



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, AUGUST 15, 2011, THROUGH FRIDAY, AUGUST 19, 2011**

MONDAY, AUGUST 15, 2011

TIME LOCATION

No Meetings

TUESDAY, AUGUST 16, 2011

Pre-Council Meeting	8:30 a.m.	Pre-Council Chamber
City Council Meeting	10:00 a.m.	Council Chamber
City Budget Public Hearing	10:00 a.m.	Council Chamber
Gas Well Drilling Workshop	Immediately following the Council Meeting	Pre-Council Chamber

WEDNESDAY, AUGUST 17, 2011

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

THURSDAY, AUGUST 18, 2011

City Council Budget Study Session	9:00 a.m.	Pre-Council Chamber
Library Advisory Board	12:30 p.m.	East Regional Library Meeting Room 6301 Bridge Street
Aviation Advisory Board	4:00 p.m.	Fort Worth Meacham International Airport 4201 North Main, Suite 200

FRIDAY, AUGUST 19, 2011

No Meetings

<p>This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on August 11, 2011, and may not include all meetings to be conducted during the week of August 15, 2011, through August 19, 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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CITY COUNCIL GAS DRILLING WORKSHOP
TUESDAY, AUGUST 16, 2011
(IMMEDIATELY FOLLOWING CITY COUNCIL MEETING)
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

PRE-COUNCIL MEETING
TUESDAY, AUGUST 16, 2011
8:30 A.M.
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

1. Report of the City Manager - Tom Higgins, Interim City Manager
 - a. Changes to the City Council Agenda
 - b. Upcoming and Recent Events
 - c. Organizational Updates and Employee Recognition(s)
 - d. Informal Reports
 - IR 9420: Consent to Assignment of Economic Development Program Agreement Contract No. 30458 with Trinity Bluff Development, Ltd. to Allow Assignment of Real Property Agreement to Future Property Owner
Attachment(s):
[IR 9420 - Attached.pdf](#)
 - IR 9421: August 2011 - Sales Tax Update
Attachment(s):
[IR 9421 - Attached.pdf](#)
 - IR 9422: Urban Village Streetscape Projects
Attachment(s):
[IR 9422 - Attached.pdf](#)
 - IR 9423: Aviall Expanding Operations on DFW Airport Property
Attachment(s):
[IR 9423 - Attached.pdf](#)
2. Questions Concerning Current Agenda Items - City Council Members
3. Responses to Items Continued from a Previous Week
 - a. [ZC-11-044](#) - Blanca D. Cantu, 1207-1211 Clinton Avenue; from: "A-5" One-Family to: "ER" Neighborhood Commercial Restricted (Continued from August 2, 2011 by Council Member Espino)
4. Parking System Overview and Cultural District Parking - Doug Wiersig, Transportation and Public Works
5. Briefing on Urban Villages - Randle Harwood, Planning and Development

6. City Council Requests for Future Agenda Items and/or Reports
7. Executive Session - The City Council may conduct a closed meeting as authorized by Section 551.071 of the Texas Government Code to seek the advice of its attorneys on legal issues regarding any matter listed on today's City Council Agendas

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

ATTACHMENT
Executive Session
(PRE-COUNCIL CHAMBER, CITY HALL)
Tuesday, August 16, 2011

The City Council will conduct a closed meeting in order to:

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code:
 - (a) Sullo & Bobbitt, PLLC and Barry L. Bobbitt v. Greg Abbott, Attorney General of Texas, et al., Civil Action No. 3:11-CV-01926-D;
 - (b) Legal issues related to natural gas rates of Atmos Energy; and
 - (c) Legal issues concerning any item listed on today's City Council meeting agendas.
2. Deliberate the purchase, sale, lease or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; 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.

**CITY COUNCIL AGENDA
FOR THE MEETING AT 10:00 A.M. TUESDAY, AUGUST 16, 2011
CITY COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

I. CALL TO ORDER

II. INVOCATION - Pastor Darren Holt, Pantego Bible Church

III. PLEDGE OF ALLEGIANCE

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF AUGUST 9, 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-17352](#) - Adopt Appropriation Ordinance Increasing Estimated Receipts and Expenditures in the Mayor's Committee on Persons with Disabilities Section of the Special Trust Fund, in the Amount of \$6,064.80, to Fund Academic Scholarships for Eligible Fort Worth Residents with Disabilities (ALL COUNCIL DISTRICTS)
2. [M&C G-17353](#) - Authorize the Temporary Closure of a Portion of Main Street Between Third Street and Fourth Street from November 14, 2011 Until January 4, 2012 to Accommodate the Downtown Fort Worth Inc., Annual Christmas Tree Display (COUNCIL DISTRICT 9)
3. [M&C G-17354](#) - Authorize the Temporary Road Closure of Stayton Street from West Seventh Street to West Sixth Street from August 17, 2011 to October 31, 2011 (COUNCIL DISTRICT 9)
4. [M&C G-17355](#) - Authorize Acceptance of an Anonymous Donation of \$12,242.00 for the Purchase of Equipment for Various Fire Stations, Authorize the Transfer of \$12,242.00 from the Special Gifts Fund to the General Fund and Adopt Appropriation Ordinances (ALL COUNCIL DISTRICTS)
5. [M&C G-17356](#) - Authorize Acceptance of a Routine Airport Maintenance Project Grant for Fort Worth Spinks Airport from the Texas Department of Transportation Aviation Division, if Offered, in an Amount Up to \$50,000.00, Authorize the Use of Revenue from Gas Lease Revenue in an Amount Up to \$47,000.00 for the City's Grant Match, Authorize the Use of Revenue from the Municipal Airports Fund in an Amount Up to \$3,000.00 for the City's Grant Match and Adopt Appropriation Ordinances (COUNCIL DISTRICT 8)

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

1. [M&C P-11279](#) - Authorize a Sole Source Purchase Agreement with Locution Systems Inc., for Those Fire Stations with a CADVOICE Alert System for Spare Parts, Annual Maintenance and One New System at Fire Station No. 5 for an Amount of \$61,200.00 for the First Year (ALL COUNCIL DISTRICTS)

C. Land - Consent Items

1. [M&C L-15227](#) - Authorize the Acquisition of Two Fee-Simple Interests Corner Clips in 0.005 Acres of Land for Right-of-Way Located at 12124 Long Stem Trail and 0.005 Acres of Land for Right-of-Way Located at 4708 Dwarf Nettle Drive from NFWLB, LLC., in the Amount of \$1,000.00 and Pay the Estimated Closing Costs of \$1,000.00 for a Total Cost of \$2,000.00 (COUNCIL DISTRICT 2)
2. [M&C L-15228](#) - Authorize the Acquisition of a Fee Simple Interest in 0.005 Acres of Land for Right-of-Way Corner Clip Located at 4817 Crumbcake Drive from Jeremy and Heather Reed in the Amount of \$1,000.00 and Pay the Estimated Closing Costs of \$1,000.00 for a Total Cost of \$2,000.00 (COUNCIL DISTRICT 2)
3. [M&C L-15229](#) - Authorize the Acquisition of a Fee Simple Interest in 0.1828 Acres of Land for the Lebow Channel Drainage Improvements Project, Located at 1108 De Ridder Avenue from Shirley Trevino for \$48,000.00 and Pay the Estimated Closing Costs of \$2,000.00 for a Total Cost of \$50,000.00 (COUNCIL DISTRICT 2)

D. Planning & Zoning - Consent Items

1. [M&C PZ-2952](#) - Adopt Ordinance Changing the Name of Green Oaks Road Extension to Mall Circle within Ridgmar Mall (COUNCIL DISTRICT 7)

E. Award of Contract - Consent Items

1. [M&C C-25102](#) - Authorize Execution of a Memorandum of Understanding with the Texas Department of Transportation to Adopt and Adhere to Its Disadvantaged Business Enterprise Program on City Projects that Receive Funds from the Federal Highway Administration Through the Texas Department of Transportation for the Purpose of Assisting with Construction and Design Costs (ALL COUNCIL DISTRICTS)
2. [M&C C-25103](#) - Authorize Execution of One Storm Water Facility Maintenance Agreement with HCA Health Services of Texas, Inc., Located in the William McCowan Survey, A 999 Trail, 1B5, 3A1, 3C, 5K, and 5C1 Located East of Interstate Highway 35W and North of North Tarrant Parkway at No Cost to the City (COUNCIL DISTRICT 2)
3. [M&C C-25104](#) - Authorize Execution of a Texas Commission on Environmental Quality Federally Funded Grant Agreement in an Amount Not to Exceed \$250,482.00 for Air Pollution Control Services, Apply Indirect Costs at Approved

Percentage Rate and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

4. [M&C C-25105](#) - Ratify the Application for and Authorize Acceptance of Two Grants from the Texas Department of Transportation, One in the Amount of \$249,710.00 for the Comprehensive Selective Traffic Enforcement Program, and One in the Amount of \$45,975.00 for the Commercial Motor Vehicle Selective Traffic Enforcement Program, Authorize Expenditure of \$159,261.84 in Partial Matching Funds, Authorize Execution of Related Grant Agreements and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1824 - Notice of Claims for Alleged Damages and/or Injuries

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events
2. Recognition of Citizens

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

1. Report by the City Zoning Commission

XIII. ORDINANCES

1. An Ordinance Setting Forth an Itemized Estimate of the Expense of Conducting Each Department, Division and Office of the Municipal Government of the City of Fort Worth for the Ensuing Fiscal Year Beginning October 1, 2011, and Ending September 30, 2012, and Appropriating Money for the Various Funds and Purposes of Such Estimate; Providing for Public Hearings Upon This Ordinance Before the Entire City Council Sitting as a Committee of the Whole; and Providing a Severability Clause; and Providing a Savings Clause for the Repeal of All Ordinances and Appropriations in Conflict with the Provisions of this Ordinance; and Providing for the Publication and Final Passage Thereof

Attachment(s):

[FY2012 Budget Appropriations Ordinance.pdf](#)

2. An Ordinance Setting Forth an Estimate of the Expense of the General Debt Service Fund of the Municipal Government of the City of Fort Worth for the Ensuing Fiscal Year Beginning October 1, 2011, and Ending September 30, 2012, and Appropriating Money for the General Debt Service Fund and Purpose of Such Estimate; Appropriating Money to Pay Interest and Principal Sinking Fund Requirement on All Outstanding General Indebtedness; Providing for Public Hearings Upon This Ordinance Before the Entire City Council Sitting as a Committee of the Whole; and Providing a Severability Clause; and Providing a Savings Clause for the Repeal of All Ordinances and Appropriations in Conflict with the Provisions of This Ordinance; and Providing for the Publication and Final Passage Thereof

Attachment(s):

[FY2012 Debt Service Ordinance.pdf](#)

3. An Ordinance Providing for the Levy and Collection of an Annual Ad Valorem Tax on All Property, Real, Personal and Mixed, Situated Within the Territorial Limits of the City of Fort Worth, Texas, and All Personal Property Owned in said City of

Fort Worth, Texas, on the First Day of January, A.D. 2011, Except Such Property as May be Exempt from Taxation by the Constitution and Laws of the State of Texas; and Providing a Severability Clause; and Providing a Savings Clause for the Repeal of All Ordinances in Conflict with the Provisions of This Ordinance; and Providing for the Publication and Final Passage Thereof

Attachment(s):

[FY2012 Ad Valorem Ordinance.pdf](#)

XIV. REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-17357](#) - Adopt Appropriation Ordinance Increasing Estimated Receipts and Appropriations in the Capital Projects Reserve Fund by \$5,000,000.00 and Authorize the Transfer of \$5,000,000.00 from the Capital Projects Reserve Fund to the General Fund for the Purpose of Balancing the Fiscal Year 2012 Budget (ALL COUNCIL DISTRICTS)
2. [M&C G-17358](#) - Approve the Use of \$450,000.00 from the Fort Worth Housing Finance Corporation Fund for the City' s Homebuyer Assistance Program and the Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
3. [M&C G-17359](#) - Authorize Equipment Services Department to Respond to the Request for Bid to Provide Preventative Maintenance and Repair Services for the City of Southlake, City of Keller and City of Colleyville Fire Vehicles and Apparatus (ALL COUNCIL DISTRICTS)
4. [M&C G-17360](#) - Suspend the Financial Management Policy Statements that Limit the Expenditure of Mineral Lease Revenue to One-Time Capital Items in Order to Authorize the Transfer of \$8,572,012.18 from the Aviation Endowment Gas Lease Project Fund and Authorize the Transfer of \$2,053,742.00 from the Capital Projects Reserve Fund to the Municipal Airports Fund for a Total Amount of \$10,625,754.18 to be Transferred from the Municipal Airports Fund to the General Fund for the Purpose of Reimbursing the General Fund for the Period from January 4, 2005 Through September 30, 2010 for Aircraft Rescue and Firefighting Services at Alliance Fire Station 35 and Meacham Fire Station 44 and Adopt Appropriation Ordinances (ALL COUNCIL DISTRICTS)

C. Purchase of Equipment, Materials, and Services

1. [M&C P-11280](#) - Authorize Purchase of Public Safety Supplies and Equipment Using a Texas Association of School Boards BuyBoard Contract for the Police and Fire Departments for an Amount of \$1,250,000.00 for the First Year (ALL COUNCIL DISTRICTS)

D. Land

1. [M&C L-15230](#) - Authorize Condemnation of a Fee Simple Interest in 0.310 Acres of Land for Right-of-Way and 0.305 Acres of Land

for a Temporary Construction Easement Owned by Keith A. Kidwell, on South Cravens Road for the Cravens Road at Wildcat Branch Bridge Replacement Project (COUNCIL DISTRICT 5)

2. [M&C L-15231](#) - Conduct Public Hearing and Authorize Subsurface Drilling and the Extraction of Natural Gas from an Off Site Location at Trinity Park and Arnold Park (COUNCIL DISTRICT 9)
(PUBLIC HEARING)
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action
3. [M&C L-15232](#) - Conduct a Public Hearing and Authorize Subsurface Drilling and the Extraction of Natural Gas from an Off Site Location at Cobblestone Trail Park and Marie F. Pate Park (COUNCIL DISTRICTS 4 and 5)
(PUBLIC HEARING)
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action

E. Planning & Zoning - None

F. Award of Contract

1. [M&C C-25106](#) - Authorize Execution of a Contract in the Amount of \$5,104,789.18 with Mario Sinacola & Sons Excavating, Inc., to Relocate John Day Road and Keller Haslet Road for Alliance Airport Runway Extension Project at Fort Worth Alliance Airport (COUNCIL DISTRICT 2)

XV. BUDGET HEARING

1. Hearing on Proposed Fiscal Year 2011-2012 Appropriation Ordinance, Debt Service Ordinance and Ad Valorem Tax Levy Ordinance
 1. Report of City Staff
 2. Citizen Presentations

XVI. ZONING HEARING

1. [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) (Continued from a Previous Meeting)**
2. [Zoning Docket No. ZC-11-049](#) - **(CD 8)** - Vertex Asset Partners, L. P., 2942 S. Riverside Drive; from: "PD-852" Planned Development for all uses in "E" Neighborhood Commercial with development standards, excluding certain uses. to: "UR" Urban Residential **(Recommended for Approval)**
3. [Zoning Docket No. ZC-11-066](#) - **(CD 4)** - Lincoln Beach Tarrant, Ltd., 4532 N. Tarrant Parkway; from: "AR" One-Family Restricted and "E" Neighborhood Commercial to: "E" Neighborhood Commercial **(Recommended for Approval)**

XVII. CITIZEN PRESENTATIONS

XVIII. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER)

XIX. ADJOURNMENT

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

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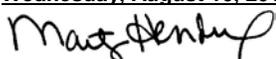


**CITY COUNCIL GAS DRILLING WORKSHOP
TUESDAY, AUGUST 16, 2011
IMMEDIATELY FOLLOWING CITY COUNCIL MEETING
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

- 1. Opening Remarks**
Betsy Price, Mayor
- 2. Overview of Workshop Presentations**
Fernando Costa, Assistant City Manager
- 3. Air Quality Recommendations**
Michael Gange, Assistant Director Transportation & Public Works
Keith Sheedy, Texas Commission on Environmental Quality
- 4. Briefing on EPA Hydraulic Fracturing Study**
Michael Overbay, P.G., Regional Ground Water Center Coordinator,
U.S. Environmental Protection Agency - Region 6
- 5. Seismic Testing**
Douglas Wiersig, P.E., Director, Transportation & Public Works
- 6. Gas Drilling Ordinance**
Rick Trice, P.E., Assistant Director Planning & Development
 - a. Saltwater Disposal Wells**
 - i. Regulatory Requirements in Texas**
John Tintera - Executive Director, Texas Railroad Commission
Walter Gwynn - District Director, District 9 Wichita Falls,
Texas Railroad Commission
 - ii. Proposed Ordinance Revisions**
 - b. Multi-Well Pad Site Permit versus Single Well Permit**
 - c. Grandfathered Gas Drilling Setbacks**
 - d. Other Gas Drilling Ordinance Issues**
 - i. Consultation/Notification Zones**
 - ii. Gas Drilling Roadway Impacts**
 - iii. Public Water Supply Lakes as Protected Use**
 - iv. Definition of Existing Well Site**
- 7. Discussion and Closing Remarks**
Betsy Price, Mayor
- 8. Executive Session-** The City Council may conduct a closed meeting, as necessary, in order to seek the advice of its attorneys concerning any item on this agenda pursuant to Texas Government Code Section 551.071.
- 9. Adjourn**
Betsy Price, Mayor

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.

I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Fort Worth, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time **Wednesday, August 10, 2011 at 3:00 p.m.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



City Secretary for the City of Fort Worth, Texas



**CITY COUNCIL BUDGET STUDY SESSION ON THE FY2012 BUDGET
THURSDAY, AUGUST 18, 2011, 9:00 A.M.
PRE-COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

- | | | |
|----|---|---|
| 1) | Call to Order | Betsy Price, Mayor |
| 2) | Opening Comments | Tom Higgins, Interim City Manager |
| 3) | Budget Workshop Recap and Budget Response Review | Horatio Porter, Budget Officer |
| 4) | Review of Proposed Budget of Appointed Officials | |
| | a. City Attorney | Sarah Fullenwider, City Attorney |
| | b. Office of City Auditor | Darlene Allen, City Auditor |
| | c. City Manager | Charles Daniels, Asst. City Manager |
| | d. City Secretary | Marty Hendrix, City Secretary |
| 5) | Citizens Survey Results | Rebecca Elmore-Yalch, Senior Vice President, ORC International |
| 6) | Wrap-up Discussion | Betsy Price, Mayor |
| 7) | 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 this City Council Budget Study Session Agenda. | |
| 8) | Adjourn | |

ASSISTANCE AT THE PUBLIC MEETING

The Fort Worth City Hall and the Council Chambers are wheelchair accessible. Access to the building and special parking are available at the south end of City Hall off of Texas Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hard of hearing, readers, or large print, are requested to contact 817-392-6143, or call TDD 817-392-8856 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.



Updated August 11, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

August 16, 2011

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

Continued Items:

- **ZC-11-044** - Blanca D. Cantu, 1207-1211 Clinton Avenue; from: "A-5" One-Family to: "ER" Neighborhood Commercial Restricted (**Continued from August 2, 2011 by Council Member Espino**)
- o Budget Update – Western Heritage Parking Garage [*Kirk Slaughter, Public Events*]
- o Update on Budget Responses [*Horatio Porter, Budget Officer*]
- 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*]
- o Briefing on Management Plan [*Fernando Costa, City Manager's Office*]



Updated August 11, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

August 24, 2011 *(Wednesday)*

*3:00 p.m.–5:00 p.m. Joint City Council/Employee Retirement Fund Board Meeting
(Fort Worth Botanic Garden – Oak Hall Room)*

August 25, 2011 *(Thursday)*

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

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

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

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



Updated August 11, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

September 8, 2011 *(Thursday)*

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

September 13, 2011 *Monthly Zoning Meeting*

11:00 a.m. Legislative and Intergovernmental Affairs Committee
1:00 p.m. Infrastructure & Transportation Committee
3:00 p.m. Pre-Council Meeting

Continued Items:

- **M&C G-17349** - Consideration of Variance from Section 4-4 of the City Code to Allow Alcoholic Beverage Sales for Mixed Beverage and Mixed Beverage Late Hours at the Los Tres Amigos Restaurant Located at 1201 East Long Avenue (COUNCIL DISTRICT 2- Sal Espino) (**Continued from August 9, 2011 by Council Member Zimmerman on behalf of Council Member Espino**)
 - **ZC-11-050** - TP Development, LLC, 8809-8831 and 8851 S. Normandale Street; from: "R2" Townhouse/Cluster to: "C" Medium Density Multifamily (**Continued from August 2, 2011 by Council Member Shingleton**)
 - **ZC-11-054** - Cockrell Realty, 3105 Cockrell Avenue; from: "A-5" One-Family to: "PD/SU" Planned Development/Specific Use for parking lot; site plan included. (**Continued from August 2, 2011 by Council Member Burns**)
- o Budget Update [*Horatio Porter, Budget Officer*]
 - o DFW International Airport FY12 Budget Presentation and Amendment to FY11 Budget [*Jeff Fegan, Executive Director, DFW International Airport*]
 - o Commercial Development Land Use Plan and Financial Business Model for DFW International Airport [*John Terrell, Vice President, DFW International Airport*]

September 15, 2011 *(Thursday)*

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



Updated August 11, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

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)

October 11, 2011

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

October 18, 2011

Monthly Zoning Meeting

Noon – 2:00 p.m. Pension Workshop (Pre-Council Chamber)
3:00 p.m. Pre-Council Meeting
(Council Meeting moved to 7:00 p.m.)



Updated August 11, 2011

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

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
AUGUST 9, 2011**

Present:

Mayor Betsy Price
Mayor Pro tem W. B. "Zim" Zimmerman, District 3
Council Member Daniel Scarth, District 4
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

Absent:

Council Member Salvador Espino, District 2

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 7:03 p.m., on Tuesday, August 9, 2011, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

II. INVOCATION - Bishop Richard E. Young, The Chosen Vessel Cathedral

The invocation was provided by Bishop Richard E. Young, The Chosen Vessel Cathedral.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF AUGUST 2, 2011

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns, that the minutes of the regular meeting of August 2, 2011, be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Espino 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

Interim City Manager Tom Higgins requested that Mayor and Council Communication Nos. G-17345 and G-17346 be withdrawn from consideration.

VII. CONSENT AGENDA

Motion: Council Member Hicks made a motion, seconded by Mayor Pro tem Zimmerman, that the Consent Agenda be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Espino absent.

A. General - Consent Items

1. M&C G-17341 - Authorize Initiation of Rezoning for Certain Properties in the Camp Bowie and Camp Bowie West Corridor in Accordance with the Comprehensive Plan.

The City Council approved the following recommendation: Authorize the City Manager to Initiate Certain Zoning Changes in the Camp Bowie and Camp Bowie West Corridor, in Accordance With the Comprehensive Plan.

2. M&C G-17342 - Adopt Ordinance Amending the Speed Zone Tables in Chapter 22 of the City Code, Motor Vehicles and Traffic.

The City Council approved the following recommendation: Adopt Ordinance No. 19828-08-2011 Amending Chapter 22, "Motor Vehicles and Traffic", of the Code of the City of Fort Worth by Amending Article III, Section 22-86, Entitled "Speeding", Subsections (f) and (g) by Changing the Locations, Extent and/or Speed Limits of Certain Speed Zones.

3. M&C G-17343 - Authorize Acceptance of a Routine Airport Maintenance Project Grant for Fort Worth Meacham International Airport from the Texas Department of Transportation Aviation Division, if Offered, in an Amount Up to \$50,000.00, Authorize the Use of Revenue from Mineral Lease Revenue in an Amount Up to \$50,000.00 for the City's Grant Match and Adopt Appropriation Ordinances.

The City Council approved the following recommendation: Authorize the Acceptance of a Routine Airport Maintenance Project Grant, if Offered, for Fort Worth Meacham International Airport From the Texas Department of Transportation, Aviation Division, in an Amount Up to \$50,000.00; Adopt

(VII. CONSENT AGENDA Continued)

(G-17343 Continued)

Appropriation Ordinance No. 19829-08-2011 Increasing the Estimated Receipts and Appropriations in the Airports Gas Lease Project Fund, From Available Funds, for the Purpose of Transferring Said Funds to the Airports Grant Fund to Fund Routine Maintenance at Fort Worth Meacham International Airport; Authorize the Transfer of \$50,000.00 From the Airports Gas Lease Project Fund to the Airport Grants Fund for the City's Match; and Adopt Appropriation Ordinance 19830-08-2011 Increasing the Estimated Receipts and Appropriations in the Airports Grant Fund in the Amount of \$100,000.00, Subject to Receipt of the Grant, for the Purpose of Providing the Needed Routine Maintenance.

C. Land - Consent Items

1. M&C L-15223 - Adopt Appropriation Ordinance in the Amount of \$30,000.00 and Authorize Expenditure of an Amount Not to Exceed \$85,548.53 to Expand Parks in the Central City.

The City Council approved the following recommendation: Adopt Appropriation Ordinance No. 19831-08-2011 Increasing the Estimated Receipts and Appropriations in the Park Dedication Fees Fund in the Amount of \$30,000.00, From Available Funds, for the Purpose of Providing Additional Funds to Complete the Purchase of 21 Tax Foreclosed Properties to Expand Parks in the Central City; and Authorize the Expenditure of an Amount Not to Exceed \$85,548.53.

2. M&C L-15224 - Authorize Execution of a Retaining Wall Maintenance Agreement with Cerine Management LLC, for the Property Located at 6220 John Ryan Drive, Fort Worth at No Expense to the City.

The City Council approved the following recommendation: Authorize a Retaining Wall Maintenance Agreement With Cerine Management, LLC, for the Property Located at 6220 John Ryan Drive, Fort Worth at No Expense to the City.

3. M&C L-15225 - Authorize Acquisition of a Fee Simple Interest in 0.0839 Acres of Land for Right-of-Way Located at 3417 Bideker Avenue from Sterling Global Resources, LLC., in the Amount of \$9,288.78 and Pay Estimated Closing Costs of \$2,000.00 for a Total Cost of \$11,288.78.

The City Council approved the following recommendation: Authorize the Acquisition of a Fee Simple Interest in 0.0839 Acre of Land for Right-of-Way Located at 3417 Bideker Avenue, Described as Lot 6, Block 21, Englewood Heights, From Sterling Global Resources, LLC, for \$9,288.78 and Pay Estimated Closing Costs of \$2,000.00; Find That the Amount of \$9,288.78 Offered for the Purchase of the Right-of-Way is Just Compensation; and Authorize the City Manager or his Designee to Accept the Conveyance and Execute and Record the Appropriate Instruments.

(VII. CONSENT AGENDA Continued)

E. Award of Contract - Consent Items

1. M&C C-25092 - Authorize Execution of Development Agreements in Lieu of Annexation with Multiple Property Owners for Property Located Generally West of Old FM156 and South of SH114.

The City Council approved the following recommendation: Authorize the Execution of a Development Agreement Between the City and Multiple Property Owners for the Application of Development Standards in Lieu of Annexation for 1,056.6 Acres of Land, Located Generally West of Old FM 156 and South of SH 114 in Unincorporated Denton County, Described as Area 73, Alliance Airport Area.

2. M&C C-25093 - Authorize Execution of a Contract with Vendigm Construction, LLC, in the Amount of \$231,810.20 for Bridge Repair and Rehabilitation at Seven Locations, 2011-18.

The City Council approved the following recommendation: Authorize Execution of a Contract With Vendigm Construction, LLC, in the Amount of \$231,810.20 for Bridge Repair and Rehabilitation at E. Allen Avenue Over BNSF Railroad; Bellaire Drive South (East Bound) Over Tributary of Trinity River; Bellaire Drive South (West Bound) Over Tributary of Trinity River; Hattie Street Over BNSF Railroad; Mark IV Parkway (North Bound) Over Little Fossil Creek; Mark IV Parkway (South Bound) Over Little Fossil Creek; and Village Creek Road Over Tributary of Lake Arlington.

3. M&C C-25094 - Authorize Execution of a Contract with RKM Utility Services, Inc., in the Amount of \$741,269.00 for the Summercrest Drainage Improvements.

The City Council approved the following recommendation: Authorize Execution of a Contract With RKM Utility Services, Inc., in the Amount of \$741,269.00 for Construction of the Summercrest Drainage Improvements.

4. M&C C-25095 - Authorize Execution of an Engineering Agreement in the Amount of \$243,619.00 with Wade Trim, Inc., for the Westcliff Drainage Improvements Project.

The City Council approved the following recommendation: Authorize Execution of an Engineering Agreement With Wade Trim, Inc., in the Amount of \$243,619.00 for Scope Assessment of the Westcliff Drainage Improvements Project.

(VII. CONSENT AGENDA Continued)

5. M&C C-25096 - Authorize Execution of a Contract with Intercon Environmental, Inc., in the Amount of \$18,780.00 for Removal, Transportation and Disposal of Asbestos Containing Materials at Meadowbrook Library, R.D. Evans Community Center, and the Former Police Property Room and Adopt Appropriation Ordinance.

The City Council approved the following recommendation: Adopt Appropriation Ordinance No. 19832-08-2011 Increasing the Estimated Receipts and Appropriations in the Environmental Protection Operating Fund in the Amount of \$18,780.00 and Decreasing the Unaudited, Unreserved, Undesignated Fund Balance by the Same Amount, for the Purpose of Removing Asbestos Containing Material at Meadowbrook Library, R.D. Evans Community Center and Former Police Property Room; Authorize the Transfer of Funds From the Environmental Protection Operating Fund to the Environmental Protection Project Fund; and Authorize Execution of Contract With Intercon Environmental, Inc., for Removal, Transportation and Disposal of Asbestos Containing Materials.

6. M&C C-25097 - Ratify the Application for and Accept a Motor Carrier Safety Assistance Program High Priority Grant from the United States Department of Transportation, Federal Motor Carrier Safety Assistance Program in an Amount Up to \$250,000.00 to Conduct Commercial Motor Vehicle Enforcement and Public Outreach, Authorize Execution of the Grant Agreement for Acceptance of Grant Funds, Authorize Matching Funds in an Amount Up to \$62,500.00 and Adopt Appropriation Ordinance.

The City Council approved the following recommendation: Ratify the Application for and Accept a Motor Carrier Safety Assistance Program High Priority Grant From the United States Department of Transportation, Federal Motor Carrier Safety Assistance Program in an Amount Up to \$250,000.00; Authorize Execution of a Grant Agreement With the United States Department of Transportation to Conduct Commercial Motor Vehicle Enforcement and Public Outreach; Authorize the City to Provide an In-Kind Match Associated With the Grant of 20 Percent of the Total Project Cost in an Amount Up to \$62,500.00; and Adopt Appropriation Ordinance No. 19833-08-2011 Increasing the Estimated Receipts and Appropriations in the Grants Fund in the Amount of \$312,500.00, Subject to Receipt of the Grant, for the Purpose of Funding Commercial Motor Vehicle Enforcement and Public Outreach.

7. M&C C-25098 - Authorize Mutual Aid Agreement with the City of Saginaw to Respond to Requests for Assistance with Fire Protection and First Responder Requests on Medical Incidents for the Protection of Life and Property.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Mutual Aid Agreement With the City of Saginaw to Respond to Requests for Assistance With Fire Protection and First Responder Requests on Medical Incidents for the Protection of Life and Property.

(VII. CONSENT AGENDA Continued)

8. M&C C-25099 - Authorize Execution of a Utility Adjustment Agreement with Tri-County Electric Cooperative, Inc., in an Amount of \$78,627.67 for Relocation and Improvement of its Electrical Distribution Facilities as Part of the Runway Extension Project at Fort Worth Alliance Airport.

The City Council approved the following recommendation: Authorize Execution of a Utility Adjustment Agreement With Tri-County Electric Cooperative, Inc., in an Amount of \$78,627.67 for Relocation and Improvement of its Electrical Distribution Facilities as Part of the Runway Extension Project at Fort Worth Alliance Airport.

9. M&C C-25100 - Authorize Provision of Sewer Service at 1.25 Times the Retail Rate to Southland Contracting, Inc., Located at 3879 Rendon Road in Tarrant County Outside of the Fort Worth City Limits Pursuant to City Code Section 35-60B Uses Outside City.

The City Council approved the following recommendation: Authorize the Water Department to Provide Sewer Service at 1.25 Times the Retail Rate to Southland Contracting, Inc., Located at 3879 Rendon Road, Described as Tracts 34 and 34E, Shelby County School Land Survey, Abstract 1375, Extraterritorial Jurisdiction of Fort Worth Inside Tarrant County and Within the Fort Worth Water Certificate of Convenience and Necessity (CCN); and Authorize the City Manager to Execute an Agreement for Such Services.

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1822 - Notice of Claims for Alleged Damages and/or Injuries

2. OCS - 1823 - Liability Bonds Approval

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

There were no special presentations, introductions, etc.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Mayor Pro tem Zimmerman introduced his wife Mary and grandchildren, Noah and Zachary Zimmerman, and welcomed them to the meeting.

Council Member Jordan expressed appreciation to the Citizens on Patrol, Neighborhood Police Officers and the Police Department for their support of the six (6) Blue Tsunami events that recently took place in District 6. He stated the event applied saturation patrol techniques in District 6 and south Fort Worth in order to ensure a low crime rate. He stated that everyone who participated did an outstanding job.

(X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF #1 Continued)

Council Member Moss announced the District 5 Library Master Plan meeting would be held on August 11, 2011, from 6:00 p.m. to 8:00 p.m., at the eSkills Library and Job Center, located at 2800 Stark Street. He also announced the Jean McClung Middle School Ribbon Cutting Ceremony would be held on August 12, 2011, at 10:00 a.m., located at 3000 Forest Avenue. He also announced that a Redistricting Public Workshop would be held on August 15, 2011, from 6:30 pm. to 8:30 p.m., at the Tarrant County College Opportunity Center, located at 5901 Fitzhugh.

Council Member Hicks announced the District 8 Library Master Plan meeting would be held on August 15, 2011, from 6:30 p.m. to 8:00 p.m., at the Highland Hills Community Center, located at 1600 Glasgow Road. She also announced the Business Assistance Center would present "Getting to the Next Level," a business plan competition on August 23, 2011, at 5:00 p.m., at the Texas Christian University, Dee J. Kelly Alumni and Visitors Center. She stated that the total value of the prize packages for first, second and third place was approximately \$50,000.00 and advised those interested in attending the event to RSVP to (817) 212-2665.

Mayor Pro tem Zimmerman announced, on behalf of Council Member Espino, that a Talking Out Ceremony would be held on August 12, 2011, at 10:00 a.m., at Texas Health Harris Methodist at Alliance, located at 10510 Old Denton Road.

Mayor Price announced that the dress code for Budget Workshop, scheduled for August 10 and 11, 2011, at the Southwest Baptist Theological Seminary, would be casual and stated she looked forward to the hard work that would occur relative to the proposed budget. She also announced that a summer dress code would be implemented for City employees, effective August 9, 2011, through September 5, 2011. She encouraged everyone to dress in appropriate business casual attire and emphasized that flip flops and shorts were not acceptable.

2. Recognition of Citizens

There were no citizens recognized at this time.

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

There were no changes in 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. RESOLUTION

1. A Resolution of the City Council of the City of Fort Worth, Texas, Proposing the Increase of Tax Revenue from the Ad Valorem Tax Rate for Fiscal Year 2012 and Setting Public Hearing Dates on the Tax Rate.

Motion: Council Member Burns made a motion, seconded by Council Member Scarth, that Resolution No. 4016-08-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Espino absent.

XIV. REPORT OF THE CITY MANAGER

B. General

1. M&C G-17344 - Authorize Application for and Acceptance, if Awarded, of a Three-Year Grant for a Total Amount Up to \$750,000.00 from The Wallace Foundation to Participate in a System-Building Initiative for Out-of-School Time Programs and Adopt Appropriation Ordinance.

The recommendation was that the City Council Authorize Application for and Acceptance, if Awarded, of a Three (3)-Year Grant for a Total Amount Up to \$750,000.00 From The Wallace Foundation to Participate in a System-Building Initiative for Out-of-School Time Programs; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Grants Fund, Subject to Receipt of a Grant, for the Purpose of Funding the Program.

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

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. G-17344 be approved and Appropriation Ordinance No. 19834-08-2011 be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays and one (1) abstention by Council Member Moss, with Council Member Espino absent.

2. M&C G-17345 - Authorize Acceptance and Recording of a Gift Deed from the Fort Worth Zoological Association for the Improvement Known as the Chesapeake Restroom Building.

It was the consensus of the City Council that Mayor and Council Communication No. G-17345 be withdrawn from consideration.

3. M&C G-17346 - Consider a Waiver Request by Chesapeake Operating, Inc., for a Multiple Gas Well Pad Site Permit for the Rutherford Lease Located at 6699 Boca Raton Boulevard, Less Than 600 Feet from a Protected Use. (PUBLIC HEARING)

It was the consensus of the City Council that Mayor and Council Communication No. G-17346 be withdrawn from consideration.

4. M&C G-17347 - Consider a Waiver Request by Chesapeake Operating, Inc., for a Multiple Gas Well Pad Site Permit for the Cowboys of Color Lease Located at 3620 East Berry Street Less Than 600 Feet from a Protected Use. (PUBLIC HEARING)

The recommendation was that the City Council Consider a Waiver Request by Chesapeake Operating, Inc., for a Multiple Gas Well Pad Site Permit on the Cowboys of Color Lease Located at 3620 East Berry Street Less Than 600 Feet From a Protected Use.

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

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.

a. Report of City Staff

Mr. Rick Trice, Assistant Director, Gas Wells, Planning and Development Department, appeared before Council and provided a staff report.

b. Citizen Presentations

Ms. Loretta Haldenwang, Public Affairs Coordinator, Chesapeake Energy Corporation, 100 Energy Way, appeared before Council and provided an overview of the waiver request.

Council Member Moss requested clarification from Ms. Haldenwang regarding what steps Chesapeake Energy Corporation was taking to address the sound mitigation concerns of the neighbors.

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(G-17347 Continued)

Ms. Haldenwang stated that Chesapeake Energy Corporation would provide 32 foot sound mitigation walls on all four (4) sides of the pad site with an upgraded sound mitigation padding of the thickest material available on the market.

The following individuals appeared before Council in opposition to Mayor and Council Communication No. G-17347 and referenced Attorney General Opinion No. JM 1069 relative to a home rule city designating itself to act as a zoning board of adjustment and stated the City was in violation of this opinion. They also stated that noise levels associated with this well site were too high and they had filed complaints with both the City and with Chesapeake Energy Corporation. They referenced a report by Behrens & Associates, Inc., Environmental Noise Control - Cowboys of Color Lease and advised that the report stated that the site was in compliance when the acoustic levels were averaged but there were times when the noise levels were not in compliance. They also stated that the City should not be able to grant waivers from 600 feet to 200 feet from protected uses and added that they felt the City was placing potential revenue above the welfare of the citizens. They advised that gas wells could be a potential target for terrorism and stated regular accidents occur on gas well sites. They further stated that this pad site was too close to schools, homes and churches and should not be permitted. Mr. Gray also referenced an accident that occurred when a gas well ruptured near his home and the neighborhood was evacuated and a gas well employee was killed. Ms. Esquivel referenced the Dawson Seismic Study and requested the contents of the study be published for the citizens to review.

Mr. Jim Ashford, 6209 Riverview Circle (provided a handout of Attorney General Opinion No. JM 1069).

Mr. Michael Martinez, 3109 Bright Street (provided a handout of Behrens & Associates, Inc., Environmental Noise Control - Cowboys of Color Lease Report).

Pastor Ernest Williams, 1640 Ousley Road

Mr. Billy Gray, 4505 Griggs Court

Ms. Tamara Taylor, 3533 East Berry Street

Ms. Angelica Esquivel, 3041 Bright Street

Mr. Trice advised that the Dawson Seismic Study contained proprietary information and was not subject to release.

Council Member Moss requested Ms. Haldenwang reiterate what steps Chesapeake Energy Corporation was taking to address the sounds mitigation concerns of the neighbors and where the measurements were taken when determining the closest protected use.

(G-17347 Continued)

Ms. Haldenwang reiterated that Chesapeake Energy Corporation would provide 32 foot sound mitigation walls on all four (4) sides of the pad site with an upgraded sound mitigation padding of the thickest material available on the market. She also clarified that the measurement to the closest protected use was measured from the edge of the pad site not the well head and pointed out that the well head was located an additional 75 feet away from the closest protected use. She also read a statement from Mr. Jim Austin, Founder, National Multicultural Western Heritage Museum and Hall of Fame, in support of the waiver request.

Council Member Moss advised that he would support this waiver request and stated that many meetings had been held with both Chesapeake Energy Corporation and the neighbors and stated that efforts had been made to accommodate the concerns of the neighbors.

Council Member Burns requested the City Attorney provide a response to the Attorney General Opinion discussed by Mr. Ashford. He also requested that Mr. Ashford be copied on the response from the City Attorney.

c. Council Action

Motion: Council Member Moss made a motion, seconded by Council Member Burns, that the public hearing be closed and that Mayor and Council Communication No. G-17347 be approved. The motion carried with six (6) ayes to one (1) nay by Council Member Hicks and one (1) abstention by Council Member Jordan, with Council Member Espino absent.

5. M&C G-17348 - Consider a Waiver Request by Chesapeake Operating, Inc., for a Multiple Gas Well Pad Site Permit for the McCulley Lease Located at 5190 Parker. (PUBLIC HEARING)

The recommendation was that the City Council Consider a Waiver Request by Chesapeake Operating, Inc., for a Multiple Gas Well Pad Site Permit on the McCulley Lease Located at 5190 Parker Henderson Road, Less Than 600 Feet From a Protected Use.

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

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.

a. Report of City Staff

Mr. Rick Trice, Assistant Director, Gas Wells, Planning and Development Department, appeared before Council and provided a staff report.

(G-17348 Continued)

Ms. Loretta Haldenwang, Public Affairs Coordinator, Chesapeake Energy Corporation, 100 Energy Way, appeared before Council and provided an overview of the waiver request.

Council Member Hicks requested clarification on where W.M. Green Elementary was located on the map.

Mr. Charles Davis, Chesapeake Energy Corporation, 100 Energy Way, appeared before Council and pointed out the location of W.M. Green Elementary and noted that the school was not located on the same street as the truck route.

Council Member Moss requested clarification on the hours of travel for the truck traffic at the pad site.

Ms. Haldenwang stated that Chesapeake Energy Corporation would limit large truck traffic during school pick-up and drop-off times.

b. Citizen Presentations

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

c. Council Action

Motion: Council Member Moss made a motion, seconded by Council Member Shingleton, that the public hearing be closed and that Mayor and Council Communication No. G-17348 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays and one (1) abstention by Council Member Jordan, with Council Member Espino absent.

6. M&C G-17349 - Consideration of Variance from Section 4-4 of the City Code to Allow Alcoholic Beverage Sales for Mixed Beverage and Mixed Beverage Late Hours at the Los Tres Amigos Restaurant Located at 1201 East Long Avenue. (PUBLIC HEARING)

The recommendation was that the City Council Consider a Request From Margarito Albarran as Lessee of the Building Located at 1201 East Long Avenue for a Variance From Section 4-4 of the City Code Prohibiting the Sale of Alcoholic Beverages Within 300 Feet of Harvest Outreach Church Located at 3407 North Hampton Street.

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

(G-17349 Continued)

a. Report of City Staff

Ms. Dana Burghdoff, Deputy Director, Planning, Planning and Development Department, appeared before Council and provided a staff report.

b. Citizen Presentations

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

c. Council Action

Motion: Mayor Pro tem Zimmerman made a motion on behalf of Council Member Espino, seconded by Council Member Shingleton, that Mayor and Council Communication No. G-17349 be continued until the September 13, 2011, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Espino absent.

7. M&C G-17350 - Adopt Ordinance Amending the Project and Financing Plans for Tax Increment Reinvestment Zone, Number Eight, City of Fort Worth, Texas, (Lancaster Corridor TIF). (PUBLIC HEARING)

The recommendation was that the City Council Hold a Public Hearing Concerning an Amendment to the Project and Financing Plans for Tax Increment Reinvestment Zone, Number Eight (8), City of Fort Worth, Texas, to Afford an Opportunity for Interested Persons to Speak for or Against the Proposed Amendment as Well as to Speak for or Against the Boundaries of the TIF and the Concept of; Close the Public Hearing; and Adopt an Ordinance Approving an Amended Project and Financing Plan for Tax Increment Reinvestment Zone Number Eight (8), City of Fort Worth, Texas (Lancaster Corridor TIF); and Making Various Findings Related to Such Amended Plan.

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

a. Report of City Staff

Ms. Marguerite Allen, Economic Development Specialist, Housing and Economic Development Department, appeared before Council and provided a staff report.

b. Citizen Presentations

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

(G-17350 Continued)

c. Council Action

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that the public hearing be closed and that Mayor and Council Communication No. G-17350 be approved and Ordinance No. 19835-08-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Espino absent.

8. M&C G-17351 - Adopt Resolution Supporting the Application of Chevron U.S.A., Inc., for a Municipal Setting Designation for 2525 Brennan Avenue to the Texas Commission on Environmental Quality and Adopt Ordinance Prohibiting the Potable Use of Designated Groundwater from Beneath the Site. (PUBLIC HEARING)

The recommendation was that the City Council Conduct a Public Hearing on the Application of Chevron U.S.A., Inc., for Approval of a Municipal Setting Designation for the Property Known as 2525 Brennan Avenue, a 22.490 Acre Tract of Land out of the E. Little Survey, Abstract No. 954, and the S.K. Smith Survey, Abstract No. 1417, Same Being the Remainder of that Certain Property Called 25.9 Acre Tract of Land Described in a Deed From Freehold Property Co. to Gulf Refining Co., to Allow the Public the Opportunity to Give Testimony; Adopt a Resolution in Support of the Application of the City of Fort Worth to the Texas Commission on Environmental Quality for a Municipal Setting Designation for 2525 Brennan Avenue, Fort Worth, Texas; and Adopt an Ordinance Amending the Code of the City of Fort Worth (1986), as Amended, by the Amendment of Chapter 12.5, "Environmental Protection and Compliance," Article IV "Groundwater and Surface Water Quality," by Amending Appendix "A" "Municipal Setting Designation Sites in Fort Worth," by the Addition of Section 21; Designating CFW-MSD-0021, Providing for the Prohibition of the Use of Groundwater for Potable and Irrigation Purposes in CFW-MSD-0021, Providing a Fine Up to \$2,000.00 for Each Offense in Violation of the Ordinance.

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

a. Report of City Staff

Mr. Stewart Brown, Environmental Specialist, Transportation Public Works Department, appeared before Council and provided a staff report.

b. Citizen Presentations

The following individuals completed speaker cards in support of Mayor and Council Communication No. G-17351, but did not wish to address the City Council.

(G-17351 Continued)

Ms. Gale McKinney, 10235 West Little York, Houston, Texas 77040
Mr. Peter Kasbohm, 4800 Fournage Place

c. Council Action

Motion: Mayor Pro tem Zimmerman made a motion on behalf of Council Member Espino, seconded by Council Member Scarth, that the public hearing be closed and that Mayor and Council Communication No. G-17351 be approved and Resolution No. 4017-08-2011 and Ordinance No. 19836-08-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Espino absent.

C. Purchase of Equipment, Materials, and Services

1. M&C P-11276 - Authorize Execution of a Long-Term Lease Agreement with Yamaha Motor Corporation, U.S.A., for Golf and Utility Cars and Execution of Seasonal Rental and Service Agreements with Yamaha Golf-Car Company for the Parks and Community Services Department for a Combined Total Amount of \$254,000.00 for the First Year.

The recommendation was that the City Council Authorize Execution of a Long-Term Lease Agreement With Yamaha Motor Corporation, U.S.A, for Golf and Utility Cars and Seasonal Rental and Service Agreements With Yamaha Golf-Car Company for the Parks and Community Services Department for a Combined Total Amount of \$254,000.00 for the First Year.

Motion: Council Member Hicks made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. P-11276 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Espino absent.

2. M&C P-11277 - Authorize Purchase Agreement for Repair and Replacement of Heating, Ventilation and Air Conditioning Systems at City-Owned Facilities with Johnson Controls, Inc., for the City of Fort Worth in the Amount of \$700,000.00 for the First Year.

The recommendation was that the City Council Authorize a Purchase Agreement for Repair and Replacement of Heating, Ventilation and Air Conditioning Systems at City-Owned Facilities in the Amount of \$700,000.00 for the First Year Based on the Lowest Bid Meeting Specifications.

Motion: Council Member Jordan made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. P-11277 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Espino absent.

3. M&C P-11278 - Authorize Purchase of Seven Dump Trucks from Southwest International Trucks, Inc., Using a Texas Association of School Boards Cooperative Contract for the Transportation and Public Works, Water and Parks and Community Services Departments for a Total Amount of \$810,504.00.

The recommendation was that the City Council Authorize the Purchase of Seven (7) Dump Trucks From Southwest International Trucks, Inc., Using the Texas Association of School Boards Contract No. 358-10 for the Transportation and Public Works, Water and Parks and Community Services Departments for a Total Amount of \$810,504.00.

Motion: Council Member Jordan made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. P-11278 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Espino absent.

D. Land

1. M&C L-15226 - Authorize Use of Parkland at the Fort Worth Botanic Garden for the Construction of a Retaining Wall and Authorize Execution of License Agreements with Event Facilities Fort Worth, Inc., for the Design, Construction and Maintenance of a Retaining Wall and for Temporary Use of Parkland in Connection with the Construction. (PUBLIC HEARING)

The recommendation was that the City Council Conduct a Public Hearing Under the Guidelines Set Forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; Find that No Feasible or Prudent Alternatives Exist to the Use of the Fort Worth Botanic Garden for the Location of the Proposed Retaining Wall; Find That the Proposed Use Includes all Reasonable Planning to Minimize Harm to the Parkland Resulting From the Proposed Use and That the Proposed Use Will be Constructed as Specified on the Exhibits Attached to Mayor and Council Communication No. L-15226; Close the Public Hearing and Authorize the City Manager to Approve Use of the Subsurface and Surface of Approximately .20 Acre of Parkland for the Construction of a Concrete Retaining Wall at the Fort Worth Botanic Garden, Located at 3220 Botanic Garden Boulevard, South of Harley Street, North of Interstate Highway 30 West, West of University Drive and East of Montgomery Street; Authorize the City Manager to Execute an Agreement With Event Facilities Fort Worth, Inc., for the Design, Construction and Maintenance of the Retaining Wall; and Authorize the City Manager to Execute an Agreement With Event Facilities Fort Worth, Inc., for Temporary Use of Parkland During Construction of the Project.

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

a. Report of City Staff

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

b. Citizen Presentations

(L-15226 Continued)

Mr. Mike Groomer, 505 Main Street, Suite 240, completed a speaker card in support of Mayor and Council Communication No. L-15226, but did not wish to address the City Council.

c. Council Action

Motion: Council Member Shingleton made a motion, seconded by Council Member Burns, that the public hearing be closed and that Mayor and Council Communication No. L-15226 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Espino absent.

F. Award of Contract

1. M&C C-25101 - Authorize Execution of a Contract with BAR Constructors, Inc., in the Amount of \$5,734,876.65 for the Forest Park - Parkview Storm Drain Improvements.

The recommendation was that the City Council Authorize Execution of a Contract With BAR Constructors, Inc., in the Amount of \$5,734,876.65 for Construction of the Forest Park – Parkview Storm Drain Improvements.

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. C-25101 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Espino absent.

XV. ZONING HEARING

1. Zoning Docket No. 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: "PD/ER" Planned Development for all uses in "ER" Neighborhood Commercial Restricted plus: greenhouse or plant nursery; grocery store, meat market; recording studio; retail sales, general; veterinary clinic with indoor kennels; assembly of pre-manufactured parts excluding vehicles, trailers, airplanes, or mobile homes; contractor yard; farmers' market; furniture or cabinet construction or repair' machine shop; maintenance of industrial tenant's company vehicles and equipment only; outdoor sales and storage as accessory to industrial tenant only; warehouse; and welding shop for custom work. Other development standards: site plan required; site plan to follow "I" Light Industrial development standards for industrial uses; all existing trees within 60 feet of residential property to be retained; all outdoor storage to be screened as per Sec. 5.133; eight foot minimum screening fence height; main access from US 287, emergency access only from Vaughn Boulevard, all work shall be done inside a building with no bay doors facing a residential structure or residential zoning for machine shops and furniture construction. (Recommended for Approval) (Renoticed from July 12, 2011) (Continued from a Previous Meeting)

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
AUGUST 9, 2011
PAGE 18 of 19**

(ZC-11-041A Continued)

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

This item was continued from the July 12, 2011, Council meeting.

Mr. Walter Cheatle, 3301 East Loop 820 South, completed a speaker card in support of Zoning Docket No. ZC-11-041A, but did not wish to address the City Council.

Council Member Moss expressed appreciation to the City staff involved in this project and stated this item completed the Council initiated rezoning for Vaughn Neighborhood.

Motion: Council Member Moss made a motion, seconded by Council Member Hicks, that Zoning Docket No. ZC-11-041A be approved and Ordinance No. 19837-08-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Espino absent.

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

ORDINANCE NO. 19837-08-2011

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

XVI. CITIZEN PRESENTATIONS

Mr. Don Fisher, 6925 Hatch Drive, Lake Worth, Texas 76135, appeared before Council relative to the fracing activity at the Welker 5-H Jenkins Heights Addition gas well. He stated that a pipe was pumping water from the well site to a location one and a half (1.5) miles from the well and could be contaminating the lake water where children were swimming. He requested a meeting be held onsite with the City and Chesapeake Energy Corporation representatives to show him where the water pipe was located and to investigate the matter to determine if the gas well company was in compliance.

XVIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:07 p.m.

No Documents for this Section

To the Mayor and Members of the City Council

August 16, 2011

Page 1 of 1



SUBJECT: Consent to Assignment of Economic Development Program Agreement Contract No. 30458 with Trinity Bluff Development, Ltd to Allow Assignment of Real Property Agreement to Future Property Owner

On August 17, 2004, the City Council entered into an Economic Development Program Agreement with Trinity Bluff Development, Ltd. for the development of an apartment complex with 300 units for lease at market rates on property in the northeast portion of the downtown area, and to provide and develop enhanced perimeter interior streetscape, open space and pedestrian access to the Trinity River in the vicinity of the property. The owner was required to invest \$25 million in real property improvements and spend the greater of 20 percent or \$5 million of those real property improvement cost with Certified Fort Worth M/WBE companies. The owner was to provide one job on site and fill 25 percent of total jobs with Fort Worth Central City residents and spend the greater of \$30,000 or 25 percent per year for supplies and services related to the operation of the development with Certified Fort Worth M/WBE companies.

In August 2011, Trinity Bluff Development, Ltd. approached the City about their intention to sell the apartment complex to JP Morgan Investment Management, Inc. or to an affiliate of JP Morgan Investment Management, Inc. Trinity Bluff Development, Ltd. is asking the City of Fort Worth for the ability to assign the benefits and obligations under the agreement to the future property owner. The construction of the apartment complex as outlined in the agreement has been completed and the owner met all of the commitments as set forth in the agreement. The City will continue to receive the public benefits resulting from development of the project.

Under the proposed consent to assignment, the future real property owner will be bound to all obligations and requirements that are imposed on Trinity Bluff Development, Ltd. under the existing agreement.

Staff will bring forward an M&C on August 23rd Council to authorize the execution of Consent to Assignment of Economic Development Program Agreement City Secretary Contract No. 30458.

for Tom Higgins
Interim City Manager

To the Mayor and Members of the City Council

August 16, 2011

Page 1 of 2



SUBJECT: August 2011 – Sales Tax Update

In response to the volatile nature of sales tax revenue, the Staff is committed to providing you a brief update of the sales tax collections. The Texas Comptroller's Office posted results on August 10th. The results are dependent upon the timeliness and accuracy of sales tax payers' returns. This payment from the State represents taxes collected on sales that occurred primarily in the month of June. In this report, you will see our sales tax collection compared to last year and the impact on the current year's budget.

MONTHLY SALES TAX COLLECTIONS FOR JUNE

CITY OF FORT WORTH

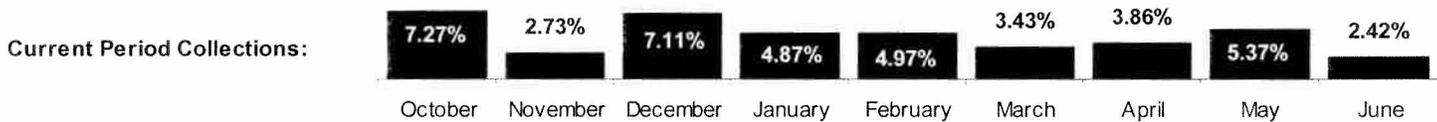
JUNE FY2011	\$ 13,763,588	<u>DOLLAR VARIANCE</u>		<u>% VARIANCE</u>
JUNE FY2010	\$ 9,112,377	\$4,651,212	↑	51.04% ↑



Note: The City has experienced collection growth in the current fiscal year. The City's June sales tax collections were up **\$4,651,212** compared to last year. As you know, the Comptroller has modified our sale tax for the past three months. The adjustments relate to sales tax paid on exempt equipment. Staff has worked with the Comptroller and this month the City received a reallocation of \$3.7M for the prior adjustments.

COLLECTION DETAIL FOR CITY SALES TAX

	JUNE 2010	JUNE 2011	CHANGE
Current Period Collections:	\$ 10,087,557	\$ 10,332,048	2.42% ↑
Other Collections:	392,906	163,480	-58.39%
Audit Collections:	(1,144,517)	3,690,341	422.44%
Service Fee:	(186,719)	(283,717)	51.95%
Retainage:	(36,851)	(138,563)	276.01%
Net Payment	\$ 9,112,377	\$ 13,763,588	51.04% ↑



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

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

INFORMAL REPORT TO CITY COUNCIL MEMBERS

No. 9421

To the Mayor and Members of the City Council

August 16, 2011

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SUBJECT: August 2011 – Sales Tax Update

CITY OF FORT WORTH BUDGET COMPARISON - FY2011

	<u>YTD BUDGET</u>	<u>YTD ACTUAL</u>	<u>YTD VARIANCE</u>	
CITY OF FORT WORTH	\$ 71,884,450	\$ 78,567,774	9.30%	↑
CRIME CONTROL AND PREVENTION DIST.	\$ 31,511,906	\$ 35,439,849	12.46%	↑
MASS TRANSIT AUTHORITY - THE "T"	\$ 33,984,760	\$ 36,917,220	8.63%	↑
	<u>ADOPTED BUDGET</u>	<u>BUDGET RE-ESTIMATE</u>	<u>YR END VARIANCE</u>	
CITY OF FORT WORTH	\$ 96,351,438	\$ 103,034,762	6.94%	↑
CRIME CONTROL AND PREVENTION DIST.	\$ 42,237,472	\$ 46,165,415	9.30%	↑
MASS TRANSIT AUTHORITY - THE "T"	\$ 45,552,000	\$ 48,484,460	6.44%	↑

Note: The City collections total **\$6,683,324** more than budget. Staff recommends maintaining a conservative forecast, until the City and Comptroller can finalize payment plans for the total amount due as well as monitoring changes in the national economy.

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

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

<u>CITY</u>	<u>QTR 1</u>	<u>QTR 2</u>	<u>QTR 3</u>	<u>JUNE</u>	<u>YTD</u>
BURLESON	14.02%	-1.10%	16.85%	10.95%	10.18%
GRAPEVINE	13.59%	3.00%	12.10%	15.06%	9.63%
FORT WORTH	9.29%	0.90%	12.49%	51.04%	7.63%
SOUTHLAKE	2.15%	8.00%	7.90%	8.74%	5.81%
EULESS	7.28%	6.60%	3.58%	8.35%	5.74%
HURST	6.62%	2.80%	3.44%	1.13%	4.45%
DALLAS	3.59%	4.70%	3.71%	3.90%	3.99%
ARLINGTON	8.10%	0.50%	0.06%	-1.85%	2.86%
WATAUGA	6.13%	0.40%	-0.18%	-4.47%	2.17%
KELLER	2.81%	-2.40%	2.83%	8.93%	1.09%
NORTH RICHLAND HILLS	5.27%	-3.00%	-1.45%	-3.39%	0.33%
GRAND PRAIRIE	-6.73%	-2.70%	1.49%	-0.81%	-2.58%
BEDFORD	-0.61%	-7.90%	-7.12%	-6.61%	-5.27%
STATE TOTAL	8.26%	10.00%	9.55%	7.19%	9.27%

Note: YTD collections for Fort Worth are up **7.63%** compared to last year.

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


Tom Higgins
 Interim City Manager

**To the Mayor and Members of the City Council****August 16, 2011**
Page 1 of 1**SUBJECT: Urban Village Streetscape Projects**

The purpose of this report is to provide the City Council with information concerning funding that the City has secured to support pedestrian and streetscape improvements within designated urban villages.

The City Council created the urban village development program in 2001, and initially designated 13 urban villages to promote revitalization of the central city. In 2005, based on recommendations from the City Plan Commission, the City Council modified the designations to achieve the 16 urban villages that exist today. The City applies three strategies to promote desirable development within the villages: 1) rezone to mixed-use, 2) apply economic incentives such as Neighborhood Empowerment Zones to the urban village and surrounding low-income neighborhoods, and 3) construct capital improvements that support economic development and encourage pedestrian activity and transit use.

Since 2001, the City has secured various federal and regional grants for urban villages. The attached table provides information on grants received for pedestrian and streetscape improvements, and the status of each project. Staff has found that federally-funded projects take two to three years longer to design than regionally or locally funded projects. This is due to the federal and state design, environmental review, and procedural requirements, along with the inexperience of local and state staff and consultants in applying highway review standards and processes to pedestrian and streetscape projects. When future federal grant opportunities arise for transportation-related projects, staff recommends applying for grants that exceed a few million dollars in order to make a meaningful capital investment and to justify the time investment.

Several of the grants are associated with NCTCOG's Land Use/Transportation Joint Venture and Sustainable Development programs, which require private developer cost participation and mixed-use development. Developers in the Historic Handley, Six Points, and West 7th urban villages have decided either to proceed without the federal funds or to not proceed with their mixed-use projects. The allocated federal funds, totaling \$1.5 million, are thus returned to NCTCOG and allocated for the next Sustainable Development call for projects.

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


for **Tom Higgins**
Interim City Manager

Attachment

ATTACHMENT
Urban Village Streetscape Projects

Funding Source / Project	Status	Bid Date	Grant	Match (\$)	Total
2001 NCTCOG Joint Venture (federal)			\$5,094,834	\$544,486	\$5,639,320
1 So 7th: Museum Way Streetscape	Completed	--	\$1,075,000	\$10,000	\$1,085,000
2 So 7th: West Seventh Streetscape	Must be cancelled	--	\$1,058,994	\$63,837	\$1,122,831
3 So 7th: Tilley Pedestrian Bridge	Under construction	--	\$1,078,243	--	\$1,078,243
4 Magnolia - Hemphill Streetscape	100% plan review	1 st Q, 2012	\$1,233,688	\$308,422	\$1,542,110
5 Ridglea Crosswalks and Sidewalks	Design contract pending	1 st Q, 2013	\$380,349	\$95,087	\$475,436
6 Historic Handley Sidewalks	Cancelled	--	\$268,560	\$67,140	\$335,700
2003 Transportation & Community & System Preservation Earmark (federal)			\$795,000	--	\$795,000
1 Historic Handley Sidewalks	30% design	3 rd Q, 2012	\$395,000	--	\$395,000
2 Berry/University Sidewalks	Completed	--	\$400,000	--	\$400,000
2004-2005 Urban Village Earmark (federal)			\$3,867,855	--	\$3,867,855
1 Six Points Streetscape	Revising scope due to cancelled project below	TBD	\$773,571	--	\$773,571
2 Near East Side Streetscape	100% plan review	4 th Q, 2011	\$773,571	--	\$773,571
3 South Main Streetscape	Revising scope due to new project below	2 nd Q, 2013	\$773,571	--	\$773,571
4 Hemphill/Berry Streetscape	90% plan review	4 th Q, 2011	\$773,571	--	\$773,571
5 Berry/Riverside Streetscape	90% plan revisions	2 nd Q, 2012	\$773,571	--	\$773,571
2005-2006 NCTCOG Sustainable Development (local)			\$6,535,900	\$2,134,143	\$8,670,043
1 Six Points Streetscape	Must be cancelled	--	\$320,000	\$80,000	\$400,000
2 Trinity Bluff Streetscape	Completed	--	\$1,050,900	\$262,725	\$1,313,625
3 Museum Place Streetscape	Completed	--	\$2,400,000	\$600,000	\$3,000,000
4 West Rosedale Retrofit	Const. contract pending	--	\$300,000	\$75,000	\$375,000
5 Evans & Rosedale Planning	Completed	--	\$65,000	\$16,250	\$81,250
6 Berry/University Streetscape Extension	90% plan revisions	4 th Q, 2011	\$2,400,000	\$1,100,168	\$3,500,168
2009-2010 NCTCOG Sustainable Development (federal)			\$7,379,720	\$1,844,930	\$9,224,650
1 South Main - High Point	Preparing scope	2 nd Q, 2013	\$3,000,000	\$750,000	\$3,750,000
2 Polytechnic/Wesleyan Streetscape	Awaiting local funding	TBD	\$1,500,000	\$375,000	\$1,875,000
3 Summer Creek	Agreements pending	2015	\$2,879,720	\$719,930	\$3,599,650
Total Funding			\$23,673,309	\$4,523,559	\$28,196,868

**To the Mayor and Members of the City Council****August 16, 2011**

Page 1 of 1

SUBJECT: Aviall Expanding Operations on DFW Airport Property

Aviall (a Boeing company) currently located in Irving on DFW Airport property at International Commerce Park is expanding its aviation warehousing/logistics operations. Aviall will be expanding into the soon to be vacated 630,000 square foot space currently occupied by Amazon.com at 2700 Regent Blvd. The lease term for the new facility will be for nine years.

Aviall will be investing \$60 million in business personal property at the new site. The company will be adding 100 new jobs within the first three years of operation with an average annual salary of approximately \$47,000. In addition, Aviall will have inventory on the City of Irving tax rolls totaling \$580 million by year nine that is subject to Freeport Exemption.

The City of Irving would collect additional tax revenue estimated at \$6.9 million as a result of the economic development project and its associated economic impacts. In order to bring the project to completion, the City of Irving is considering a 40 percent Chapter 380 economic development agreement on the incremental business personal property for the duration of the lease. Since the City of Irving does not offer Freeport Exemption, the City has also agreed to rebate through a Chapter 380 agreement 100% of the taxes collected on Freeport-qualifying inventory.

Since the project is located on DFW Airport property, the owner cities will also benefit from this expansion and must approve the economic development agreement in order for it to meet the requirements of the cities' revenue sharing agreement. The net revenue from the expansion to the owner cities after the City of Irving provides the incentive payments would total \$329,497 with net revenues to the City of Fort Worth of \$119,817 over the initial lease term. Accordingly, taxes collected on the company's property, the company's taxable sales and franchise fees collected on some of the company's utilities will be shared between Irving, Dallas, and Fort Worth. Taxes and franchise fees will be collected at the City of Irving's rates and then split among the three cities in the following manner:

- City of Irving retains one-third of applicable revenues
- City of Dallas receives 7/11 of the remaining two-thirds of applicable revenues
- City of Fort Worth receives 4/11 of the remaining two-thirds of applicable revenues

Staff recommends approving the project and allowing the expansion to move forward. An M&C approving the project will be brought to City Council on August 23, 2011.


Tom Higgins
Interim City Manager

No Documents for this Section

No Documents for this Section

ORDINANCE NO. _____

AN ORDINANCE SETTING FORTH AN ITEMIZED ESTIMATE OF THE EXPENSE OF CONDUCTING EACH DEPARTMENT, DIVISION AND OFFICE OF THE MUNICIPAL GOVERNMENT OF THE CITY OF FORT WORTH FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2011, AND ENDING SEPTEMBER 30, 2012, AND APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH ESTIMATE; PROVIDING FOR PUBLIC HEARINGS UPON THIS ORDINANCE BEFORE THE ENTIRE CITY COUNCIL SITTING AS A COMMITTEE OF THE WHOLE; AND PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A SAVINGS CLAUSE FOR THE REPEAL OF ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION AND FINAL PASSAGE THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

SECTION 1.

That the appropriation for the ensuing fiscal year beginning October 1, 2011, and ending September 30, 2012, for the different departments and purposes of the City of Fort Worth be fixed and determined as follows:

I. GENERAL FUND

1. City Manager	\$6,502,012
2. City Secretary	\$1,203,946
3. Code Compliance	\$16,396,786
4. Financial Management Services	\$7,808,033
5. Fire	\$118,158,882
6. Housing and Economic Development	\$5,440,045
7. Human Resources	\$4,025,026
8. Law	\$6,245,503
9. Library	\$19,851,666

10. Municipal Court	\$15,306,134
11. Non-Departmental	\$58,060,288
12. Office of City Auditor	\$2,433,287
13. Parks Community Services	\$39,931,891
14. Planning and Development	\$13,060,625
15. Police	\$193,382,520
16. Transportation and Public Works	\$48,722,728
GENERAL FUND TOTAL	\$556,529,372

II. CIVIL SERVICE STAFFING

Police Department:

Civil service staffing for the Police Department on October 1, 2011, will consist of 1,561 Authorized Positions as follows: 1120 officers, 212 detectives, 162 sergeants, 46 lieutenants, 13 captains, 5 majors and 3 deputy chiefs.

Fire Department:

Civil service staffing for the Fire Department on October 1, 2011, will consist of 908 Authorized Positions as follows: 468 firefighters, 201 engineers, 122 lieutenants, 86 captains, 24 battalion chiefs, 4 division chiefs and 3 deputy chiefs.

This ordinance does not create a new classified civil service rank or position within the Police Department or the Fire Department. This ordinance does not create any new civil service vacancies at any classified rank or position within the Police Department or the Fire Department. This ordinance allocates funds that are intended to provide the City the option of creating new

civil service ranks or positions in the future, in a separate ordinance, but does not obligate the City to do so.

Attached as Addendum A, and made a part of this ordinance by incorporation, are the salary schedules for Fort Worth Fire Department civil service classifications and Fort Worth Police Department civil service classifications for the fiscal year beginning October 1, 2011. These schedules set out the annual base pay for each civil service classification in the Fort Worth Fire Department and in the Fort Worth Police Department and provide for additional seniority pay as determined by each civil service employee's anniversary date. The seniority pay provided by this ordinance is in addition to and not in lieu of the longevity pay provided for by Texas Local Government Code section 141.032.

III. CAPITAL PROJECTS SERVICES FUND

The Capital Projects Services Fund shall be provided with such revenue as may be secured from in-house charges to City departments for the provision of engineering services and other such sources as shown by other ordinances heretofore passed, and such money shall be used to meet the requirements of the Capital Projects Services, as provided in the budget of the City Manager, which includes a total Capital Projects Services Fund appropriation of \$15,881,116.

IV. CRIME CONTROL AND PREVENTION DISTRICT FUND

The Crime Control and Prevention District Fund shall be

provided with such revenue as shall be appropriated to same by the Fort Worth Crime Control and Prevention District in accordance with law, and such money shall be used as provided for by law and the purposes specified by the Fort Worth Crime Control and Prevention District, and as provided in the budget of the City Manager, which includes a total Crime Control and Prevention District Fund appropriation of \$56,560,690.

V. CULTURE AND TOURISM FUND

The Culture and Tourism Fund shall be provided with such revenue as may be secured from the Hotel/Motel Occupancy Tax and other sources as shown by other ordinances heretofore passed, and such money shall be used to meet the requirements of the Culture and Tourism Fund, as provided in the budget of the City Manager, which includes a total Culture and Tourism Fund appropriation of \$31,143,909.

VI. ENVIRONMENTAL PROTECTION FUND

The Environmental Protection Fund shall be provided with such revenue as may be secured from the City's environmental protection fee and other such sources as may become available from environmental projects, and such money shall be used to meet the requirements of the Environmental Protection Fund, as provided in the budget of the City Manager, which includes a total Environmental Protection Fund appropriation of \$4,772,678.

VII. EQUIPMENT SERVICES FUND

The Equipment Services Fund shall be provided with such revenue as may be secured from in-house charges to City departments for the performance of maintenance and other operations at the City's three service centers, and other sources as shown by other ordinances heretofore passed, and such money shall be used to meet the requirements of the Equipment Services Fund, as provided in the budget of the City Manager, which includes a total Equipment Services Fund appropriation of \$26,847,740.

VIII. FEDERAL AWARDED ASSETS FUND

The Federal Awarded Assets Fund shall be provided with such revenue as may be secured by the Police Department under federal law authorizing the forfeiture of certain property involved in the commission of criminal offenses, and such money shall be used for law enforcement purposes in accordance with the restrictions in such forfeiture law, and as provided in the budget of the City Manager, which includes a total Federal Awarded Assets Fund appropriation of \$2,790,949.

IX. GROUP HEALTH AND LIFE INSURANCE FUND

The Group Health and Life Insurance Fund shall be provided with such revenue as may be secured from City contributions from each operating department/fund, from contributions from employees and retirees, and from the various sources included in the budget

of the City Manager, and such money shall be used to meet the requirements of the Group Health and Life Insurance Fund, as provided in the budget of the City Manager, which includes a total Group Health and Life Insurance Fund appropriation of \$92,972,317.

X. INFORMATION SYSTEMS FUND

The Information Systems Fund shall be provided with such revenue as may be secured from in-house transfers from City departments for the provision of basic telephone line service, maintenance of telephone lines and instruments, lease/purchase of telephone instruments and other equipment, support in the operation and maintenance of personal computers, design, fabrication, procurement, installation and maintenance of electronic equipment, maintenance of the trunk system, and other sources as shown by other ordinances heretofore passed, and such money shall be used to meet the requirements of the Information Systems Fund, as provided in the budget of the City Manager, which includes a total Information Systems Fund appropriation of \$27,157,979.

XI. LAKE WORTH TRUST FUND

The Lake Worth Trust Fund shall be provided with such revenue as may be secured from sales and leases of Lake Worth properties and other sources, as shown in the budget of the City Manager, and such money shall be used to meet requirements of the Lake Worth Trust Fund, as provided in the budget of the City Manager, which

includes a total Lake Worth Trust Fund appropriation of \$259,051.

XII. MUNICIPAL AIRPORTS FUND

The Municipal Airports Fund shall be provided with such revenue as may be secured from the various sources included in the budget of the City Manager, and such money shall be used to meet the requirements of the Municipal Airports Fund, as provided in the budget of the City Manager, which includes a total Municipal Airports Fund appropriation of \$5,523,510.

XIII. MUNICIPAL GOLF FUND

The Municipal Golf Fund shall be provided with such revenue as may be secured from the Pecan Valley, Rockwood, Z. Boaz, Meadowbrook, and Sycamore Creek Golf Courses and other sources as shown by other ordinances heretofore passed, and such money shall be used to meet the requirements of the Municipal Golf Fund, as provided in the budget of the City Manager, which includes a total Municipal Golf Fund appropriation of \$5,730,155.

XIV. MUNICIPAL PARKING FUND

The Municipal Parking Fund shall be provided with such revenue as may be secured from commercial off-street parking to employees and citizens and commercial office space leases in the Municipal Parking Garage and other sources as shown by other ordinances heretofore passed, and such money shall be used to meet the requirements of the Municipal Parking Fund, as provided in the

budget of the City Manager, which includes a total Municipal Parking Fund appropriation of \$8,420,140.

XV. OFFICE SERVICES FUND

The Office Services Fund shall be provided with such revenue as may be secured from in-house charges to City departments for the provision of microfilming and office copying services, printing and graphics services, plus other in-house functions such as messenger and mail services, and other sources as shown by other ordinances heretofore passed, and such money shall be used to meet the requirements of the Office Services Fund, as provided in the budget of the City Manager, which includes a total Office Services Fund appropriation of \$1,665,695.

XVI. RED LIGHT ENFORCEMENT FUND

The Red Light Enforcement Fund shall be provided with such revenue as may be secured from the automatic red light camera enforcement program and other sources as shown by other ordinances heretofore passed, and such money shall be used to meet the requirements of the Red Light Enforcement Program, as provided in the budget of the City Manager, which includes a total Red Light Enforcement Fund appropriation of \$12,571,328.

XVII. RISK MANAGEMENT FUND

The Risk Management Fund shall be provided with such revenue as may be secured from City contributions from each operating fund

and from the various sources included in the budget of the City Manager, and such money shall be used to meet the requirements of the Risk Management Fund, as provided in the budget of the City Manager, which includes a total Risk Management Fund appropriation of \$7,481,072.

XIII. SOLID WASTE FUND

The Solid Waste Fund shall be provided with such revenue as may be secured from the collection of municipal solid waste and other sources as shown by other ordinances heretofore passed, and such money shall be used to meet the requirements of the Solid Waste Fund, as provided in the budget of the City Manager, which includes a total appropriation for the Solid Waste Fund of \$53,890,268.

XIX. SPECIAL TRUST FUND

The Special Trust Fund shall be provided with such revenue as may be secured from contributions, gifts, and transfers from entities, groups, organizations, or outside sources; and such money shall be used to fund operations in the General Fund and for other specific purposes, which includes a total Special Trust Fund estimated appropriation of \$5,543,257. The total estimate is appropriated to the following departments/funds, and contributed by the listed potential donors:

1. City Manager's Office	\$41,000
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Potential Donors: Aetna, Bank of America, Bass

Hall for the Performing Arts, Coca Cola Bottling Co., Easter Seals Greater Northwest Texas, Fiesta, Fort Worth Chamber of Commerce, Fort Worth Hispanic Chamber of Commerce, Fort Worth Independent School District, Fort Worth Promotion Fund c/o Mayor's Office, Fort Worth Transportation Authority, Friends of the Fort Worth Public Library, Inc, Fort Worth Public Library Foundation, Goodwill, JPS Health Network, Junior League of Fort Worth, KERA, Mental Health Connection, Metropolitan Black Chamber of Commerce, Starbucks, State Farm Insurance, Tarrant County College, Tarrant County Government, Tarrant County MHMR, Texas Christian University, Texas Health Resources, Texas Wesleyan University, University of Texas at Arlington, United Way of Tarrant County, Workforce Solutions for Tarrant County, Q Cinema, individual citizen donations and other corporate donations.

2. Code Compliance \$200,000

Potential Donors: Wal-Mart, PetSmart, Inc., PetSmart Charities, Federal Express, Cowtown Loves Shelter Pets, Animal Control Agencies, J.C. Penney, Fort Worth citizens, rescue agencies, individual citizen and anonymous donors.

3. Fire \$151,018

Potential Donors: Tarrant County, Wal-Mart and Sam's Club Foundation, Fire Safety Education Trust, individual citizen donations and other corporate donations.

4. Housing and Economic Development \$20,000

Potential Donors: United States Department of Housing and Urban Development, Fannie Mae Foundation, Fort Worth Housing Authority, Bank of America Home Loans, Tejas Realty, Century 21-Keller, DFW Metro Housing, Southwest Bank, Texas Foreclosure Prevention Task Force, HOPE Partnership, and other housing service organizations, real estate brokers or mortgage companies.

5. Library \$750,000

Potential Donors: Friends of the Fort Worth Public Library, Inc., The Fort Worth Public Library Foundation, Library Automation Fund, Hazel Vaughn Leigh Trust, and Gray Trust, North Texas Library Partners, Woodhaven Community Development, Inc., Patrons of East Regional Library, and Addie Levy Trust.

6. Municipal Court \$5,000

Potential Donors: Law Enforcement Officer Standards and Education Program.

7. Parks and Community Services \$3,700,000

Potential Donors: Fort Worth Garden Club, Fort Worth Botanical Society Fuller Foundation, Amon G. Carter Foundation, Mayfest, Inc., Streams and Valleys, Inc., Chesapeake, Johnson Controls, TXU Energy, Oncor, ATMOS Energy, Summer Day Camp Registrants, Friends of the Fort Worth Nature Center, Log Cabin Village Heritage Foundation, Van Zandt Cottage, Nature Center Conservancy, Youth Sports Council, Inc., Sports Advisory Council, Community Action Partners, Community Centers Advisory Group, Log Cabin Village, Texas Department of Human Services, Fort Worth Independent School District, Optimist Club, Texas Department of Agriculture, Mobile Recreation Registrants, XTO Energy, Quicksilver Resources, Contract Program Registrants, Fort Worth Lawn and Sprinkler, E Developments, Fresnel Technologies, Pier 1 Imports, Carter & Burgess, Lockheed Martin, Speedway Children's Charities, Fort Worth & Western Railroad, Reilly Family Foundation, Texas International Energy Partners, Impart Financial, Kline & Co., Southside Bank, The Ryan Foundation, Dubose Family Foundation, Kensington Properties, Justin Brands, Inc., Southwestern Exposition & Livestock, Collins & Mott LP, Perdue, Brandon, Fielder, Collins, Dunaway Associates, LP, Quarles,

Westside Unitarian Universalist Church, Tarlelton State University, JP Morgan Bank, Freese-Nichols, Inc., Quorum Architects, Inc., Individual Donors, Randy Parham, DDS, Sid Richardson Foundation, Fort Worth Water Department, Goff Family Foundation, Southwest Water, Fort Worth Dog Park Association, The Human Source Foundation, individual citizen donations and other corporate donations.

8. Police \$666,239

Potential Donors: Foundation, In Memoriam, FWPD Bike Support FWPOA, FWBLEOA, FWLPOA, Bank of Texas, Cash America, National Association of Town Watch, Burros Promotional, Best Impressions, Enviro-Health Systems, Elliott Inc., CVS, Inc., TigerDirect.com, Office Depot, Wal-Mart Foundation, Home Depot, Sports Authority, FedEx Kinko's, Bass Security, Life Fitness, Corporate Express, Best Buy, Kroger Grocery Store, RBI Productions, Supercircuits Inc, Tech Depot, Rent-A-Center, GT Distributors, Corporate Safe Specialists, Sam's Club Foundation, Target, BCI Technologies, Medica-Rents Company, Wiley X Eyewear, Videology Imaging, Western Hills North Neighborhood Association, Cobham Tracking, AT&T, Kaploss Security, Clickit, John Peterson, Fit For Life, Chesapeake and Anonymous Donors, Police

Officers Award Group, and various area businesses.

9. Solid Waste \$10,000

Potential Donors: Bell Helicopter Textron, Coca Cola Bottling Company of North Texas, Alcon Laboratories, Inc. Foundation, Fort Worth Star Telegram, Miller Brewing Company, Lockheed Martin, TXU Electric, Burlington Northern Sante Fe Corporation, Tandy RadioShack, Motorola, Green Mountain Energy, Carter Burgess, Silver Creek Materials, Chesapeake Energy Corporation, XTO Energy and Ozarka Spring Water Company and other corporate donations.

XX. STATE AWARDED ASSETS FUND

The State Awarded Assets Fund shall be provided with such revenue as may be secured by the Police Department under state law authorizing the forfeiture of certain property involved in the commission of criminal offenses, and such money shall be used for law enforcement purposes in accordance with the restrictions in such forfeiture law, and as provided in the budget of the City Manager, which includes a total State Awarded Assets Fund appropriation of \$805,000.

XXI. STORMWATER UTILITY FUND

The Stormwater Utility Fund shall be provided with such revenue as may be secured from the provision of Stormwater

services, and such money shall be used to meet the requirements of the Stormwater Utility Fund, as provided in the budget of the City Manager, which includes a total Stormwater Utility Fund appropriation of \$31,448,971.

XXII. TEMPORARY LABOR FUND

The Temporary Labor Fund shall be provided with such revenue as may be secured from in-house charges to City departments for the provision of temporary labor services and other such sources as shown by other ordinances heretofore passed, and such money shall be used to meet the requirements of the Temporary Labor Fund, as provided in the budget of the City Manager, which includes a total Temporary Labor Fund appropriation of \$1,063,574.

XXIII. TRANSPORTATION UTILITY FUND

The Transportation Utility Fund shall be provided with such revenue as may be secured from the provision of infrastructure development and other such sources as shown by other ordinances heretofore passed, and such money shall be used to meet the requirements of the Transportation Utility Fund, as provided in the budget of the City Manager, which includes a total Transportation Utility Fund appropriation of \$1,231,060.

XXIV. UNEMPLOYMENT COMPENSATION FUND

The Unemployment Compensation Fund shall be provided with such revenue as may be secured by contributions from City

operating funds and from the various sources included in the budget of the City Manager, and such money shall be used to meet the requirements of the Unemployment Compensation Fund, as provided in the budget of the City Manager, which includes a total Unemployment Compensation Fund appropriation of \$708,608.

XXV. WATER AND SEWER FUND

The Water and Sewer Fund shall be provided with such revenue as may be secured from the sale of water, sewer services, and other sources as shown by other ordinances heretofore passed, and such money shall be used to meet the requirements of the Water and Sewer Fund as provided in the budget of the City Manager, which includes a total appropriation for the Water and Sewer Fund of \$373,955,518.

XXVI. WORKERS' COMPENSATION FUND

The Workers' Compensation Fund shall be provided with such revenue as may be secured from City contributions from each operating department/fund and from the various sources included in the budget of the City Manager, and such money shall be used to meet the requirements of the Workers' Compensation Fund, as provided in the budget of the City Manager, which includes a total Workers' Compensation Fund appropriation of \$12,024,522.

SECTION 2.

That all appropriation ordinances approved by the City

Council effecting this budget for the ensuing fiscal year beginning October 1, 2011, and ending September 30, 2012, are hereby ratified and incorporated into the same.

SECTION 3.

That the distribution and division of the above named appropriations be made in accordance with the budget of expenditures submitted by the City Manager and as revised by the City Council in accordance with the provisions of the City Charter and adopted by the City Council, which budget is made a part of this ordinance by reference thereto and shall be considered in connection with the expenditures of the above appropriations.

SECTION 4.

That on Tuesday, August 9, 2011, the City Manager presented to the City Council his budget estimate; that the City Council of the City of Fort Worth shall sit as a committee of the whole in the Council Chamber at the City Hall in the City of Fort Worth on the 16th day of August, A.D. 2011, at 10:00 o'clock A.M., to hear any complaints, suggestions, or observations that any citizen, taxpayer, or party interested may desire to make with reference to any or all of the provisions of this ordinance; and that such committee shall continue its deliberations from time to time and day to day until the public has been given a full opportunity to be heard.

SECTION 5.

That following the commencement of the public hearings for which provision has been made in the preceding section this ordinance shall be published two times.

SECTION 6.

That this ordinance shall be first published in the official newspaper of the City of Fort Worth, which newspaper is one of general circulation in said City, after its initial reading.

SECTION 7.

That this ordinance shall not be presented for second reading and final passage until ten (10) full days have elapsed after its first publication, as provided by the Charter of said City.

SECTION 8.

That following the second reading and final passage, this ordinance shall again be published in the official newspaper of the City of Fort Worth along with a schedule of changes made by the City Council to the City Manager's originally proposed budget.

SECTION 9.

That should any part, portion, section, or part of a section of this ordinance be declared invalid or inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion, or judgment shall in no way affect the remaining portions, parts, sections, or parts of sections of this ordinance,

which provisions shall be, remain, and continue to be in full force and effect.

SECTION 10.

That all ordinances and appropriations for which provisions have heretofore been made are hereby expressly repealed if in conflict with the provisions of this ordinance.

SECTION 11.

That this ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by the Charter of the City of Fort Worth, and it is so ordained.

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Introduced on First Reading:

August 16, 2011

Adopted: _____

FY2011-2012**AVERAGE 56 HOUR SCHEDULE**

Title	Job Code		A	B	C	D	E	F
FIRE FIGHTER	Y01 / 1032	HR	\$16.98	\$17.83	\$18.72	\$19.66	\$20.64	\$21.68
		MO	\$4,120	\$4,326	\$4,543	\$4,770	\$5,009	\$5,261
		AN	\$49,442	\$51,917	\$54,517	\$57,242	\$60,112	\$63,128
		OT	\$25.47	\$26.75	\$28.08	\$29.49	\$30.96	\$32.52
FIRE ENGINEER	Y02 / 1031	HR	\$22.47	\$23.59				
		MO	\$5,453	\$5,725				
		AN	\$65,437	\$68,702				
		OT	\$33.71	\$35.39				
FIRE LIEUTENANT	Y03 / 1030	HR	\$24.79	\$26.03				
		MO	\$6,015	\$6,316				
		AN	\$72,176	\$75,795				
		OT	\$37.19	\$39.05				
FIRE CAPTAIN	Y04 / 1029	HR	\$27.64	\$29.01				
		MO	\$6,706	\$7,041				
		AN	\$80,475	\$84,490				
		OT	\$41.46	\$43.52				
FIRE BATTALION CHIEF	Y05 / 1028	HR	\$31.73	\$33.31				
		MO	\$7,700	\$8,084				
		AN	\$92,394	\$97,011				
		OT	\$47.59	\$49.97				

40 HOUR SCHEDULE

Job Title	Job Code		A	B	C	D	E	F
FIRE FIGHTER	Y01 / 1032	HR	\$23.77	\$24.96	\$26.21	\$27.52	\$28.90	\$30.35
		MO	\$4,120	\$4,326	\$4,543	\$4,770	\$5,009	\$5,261
		AN	\$49,442	\$51,917	\$54,517	\$57,242	\$60,112	\$63,128
		OT	\$35.66	\$37.44	\$39.32	\$41.28	\$43.35	\$45.53
FIRE ENGINEER	Y02 / 1031	HR	\$31.46	\$33.03				
		MO	\$5,453	\$5,725				
		AN	\$65,437	\$68,702				
		OT	\$47.19	\$49.55				
FIRE LIEUTENANT	Y03 / 1030	HR	\$34.70	\$36.44				
		MO	\$6,015	\$6,316				
		AN	\$72,176	\$75,795				
		OT	\$52.05	\$54.66				
FIRE CAPTAIN	Y04 / 1029	HR	\$38.69	\$40.62				
		MO	\$6,706	\$7,041				
		AN	\$80,475	\$84,490				
		OT	\$58.04	\$60.93				
FIRE BATTALION CHIEF	Y05 / 1028	HR	\$44.42	\$46.64				
		MO	\$7,700	\$8,084				
		AN	\$92,394	\$97,011				
		OT	\$66.63	\$69.96				

ORDINANCE NO. _____

AN ORDINANCE SETTING FORTH AN ESTIMATE OF THE EXPENSE OF THE GENERAL DEBT SERVICE FUND OF THE MUNICIPAL GOVERNMENT OF THE CITY OF FORT WORTH FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2011, AND ENDING SEPTEMBER 30, 2012, AND APPROPRIATING MONEY FOR THE GENERAL DEBT SERVICE FUND AND PURPOSE OF SUCH ESTIMATE; APPROPRIATING MONEY TO PAY INTEREST AND PRINCIPAL SINKING FUND REQUIREMENT ON ALL OUTSTANDING GENERAL INDEBTEDNESS; PROVIDING FOR PUBLIC HEARINGS UPON THIS ORDINANCE BEFORE THE ENTIRE CITY COUNCIL SITTING AS A COMMITTEE OF THE WHOLE; AND PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A SAVINGS CLAUSE FOR THE REPEAL OF ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION AND FINAL PASSAGE THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

SECTION 1.

That the appropriation for the ensuing fiscal year beginning October 1, 2011, and ending September 30, 2012, for General Debt Service Fund, for the purpose of paying interest and principal and creating a sinking fund for all outstanding general indebtedness be estimated as \$62,082,871.

SECTION 2.

That all appropriation ordinances approved by the City Council effecting this budget for the ensuing fiscal year beginning October 1, 2011, and ending September 30, 2012, are hereby ratified and incorporated into the same.

SECTION 3.

That the distribution and division of the above named appropriations be made in accordance with the budget of expenditures submitted by the City Manager and as revised by the City Council in accordance with the provisions of the City Charter and adopted by the City Council, which budget is made a part of this ordinance by reference thereto and shall be considered in connection with the expenditures of the above appropriations.

SECTION 4.

That on Tuesday, August 9, 2011, the City Manager presented to the City Council his budget estimate; that the City Council of the City of Fort Worth shall sit as a committee of the whole in the Council Chamber at the City Hall in the City of Fort Worth on the 16th day of August, A.D. 2011, at 10:00 o'clock A.M., to hear any complaints, suggestions, or observations that any citizen, taxpayer, or party interested may desire to make with reference to any or all of the provisions of this ordinance; and that such committee shall continue its deliberations from time to time and day to day until the public has been given a full opportunity to be heard.

SECTION 5.

That should any part, portion, section, or part of a section of this ordinance be declared invalid or inoperative or void for

any reason by a court of competent jurisdiction, such decision, opinion, or judgment shall in no way affect the remaining portions, parts, sections, or parts of sections of this ordinance, which provisions shall be, remain, and continue to be in full force and effect.

SECTION 6.

That all ordinances and appropriations for which provisions have heretofore been made are hereby expressly repealed if in conflict with the provisions of this ordinance.

SECTION 7.

That following the commencement of the public hearings for which provision has been made in accordance with the preceding section 4, this ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by the Charter of the City of Fort Worth, and it is so ordained.

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Introduced on First Reading:

August 16, 2011

Adopted: _____

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL AD VALOREM TAX ON ALL PROPERTY, REAL, PERSONAL AND MIXED, SITUATED WITHIN THE TERRITORIAL LIMITS OF THE CITY OF FORT WORTH, TEXAS, AND ALL PERSONAL PROPERTY OWNED IN SAID CITY OF FORT WORTH, TEXAS, ON THE FIRST DAY OF JANUARY, A.D. 2011, EXCEPT SUCH PROPERTY AS MAY BE EXEMPT FROM TAXATION BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS; AND PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A SAVINGS CLAUSE FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION AND FINAL PASSAGE THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

SECTION I.

There is hereby levied, adopted and shall be collected by the City of Fort Worth, Texas, as provided by law, an annual ad valorem tax for the year 2011, at the rate of \$0.8550 on every one hundred dollar (\$100.00) valuation on all property, real, personal and mixed, situated in, and all personal property owned in, the City of Fort Worth, Texas, on the first day of January, A.D. 2011, liable under the law to taxation and not exempt therefrom by the Constitution and laws of the State of Texas. The ad valorem tax rate is divided into a maintenance and operation levy of \$0.7009 for general fund operations and a debt levy of \$0.1541 for servicing outstanding debt obligations.

SECTION II.

The debt portion of the tax levy, which is hereinbefore made, is to provide for the payment of interest and to create a

redemption fund to discharge and pay principal and interest on any general obligations due or owing by the City of Fort Worth, Texas, and shall not be taken as an addition to levies for the same purpose in the respective ordinances authorizing and creating such obligations, but the levy hereinbefore made is made pursuant to and for the purpose of carrying out and complying with the provisions of said prior ordinances. The General Debt Service Fund shall receive payment of eighteen and two hundredths percent (18.02%) of the current taxes collected.

SECTION III.

The taxes provided for herein are levied upon all taxable property, real, personal and mixed, situated in, and all personal property owned in, the City of Fort Worth, Texas, as assessed, valued and described in the assessment tax rolls and the tax books of the City of Fort Worth, Texas, for the year 2011, and any supplemental assessments thereof, as the same have been or shall be presented to the City Council of the City of Fort Worth, Texas, by the Assessor and Collector of Taxes of said City of Fort Worth, Texas. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE DUE TO INCREASED PROPERTY VALUATIONS. HOWEVER, BECAUSE A PORTION OF THE TAX RATE ALLOCATED FOR OPERATIONS AND MAINTENANCE HAS BEEN SHIFTED TO DEBT SERVICE, AT THIS TAX RATE, A PROPERTY VALUED AT \$100,000 WOULD PAY \$8.08 LESS FOR OPERATIONS AND MAINTENANCE THAN IN THE PREVIOUS YEAR.

SECTION IV.

The taxes provided for herein are due on receipt of a tax bill and are delinquent if not paid before February 1, 2012. Unless otherwise specifically set forth by law, failure to send or receive the tax bill shall not, however, affect the validity of the taxes, penalty or interest herein imposed, the due date, the existence of a tax lien, or any procedure instituted to collect such taxes, penalty or interest.

SECTION V.

If a person pays one-half of the taxes required to be paid by virtue of this Ordinance before December 1, 2011, he or she may pay the remaining one-half of such taxes without penalty or interest at any time before July 1, 2012.

SECTION VI.

(a) A delinquent tax incurs a penalty of six percent (6%) of the amount of the tax for the first calendar month it is delinquent plus one percent (1%) for each additional month or portion of a month the tax remains unpaid prior to July 1, 2012. However, a tax delinquent on July 1, 2012, incurs a total penalty of twelve percent (12%) of the amount of the delinquent tax without regard to the number of months the tax has been delinquent.

(b) If a person who exercises the split payment option provided by Section V above fails to make the second payment before July 1, 2012, the second payment is delinquent and incurs a

penalty of twelve percent (12%) of the amount of the unpaid tax.

SECTION VII.

In addition to the penalty set out above, a delinquent tax accrues interest at a rate of one percent (1%) for each month or portion of a month the tax remains unpaid. Said interest of one percent (1%) per month shall be added to said taxes in the event the payment thereof shall become delinquent as above set forth, and said interest shall attach on the first day of each month thereafter until the taxes shall have been paid, which interest and the penalty provided for above shall be and become a part of said taxes and be payable as such.

SECTION VIII.

A tax that becomes delinquent on or after February 1, 2012, but not later than May 1, 2012, and that remains delinquent on July 1, 2012, shall incur an additional penalty of twenty percent (20%) of the amount of the delinquent tax, penalty and interest to defray costs of collection. Such twenty percent (20%) penalty and collection procedures are imposed pursuant to Sections 6.30 and 33.07 of the Property Tax Code and are in addition to the other penalties and interest which are due and owing according to law.

SECTION IX.

A tax that becomes delinquent on or after June 1, 2012, under Section 26.07(f), 26.15(e), 31.03, 31.031, 31.032, or 31.04 of the Tax Code shall incur an additional penalty of twenty

percent (20%) of the amount of taxes, penalty, and interest due, to defray costs of collection, pursuant to Section 33.08 of the Property Tax Code. Such additional penalty is in addition to the other penalties and interest which are due and owing according to law.

SECTION X.

A tax imposed on tangible personal property that becomes delinquent on or after February 1, 2012, shall incur an additional penalty of twenty percent (20%) pursuant to Property Tax Code Section 33.11, on the later of the date the tax becomes subject to the outside attorney collection contract of Section 6.30 of the Tax Code or 60 days after the date the taxes become delinquent. Such additional penalty is in addition to the other penalties and interest which are due and owing according to law.

SECTION XI.

Such taxes, penalty and interest shall be and become a lien upon the property on which the taxes are levied, as prescribed by the Charter of the City of Fort Worth, Texas, and the laws of the State of Texas, and such lien shall be and is hereby made a paramount, first and superior lien to all other liens whatsoever on the property on which said taxes are levied.

SECTION XII.

Should any part, portion, section or part of a section of this ordinance be declared invalid or inoperative or void for any

reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way affect the remaining portions, parts, sections or parts of sections of this ordinance, which provision shall be, remain and continue to be in full force and effect.

SECTION XIII.

That all ordinances for which provisions have heretofore been made are hereby expressly repealed if in conflict with the provisions of this ordinance.

SECTION XIV.

This ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by the Charter of the City of Fort Worth, and it is so ordained.

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Introduced on First Reading:

August 16, 2011

Adopted: _____

City of Fort Worth, Texas
Mayor and Council Communication

DATE: Tuesday, August 16, 2011

LOG NAME:

REFERENCE NO.: **OCS-1824

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, August 10, 2011.

Attachment

Submitted for City Secretary's Office by:

Marty Hendrix (6152)

Originating Department Head:

Marty Hendrix (6152)

Additional Information Contact:

Lena Ellis (8517)
Nancy McKenzie (7744)

CITY COUNCIL MEETING

Tuesday, August 16, 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
Doug & Michelle Ingram	8/4/2011	7/31/2011	3804 Wedgway Drive	Property Damage	Water main break caused damage to floors/carpet.	Water	No	No
Lisa Rodriguez	8/4/2011	8/2/2011	Marquita Dr	Auto Damage	Drove thru hole in pavement from water main break.	Water	No	No
Terri West	8/4/2011	7/16/2011	1228 W Jessamine	Property Damage	Private and City sewer lines do not connect.	Water	No	No
Atmos Energy	8/4/2011	6/23/2011	3209 Lubbock	Property Damage	Gas meter damaged while mowing alley.	TPW	Yes	No
Ruby Atchison	8/4/2011	7/11/2011	5532 Wonder Dr	Property Damage	Sprinkler system damaged during construction.	TPW	No	No
Melvarene Lockaby	8/5/2011	7/25/2011	SW Blvd @ Traffic Circle	Auto Damage	Struck by City vehicle.	TPW	Yes	Yes
Scott Faciane	8/5/2011	8/5/2011	4300 Clayton Road West	Property Damage	Water main break caused damage to house	Water	No	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
North American Specialty Ins Co	8/5/2011	4/23/2011	Trinity River Horse Farms	Reimbursement	Reimbursement for costs incurred for service requested by City.	TPW	Yes	No
Meliton Zaragoza	8/5/2011	7/19/2011	28th Ave & Jacksboro Hwy	Auto Damage	Struck by City vehicle.	Police	No	No
Sullo & Bobbitt, PLLC	8/8/2011	8/5/2011	Municipal Court		Challenging constitutionality of City procedures in release of citation information.	Mun Court	No	No
Corey Dieball	8/8/2011	1/11/2011	6500 Lake Worth Blvd	Auto Damage	Struck by City vehicle.	Police	Yes	Yes
Eddie Epstein	8/8/2011	7/21/2011	4221 Whitfield Ave	Property Damage	Sewer backup.	Water	Yes	No
Vance Godbey Co.	8/9/2011	12/10/2010	2500 NE 28th St	Auto Damage	Struck by City vehicle.	Police	No	Yes
Cheryl Thompson	8/9/2011	7/21/2011	920 blk of E Ramsey Ave	Auto Damage	Struck large hole in street.	TPW	No	No
Craig Armstrong	8/9/2011	8/4/2011	Papurt St	Auto Damage	Tire damaged by bad road.	TPW	No	No
Tucker St. Baptist Church	8/9/2011	7/23/2011	911 E Tucker st	Property Damage	Water flooded church.	Water	Yes	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Ronda August	8/10/2011	7/23/2011	3753 Clear Brook Circle	Property Damage	Door damaged while shooting at loose dogs.	Police	Yes	No
Kirk Pannell	8/10/2011	7/28/2011	4105 Mesa Ridge Dr	Reimbursement	Seeking reimbursement for plumbing repairs.	Water	Yes	No
Michael Sanders	8/11/2011	8/6/2011	Howard St	Auto Damage	Struck by City vehicle.	Police	No	No

No Documents for this Section

Zoning Docket items are linked on the Council Meeting Agenda.

No Documents for this Section