 4, 2016

**City of Fort Worth
City Council Work Session Agenda Calendar**

December 13, 2016

Audit Committee (cancelled)
1:30 p.m. Infrastructure & Transportation Committee
2:30 p.m. Fort Worth Local Development Corporation
3:00 p.m. City Council Work Session

- o Briefing on Proposed Cavile Place / Stop Six Neighborhood Improvement Strategy [*Aubrey Thagard, Neighborhood Services*]
- o Briefing on Proposed Process to Prepare Assessment of Fair Housing [*Aubrey Thagard, Neighborhood Services*]
- o Briefing on Multi-Family Residential Development [*Randle Harwood, Planning and Development*]
- o Briefing on Collaboration Between Police and Code Compliance [*Chief Joel Fitzgerald, Police and Brandon Bennett, Code Compliance*]
- o Briefing on National Initiative Survey Results [*Abdul Pridgen, Police*]

December 20, 2016

3:00 p.m. City Council Work Session (cancelled)

December 26, 2016 (Monday)

City Hall Closed – Christmas Holiday

December 27, 2016

City Council Work Session (cancelled)

January 2, 2017 (Monday)

City Hall Closed – New Year's Day Holiday



Updated November 4, 2016

City of Fort Worth
City Council Work Session Agenda Calendar

January 3, 2017

Legislative and Intergovernmental Affairs Committee (cancelled)
Housing and Neighborhood Services Committee (cancelled)
City Council Work Session (cancelled)

January 10, 2017

Audit Committee (cancelled)
Infrastructure & Transportation Committee (cancelled)
City Council Work Session (cancelled)

January 16, 2017

City Hall Closed – MLK Jr.’s Holiday

January 17, 2017

City Council Work Session (cancelled)

January 24, 2017 **Monthly Zoning Meeting**

Joint City Council and Employee Retirement Fund Board (TBD)
3:00 p.m. City Council Work Session

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

January 31, 2017

1:00 p.m. Audit Committee
3:00 p.m. City Council Work Session

- o Update on Panhandling Recommendations [*Valerie Washington, City Manager’s Office*]
- o Follow-up on National Center for State Courts Report [*Teresa Ewing, Municipal Court*]
- o Presentation on the Success of the Marshal’s Division - Municipal Court [*Teresa Ewing and Marshal David Camp, Municipal Court*]
- o Update on Trinity Trails [*Richard Zavala, Park and Recreation and Randle Harwood, Planning and Development*]

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
NOVEMBER 1, 2016**

Present:

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

Absent:

Council Member Gyna Bivens, District 5

Staff Present:

David Cooke, City Manager
Sarah Fullenwider, City Attorney
Mary J. Kayser, City Secretary

I. CALL TO ORDER

With a quorum of the City Council Members present, Mayor Price called the regular session of the Fort Worth City Council to order at 7:01 p.m. on Tuesday, November 1, 2016, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas.

II. INVOCATION – Reverend Larry J. Mouton, Pleasant Mt. Gilead Baptist Church

The invocation was provided by Reverend Larry J. Mouton, Pleasant Mt. Gilead Baptist Church.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

**IV. CONSIDERATION OF MINUTES OF THE CITY COUNCIL WORK SESSION
AND THE REGULAR MEETING OF OCTOBER 25, 2016**

Motion: Council Member Moon made a motion, seconded by Council Member Zimmerman, that the minutes of the City Council Work Session and Regular meeting of October 25, 2016, be approved. Motion passed 8-0, Council Member Bivens absent.

V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items to be withdrawn from the Consent Agenda.

VI. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

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

VII. CONSENT AGENDA

Motion: Mayor Pro tem Shingleton made a motion, seconded by Council Member Zimmerman, that the Consent Agenda be approved. Motion passed 8-0, Council Member Bivens absent.

A. General - Consent Items

1. **M&C G-18869 - Approve Settlement of a Claim Asserted by Chrome Construction, LLC, in the Amount of \$90,000.00 (ALL COUNCIL DISTRICTS)**
2. **M&C G-18870 - Adopt Ordinance No. 22489-11-2016 Amending Chapter 34 "Vehicles for Hire," Article VI, "Ground Transportation for Hire," of the City Code of the City of Fort Worth, Texas by Amending Section 34-203 "Compliance Certification" to Require an Applicant for or Holder of a Vehicle for Hire Operating License to Certify that a National Criminal Background and Driver's License Check Has Been Performed on All Drivers Within the Past Twelve Months and to Require that National Criminal Background Checks and Driver's License Checks Verify that Drivers Meet the City's Driver Qualifications (ALL COUNCIL DISTRICTS)**
3. **M&C G-18871 - Authorize Execution of a Professional Services Agreement with Freese and Nichols, Inc., in the Amount Not to Exceed \$453,750.00 for Drainage Design Review Services (ALL COUNCIL DISTRICTS)**

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

1. **M&C P-11961 - Authorize Purchase with Office Depot, Inc., in an Amount Up to \$200,000.00, Using a Cooperative Contract for Furniture for the Park and Recreation Department's Victory Forest Community Center (ALL COUNCIL DISTRICTS)**

C. Land - Consent Items

1. **M&C L-15960 - Authorize Direct Sale of a Tax-Foreclosed Property Described as Lot C, Block 5, Mary N. Levy Subdivision, City of Fort Worth, Texas, Located at 4713 Windowmere Street to Huong Dao Vipassana Bhavana Center, Inc., for a Total Cost of \$17,816.05, in Accordance with Section 34.05 of the Texas Property Tax Code (COUNCIL DISTRICT 5)**

2. **M&C L-15961 - Authorize Direct Sale of Nine Tax-Foreclosed Properties Described Below to Fort Worth Area Habitat for Humanity, Inc. d/b/a Trinity Habitat for Humanity for a Total Cost of \$35,648.22 for the Development of Low-Income Housing, in Accordance with Section 34.051 of the Texas Property Tax Code and City Ordinance No. 13533 (COUNCIL DISTRICT 3)**

<u>Property Address</u>	<u>Legal Description</u>
5131 Blackmore Avenue	Lots 19 & 20, Block 105, Chamberlain Arlington Heights 2 nd Addition
5330 Blackmore Avenue	Lots 25 & 26, Block 94, Chamberlain Arlington Heights 2 nd Addition
5400 Blackmore Avenue	Lots 39 & 40, Block 95, Chamberlain Arlington Heights 2 nd Addition
5508 Blackmore Avenue	Lots 35 & 36, Block 96, Chamberlain Arlington Heights 2 nd Addition
5524 Carver Drive	Lot 7, Block 5, Harlem Hills Addition
5528 Carver Drive	Lot 8, Block 5, Harlem Hills Addition
5604 Carver Drive	Lot 2, Block 6, Harlem Hills Addition
5421 Como Drive	Lot 6, Block 24, Harlem Hills Addition
5633 Farnsworth Avenue	Lots 17 & 18, Block 118, Chamberlain Arlington Heights 2 nd Addition

E. Award of Contract - Consent Items

1. **M&C C-27980 - Authorize Execution of Three-Year Contracts with Holmes, Murphy and Associates, LLC, and Trion Group, a Marsh & McLennan Agency LLC Company for Group Benefits Consulting Services in a Combined Annual Amount Up to \$231,863.00 (ALL COUNCIL DISTRICTS)**

- 2. M&C C-27981 - Authorize Letter of Agreement for the U.S. Army Corps of Engineers in the Amount of \$100,000.00 to Analyze Sump Floodplains (COUNCIL DISTRICTS 2, 3, 7, 8 and 9)**

- 3. M&C C-27982 - Authorize Execution of Five Annual Architectural Services Agreements with Weinman Architects, Inc., Elements of Architecture, Inc., Freese and Nichols, Inc., Quorum Architects, Inc., and RPGA Design Group, Inc., for Small Multi-Disciplinary Projects on an As-Needed Basis, Each Agreement for a Total Fee Not-to-Exceed \$1,500,000.00 Over the Five-Year Period of the Agreement (ALL COUNCIL DISTRICTS)**

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

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

End of Consent Agenda.

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

- 1. Presentation of Proclamation for Municipal Courts Week**

Council Member Espino presented a proclamation for Municipal Courts Week to Ms. Theresa Ewing, Director of Municipal Court, and Chief Judge Ninfa Mares.

- 2. Presentation of Proclamation Epilepsy Awareness Month**

Council Member Zimmerman presented a proclamation for Epilepsy Awareness Month to Ms. Francesca and Ms. Bonita Ocampo, and Ms. Naomi Meier, Epilepsy Foundation Texas.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

- 1. Upcoming and Recent Events**

Mayor Price, Mayor Pro tem Shingleton, and Council Members Zimmerman, Moon, and Zadeh announced upcoming and recent events within the City and various Council districts.

- 2. Recognition of Citizens**

There was no recognition of citizens.

3. Approval of Ceremonial Travel

Motion: Mayor Pro tem Shingleton made a motion, seconded by Council Member Zadeh, that City Manager Cooke be approved for ceremonial travel to Trier, Germany, with Fort Worth Sister Cities' ambassadors from November 30, 2016, through December 8, 2016. Motion passed 8-0, Council Member Bivens absent.

Motion: Council Member Moon made a motion, seconded by Council Member Zimmerman, that Mayor Price be approved for ceremonial travel to Tokyo, Hong Kong, and Nagaoka, Japan, with Fort Worth Sister Cities, Dallas Mayor Mike Rawlings, and DFW Airport representatives on November 5-16, 2016, to promote trade, tourism and American Airlines. Motion passed 8-0, Council Member Bivens absent.

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

Motion: Council Member Jordan made a motion, seconded by Mayor Pro tem Shingleton, that Mr. Tony DiNicola be appointed to the Board of Adjustment – Residential effective November 1, 2016, and with a term expiring October 1, 2018. Motion passed 8-0, Council Member Bivens absent.

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

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

XIII. ZONING HEARING

The City Council, at its meeting of October 11, 2016, continued Zoning Docket ZC-16-157:

- 1. ZC-16-157 - (CD 8) - Tony Cervantes and Marie Chairez, 2210 E. Vickery; From: "A-5" One-Family To: "C" Medium Density Multifamily (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)**

Ms. Marie Chairez, 2210 East Vickery, completed a speaker card in support of Zoning Docket ZC-16-157 and was recognized by Mayor Price but did not wish to address Council.

Motion: Council Member Allen Gray made a motion, seconded by Council Member Jordan, that Zoning Docket ZC-16-157 be continued to the November 15, 2016, Council meeting. Motion passed 8-0, Council Member Bivens absent.

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
NOVEMBER 1, 2016
Page 6 of 11**

The Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the *Fort Worth Star-Telegram*, the official newspaper of the City of Fort Worth, on October 16, 2016.

Mayor Price opened the public hearing.

- 2. ZC-16-174 - (CD 9) - Jose Gomez, 5001 McCart Avenue; From: "B" Two-Family To: "ER" Neighborhood Commercial Restricted (Recommended for Approval by the Zoning Commission)**

The following individuals completed speaker cards in support of Zoning Docket ZC-16-174 and were recognized by Mayor Price but did not wish to address Council:

Mr. Jose Gomez, 5001 McCart Avenue
Mr. Renny Rosas, P.O. Box 1481
Mr. Robert Snoke, 3826 6th Avenue
Mr. Ramon Munoz, 865 Stafford Station, Saginaw, Texas

Motion: Council Member Zadeh made a motion, seconded by Council Member Espino, that Zoning Docket ZC-16-174 be approved. Motion passed 8-0, Council Member Bivens absent.

- 3. ZC-16-175 - (CD-ALL) - City of Fort Worth Planning and Development: Text Amendment: PD Minor Amendments for MU and UR Districts; An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 21653, as amended, codified as Appendix A of the Code of the City of Fort Worth (2015), by amending; Section 4.303 "Site Plans" of Chapter 4, "District Regulations" of Article 3 Planned Development ("PD") District to provide parameters for administrative amendments to site plans for Mixed-Use and/or Urban Residential Districts (Recommended for Approval by the Zoning Commission)**

Motion: Mayor Pro tem Shingleton made a motion, seconded by Council Member Zadeh, that Zoning Docket ZC-16-175 be approved and Ordinance No. 22490-11-2016 be adopted. Motion passed 8-0, Council Member Bivens absent.

4. **ZC-16-176 - (CD-ALL) - City of Fort Worth Planning and Development: Text Amendment: Model Homes and Construction Trailers, An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 21653, as amended, codified as Appendix A of the Code of the City of Fort Worth (2015), by amending; Section 5.403 "Model Homes" Of Chapter 5, "Supplemental Use Standards" Of Article 4, "Temporary Uses", to revise the regulations for model homes; and Section 5.405 "Trailer Portable Sales, Construction Or Storage" to retitle section and other minor clarifications (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Zimmerman made a motion, seconded by Council Member Moon, that Zoning Docket ZC-16-176 be approved and Ordinance No. 22491-11-2016 be adopted. Motion passed 8-0, Council Member Bivens absent.

5. **ZC-16-177 - (CD 9) - MG Lawn and Landscape LLC, 1525 W. Ripy Avenue; From: "E" Neighborhood Commercial To: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus landscape and fence company with welding, warehouse and outside storage with development standards to facade requirement, fence height and material, and to not require landscape and buffer requirement, excluding alcohol sales; site plan waiver recommended (Recommended for Approval as Amended by the Zoning Commission to exclude alcohol sales)**

The following individuals completed speaker cards in support of Zoning Docket ZC-16-177 and were recognized by Mayor Price but did not wish to address Council:

Ms. Mary Nell Poole, 2918 Wingate, Suite 100
Mr. Renny Rosas, P.O. Box 1481
Mr. Robert Snoke, 3826 6th Avenue
Mr. Ramon Munoz, 865 Stafford Station, Saginaw, Texas

Motion: Council Member Zadeh made a motion, seconded by Mayor Pro tem Shingleton, that Zoning Docket ZC-16-177 be approved as amended to exclude alcohol sales. Motion passed 8-0, Council Member Bivens absent.

6. **ZC-16-178 - (CD 3) - Academy Partners LET, Westpark Partners LTD, and Texas Amigos LLC, 9550, 9600 and 9800 W. Freeway, 9601, 9801 and 10101 Old Weatherford Road; From: "C" Medium Density Multifamily, "E" Neighborhood Commercial, "F" General Commercial and "G" Intensive Commercial To: "A-5" One-Family (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Zimmerman made a motion, seconded by Council Member Moon, that Zoning Docket ZC-16-178 be approved. Motion passed 8-0, Council Member Bivens absent.

- 7. ZC-16-179 - (CD 8) - K5 Holdings Group LLC, 2100 E. Richmond; From: "I" Light Industrial To: "PD/I" Planned Development for all uses in "I" Light Industrial plus welding, batch powder coating and metal shearing; site plan included (Recommended for Approval by the Zoning Commission)**

Mr. Jeff Kenny, 2100 East Richmond Avenue, completed a speaker card in support of Zoning Docket ZC-16-179 and was recognized by Mayor Price but did not wish to address Council.

Motion: Council Member Allen Gray made a motion, seconded by Council Member Zimmerman, that Zoning Docket ZC-16-179 be approved. Motion passed 8-0, Council Member Bivens absent.

- 8. ZC-16-182 - (CD 9) - West Vickery IV Partners LLC, 3968 & 3978 W. Vickery Boulevard; From: "FR" General Commercial Restricted To: "G" Intensive Commercial (applicant request), "E" Neighborhood Commercial (Zoning Commission recommendation)(Recommended for Approval as Amended by the Zoning Commission to "E" Neighborhood Commercial)**

Ms. Barbara Heptig, 3962 Lisbon Street, appeared before Council in support of Zoning Docket ZC-16-182.

The following individuals appeared before Council in opposition to Zoning Docket ZC-16-182:

Ms. Leslie Garcia, 4311 Pheasant Walk
Mr. Samuel Esquivel, 10 Legend Road, Benbrook, Texas

Motion: Council Member Zadeh made a motion, seconded by Mayor Pro tem Shingleton, that Zoning Docket ZC-16-182 be approved as amended by the Zoning Commission to "E" Neighborhood Commercial. Motion passed 8-0, Council Member Bivens absent.

- 9. ZC-16-183 - (CD 8) - BEW Development LLC, 8700 South Freeway; From: "F" General Commercial and "G" Intensive Commercial To: "PD/I" Planned Development for all uses in "I" Light Industrial excluding truck washes, truck terminals, batch plants and outdoor kennels with development standards to landscape requirement, no outdoor storage other than truck/trailer storage, facade requirement, no access to Sheridan Road, entrances and outdoor lighting; site plan waiver requested (Recommended for Denial without Prejudice)**

Mr. Geoffrey Wescott, 5055 Keller Springs, Suite 300, Addison, Texas, appeared before Council in support of Zoning Docket ZC-16-183.

The following individuals appeared before Council in opposition to Zoning Docket ZC-16-183:

Ms. Kaylyn Carew, 8201 Southbrook Circle

Ms. Pat Donaldson, 8029 Ashridge Road

Motion: Council Member Allen Gray made a motion, seconded by Council Member Zadeh, that Zoning Docket ZC-16-183 be approved with added clarifications to the outdoor storage for trucks and trailers only and no access to Sheridan Road. Motion passed 8-0, Council Member Bivens absent.

10. **SP-16-013 - (CD 9) - JBS Holdings LP, 3250 Hulen Street; From: PD 455 "PD/SU" Planned Development Specific Use for all uses in "G" Intensive Commercial with waiver of setbacks on all sides To: Amend PD 455 site plan to reconfigure parking area and add a driveway onto Geddes St. (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Zadeh made a motion, seconded by Council Member Jordan, that Site Plan SP-16-013 be approved. Motion passed 8-0, Council Member Bivens absent.

City Secretary Kayser advised that Zoning Dockets ZC-16-187 through ZC-16-191 were relative to historic and cultural overlays and would be heard under one motion.

11. **ZC-16-187 - (CD 9) - Equity Trust Company Cust./City of Fort Worth Planning & Development, 2200 Marigold; From: "A-10" One-Family To: Add HC Historic and Cultural Overlay (Recommended for Approval by the Zoning Commission)**
12. **ZC-16-188 - (CD 9) - Will and Elizabeth Northern/City of Fort Worth Planning & Development, 1145 Mistletoe Drive; From: "A-5" One-Family To: Add HC Historic and Cultural Overlay (Recommended for Approval by the Zoning Commission)**
13. **ZC-16-189 - (CD 9) - Churchill Properties LLC/City of Fort Worth Planning & Development, 665 S. Main Street; From: "NS-T5/DD" Near Southside- Urban Center To: Remove Demolition Delay Overlay and Add HC Historic and Cultural Overlay (Recommended for Approval by the Zoning Commission)**
14. **ZC-16-191 - (CD 9) - Left Deep Left LP/City of Fort Worth Planning & Development, 210 E. 8th Street; From: "H/DD/DUDD" Central Business District/Demolition Delay/Downtown Urban Design District To: Remove Demolition Delay Overlay and Add HC Historic and Cultural Overlay (Recommended for Approval by the Zoning Commission)**

Motion: Council Member Zadeh made a motion, seconded by Council Member Allen Gray, that Zoning Dockets ZC-16-187 through ZC-16-191 be approved. Motion passed 8-0, Council Member Bivens absent.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining Zoning Ordinance No. 13896 for the above-listed cases, Council Member Zadeh made a motion, seconded by Council Member Allen Gray, that the hearing be closed and Ordinance No. 22492-11-2016 be adopted. Motion passed 8-0, Council Member Bivens absent.

XIV. REPORT OF THE CITY MANAGER

B. General

- 1. M&C G-18872 - Adopt Revised Gas-Related Revenue and Expense/Expenditure Policy as an Amendment to the City's Financial Management Policy Statements Effective October 1, 2016, Authorize Incorporation of this Policy Into the Overall Policy Document, Authorize Application of Revised Policy to Certain Existing Unencumbered Funds and Delegate Authority to the City Manager to Take All Actions and Make All Entries Necessary to Close the Golf Gas Well Debt Service Fund and the Utility Street Reconstruction Capital Improvement Projects Fund Effective September 30, 2016 (ALL COUNCIL DISTRICTS)**

Motion: Council Member Zimmerman made a motion, seconded by Mayor Pro tem Shingleton, that Mayor and Council Communication G-18872 be approved. Motion passed 8-0, Council Member Bivens absent.

F. Award of Contract

- 1. M&C C-27983 - Authorize Execution of Professional Services Agreements for Technology Staffing and Placement Services with Apex Systems, Inc., Kforce Inc., Sentari Technologies, Inc., and TEKsystems, Inc., Using Multiple Texas Department of Information Resources Contracts for the Information Technology Solutions Department in the Combined Aggregate Amount of \$2,100,000.00 on an Annual Basis (ALL COUNCIL DISTRICTS)**

Motion: Council Member Zimmerman made a motion, seconded by Council Member Moon, that Mayor and Council Communication C-27983 be approved. Motion passed 8-0, Council Member Bivens absent.

XV. CITIZEN PRESENTATIONS

Mr. Bob Willoughby, 6731 Bridge Street #125, appeared before Council relative to changing city policy to allow community centers to be used for citizens to meet with political candidates prior to an election.

XVI. EXECUTIVE SESSION (CITY COUNCIL CONFERENCE ROOM, CITY HALL, ROOM 290)

XVII. ADJOURNMENT

There being no further business, Mayor Price adjourned the Regular meeting at 7:49 p.m.

**CITY OF FORT WORTH, TEXAS
CITY COUNCIL WORK SESSION
NOVEMBER 1, 2016**

Present:

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

Absent:

Council Member Gyna Bivens, District 5

Staff Present:

David Cooke, City Manager
Sarah Fullenwider, City Attorney
Mary J. Kayser, City Secretary

With a quorum of the City Council Members present, Mayor Price called the Fort Worth City Council Work Session to order at 3:50 p.m. on Tuesday, November 1, 2016, in City Council Conference Room 290 of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas.

1. Report of the City Manager - David Cooke, City Manager

a. Changes to the City Council Agenda

There were no changes.

b. Upcoming and Recent Events

November 8, 2016:

Election Day and different meeting times:

City Council Work Session - 8:30 a.m.

City Council Meeting – 10:00 a.m.

c. Organizational Updates and Employee Recognition(s)

There were no updates or recognitions.

d. Informal Reports

- 1. IR 9952: Birthing Centers/Pop Up Emergency Rooms**
- 2. IR 9953: Harmon Road Improvements**
- 3. IR 9954: Implementation of Governmental Accounting Standards Board (GASB) Statements for Reporting and Accounting Related to Non-Pension Other Postemployment Benefits**
- 4. IR 9955: Notification for Short Term Home Rentals**
- 5. IR 9956: Trinity River Trail Management**

2. Current Agenda Items - City Council Members

There were no questions on current agenda items.

3. Responses to Items Continued from a Previous Week

- a. ZC-16-157 - (COUNCIL DISTRICT 8 - Kelly Allen Gray) - Tony Cervantes and Marie Chairez, 2210 E. Vickery; From: "A-5" One-Family To: "C" Medium Density Multifamily (Recommended for Approval by the Zoning Commission) (Continued from October 11, 2016 by Council Member Allen Gray)**

This item will be continued to the November 15, 2016, City Council meeting.

4. Overview of Significant Zoning Cases - Dana Burghdoff, Planning and Development

5. Update on Proposed Form-Based Code for Historic Stockyards - Randle Harwood, Planning and Development and Lee Einsweiler, Code Studio

Lee Einsweiler reviewed the Charrette process for the form based code for the Historic Stockyards. He also reviewed the design guideline strategy: historic core, surrounded by transition areas, which is surrounded by urban edges. He reviewed the elements of the form based code – districts, frontages, architectural standards, design alternatives and the use table. The next steps are the release of the draft code, architectural standards and historic district guidelines for public review during November. Brief the Urban Design Commission, Landmarks Commission, City Plan Commission, and Zoning Commission during November and December. Review and incorporate recommendations during January and February 2017, with proposed Council adoption in March 2017.

6. Update on Amendment of Land Use Assumptions, Capital Improvement Plan and Water and Wastewater Impact Fee Schedule - Carman, Water Director and Mazen Kawasmi, Freese and Nichols, Inc.

John Carman reviewed the background of Impact Fees and the adoption process. He reviewed the differences between the 2017 eligible costs and the 2013 eligible costs. On the water side in 2017 TRWD projects and cumulative interest are included. On the wastewater side in 2017 TRA projects and cumulative interest are included. The Capital Advisory Committee is recommending 40% of the maximum allowable with a 3 year phase-in, staff's recommendation is 58% of the maximum allowable with a 5 year phase in. The next steps are:

Nov. 15, 2016 Public Hearing

Dec. 6, 2016 Consider for Adoption (w/in 30 days of Public Hearing)

April 1, 2017 Effective Date (90 days after adoption)

Council requested that additional comments from the committee on the recommendations be brought back.

7. City Council Requests for Future Agenda Items and/or Reports

Council Member Espino – Update on the Senior Citizen needs assessment.

Council Member Jordan – Review of the current smoking policy and an update on the overall trail system.

There being no further business, Mayor Price adjourned the City Council Work Session at 5:15 p.m.



TO: The Honorable Mayor and City Council Members

FROM: Mary J. Kayser, City Secretary

DATE: November 8, 2016

SUBJECT: Reappointment to the Art Commission

Per action taken by the Legislative and Intergovernmental Affairs Committee at their November 1, 2016, meeting, Chairman Shingleton is bringing forward the following reappointment for your consideration.

- Reappointment of Ms. Jennifer Casler-Price to Place 2 (Art Professional – Curator position), with a term expiring September 30, 2018

The application for Ms. Casler-Price was provided to you for review by separate communication.

City Secretary's Office

City of Fort Worth ★ 1000 Throckmorton Street ★ Fort Worth, Texas 76102

(817) 392-6150 ★ FAX (817) 392-6196



TO: Mayor and Council Members
FROM: Council Member Gyna Bivens
DATE: October 26, 2016
SUBJECT: Board, Commission and Committee New Appointments

Request your consideration to appoint the following individual(s) with a term to expire October 1, 2017:

- Mr. Ben Robertson, Place 5 – Pedestrian and Bicycling Advisory Committee

The respective application is attached and resume, if provided. The original copy will be maintained in the City Secretary's Office.

Gyna M. Bivens
CITY COUNCILMEMBER - DISTRICT 5

THE CITY OF FORT WORTH * 1000 THROCKMORTON STREET * FORT WORTH, TEXAS 76102
817-392-8805 * FAX 817-392-6187 * gyna.bivens@fortworthtexas.gov

To the Mayor and Members of the City Council

November 8, 2016

Page 1 of 2

**SUBJECT: FINANCIAL MANAGEMENT POLICY STATEMENTS – RESTATED POLICY GOVERNING PAYMENTS FROM WATER AND SEWER FUND TO OTHER FUNDS**

The purpose of this Informal Report is to outline a Mayor and Council Communication (M&C) that will be presented for consideration on November 15, 2016 to adopt an amendment/addendum to the City's Financial Management Policy Statements (FMPS) to address payments that the Water and Sewer Fund makes to other City funds.

The M&C contains some of the revisions that staff committed to bringing forward when the re-adoption of the FMPS and revision of the gas-related revenue and expenditure policy were presented on November 1 (M&C G-18872). Proposed revisions are the result of staff's comprehensive review of both the FMPS and the Investment Policy and Strategy, and other changes that are currently being finalized will follow via M&C in the coming weeks.

Staff's intent in recommending adoption of a restated policy for payments from the Water and Sewer Fund (the "Fund") is two-fold. The first goal is to more completely explain the policy rationale behind current practices. The second is to articulate the relationship between the City's financial policies and the Water and Sewer System's Master Ordinance (Ordinance 10968), which establishes the revenue structure that provides for issuance of System revenue bonds to finance capital improvements.

Prior iterations of the FMPS were limited to the PILOT payment and focused more on mechanics than policy. The restated policy encompasses all three major payments that the Water and Sewer Fund makes to other City funds - 1) the Payment in Lieu of Taxes ("PILOT"); 2) Street Rental Fees; and 3) the Fund's contribution in support of the City's Public Art program. The policy also includes a purpose statement, an explanation of the interplay of the Master Ordinance and the FMPS, and a high-level overview of payment calculation and recovery.

Purpose and Relationship to Master Ordinance

As an enterprise fund, the Water and Sewer Fund operates similar to a business in the private sector. However, as a tax-exempt governmental unit, the Fund does not pay property taxes or franchise fees that would be required of a private utility. The restated policy articulates that the purpose of the PILOT and street rental fees is to provide the General Fund with revenue comparable to what would be received from a private utility, which is philosophically consistent with the Fund's enterprise fund status. The policy also addresses the contribution that the Fund makes to support the City's Public Art program.

The proposed policy explicitly acknowledges the supremacy of the System's Master Ordinance and its supplements when it comes to System revenues. In issuing revenue bonds to finance capital improvements for the System, the City has pledged the System's net revenues to paying interest, principal, and premium, if applicable, on both first priority and subordinate lien debt. What that means is that all revenue that the System generates that is not required to pay operating expenses must be used first for meeting financial obligations related to the System's outstanding debt. Only after those obligations have been met is there "Excess Pledged Revenue" that can be used for making payments under the policy.

The restated policy assigns responsibility to the Financial Management Services Department to make an annual calculation as part of the annual budget process to determine if Excess Pledged Revenues are projected to exist to make the three payments. Under the policy if Excess Pledged Revenues are projected to exist but not be sufficient to make the full amount of the calculated payments, the amount of each payment is reduced on a pro rata basis so that their total does not exceed the amount of projected Excess Pledged Revenues. The policy also requires that (i) another Excess Pledged Revenue calculation be conducted after the close of each fiscal year to ensure that payments made do not exceed the actual Excess Pledged Revenue that was generated and (ii) adjustments be made to make the Fund whole if the total of the payments is found to have exceeded actual Excess Pledged Revenue.

To the Mayor and Members of the City Council

November 8, 2016

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SUBJECT: FINANCIAL MANAGEMENT POLICY STATEMENTS – RESTATED POLICY GOVERNING PAYMENTS FROM WATER AND SEWER FUND TO OTHER FUNDS

Calculation and Recovery

Each of the three payments has its own calculation methodology, as more fully described below:

- **PILOT:** This payment, which is intended to mimic property tax, is calculated by multiplying the current tax rate by the net value of certain System property. Determining the net value involves reducing the value of Plant Assets by depreciation and adding to that total the value of Construction Work in Progress.
- **Street Rental Fee:** This payment emulates a franchise fee that would be paid by a private utility in return for use of the City’s street and rights-of-way. Consistent with most other franchise fees the City receives, the System is charged five percent of its gross service revenue for Water and Sewer customers, unless an applicable wholesale contract specifies otherwise. In this context, gross service revenue is calculated by reducing the total revenues of the system by non-service revenues, which consist of items like investment earnings and impact fees.
- **Public Art:** This payment is calculated in accordance with the current City Code requirements and developed through the City’s annual budget process.

The restated policy also memorializes current practice, under which the cost of making these payments is included when calculating the System’s revenue requirements and setting its rates. One exception to this practice is the Public Art payment, which under City Code is not passed through to the City’s wholesale customers. In addition, some of the City’s current wholesale contracts do not allow for recovery of the costs of the PILOT or street rental payment. However, as those contracts expire and are renegotiated, staff will be working to ensure the System’s true operating costs, including those related to PILOT and street rental payments, are passed through to and recovered from the System’s wholesale customers.

Overview of Payments in Recent Fiscal Years

The following is a five year financial history for these payments.

Payment Type	2017 Budget	2016	2015	2014	2013
PILOT	\$5,559,860	\$6,156,289	\$5,448,144	\$5,190,611	\$5,246,185
Street Rental Fee	\$20,880,383	\$20,577,792	\$19,119,745	\$17,698,623	\$17,318,480
Public Art	\$1,044,429	\$0	\$1,034,485	\$1,041,685	\$1,010,302

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

David Cooke
City Manager

To the Mayor and Members of the City Council**November 8, 2016**

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**SUBJECT: AMENDMENT TO ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH CLEARFORK DEVELOPMENT COMPANY, LLC TO EXTEND THE COMPLETION DEADLINE FOR THE FIRST PHASE**

On February 18, 2014 (M&C C-26672), the City Council authorized execution of an Economic Development Program Agreement (Agreement) with Clearfork Development Company, LLC, or an affiliate, related to Clearfork, a mixed-use project to be constructed near the southwest intersection of West Vickery Boulevard and South Hulen Street due south of Chisholm Trail Parkway. The planned development was to be constructed in two phases, with the first phase to be completed by December 31, 2016.

This Agreement was executed as City Secretary Contract 45586, and was later amended (45586-A1) to provide for a clarification in terminology from "certificate of occupancy for shell building space" to "certificate of completion for shell building space" to confirm that the Agreement reflected current practice for issuance by the Planning and Development Department.

The Agreement provides that deadlines established by the Agreement may be extended on account of events that cause delays and that are not the fault of the performing party (identified in the Agreement as events of force majeure). On October 17, 2016, the Developer notified the City by letter of a request for a 60 day extension as a result of inclement weather in the form of rain which occurred during the early stages of the project from April 2015 through December 2015. Per the Developer, most site and utility work occurred during this time, and the extraordinary amounts of rainfall during this period made the site difficult to access and manage for grading, utility work, and paving. The Developer provided City staff with weather documentation to substantiate the amount and number of days with precipitation during that time.

In order to provide clarity to the rights of both the City and the developer, City staff recommends that the Agreement be amended to change the completion deadline for the first phase of the development from December 31, 2016 to March 1, 2017. All remaining deadlines for future phases of the project will remain in place.

Staff will place an M&C for City Council consideration on the November 15, 2016 agenda.

If you have any questions concerning this information, please contact Robert Sturns, Economic Development Director at 817-212-2663 or robert.sturns@fortworthtexas.gov.

David Cooke
City Manager

To the Mayor and Members of the City Council**November 8, 2016**

Page 1 of 2

**SUBJECT: INTERLOCAL AGREEMENTS WITH TARRANT COUNTY TO SUPPORT THE COUNTY'S TEXAS ENTERPRISE ZONE NOMINATIONS FOR ANDREWS DISTRIBUTING COMPANY OF NORTH TEXAS, LLC AND EFW, INC.**

The Texas Enterprise Zone Program is an economic development tool for local communities to partner with the State of Texas to promote job creation and capital investment in economically distressed areas of the State. The City Council of the City of Fort Worth (City) has previously passed Ordinance No. 15733 electing to participate in the Texas Enterprise Zone Program. On May 12, 2015 the City Council adopted Ordinance No. 21743-05-2015, amending Ordinance No. 15733 by adding additional potential local incentives that could be made available to qualified businesses under the Texas Enterprise Zone Program.

Chapter 2303 of the Texas Government Code, the Texas Enterprise Zone Act, permits the governing body of a county to nominate for designation as an Enterprise Project a project or activity of a qualified business that is located within the jurisdiction of a municipality located in the county. The nominating county must enter into an interlocal agreement with the municipality that has jurisdiction of the territory in which the nominated project or activity will be located.

Both the City of Fort Worth and Tarrant County agree to approve the nomination for Andrews Distributing Company of North Texas, LLC (Andrews) and EFW Inc. (EFW) as Enterprise Projects. Said nominations will be considered a part of Tarrant County's allocated Enterprise Project designations and will have no impact on the City's permitted nine designations per biennium, as permitted under Section 2303.406(d) of the Texas Government Code.

Andrews qualifies for a single Enterprise Project Designation with a projected capital investment of \$35,000,000.00 in the construction of a new distribution center. Andrews will retain 490 jobs, and 10 new jobs will be created. EFW qualifies for a single Enterprise Project Designation with a projected capital investment of \$32,500,000.00 in software, test equipment, building renovations, machinery, and marketing demonstration equipment projects at its Tarrant County facilities. EFW will retain 544 jobs.

A single project designation allows for a state sales and use tax refund on qualified expenditures of \$2,500 per job, for up to 500 jobs, with a maximum benefit of \$1.25 million over a five year period. Under the Texas Enterprise Zone Act at least twenty-five percent of the business' new or retained employees will be residents of an enterprise zone, economically disadvantaged individuals or veterans. In addition, the jobs will be provided through the end of the designation period or at least three years after the date on which a state benefit is received, whichever is later.

Staff will place an M&C for City Council consideration on the November 15, 2016 agenda recommending City Council authorize execution of the interlocal agreements with Tarrant County, through which Tarrant County will nominate Andrews Distributing Company of North Texas, LLC and EFW Inc. as Enterprise Projects.



To the Mayor and Members of the City Council

November 8, 2016

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**SUBJECT: INTERLOCAL AGREEMENTS WITH TARRANT COUNTY TO
SUPPORT THE COUNTY'S TEXAS ENTERPRISE ZONE
NOMINATIONS FOR ANDREWS DISTRIBUTING COMPANY OF
NORTH TEXAS, LLC AND EFW, INC.**

If you have any questions concerning this information, please contact Robert Sturns, Economic Development Director at 817-212-2663 or robert.sturns@fortworthtexas.gov.

**David Cooke
City Manager**

To the Mayor and Members of the City Council**November 8, 2016**

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**SUBJECT: TEXAS ENTERPRISE ZONE NOMINATION FOR ALCON LABORATORIES, INC.**

The City Council of the City of Fort Worth (City) has previously passed Ordinance No. 15733 electing to participate in the Texas Enterprise Zone Program. On May 12, 2015 the City Council adopted Ordinance No. 21743-05-2015, amending Ordinance No. 15733 by adding additional potential local incentives that could be made available to qualified businesses under the Texas Enterprise Zone Program. The Office of the Governor Economic Development and Tourism through the Economic Development Bank will consider Alcon Laboratories, Inc. (Alcon) as an enterprise project pursuant to a nomination and an application made by the City.

The Texas Enterprise Zone Program is an economic development tool for local communities to partner with the State of Texas to promote job creation and capital investment in economically distressed areas of the State. An enterprise project is defined as a business that is nominated by a municipality or county and then approved for state benefits. Designated projects are eligible to apply for state sales and use tax refunds on qualified expenditures. The level and amount of refund is related to the capital investment and jobs created at the qualified business site.

Alcon qualifies for a single Enterprise Project Designation with a projected capital investment of \$78.4 million for the expansion and renovation of Alcon's operations at the existing site located at 6201 South Freeway. The investment includes \$71.8 million to be spent on real property improvements, including over \$16 million in the redesign and restoration of existing R&D and manufacturing space. \$6.6 million will be spent on machinery and equipment and telecommunication equipment. The company will retain its current workforce of 1,469 total employees and create an additional 100 full-time jobs, with an average annual salary of \$89,994.

The single project designation allows for a state sales and use tax refund on qualified expenditures of \$2,500 per job, for up to 500 jobs, with a maximum benefit of \$1.25 million over a five year period. Under the Texas Enterprise Zone Act at least twenty-five percent of the business' new or retained employees will be residents of an enterprise zone, economically disadvantaged individuals or veterans. In addition, the jobs will be provided through the end of the designation period or at least three years after the date on which a state benefit is received, whichever is later.

Staff will place an M&C for City Council consideration on the November 15, 2016 agenda nominating Alcon Laboratories, Inc. as an Enterprise Zone Project pursuant to the Texas Enterprise Zone Program. Submittal and approval of this application for State benefits will have no fiscal impact to the City's general fund.

If you have any questions concerning this information, please contact Robert Sturns, Economic Development Director at 817-212-2663 or robert.sturns@fortworthtexas.gov.

**David Cooke
City Manager**

**To the Mayor and Members of the City Council****November 8, 2016**

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SUBJECT: PEG FUNDS AND FWTV OPERATIONS

The City of Fort Worth operates a government television channel known as FWTV. The channel is located at Charter Cable Channel 190, One Source Channel 7, Verizon Channel 5 and AT&T Uverse Channel 99. The channel includes original programming, televised meetings and programming from partner organizations.

The FWTV staff consists of one full-time supervisor and two full-time video producers. We also hire outside contractors to assist with videography and voiceover talent.

Starting in fall 2016, the station will also employ three student interns from FWISD.

Prior to 2007, the FWTV staff included 17 full-time staff members. At that time, the entire staff was paid for out of PEG (Public Education Government) funds received from the local cable providers. The law changed in 2007 and stipulated that PEG funds could only be used for capital expenditures. All staff costs are currently paid out of the General Fund.

Each year the city receives approximately \$800,000 in PEG funds from the local cable providers. This amount is determined by the number of cable subscribers to each provider.

FWTV Highlights for FY 16

- Upgraded our City Hall and Studio facility to HD
- Replaced our playback system
- Selected virtual sets and robotic cameras for studio
- Selected satellite truck for remote broadcasting
- Last year FWTV:
 - Taped and posted 228 public meetings
 - Produced bi-weekly Fort Report Segment
 - Produced 48 department and internal training videos
 - Supported 61 special events
 - Multi-Cultural Alliance Awards Dinner
 - Stockyards Form-Based Code Meeting
 - Stockyards Charrette
 - Juneteenth at City Hall
 - Hispanic Heritage Month Celebration
 - Active Shooter Training (employee and public)
 - Worker's Compensation Training Videos
 - Press conference support

We have identified FWTV and our video outreach as a focus area for the coming year. We recognize that we have untapped opportunities in this area. We have not had the staff to assist with script development and story ideas. To address this problem, we have reallocated some staff so that they can focus on expanding our programming on FWTV.

**To the Mayor and Members of the City Council****November 8, 2016****SUBJECT: PEG FUNDS AND FWTV OPERATIONS**

Page 2 of 2

We have researched what other cities are doing with their video outreach and have attended workshops at the annual TAMIO and 3CMA conferences dealing with the changing technologies and outreach opportunities using video.

Plans for FY17 include:

- Adding a part-time writer and producer
- Implementing the FWISD Intern program – 3 student interns through May 2017
- Expanding video opportunities through Facebook, Youtube and fortworthtexas.gov
- Continuing and expanding our remote broadcasting opportunities at public meetings and special events
- Expanded programming and special projects:
 - Council District Profiles
 - Additional programming and bulletin board on channel
 - Molly Minutes – short videos on various topics
 - Public Art Documentary with Arts Council
 - Cowboy Santas 35th Anniversary

If you have any questions or concerns, please contact Michelle Gutt, Director of Communication and Public Engagement, at 817-392-6248.

David Cooke
City Manager

No Documents for this Section

No Documents for this Section

No Documents for this Section

CITY COUNCIL MEETING

Tuesday, November 08, 2016

RISK MANAGEMENT REPORTING PERIOD 10/25/2016 - 10/31/2016

Claims listed on this report have been received in the Risk Management Division claims office. The decision whether or not to accept liability is predicated on applicable provisions of the Texas Tort Claims Act. If any claimant contacts you, please refer them to Mark Barta ext. 7790 or Jason Barksdale ext. 7403. Thank you.

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
James Parr	10/25/2016	10/7/2016	5336 Cottonwood Avenue	General Liability	Sprinkler Line Damage	Water	No	No
Tony McDaniel	10/25/2016	10/7/2016	5th at Commerce Street	Auto	Collision-Driving	Police	No	No
Victoria Coats	10/25/2016	8/24/2016	Berry and 820	General Liability	Missing Property	Police	Yes	No
D'Juana Walker	10/25/2016	10/24/2016	7000 Greenview Circle South	General Liability	Sewer Line Damage	Water	Yes	No
Worthington Point	10/27/2016	10/8/2016	12301 Hemphill Street	Auto	Damaged Property	Police	Yes	No
Geoffrey Hull	10/27/2016	5/12/2016	2400 Shamrock Avenue	General Liability	Slip Trip Fall	TPW	No	Yes
Li Wang	10/27/2016	10/12/2016	6913 Fallbrook Court	General Liability	Sewer Backup	Water	Yes	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Martha Brady	10/27/2016	7/1/2016	6351 Wilton Drive	General Liability	Bacteria Infection	Water	No	Yes
Shawn Wyatt	10/31/2016	10/11/2016	313 Misty Mountain Drive	General Liability	Sewer Line Damage	Water	Yes	No

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