



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, OCTOBER 3, 2011, THROUGH FRIDAY, OCTOBER 7, 2011**

MONDAY, OCTOBER 3, 2011

TIME LOCATION

No Meetings

TUESDAY, OCTOBER 4, 2011

Pre-Council Meeting	8:30 a.m.	Pre-Council Chamber
City Council Meeting	10:00 a.m.	Council Chamber
Housing and Economic Development Committee (HEDC)	Immediately Following the Meeting of the City Council	Pre-Council Chamber
Housing Finance Corporation (HFC)	Immediately Following the Meeting of the HEDC	Pre-Council Chamber
Local Development Corporation	Immediately Following the Meeting of the HFC	Pre-Council Chamber
National Night Out	6:00 p.m.	Citywide community events – check your local listings

WEDNESDAY, OCTOBER 5, 2011

Board of Adjustment Commercial Work Session	9:00 a.m.	Pre-Council Chamber
Board of Adjustment Commercial Public Hearing	10:00 a.m.	Council Chamber
Audit and Finance Advisory Committee	3:00 p.m.	Pre-Council Chamber

THURSDAY, OCTOBER 6, 2011

Library Advisory Board	12:30 p.m.	Diamond Hill/Jarvis Branch Library 1300 NE 35 th Street, Meeting Room
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FRIDAY, OCTOBER 7, 2011

No Meetings

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on September 29, 2011, and may not include all meetings to be conducted during the week of October 3, 2011, through October 7, 2011. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, OCTOBER 3, 2011, THROUGH FRIDAY, OCTOBER 7, 2011**

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on September 29, 2011, and may not include all meetings to be conducted during the week of October 3, 2011, through October 7, 2011. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.

**HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING
(IMMEDIATELY FOLLOWING THE 10:00 A.M. CITY COUNCIL MEETING)
TUESDAY, OCTOBER 4, 2011
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

**FORT WORTH HOUSING FINANCE CORPORATION MEETING
(IMMEDIATELY FOLLOWING THE HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
MEETING)
TUESDAY, OCTOBER 4, 2011
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

**FORT WORTH LOCAL DEVELOPMENT CORPORATION MEETING
(IMMEDIATELY FOLLOWING THE FORT WORTH HOUSING FINANCE CORPORATION MEETING)
TUESDAY, OCTOBER 4, 2011
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

**PRE-COUNCIL MEETING
TUESDAY, OCTOBER 4, 2011
8:30 A.M.
(NOTE TIME CHANGE)
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 9441](#): Update and Listing of Projects for Accelerated Delivery of Capital Roadway and Bridge Projects
 - [IR 9442](#): Emergency Procurement - Robin Denver Project
 - [IR 9443](#): Recycling Award
2. Questions Concerning Current Agenda Items - **City Council Members**
3. Responses to Items Continued from a Previous Week
4. Presentation of Fort Worth Public Art Fiscal Year 2012 Annual Work Plan - **Elva LeBlanc, Fort Worth Art Commission and Martha Peters, Arts Council of Fort Worth and Tarrant County**
5. Briefing on Roles and Responsibilities of the City Council and Employees' Retirement Fund Board - **Laetitia Brown, Law Department**

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

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

ATTACHMENT

Executive Session (PRE-COUNCIL CHAMBER, CITY HALL) Tuesday, October 04, 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. Legal issues related to municipal bond issuances.
 - b. Legal issues concerning any item listed on today's City Council meeting agendas.
2. Deliberate the purchase, sale, lease or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; 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, OCTOBER 04, 2011
CITY COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

I. CALL TO ORDER

II. INVOCATION - Dr. Jim Conner, Genesis United Methodist Church

III. PLEDGE OF ALLEGIANCE

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF SEPTEMBER 27, 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-17404](#) - Authorize Temporary Closure of W. R. Watt Drive, Burnett-Tandy Drive, and Gendy Street for Twenty-Eight Days Beginning Monday, January 9, 2012 through Sunday, February 5, 2012 and Trinity Park Drive for Nine Days During the 2012 Southwestern Exposition and Livestock Show (COUNCIL DISTRICT 7)
2. [M&C G-17405](#) - Authorize Office of Emergency Management to Apply for the Fiscal Year 2012 Emergency Management Performance Grant, if Awarded the Grant, Authorize Execution of a Related Grant Contract with the Texas Division of Emergency Management in the Estimated Amount of \$144,426.00, Authorize Transfer of \$144,426.00 as Required for the City's Fifty Percent Match from the General Fund to the Grants Fund, Authorize Interfund Loan for Fiscal Year 2012 Expenditures, Authorize Transfer of Certain Funds and Eligible Grant Costs and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
3. [M&C G-17406](#) - Authorize Transfer of \$973,483.58 from the Fiscal Year 2011 Water and Sewer Fund to the Fort Worth Public Art Program for Administration, Annual Maintenance, New Projects, and the Conservation Fund and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
4. [M&C G-17407](#) - Adopt Ordinance Increasing the Estimated Receipts and Appropriations in the Special Trust Fund by \$25,000.00 for Donations to the Water/Garbage Fee Assistance and Plumbing Repair Program (ALL COUNCIL DISTRICTS)

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

1. [M&C P-11305](#) - Authorize Non-Exclusive Purchasing Agreements for Paint and Related Items with Akzo Nobel Paints, LLC d/b/a Glidden Professional Paints Center, Kelly-Moore Paint

Company Inc., Stellar Acquisition Corporation d/b/a Kwal Paint, PPG Architectural Finishes, Inc., and The Sherwin-Williams Company for All City Departments for a Combined Amount of \$250,000.00 for the First Year (ALL COUNCIL DISTRICTS)

2. [M&C P-11306](#) - Authorize Non-Exclusive Purchase Agreements with Fox Scientific, Inc., Fisher Scientific Company LLC, ISC BioExpress, and A Daigger & Company Inc., for Laboratory Supplies and Consumables for the Water Department for \$200,000.00 for the First Year (ALL COUNCIL DISTRICTS)

C. Land - Consent Items

1. [M&C L-15262](#) - Authorize Lease Agreement with Monroe Street Professional Building, Limited, for Office Space of Approximately 2,440 Square Feet of Office Space Located at 900 Monroe Street for the Transportation and Public Works Department in an Annual Rent Amount of \$35,380.00, Plus Operating Expenses (ALL COUNCIL DISTRICTS)
2. [M&C L-15263](#) - Authorize Acquisition of Easement Interests in 0.131 Acres of Land for a Permanent Drainage Facility Easement and 0.169 Acres for a Temporary Construction Easement, Located at 4301 Briarhaven Road from Richard N. Abrams, Julienne Gail Martinez Abrams and Richard N. Abrams Trust, in the Amount of \$110,000.00 and Pay the Estimated Closing Cost of \$6,000.00 for a Total Cost of \$116,000.00 (COUNCIL DISTRICT 3)
3. [M&C L-15264](#) - Authorize Acquisition of Fee Simple Interest in 0.1400 Acres of Vacant Land for the Central Arlington Heights Drainage Improvements Project, Located at 2101 Hulen Street from Garland Lasater Jr. for \$155,000.00 and Pay the Estimated Closing Cost of \$5,000.00 for a Total Cost of \$160,000.00 (COUNCIL DISTRICT 7)

D. Planning & Zoning - Consent Items - None

E. Award of Contract - Consent Items

1. [M&C C-25200](#) - Authorize Execution of a Communications Systems Agreement with the City of Saginaw for Participation in the City of Fort Worth's Two-Way Public Safety Radio System at No Cost to the City of Fort Worth (ALL COUNCIL DISTRICTS)
2. [M&C C-25201](#) - Authorize Execution of a Contract with the Texas Department of Transportation and the Tarrant/Dallas County Toy Run for Temporary Closure of Houston Street from Second Street to Seventh Street Beginning Sunday, December 18, 2011 through Sunday, December 18, 2011 for the Annual Tarrant/Dallas County Toy Run (COUNCIL DISTRICT 9)
3. [M&C C-25202](#) - Authorize Execution of an Agreement with Latin Arts Association of Fort Worth for Management of the City's Vertical Street Banner Program on North Main Street from

Northside Drive to NW 23rd Street and Waive a Banner Policy Requirement of City Council Committee Recommendation (COUNCIL DISTRICT 2)

4. [M&C C-25203](#) - Authorize Execution of a Contract with Tejas Commercial Construction, LLC, in the Amount of \$431,359.00 for the Quail Run Drainage Improvements (COUNCIL DISTRICT 7)
5. [M&C C-25204](#) - Ratify Application and Authorize Acceptance of the United States Department of Justice, National Institute of Justice's Fiscal Year 2011 Paul Coverdell Forensic Science Improvement Grant in the Amount of \$121,342.20, Authorize Execution of a Related Contract with National Institute of Justice and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
6. [M&C C-25205](#) - Authorize Two Year License Agreement with Fiesta Mart, Inc., for a Total of \$28,800.00 to Continue Lease of Office Space Located at 4245 East Berry Street for the Water Department (COUNCIL DISTRICT 5)
7. [M&C C-25206](#) - Authorize Two Year License Agreement with Fiesta Mart, Inc., for a Total of \$26,400.00 to Continue Lease of Satellite Office Space Located at 102 Northwest 28th Street for the Water Department and Municipal Court (COUNCIL DISTRICT 2)

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS -1829 – Notice of Claims for Alleged Damages and/or Injuries

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Proclamation for Cares Enough to Wear Pink Day
2. Presentation of Proclamation for Bullying Awareness Day
3. Presentation of Proclamation for Vin-Fiz Centennial Celebration Day
4. Presentation of Proclamation Eugene McCray Park Clean-Up Day
5. Presentation by Tarrant Net
6. Presentation of Certificate of Recognition to the North Texas Chapter of the Leukemia and Lymphoma Society

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 Historic and Cultural Landmarks Commission

XIII. RESOLUTIONS

1. Appointing Certain Members to the Board of Directors of Tax Increment Reinvestment Zone Number Two, City of Fort Worth, Texas; Acknowledging the Appointment of the Other Current Members of the Board; and Appointing a Chairperson for the Board (Speedway TIF)
2. Appointing Certain Members to the Board of Directors of Tax Increment Reinvestment Zone Number Four, City of Fort Worth, Texas; Acknowledging the Appointment of the Other Current Members of the Board; and Appointing a

- Chairperson for the Board (Southside TIF)
3. Appointing Certain Members to the Board of Directors of Tax Increment Reinvestment Zone Number Eight, City of Fort Worth, Texas; Acknowledging the Appointment of the Other Current Members of the Board; and Appointing a Chairperson for the Board (Lancaster Corridor TIF)
 4. Appointing Certain Members to the Board of Directors of Tax Increment Reinvestment Zone Number Nine, City of Fort Worth, Texas; Acknowledging the Appointment of the Other Current Members of the Board; and Appointing a Chairperson for the Board (Trinity River Vision TIF)

XIV. ORDINANCE

1. An Ordinance Amending the Forty-Seventh Supplemental Concurrent Bond Ordinance Authorizing Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011c, Series 2011d, Series 2011e, Series 2011f, and Series 2011g, and Series 2011h; and Providing Other Terms, Provisions and Covenants With Respect Thereto

XV. REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-17408](#) - Adopt Resolution Reappointing Vickie Stevens and John Stevenson as Members of the Audit and Finance Advisory Committee (ALL COUNCIL DISTRICTS)
2. [M&C G-17409](#) - Authorize Change in Use and Expenditure of \$563,684.00 in Community Development Block Grant Funds for the Historic Carver Heights Street Lights Project and Authorize Substantial Amendment to the City's 2009-2010 Action Plan (COUNCIL DISTRICT 5)

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

D. Land

1. [M&C L-15265](#) - Authorize Condemnation by Eminent Domain of Three Easements Totaling 0.079 Acres of Land, 0.056 Acres for One Permanent Sewer and Drainage Facility Easement Located at 7806 Bayshore Court Legally Described as Open Green Number Three, Lake Country Estates Addition, 0.016 Acres for One Permanent Drainage Facility Easement, and 0.007 Acres for One Temporary Construction Easement Each Located at 7800 Bayshore Court, Lot 28, Block 3, Lake Country Estates Addition - Owned by Thomas N. and Karen L. Jumes for the Grassland Court Drainage Improvement Project (COUNCIL DISTRICT 7)

E. Planning & Zoning

1. [M&C PZ-2958](#) - Approve Timetable for Proposed City-Initiated Annexation and Authorize Initiation of Zoning for Approximately 749.5 Acres of Land, Located North of Westport Parkway and East of Heritage Parkway, AX-11-013, Old Denton Road, in the Far North Sector in Accordance with the 2011 Comprehensive Plan (COUNCIL DISTRICT 2)

F. Award of Contract

1. [M&C C-25207](#) - Authorize and Ratify the Execution on September 30, 2011 of, a Fair Housing Assistance Program Cooperative Agreement through the Fort Worth Human Relations Commission with the United States Department of Housing and Urban Development for Fiscal Year 2012, Authorize Acceptance of Funds in an Amount Up to \$700,000.00 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
2. [M&C C-25208](#) - Authorize Execution of an Agreement for Software and Professional Services with V. P. Imaging, Inc. d/b/a DocuNav Solutions, for the Purchase of Laserfiche Electronic Document Management Software, Training, Maintenance and Support, Using a State of Texas Department of Information Resources Contract for the Information Technology Solutions Department in an Amount Not to Exceed \$236,430.75 (ALL COUNCIL DISTRICTS)
3. [M&C C-25209](#) - Authorize Execution of Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, LLC, a License to Construct and Operate a Natural Gas Gathering Pipeline Across Chickasaw Street, Miller Avenue, Wilbarger Street, Killian Street, the Alley Between Killian Street and Childress Street, Childress Street at Dowdell Street, the Alley Between Childress Street and Hardeman Street, Sydney Street, Bright Street, Erath Street and Reed Street (COUNCIL DISTRICT 5)
4. [M&C C-25210](#) - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, LLC, a License to Construct and Operate a Natural Gas Gathering Pipeline Across Trinity Boulevard, East of FM 157 (COUNCIL DISTRICT 5)
5. [M&C C-25211](#) - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, LLC, a License to Construct and Operate a Natural Gas Gathering Pipeline Across Roxanne Way and Across Lemon Grove (COUNCIL DISTRICT 7)
6. [M&C C-25212](#) - Authorize Five Year Tax Abatement Agreement with Aubrey E. Morris, III and Laura F. Morris for Property Located at 4840 Bryant Irvin Court in the Ridglea Village/Como Neighborhood Empowerment Zone (COUNCIL DISTRICT 3)
7. [M&C C-25213](#) - Authorize Execution of a Contract with Conatser Construction TX, LP, in the Amount of \$1,618,576.50 for the Butler-McClure Drainage, Paving, Water and Sewer Improvements (COUNCIL DISTRICT 9)
8. [M&C C-25214](#) - Authorize Execution of a Contract with Tri-Tech Construction, Inc., in the Amount of \$1,196,921.50 for the Westcreek Drainage Improvements (COUNCIL DISTRICT 3)
9. [M&C C-25215](#) - Authorize Execution of a Contract in the Amount of \$1,166,290.00 with M.E. Burns Construction, Inc., for

Water and Sanitary Sewer Replacement Contract 2004,
STM-C on Mims Street and Sandy Lane and Adopt
Appropriation Ordinance (COUNCIL DISTRICT 5)

10. [M&C C-25216](#)

- Authorize Lease Agreement with Town Center Mall, L.P.,
for Office Space Located at La Gran Plaza, 4200 South
Freeway, Suite 2495, for the Parks and Community
Services Department (ALL COUNCIL DISTRICTS)

XVI. CITIZEN PRESENTATIONS

XVII. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER)

XVIII. 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.

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.



CITY OF FORT WORTH
CITY COUNCIL

HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE

AGENDA

Tuesday, October 4, 2011

Immediately Following the City Council Meeting Scheduled to Begin at 10:00 am

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

Housing and Economic Development Committee Members

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

Staff Liaison – Susan Alanis, Assistant City Manager

-
1. **Call to Order** – Joel Burns, Chair
 2. **Approval of Minutes from the Meetings Held on August 2, 2011** – Joel Burns, Chair
 3. **Executive Session** - The Housing and Economic Development Committee will conduct a closed meeting to:
 - A. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by section 551.071 of the Texas Government Code: (i) legal issues related to the sale of tax foreclosed property located at 5125 Fitzhugh; and (ii) legal issues related to any current agenda items; and
 - B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and

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

4. Written Reports – Jay Chapa, Director, Housing and Economic Development

- A. Memo Regarding Social Compact Study
- B. Memo Regarding Request for Proposals for Projects to Provide Affordable Multi-Family or Single Family Housing Using Federal and Non-Federal Funds
- C. Memo Regarding Proposed Changes to the Mayor’s Advisory Commission on Homelessness
- D. Memo Regarding Assignment of Tax Abatement Agreement with Berry Street L.P., City Secretary Contract Number 31168
- E. Update on CDBG Funded Activities from 1995-2005

5. Update on Proposed Changes to Fort Worth Housing Trust Fund – Jay Chapa, Director, City of Fort Worth Housing and Economic Development Department

6. Recommended Changes to the City’s Minority/Women Business Enterprise Ordinance (Ordinance Number 15530) – William Johnson, Assistant Director, City of Fort Worth Housing and Economic Development Department

7. Requests for Future Agenda Items – Joel Burns, Chair

8. Date of Next Regular Meeting: November 1, 2011 – Joel Burns, Chair

9. Adjourn - Chair

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



COUNCIL PACKET MEMORANDUM

The minutes of the June 7, 2011, and August 2, 2011, Housing and Economic Development Committee meetings will be e-mailed and a hard copy placed in each Council Member's mail box on September 30, 2011.



MEMORANDUM

Date: October 4, 2011

To: Chairman Burns & Members of the Housing and Economic Development Committee

From: Jay Chapa, Director of Housing and Economic Development

Subject: Summary of Social Compact Urban Market DrillDown Analysis Findings for the Northeast, Northwest, and Southwest Quadrants of Fort Worth

In 2008, Social Compact presented an urban market drilldown analysis for southeast Fort Worth. Social Compact, Inc., (Social Compact) offers neighborhood market analysis services to local governments, community organizations and businesses looking to attract investment or to invest in inner-cities. The results of the southeast drilldown highlighted untapped market potential in the area and attracted the Shoppes at Renaissance Square development, a \$75 million project, which is the largest retail investment in southeast Fort Worth's history.

Social Compact was commissioned by the City Council to provide a drilldown analysis for the northeast, northwest, and southwest quadrants of the city. In August 2011, Social Compact presented its findings for eight study neighborhoods. Attached is map of the eight selected neighborhoods.

Staff will use the study to attract commercial investment in selected areas. The entire market drilldown analysis will be available on the city's website, www.fortworthtexas.gov/hed, by the end of October, 2011. Please let me know if you have any questions or concerns regarding the findings presented. Thank you.



MEMORANDUM

Date: October 4, 2011

To: Chairman Burns & Members of the Housing and Economic Development Committee

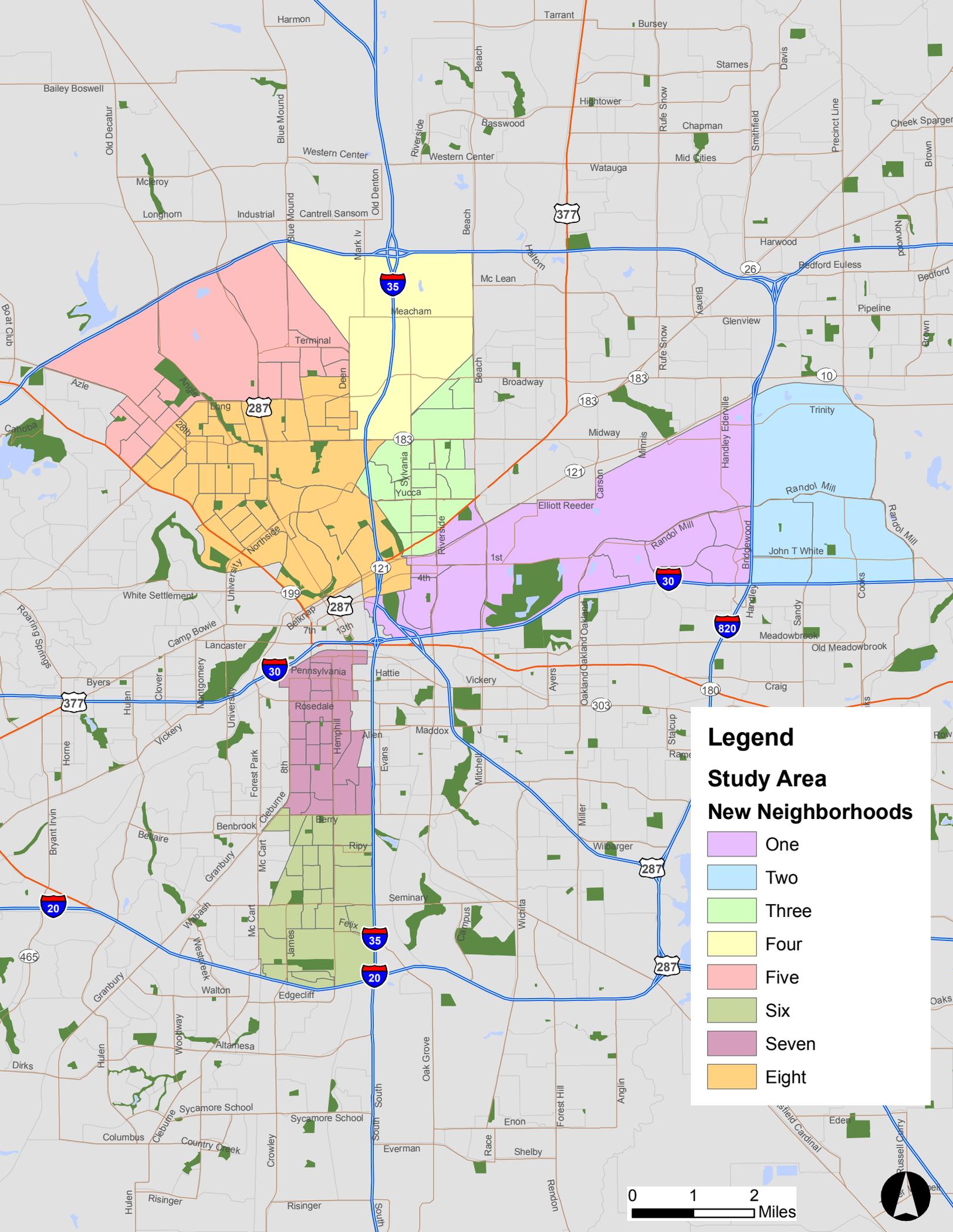
From: Jay Chapa, Director of Housing and Economic Development 

Subject: Summary of Social Compact Urban Market DrillDown Analysis Findings for the Northeast, Northwest, and Southwest Quadrants of Fort Worth

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Staff will use the study to attract commercial investment in selected areas. The entire market drilldown analysis will be available on the city's website, www.fortworthtexas.gov/hed, by the end of October, 2011. Please let me know if you have any questions or concerns regarding the findings presented. Thank you.

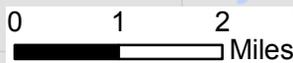


Legend

Study Area

New Neighborhoods

- One
- Two
- Three
- Four
- Five
- Six
- Seven
- Eight





MEMORANDUM

Date: October 4, 2011

To: Chairman Burns & Members of the Housing and Economic Development Committee

From: Jay Chapa, Director of Housing and Economic Development

Subject: Request for Proposals (RFP) for Developers

Due to the application deadlines that the Texas Department of Housing and Community Affairs has for Low Income Housing Tax Credit projects, the Housing & Economic Development Department will issue a Request for Proposals (RFP) for developers to submit proposals to provide quality, affordable and accessible housing which would benefit low- and moderate-income households. The proposals typically consist of single family, multifamily and permanent supportive housing developments within the City of Fort Worth. The schedule to award the funds is as follows:

RFP Release Date	October 5, 2011
Pre-Proposal Conference	October 13, 2011, 10:00 AM
Pre-Proposal Conference	October 20, 2011, 2:00 PM
Deadline for Questions	October 25, 2011, 5:00 PM
Proposal Due Date	November 3, 2011, by 1:30 PM
Proposal Selection	November 4, 2011 through November 8, 2011
Informal Report	November 15, 2011
Selected Project M&C's	December 13, 2011

The selected projects will be awarded funding from any of the following sources: federal funds, Housing Trust Fund and Rental Rehabilitation funds.

Please contact me if you have any questions or concerns.



MEMORANDUM

Date: October 4, 2011

To: Fort Worth Housing & Economic Development Committee

From: Jay Chapa, Housing & Economic Development Department Director

Subject: Proposed Changes to the City's Homelessness Commission

This memorandum outlines a set of proposed changes to the City Ordinance that created the City's Homelessness Commission. Staff is seeking Council input on these changes prior to the development of a formal recommendation for Council action.

Background

In April 2004, the City of Fort Worth appointed 47 concerned citizens to serve as a Planning and Advisory Committee on Homelessness. The group was tasked with the development of recommendations for addressing homelessness through a Ten-Year Plan. The Committee presented its Final Report to the City Council on February 22, 2005, which included a recommendation that a standing Mayor's Advisory Commission on Homelessness be appointed with broad representation from all stakeholders and appropriate City staff support

The Council adopted a Resolution (3203-05-2005) and subsequent Ordinance (16630-10-2005) in October 2005 formally creating a standing, Mayor's Advisory Commission on Homelessness (MACH).

As enumerated in the Ordinance, the purpose of the standing Commission was to provide recommendations to the City regarding policies, plans and methods for addressing homelessness. As a result, the MACH led a participatory public process that culminated in the publication of *Directions Home: Making Homelessness Rare, Short-term and Non-recurring in Fort Worth, Texas within Ten Years*, which was subsequently incorporated into the City's Comprehensive Plan.

Discussion

Now that the Commission has been active for several years and based on feedback from Commission members and other stakeholders, staff is proposing slight changes to the structure, composition and focus of the City's Homelessness Commission to refine its contemporary role and operation now that the City has a homelessness plan in place. Additionally, a change to the name of the commission is being proposed to show a plan more fully embraced by the entire community.

The proposed changes are outlined in the following table:

	Current	Proposed
Name	Mayor's Advisory Commission on Homelessness	Fort Worth Advisory Commission on Ending Homelessness
Purpose	<p>The purpose of the Commission shall be to provide recommendations to the City regarding policies, plans and methods for addressing homelessness, including, but not limited to, the following:</p> <ol style="list-style-type: none"> 1. Develop a Ten-Year Plan to End Chronic Homelessness for presentation to City Council in March 2006 2. Methods to enhance the effectiveness and accountability for outcomes of service delivery for homeless persons, including possible centralization of such services 3. Public safety for homeless persons and the neighborhoods where they reside 4. Housing for homeless persons 5. State and Federal legislative issues that affect local homelessness 	<p>The purpose of the Commission shall be to promote and encourage community participation in efforts to end homelessness and to provide recommendations to the City regarding policies, plans and methods for addressing homelessness, including, but not limited to, the following:</p> <ol style="list-style-type: none"> 1. Update and implementation of the Directions Home plan 2. Housing for people who are homeless 3. Methods to enhance the effectiveness and accountability for outcomes of programs for people who are homeless 4. Public safety for people who are homeless and the neighborhoods where they reside 5. State and Federal legislative issues that effect local homelessness
Total Membership	19- members	21- members
Terms	Staggered, two-year terms; 3-term limit	Staggered, two-year terms
Required Representation	3 Business Community Representatives 3 Neighborhood Representatives 3 Homeless Service Providers 1 Housing Industry 1 Faith Community 1 Mental Health & Substance Abuse Expert 1 Criminal Justice Expert 1 Homeless or Formerly Homeless 1 Arlington 1 Tarrant County 3 at large representatives	3 Business Community Representatives 5 Neighborhood Representatives 3 Homeless Service Providers 3 Homeless or Formerly Homeless 1 Regional Representative 6 at large representatives
Meetings	Monthly, not fewer than 10 per year	Monthly, not fewer than 6 per year
Quorum	Majority – Vacancies	11
Voting	Majority Present	Majority Present



MEMORANDUM

Date: October 4, 2011

To: Chairman Burns & Members of the Housing & Economic Development Committee

From: Jay Chapa, Director
Housing and Economic Development Department

Subject: Consent to Assignment of Tax Abatement Agreement Contract No. 31168 with Berry Street, LP to Allow Assignment of Real Property Agreement to GM Westberry, LLC.

On November 1, 2005, the City Council entered into a 10-year Tax Abatement Agreement with Berry Street, LP (Developer) for the development of 244 residential apartment units, approximately 38,000 square feet of retail/commercial space and a multi-level parking garage not to exceed eight stories (City Secretary Contract No. 31168, M&C C-20354).

The agreement required the Developer to invest \$46 million in real property improvements by August 31, 2007, spend the greater of 20 percent or \$7,060,000 of those real property improvement costs with Fort Worth companies and the greater of 15 percent or \$5,295,000 of the real property improvements with Fort Worth Certified M/WBE companies. The agreement also requires the Developer to fill six full time jobs at the site with at least four jobs filled by Fort Worth residents and two with Fort Worth Central City residents. Finally the agreement requires the Developer to spend the greater of \$150,000 or 60 percent of all costs for supplies and services related to the operations of the development with Fort Worth companies and the greater of \$50,000 or 20 percent with Fort Worth Certified M/WBE companies.

In September 2011, Berry Street, LP, approached the City about its desire to sell the development to GM Westberry, LLC. or one of its affiliates (the Purchaser). As part of the proposed sale, the Developer needs to assign the Agreement to the Purchaser. Under the Agreement, Berry Street, LP is prohibited from assigning the Agreement to another party without the City Council's consent.

The Purchaser will be required to meet all ongoing obligations of the Developer for the five years remaining on the agreement. Any future assignments of the Agreement by Purchaser would have to be approved by City Council.

An M&C authorizing this consent to assignment will be placed on the October 18, 2011 City Council Meeting Agenda for consideration.



MEMORANDUM

Date: October 4, 2011

To: Chairman Burns & Members of the Housing & Economic Development Committee

From: Jay Chapa, Director
Housing and Economic Development Department

Subject: Authorize Payment of Up to \$200,000.00 from the Rental Rehabilitation Program Fund to the United States Department of Housing and Urban Development to close Findings Regarding the Use of Community Development Block Grant Funds

As you are aware, the Housing & Economic Development Department has been working to close past Community Development Block Grant (CDBG) projects and activities in an effort to resolve issues outlined in monitoring reviews by the United States Department of Housing and Urban Development (HUD). These efforts have led to the ability to close out several years of open activities dating back to 1992. As the department has continued to move forward with this clean up, we were notified in September of this year that the City needs to move forward and close CDBG-funded projects from 1992-2005. HUD is requiring that these projects be completed and reported closed to HUD immediately. Staff requested additional time to continue our research and work to allow us to complete the projects and avoid potential payback of funds.

Because of the need to respond to HUD in a timely fashion, and because we expect to find instances on these activities in which there will be a lack of documentation that meets CDBG program requirements, staff recommends that City Council authorize funds to be used for repayment to HUD of up to \$200,000.00 from the Rental Rehabilitation Program Funds Program Income for any project that cannot be closed in compliance with HUD regulations.

An M&C authorizing this consent to assignment will be placed on the October 18, 2011 City Council Meeting Agenda for consideration.

FORT WORTH HOUSING FINANCE CORPORATION

AGENDA

Tuesday, October 4, 2011

*Immediately following the Housing and
Economic Development Committee Meeting
Scheduled to Begin Immediately Following the
10:00 am City Council Meeting*

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

Board of Directors

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

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

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

Staff Liaison: Susan Alanis, Assistant City Manager

1. **Call to Order** – Kathleen Hicks, President
2. **Approval of Minutes from the Meeting Held on August 2, 2011** – Kathleen Hicks, President
3. **Written Reports** – Jay Chapa, Assistant General Manager
 - a. Financial Report through August 31, 2011
4. **Adopt Resolution Approving the Budget for the 2011-2012 Fiscal Year** – Coy Gray, Senior Administrative Services Manager, Housing and Economic Development Department, City of Fort Worth
5. **Adopt Resolutions Approving Actions of the Corporation as Sole Member of Terrell Homes GP, LLC, the General Partner of Terrell Homes, Ltd.; Approving all Actions Necessary for the Acquisition, Financing and Development of the Terrell Homes I Project; Approving Funding of Reserves and Establishment of Bank Accounts; and Ratifying all Acts Previously Taken by the Corporation, the General Partner or the Partnership in Connection with the Project** - Robin Bentley, Community Development Manager, City of Fort Worth Housing and Economic Development Department
6. **Adopt Resolutions Authorizing a Development Agreement with NRP Holdings LLC, NRP Investments Corp. and NRP Contractors LLC for the Terrell Homes I Project, and Authorizing the Corporation to Act as Guarantor for the Project** – Robin Bentley Community Development Manager, City of Fort Worth Housing and Economic Development Department

7. **Executive Session:** The Fort Worth Housing Finance Corporation will conduct a closed meeting to:
 - a. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (i) legal issues concerning any current agenda item;
 - b. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
 - c. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.
8. **Requests for Future Agenda Items** – Kathleen Hicks, President
9. **Adjourn** – Kathleen Hicks, President

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

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
TUESDAY, AUGUST 2, 2011**

Present:

President Kathleen Hicks
Vice President Danny Scarth
Secretary Frank Moss
Director Betsy Price
Director Salvador Espino
Director W. B. “Zim” Zimmerman
Director Jungus Jordan
Director Dennis Shingleton
Director Joel Burns

City staff:

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

Other staff:

Robert Sturns, Economic Development Manager, Housing & Economic Development Dept.
Mark Folden, Business Development Coordinator, Housing & Economic Development Dept.
Marty Hendrix, City Secretary

Call to Order

(Agenda Item 1)

With a quorum present, President Hicks called the meeting to order for the Board of Directors of the Fort Worth Housing Finance Corporation (Corporation) at 2:22 p.m. on Tuesday, August 2, 2011, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas.

**Approval of Minutes of the June 7, 2011,
Meeting**

(Agenda Item 2)

President Hicks opened the floor for a motion on the approval of the minutes of the Tuesday, June 7, 2011, meeting.

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
TUESDAY, AUGUST 2, 2011
PAGE 2**

**Approval of Minutes of the June 7, 2011,
Meeting (cont'd)**

(Agenda Item 2)

MOTION: Upon a motion made by Director Jordan and seconded by Director Espino, the Board of Directors voted unanimously nine (9) “ayes” and zero (0) “nays”, to approve the Tuesday, June 7, 2011, minutes of the Corporation as presented. The motion carried.

Election of Officers

(Agenda Item 3)

President Hicks opened the floor for the nominations of Officers for the Fort Worth Housing Finance Corporation.

MOTION: Upon a motion made by Director Espino and seconded by Director Shingleton, the Board voted unanimously nine (9) “ayes” and zero (0) “nays”, that Kathleen Hicks be elected as President, Danny Scarth be elected as Vice President; and Frank Moss be elected to Secretary for the Fort Worth Housing Finance Corporation, effective June 7, 2011. The motion carried.

Assistant City Manager Susan Alanis advised that Agenda Items 8 and 9 would be removed from consideration at this time and continued to a future meeting.

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

(Agenda Item 4A)

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

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

**Adopt Resolution Appointing a Treasurer, an
Assistant Treasurer and an Assistant Secretary**

(Agenda Item 6)

Mr. Jay Chapa, Assistant General Manager, advised the Corporation that the resolution appointed various City staff members to serve in the three capacities: Assistant Treasurer, Lena Ellis, Director, Financial Management Services Department and staff and Assistant Secretary, Marty Hendrix, City Secretary and Ronald Gonzales, Assistant City Secretary and staff.

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
TUESDAY, AUGUST 2, 2011
PAGE 3**

**Adopt Resolution Appointing a Treasurer, an
Assistant Treasurer and an Assistant Secretary
(cont'd)**

(Agenda Item 6)

Assistant City Manager Susan Alanis also advised that the resolution also appointed Interim City Manager Tom Higgins as the General Manager and pointed out that at his discretion he could appoint an Assistant General Manager and Administrator. She added that Mr. Higgins intended to continue with Jay Chapa, Director of Housing and Economic Development, as the Assistant General Manager and Cynthia Garcia, Assistant Director, Housing and Economic Development, as the Administrator. She stated that a memorandum would be provided reflecting these appointments for the record.

President Hicks opened the floor for discussion on this issue.

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

MOTION: Upon a motion made by Director Price and seconded by Director Espino, the Board voted unanimously nine (9) “ayes” and zero (0) “nays”, to approve Resolution No. FWHFC 2011-16. The motion carried.

**Adopt Resolution Authorizing the Sale of the White
Lake Property Located Between the 900 and 1400
Blocks of Oakland Boulevard to The Catholic Diocese
of Fort Worth**

(Agenda Item 6)

Ms. Cynthia Garcia, Administrator, addressed the Corporation regarding the proposed resolution. Using a PowerPoint Presentation, she Garcia displayed an aerial view of the property and advised that the property depicted in blue was owned by the Corporation and was purchased in 2004 and the property depicted in green was owned by the Fort Worth Catholic Diocese and was used for Nolan Catholic High School. She stated the lake was located on both properties and noted what portion was owned by the Corporation and the Diocese. She added that the property had been purchased for a senior housing development that did not get completed and stated that the Corporation had been approached by the Diocese to purchase the property for the expansion of facilities for the high school. She added that the property had been appraised for \$107,000.00.

President Hicks inquired how much the Corporation had purchased the property for and Ms. Garcia responded \$284,000.00 and advised that staff had paid for the appraisal. She stated that the reason for the low appraisal was that most of the property consisted of the lake and was in the flood plain. She added that much of the property was also in the floodplain and to develop the property, the property would have to be taken out of the floodplain.

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
TUESDAY, AUGUST 2, 2011
PAGE 4**

**Adopt Resolution Authorizing the Sale of the White
Lake Property Located Between the 900 and 1400
Blocks of Oakland Boulevard to The Catholic Diocese
of Fort Worth (cont'd)**

(Agenda Item 6)

Ms. Garcia advised the Corporation of the following staff recommendation:

- Sell the property to the Catholic Diocese of Fort Worth.
 - \$107,000.00 – Appraised Value.
 - Catholic Diocese to pay closing costs.

President Hicks opened the floor for discussion on this issue.

Director Scarth stated that he hoped there would be some better appraised value than the \$107,000.00 but added that it was a difficult piece of property. He added that there had been multiple proposals of what could be done on the property, but none had worked out. He asked that there were some issues, such as a complete inspection of the dam where some of the trees had to be trimmed, and asked if those issues had been resolved.

Ms. Garcia responded affirmatively and that the Corporation had paid approximately \$50,000.00 to get the area cleaned.

Director Scarth then asked if staff foresaw any liability going forth to which Ms. Garcia replied she did not. She added that staff had sent the Diocese the purchase agreement and showed them what the deed would look like and therefore it would be an “as is” sale.

President Hicks inquired what the zoning of the property was and Ms. Garcia advised that it was zoned “F” General Commercial.

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

MOTION: Upon a motion made by Director Scarth and seconded by Director Espino, the Board voted unanimously nine (9) “ayes” and zero (0) “nays”, to approve Resolution No. FWHFC-2011-17. The motion carried.

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
TUESDAY, AUGUST 2, 2011
PAGE 5**

Adopt Resolution Ratifying All Actions of the Corporation as Sole Member of Race Street Lofts, GP, LLC, the General Partner of Race Street Lofts, Ltd.; and Ratifying All Actions Previously Taken by the Corporation, the General Partner or the Partnership in Connection with the Loans to the Partnership from Bank of America, N.A., for the Financing for the Race Street Lofts Project

(Agenda Item 7)

Mr. Jay Chapa, Assistant General Manager, advised the Corporation that this resolution was basically further housekeeping on the Race Street project for the Corporation. He added that Bank of America requested a specific resolution ratifying approval of entering into the loan with the bank. He stated that the loan amount was \$4.2 million on the project and \$1.365 million in equity for construction. Mr. Chapa advised that there were previous resolutions granting the partnership the ability to enter into all the lease agreements but as part of closing, the bank wanted specific language related to their actual loan.

President Hicks opened the floor for discussion on this issue.

Director Espino requested that Mr. Chapa explain exactly what entities were involved with this project. Mr. Chapa stated the Fort Worth Housing Finance Corporation (HFC) was a General Partner in partnership with NRP Holdings, LLC, who created the partnership that was developing the project. He added that HFC owned the property and was leasing the property to the partnership to construct the project and pointed out that the partnership also included the tax credit buyer.

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

MOTION: Upon a motion made by Director Espino and seconded Moss, the Board voted unanimously nine (9) “ayes” and zero (0) “nays”, to approve Resolution No. FWHFC-2011-18. The motion carried.

Adopt Resolution Authorizing a Development with NRP Holdings, LLC, to Act as Co-Developer of the Terrell Homes I Project and for the Corporation to Act as Guarantor for the Project

(Agenda Item 8)

As noted by Assistant City Manager Susan Alanis on page 2, this item would be continued to a further meeting date.

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
TUESDAY, AUGUST 2, 2011
PAGE 6**

Adopt Resolution Approving Actions of the Corporation as Sole Member of Terrell Homes, GP, LLC, the General Partner of Terrell Homes, Ltd.; Approving All Actions Necessary for the Acquisition, Financing and Development of the Terrell Homes I Development, and Ratifying All Acts Previously Taken by the Corporation, the General Partner or the Partnership in Connection with the Project

(Agenda Item 9)

As noted by Assistant City Manager Susan Alanis on page 2, this item would be continued to a further meeting date.

Director Jordan advised that he had filed a Conflict of Interest Affidavit with the City Secretary, would recuse from any action on the next two items and left the meeting.

Adopt Resolution Approving a Natural Gas Lease with Chesapeake Exploration, LLC, for 2510, 2512, 2514, 2516 and 2518 Sheraton Drive

(Agenda Item 10)

Adopt Resolution Approving a Natural Gas Lease with Chesapeake Exploration, LLC, for 2607 Clinton Avenue

(Agenda Item 11)

Ms. Jean Petr, Gas Lease Program Manager, Planning and Development Department, advised the Corporation that her presentation would include Agenda Items 10 and 11. Using a PowerPoint Presentation, Ms. Petr advised the Corporation of the Natural Gas Lease Request as follows:

- Chesapeake Exploration, LLC, requested leases on HFC properties.
- Lease Terms
 - \$3,000.00 per acre bonus.
 - 25% Royalty.
 - Two (2)-year term.
 - No surface use.

Ms. Petr displayed an aerial view of the properties relative to Agenda Item 10 described as the Anderson Unit, Sheraton Addition, Block 2, Lots 5-9. She stated that the properties were vacant lots and displayed a map of the specific location in District 5. She provided the following information pertaining to the Anderson Unit:

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
TUESDAY, AUGUST 2, 2011
PAGE 7**

**Adopt Resolution Approving a Natural Gas Lease with
Chesapeake Exploration, LLC, for 2510, 2512, 2514,
2516 and 2518 Sheraton Drive (cont'd)**

(Agenda Item 10)

**Adopt Resolution Approving a Natural Gas Lease with
Chesapeake Exploration, LLC, for 2607 Clinton
Avenue (cont'd)**

(Agenda Item 11)

- 2510-2518 Sheraton Drive.
- Sheraton Addition, Block 2, Lots 5-9
- 0.792 acre, more or less.
- \$2,376.00 total bonus

Ms. Petr then displayed an aerial view of the property relative to Agenda Item 11 described as Sooner Unit, M.G. Ellis Addition, Block 37, Lot 4. She added that the property was in District 2 and was also a vacant lot. She displayed a map of the location and providing the following information pertaining to the Sooner Unit:

- 2607 Clinton Avenue.
- M.G. Ellis Addition, Block 37, Lot 4
- 0.20 acre, more or less.
- \$600.00 total bonus

Ms. Petr advised that the recommendation of staff was that the Corporation execute the leases at the standard City of Fort Worth lease terms (terms are current market).

President Hicks opened the floor for discussion on this issue.

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

MOTION: Upon a motion made by Director Zimmerman and seconded by Director Moss, the Board voted eight (8) “ayes” and zero (0) “nays”, with Director Jordan absent, to approve Resolution Nos. FWHFC-2011-19 and FWHFC-2011-20. The motion carried.

Executive Session

(Agenda Item 12)

President Hicks stated that she had been advised that an Executive Session was not necessary to discuss the following items:

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
TUESDAY, AUGUST 2, 2011
PAGE 8**

Executive Session (cont'd)

(Agenda Item 12)

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

This agenda item was passed over.

Requests for Future Agenda Items

(Agenda Item 13)

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

Adjourn

(Agenda Item 14)

With no further discussion, President Hicks adjourned the called – special session of the Fort Worth Housing Finance Corporation Board at 2:36 p.m. on Tuesday, August 2, 2011.

These minutes approved by the Fort Worth Housing Finance Corporation Board of Directors on the 4th day of October, 2011.

APPROVED:

Kathleen Hicks
President

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
TUESDAY, AUGUST 2, 2011
PAGE 9**

ATTEST:

Frank Moss
Secretary

Prepared and respectfully submitted by:

Ronald P. Gonzales, TRMC/CMC
Assistant City Secretary

FORT WORTH HOUSING FINANCE CORPORATION
BALANCE SHEET AS ON AUGUST 31, 2011
(UNAUDITED)

ASSETS

Cash, Cash Equivalents and Investments

Cash & Investments	\$	4,257,868	
Cash and cash equivalents (HTF General Fund)		1,636,461	
Cash at Bank- JP Morgan Chase - Infill		2,959	
			5,897,288

Restricted Assets

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

Other Assets

Loans receivable		22,302	
Contribution receivable from Grant Fund (HTF)		-	
Loans receivable - Wind River		715,000	
Interest Receivable		44,912	
Investments in Villas of East Wood LLC		615,000	
Loans receivable from Villas of East Wood LLC		638,979	
Investment in FWCCC, LLC		-	
Properties held for sale or construction by FWHFC (at cost or FMV)		1,067,856	(1) 3,104,049

Total Assets

\$ 14,288,118

LIABILITIES & FUND BALANCE

Liabilities

Accounts payable	\$	-	
Escrow for loans		1,206	
Accrual - Payroll		403	
Deferred revenue		22,302	
Payable to CFW - Carter Metro assigned liability		116,380	(4)
Payable to CFW - Mitchell Blvd. assigned properties		21,047	(4)
Payable to CFW - Appropriation from Rental Rehab Rev.(for VOE)		615,000	
			776,339

Total Liabilities

\$ 776,339

Fund Balances

Restricted for corpus		5,286,781	
Represented by HTF General Fund		2,351,461	
Represented by advance balance to VOE		27,990	(3)
Represented by investments/loans		638,979	
Represented by land & properties		1,067,856	
Restricted for land banking		348,503	
Restricted for Infill Dev.		666,096	
Unrestricted		3,124,113	(2)

Total Fund Balance

13,511,779

Total Liabilities & Fund Balance

\$ 14,288,118

Notes:

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

OTHER NOTES:

- A. CFW authorized grants of \$3,372,075 from HOME funds and \$1,750,000 from CDBG funds for Housing Trust Fund and out of these Grant funds \$1,034,481.11 have been expended as on date and \$2,944,811.55 is allocated to new projects.
- B. Home warranty expenses and tax abatement refund dues are accounted on cash basis. The liability for unexpired warrantees and tax abatement refunds have not been quantified and not provided for.
- C. HFC is the parent organization and sole shareholder of the The Villas of East Wood Terrace, LLC. Accounts of this subsidiaries are not included or consolidated for this statements . Also no provision has been made for liabilities of the subsidiary.

FORT WORTH HOUSING FINANCE CORPORATION
REVENUES AND EXPENDITURES FOR PERIOD (11 MONTHS) ENDING AUGUST 31, 2011
(UNAUDITED)

Revenues

Interest earned on investments	\$ 122,024
Interest on loans	833
Contribution from HUD - HTF	14,193
Repayment of loan	900,000
Easements for pipeline	91,902
Gas lease bonus	110,656
Gas lease royalties	5,066
Loan application & inspection /origination fee	500
Misc. revenue	104,742

Total Revenues \$ 1,349,914

Expenditures

Salary expenses	\$ 10,868
Postage	701
Misc. & other operations	-
Appraisal fees	-
Conference and seminars	1,743
Engineering Services	-
Inside printing	11
Graphics	-
Liability insurance	2,050
Electricity	1,886
Water & waste disposal	974
Dues and membership	2,040
Contractual services	1,654,187
Contractual services - HTF Expenses	4,743
Contractual services - Mercado Repayment	1,102,462
Loss on asset	168,291
Bank Charges	411
Land purchase	-
Other expenses to be paid	-

1,398,806

Total Expenditures \$ 2,950,368

Excess of Revenues over (under) Expenditures (1,600,454)

Other Financing Sources (Uses)

Transfers in HFC	48,892
Transfers in infill	3,000
Total Other Financing Sources (Uses)	51,892

Excess of Revenues over (under) Expenditures and Other Financing sources (1,548,562)

Fund Balances (Deficit), beginning of the period 13,843,790

Fund Balances (Deficit), at the end of the period 12,295,228

Reconciliation of fund balance to Balance sheet

ADD: Loans receivable from Villas Of Eastwood	638,979
Equity investment in FW CCC, LLC	-
Eastland loan	-
Wind River loan	715,000
Less: Liability to CFW - Assigned properties	(137,427)
	-
Fund balance per balance sheet	\$ 13,511,779

FORT WORTH HOUSING FINANCE CORPORATION

Details of Loan Receivables & Escrow Accounts for period ending August 31, 2011

Loan Receivables

<u>Name</u>	<u>Date of Note</u>	<u>Amount</u>	<u>Status</u>
Willie Roberson	08/21/98	22,302	Active
Eastland		-	
Wind River		715,000	
Total		<u>\$ 737,302</u>	

Deferred revenue

Willie Roberson	22,302
Wind River	715,000
Eastland	-
	<u>737,302</u>

Escrows

Willie Roberson	08/21/98	1,206	Active
Total		<u>\$ 1,206</u>	

Details of Classification of Fund Balance

Represented by Investments & Loans

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

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

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

G. Total Liability **137,427.48**

RESOLUTION NO. FWHFC-2011----

FORT WORTH HOUSING FINANCE CORPORATION

**A RESOLUTION
APPROVING THE BUDGET FOR THE 2011-2012 FISCAL YEAR**

WHEREAS, the Board of Directors of the Fort Worth Housing Finance Corporation, a Texas housing finance corporation (the "Corporation"), reviewed the attached budget proposed for the 2011-2012 fiscal year of the Corporation (the "Budget") during the Corporation's meeting on October 4, 2011; and

WHEREAS, the Board of Directors desires to adopt the Budget as presented for the Corporation's 2011-2012 fiscal year.

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

1. THAT the Board approves the attached Budget for the Corporation for its 2011-2012 fiscal year of.
2. THAT this Resolution takes effect on the date of its adoption.

AND IT IS SO RESOLVED.

Adopted October 4, 2011.

FORT WORTH HOUSING FINANCE CORPORATION

By: _____
Kathleen Hicks, President

|

FORT WORTH HOUSING FINANCE CORPORATION

Proposed Budget

October 1, 2011 through September 30, 2012

(Unaudited)

Revenues

Interest on investments	\$80,000	
Program income prin. loan	750	
Land/home sales	182,000	
Gas lease royalties	8,000	
Misc. revenue	10,000	
Total Revenues		\$280,750

Expenditures

Salaries and benefits		\$26,924
Other expenses		
Office supplies	1,500	
Postage	700	
Conferences & seminars	3,000	
Engineering services	500	
Electricity	3,000	
Water & waste disposal	1,600	
Dues and membership	2,250	
Contractual services	15,000	
D&O Liability Insurance	2,050	
Mowing HFC properties	30,745	
Audit fees (VOE)	9,500	
Security systems (HFC Houses)	4,000	
Land Purchases	30,000	
Subtotal		\$103,845
Total Expenditures		\$130,769

Excess (Deficiency) of Revenues over (under) Expenditures **\$149,981**

Note: Finance will book the excess in to Contractual Services (\$149,981)

RESOLUTION NO. FWHFC-2011-

FORT WORTH HOUSING FINANCE CORPORATION

RESOLUTIONS APPROVING ACTIONS OF THE CORPORATION AS SOLE MEMBER OF TERRELL HOMES GP, LLC, THE GENERAL PARTNER OF TERRELL HOMES, LTD.; APPROVING ALL ACTIONS NECESSARY FOR THE ACQUISITION, FINANCING AND DEVELOPMENT OF THE TERRELL HOMES I PROJECT; APPROVING FUNDING OF RESERVES AND ESTABLISHMENT OF BANK ACCOUNTS; AND RATIFYING ALL ACTS PREVIOUSLY TAKEN BY THE CORPORATION, THE GENERAL PARTNER OR THE PARTNERSHIP IN CONNECTION WITH THE PROJECT

WHEREAS, the City Council of the City of Fort Worth (“City”) has adopted the development and revitalization of the City’s affordable housing stock as a strategic goal, and the City Council has determined that quality, accessible, affordable housing is needed for moderate, low, and very low income City citizens;

WHEREAS, the City Council created the Fort Worth Housing Finance Corporation (the “Corporation”) in 1979 pursuant to the Texas Housing Finance Corporation Act, to facilitate housing initiatives in the City, including but not limited to issuing tax exempt bonds, developing, rehabilitating, and promoting housing, and assisting low to moderate income City citizens in acquiring quality, accessible, affordable housing through lending and construction activities;

WHEREAS, on February 2, 2010, the Board approved and accepted a Memorandum of Understanding (the “MOU”) with NRP Holdings LLC (“NRP”) for the development of approximately fifty-four (54) units of single family rental housing located on scattered sites in the Terrell Heights neighborhood to be known as the Terrell Homes I project (the “Project”) which has been awarded tax credits by the Texas Department of Housing and Community Affairs (“TDHCA”), approved the creation of a single purpose entity to serve as general partner of the partnership that will own the development, and approved other actions necessary for the development of the Project;

WHEREAS, on October 14, 2010, the Corporation created the Terrell Homes GP, LLC, a Texas limited liability company (the “GP”), which is the general partner of Terrell Homes, Ltd., a Texas limited partnership (the “Partnership”), which was organized to acquire, construct, control and maintain the Project;

WHEREAS, on December 7, 2010, the Board approved various actions relating to the creation and operation of the GP;

WHEREAS, the Corporation is the sole member of the GP;

WHEREAS, on June 23, 2011, the Corporation entered into the MOU with NRP setting forth in more detail the agreement for the development of the Project which among other things, provided for a loan of HOME funds from the City to the Partnership approved by the City Council on June 22, 2010 in M&C C-24289;

WHEREAS, on June 30, 2011, the Partnership entered into a HOME Loan in the amount of \$900,000.00 (the "HOME Loan") with the City as its lender pursuant to the MOU, in order to provide further debt financing for the acquisition of the Land and the development, construction, and operation of the Project;

WHEREAS, on June 30, 2011, the Partnership acquired 62 lots in the Terrell Heights neighborhood more particularly described in the attached Exhibit A for the Project (the "Land") on which the Project will be constructed and operated;

WHEREAS, the Partnership now desires to convey fee ownership of the Land to the Corporation and desires to enter into a Ground Lease with the Corporation whereby the Partnership shall have a tenant's leasehold estate in the Land;

WHEREAS, on June 7, 2011, the Board approved the acquisition from the Partnership of fee ownership of the Land and a Ground Lease with the Partnership for the Land;

WHEREAS, the Partnership desires to enter into a master agreement (the "Development Agreement") for the development of the Project with NRP Holdings LLC and the Corporation under the authority of the MOU;

WHEREAS, the Partnership, in order to provide debt financing for pre-development activities, entered into a pre-development loan from Raza Development Fund, Inc. in the amount of up to \$500,000 (the "Raza Loan");

WHEREAS, the Partnership, in order to provide debt financing for the development, construction, and operation of the Project, desires to negotiate the terms of, and to enter into, construction and permanent loans from Sterling Bank in the amount up to \$9,300,000.00 in construction financing and up to \$2,000,000.00 in permanent financing (collectively, the "Sterling Bank Loans");

WHEREAS, the GP desires to admit RBC Tax Credit Equity, LLC, as investor limited partner; RBC Tax Credit Manager, Inc. and Rodney Simon, as Special Limited Partners; and NRP Terrell Homes LLC as Class B Limited Partner (collectively, the "Limited Partners") to the Partnership, in order to facilitate the Project through the use of tax credits awarded by the TDHCA as an equity funding source; and the GP desires to amend and restate the agreement of limited partnership for the Partnership, in order to so admit the Limited Partners and to facilitate tax credit equity financing for the Project; and

WHEREAS, the GP desires to open and maintain certain bank accounts for the purpose of establishing operating reserves and lease-up reserves for the Project;

WHEREAS, the Board of the Corporation adopts the following Resolutions, as the Resolutions of the Corporation acting on behalf of the GP in its own capacity, and in its capacity as the general partner of the Partnership:

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

PARTNERSHIP AGREEMENT:

RESOLVED, that the GP and the Partnership are hereby authorized to admit the Limited Partners to the Partnership, pursuant to the terms and conditions as set forth in the proposed Amended and Restated Agreement of Limited Partnership for the Partnership;

FURTHER RESOLVED, that the GP is authorized to negotiate, execute and deliver an Amended and Restated Agreement of Limited Partnership for the Partnership, by which, among other things, the Limited Partners are admitted into the Partnership and NRP Group, LLC withdraws as a limited partner, and to negotiate, execute and deliver all other documents, instruments, certificates, ancillary equity agreements, consents, statements, and various other writings and documentation of every nature whatsoever as the Corporation, acting on behalf of the GP and the Partnership, may deem advisable, necessary, or desirable to carry into effect the intent of these Resolutions (collectively, the "Equity Documents"); and that such Equity Documents are hereby approved and authorized;

CONVEYANCE

RESOLVED, that the Partnership is authorized to transfer the fee ownership of the Land to the Corporation for consideration in the amount of \$1,110,000.00;

FURTHER RESOLVED, that the Partnership is authorized to negotiate, execute and deliver a deed conveying fee ownership of the Land to the Corporation and to negotiate, execute and deliver all related property transfer documents, including any certificates, affidavits, documents, instruments, agreements, consents, statements, and various other writings and documentation of every nature whatsoever as the Corporation, acting on behalf of the GP and the Partnership, may deem advisable, necessary, desirable, or required for such conveyance (collectively, the "Conveyance Documents"); and that the Conveyance Documents in each and every respect are approved and authorized;

GROUND LEASE

RESOLVED, that the Partnership is authorized to lease the Land from the Corporation for rent in the amount of \$1,110,000.00 for the first year of the leasehold, and \$100.00 per year thereafter through the end of the term ;

FURTHER RESOLVED, that the Partnership, as tenant, is authorized to negotiate, execute and deliver a Ground Lease by which the Land shall be leased by the Corporation as landlord, to the Partnership for a period of up to 99 years, a Memorandum of Lease, and to negotiate, execute and deliver all other documentation of every nature whatsoever as the Corporation, acting on behalf of the GP and the Partnership, may deem advisable, necessary, desirable, or required for such lease (collectively, the “Lease Documents”); and that the Lease Documents in each and every respect are approved and authorized;

DEVELOPMENT AGREEMENT

RESOLVED, that Partnership is hereby authorized to enter into a Development Agreement with NRP Holdings, LLC, NRP Investments Corp., NRP Contractors and the Corporation;

FURTHER RESOLVED, that the Partnership, as Project owner, is authorized to negotiate, execute and deliver a Development Agreement and any other documentation of every nature whatsoever as the Corporation, acting on behalf of the GP and the Partnership, may deem advisable, necessary, desirable, or required for the development of the Project (collectively, the “Development Documents”); and that the Development Documents in each and every respect are approved, authorized, ratified and confirmed;

RAZA LOAN:

RESOLVED, that the Partnership is hereby authorized to enter into pre-development financing for the Project with Raza Development Fund, Inc.;

FURTHER RESOLVED, that the Partnership and the GP, in connection with the Raza Loan and related transactions contemplated thereby, are each authorized to negotiate, execute and deliver the Raza Loan’s deed(s) of trust, affidavits, security instruments, notes, assignments, agreements, financing statements, documents, instruments, intercreditor agreements, subordination agreements (if any), and all affidavits, documents, instruments, certifications, consents, and other writings of every nature whatsoever (collectively, the “Raza Documents”) as the Corporation, acting on behalf of the GP and the Partnership, may deem advisable, necessary, desirable, or required for the financing of the Raza Loan, in an amount not to exceed \$500,00.00 in pre-development financing; and that the Raza Documents in each and every respect are approved, authorized, ratified and confirmed;

STERLING BANK LOANS:

RESOLVED, that the Partnership is hereby authorized to enter into construction loan and permanent debt financing for the Project with Sterling Bank;

FURTHER RESOLVED, that the Partnership and the GP, in connection with the Sterling Bank Loans and related transactions contemplated thereby, are each authorized to negotiate, execute and deliver the Sterling Bank Loans’ deed(s) of trust, affidavits, security instruments, notes, assignments, agreements, financing statements, documents, instruments,

intercreditor agreements, subordination agreements (if any), and all affidavits, documents, instruments, certifications, consents, and other writings of every nature whatsoever (collectively, the "Sterling Bank Documents") as the Corporation, acting on behalf of the GP and the Partnership, may deem advisable, necessary, desirable, or required for the financing of the Sterling Bank Loans, in amounts not to exceed \$9,300,00.00 in construction financing and \$2,000,000.00 in permanent financing; and that the Sterling Bank Documents in each and every respect are approved and authorized;

HOME LOAN:

RESOLVED, that Partnership is hereby authorized to enter into the HOME Loan for the Project;

RESOLVED, the Partnership and GP are authorized to negotiate, execute and deliver various documents relating to the HOME Loan, including but not limited to a Note, Fee Deed of Trust, Security Agreement and Financing Statement (to be replaced by a Leasehold Deed of Trust, Security Agreement and Financing Statement at construction loan closing), Subordination Agreement, and financing statements, security agreements, affidavits, certifications, consents, settlement statements, and various other writings and documentation whatsoever (collectively, the "HOME Documents") as the Corporation, acting on behalf of the GP and the Partnership, may deem advisable, necessary, desirable, or required for the financing of the HOME Loan, and that the HOME Documents in each and every respect are approved, authorized, ratified and confirmed;

RESERVES AND BANK ACCOUNTS:

RESOLVED, the General Partner, in accordance with the terms of the Equity Documents, is authorized to establish an operating reserve in the amount of up to \$230,000.00 ("Operating Reserve"), to be held in a Partnership account that is interest-bearing, with the interest income to be credited to the required balance; and that the Partnership is authorized to establish a bank account for the purpose of the Operating Reserve;

FURTHER RESOLVED, that the Partnership, in accordance with the terms of the Equity Documents, is authorized to establish and maintain a replacement reserve, and make contributions on an annual basis in the amount of \$300.00 per unit, with an annual increase of 3% ("Replacement Reserve"); and that the Partnership is authorized to establish a bank account for the purpose of the Replacement Reserve;

FURTHER RESOLVED, that the General Partner, in accordance with the terms of the Equity Documents, is authorized to establish a lease-up reserve account in the amount of \$150,000 ("Lease-Up Reserve"), to be held in a Partnership account that is interest-bearing, with the interest income to be credited to the required balance; and the Lease-Up Reserve will be used to cover operating deficits during initial lease-up of the Project, with any unused balance to be credited to the Operating Reserve prior to RBC's final capital contribution; and that that Partnership is authorized to establish a bank account for the purpose of the Lease-Up Reserve;

ALL CLOSING DOCUMENTS AND AUTHORITY:

RESOLVED, that the Corporation, acting in its own capacity and in its capacity as the sole member of the GP, the sole general partner of the Partnership, in connection with all actions authorized in these Resolutions, and related transactions contemplated thereby, is authorized to negotiate, approve, execute, and deliver the Equity Documents, the Conveyance Documents, the Lease Documents, the Development Documents, the Raza Documents, the Sterling Bank Documents, the HOME Documents, and all such agreements, affidavits, security instruments, notes, deeds of trust, assignments, financing statements, documents, instruments, consents, applications, certifications, and other writings of every nature whatsoever as the Corporation deems necessary to consummate the closing of the transactions contemplated by these Resolutions (collectively, the “Closing Documents”), hereby in each and every respect are approved, authorized, ratified, and confirmed;

FURTHER RESOLVED, that Tom Higgins, the General Manager of the Corporation, or Jesus J. Chapa, the Assistant General Manager of the Corporation, or in the absence of such officer, any other duly elected officer of the Corporation (each, the “Executing Officer”), are hereby fully authorized to negotiate and approve the terms of and to execute and deliver the Closing Documents for and on behalf of the Corporation, the GP, or the Partnership, as applicable;

FURTHER RESOLVED, that the Executing Officer is hereby authorized and directed for and on behalf of, and as the act and deed of, the Corporation to take such other action in the consummation of the transactions herein contemplated and to do any and all other acts and things necessary or proper in furtherance of the transactions contemplated by these Resolutions, as the Executing Officer shall deem to be necessary or desirable, and all acts heretofore taken by the Executing Officer to such end are hereby expressly ratified and confirmed as the acts and deeds of the Corporation;

FURTHER RESOLVED, that all of the actions, documents, correspondences, recordings, instruments, or other writings that are necessary, advisable, or desirable in order to carry out the foregoing Resolutions, and for the conveyance and leasing of the Land, and the development and financing of the Project, for and on behalf of the Corporation, the GP, or the Partnership, as applicable, their approval of each to be conclusively evidenced by their execution thereof, are hereby approved;

FURTHER RESOLVED, that, to the extent any of the actions authorized by these Resolutions have already been taken by the GP, the Partnership, the Corporation, Tom Higgins or Jesus J. Chapa, such actions are hereby ratified and confirmed as the valid actions of the Corporation, GP, and Partnership, as applicable, effective as of the date such actions were taken.

These Resolutions shall take effect on the date of their adoption.

AND IT IS SO RESOLVED.

Adopted October 4, 2011.

FORT WORTH HOUSING FINANCE CORPORATION

By: _____
Kathleen Hicks, President

RESOLUTION NO. FWHFC-2011-

FORT WORTH HOUSING FINANCE CORPORATION

RESOLUTIONS AUTHORIZING A DEVELOPMENT AGREEMENT WITH NRP HOLDINGS LLC, NRP INVESTMENTS CORP. AND NRP CONTRACTORS LLC FOR THE TERRELL HOMES I PROJECT, AND AUTHORIZING THE CORPORATION TO ACT AS GUARANTOR FOR THE PROJECT

WHEREAS, the City Council of the City of Fort Worth (“City”) has adopted the development and revitalization of the City’s affordable housing stock as a strategic goal, and the City Council has determined that quality, accessible, affordable housing is needed for moderate, low, and very low income City citizens;

WHEREAS, the City Council created the Fort Worth Housing Finance Corporation (the “Corporation”) in 1979 pursuant to the Texas Housing Finance Corporation Act, to facilitate housing initiatives in the City, including but not limited to issuing tax exempt bonds, developing, rehabilitating, and promoting housing, and assisting low to moderate income City citizens in acquiring quality, accessible, affordable housing through lending and construction activities;

WHEREAS, on February 2, 2010, the Board approved and accepted a Memorandum of Understanding (the “MOU”) with NRP Holdings LLC (“NRP”) for the development of approximately fifty-four (54) units of single family rental housing located on scattered sites in the Terrell Heights neighborhood to be known as the Terrell Homes I project (the “Project”) which has been awarded tax credits by the Texas Department of Housing and Community Affairs (“TDHCA”), approved the creation of a single purpose entity to serve as general partner of the partnership that will own the development, and approved other actions necessary for the development of the Project;

WHEREAS, on October 14, 2010, the Corporation created the Terrell Homes GP, LLC, a Texas limited liability company (the “GP”), which is the general partner of Terrell Homes, Ltd., a Texas limited partnership (the “Partnership”), which was organized to acquire, construct, control and maintain the Project;

WHEREAS, on December 7, 2010, the Board approved various actions relating to the creation and operation of the GP;

WHEREAS, the Corporation is the sole member of the GP;

WHEREAS, on June 23, 2011, the Corporation entered into the MOU with NRP setting forth in more detail the agreement for the development of the Project which among other things, provided that the Corporation provide certain guarantees pertaining to the development and the operation of the Project and delivery of the tax credits;

WHEREAS, the Corporation, as developer of the Project, desires to enter into a master agreement for the development of the Project (the "Development Agreement") with NRP, as development consultant, the Partnership, NRP Investments Corp. and NRP Contractors LLC;

WHEREAS, the Partnership, in order to provide debt financing for the development, construction, and operation of the Project, desires to negotiate the terms of, and to enter into, construction and permanent loans from Sterling Bank in the amount up to \$9,300,000.00 in construction financing and up to \$2,000,000.00 in permanent financing (collectively, the "Sterling Bank Loans");

WHEREAS, Sterling Bank requires that the Corporation guarantee repayment of the construction loan and it is contemplated that the Corporation will also have to make certain guarantees in regard to the tax credits including guarantees to the entity that provides equity financing to the Project in return for an allocation of the tax credits; and

WHEREAS, the Board of the Corporation desires to enter into the Development Agreement and authorize the Corporation to provide all necessary guarantees for the financing for the Project.

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

DEVELOPMENT AGREEMENT

RESOLVED, that the Corporation is hereby authorized to enter into a Development Agreement with NRP Holdings LLC, the Partnership, NRP Investments Corp. and NRP Contractors LLC;

FURTHER RESOLVED, that the Corporation, as developer, is authorized to negotiate, execute and deliver a Development Agreement and any other documentation of every nature whatsoever as the Corporation may deem advisable, necessary, desirable, or required for the development of the Project (collectively, the "Development Documents"); and that the Development Documents in each and every respect are approved, authorized, ratified and confirmed;

STERLING BANK LOANS:

RESOLVED, that the Corporation is hereby authorized to negotiate, execute and deliver a guarantee of the construction loan for the Project in favor of Sterling Bank;

FURTHER RESOLVED, that the Corporation, in connection with the Sterling Bank Loans and related transactions contemplated thereby, is authorized to negotiate, execute and deliver all affidavits, documents, instruments, certifications, consents, and other writings of every nature whatsoever (collectively, the "Sterling Bank Documents") as the Corporation may deem advisable, necessary, desirable, or required for the Sterling Bank Loans, in amounts not to

exceed \$9,300,00.00 in construction financing and \$2,000,000.00 in permanent financing, and that the Sterling Bank Documents in each and every respect are approved and authorized;

GUARANTEES

RESOLVED, that the Corporation is hereby authorized to negotiate, execute and deliver guarantees of construction completion, operating expenses, tax credit delivery and tax credit compliance and any other guarantees that may be required in conjunction with construction, permanent or equity financing of the Project;

RESOLVED, that the Corporation is hereby authorized to negotiate, execute and deliver environmental indemnification agreements in connection with the financing of the Project;

FURTHER RESOLVED, that the Corporation, in connection with the guarantees, any environmental indemnification agreements and related transactions contemplated thereby, is authorized to negotiate, execute and deliver all affidavits, documents, instruments, certifications, consents, and other writings of every nature whatsoever as the Corporation may deem advisable, necessary, desirable, or required for each such guarantee and environmental indemnification agreement and that the guarantees and environmental indemnification agreements in each and every respect are approved and authorized

AUTHORITY:

RESOLVED, that Tom Higgins, the General Manager of the Corporation, or Jesus J. Chapa, the Assistant General Manager of the Corporation, or in the absence of such officer, any other duly elected officer of the Corporation (each, the “Executing Officer”), are hereby fully authorized to negotiate and approve the terms of and to execute and deliver the Development Agreement, the guarantees and the environmental indemnification agreements for and on behalf of the Corporation;

FURTHER RESOLVED, that the Executing Officer is hereby authorized and directed for and on behalf of, and as the act and deed of, the Corporation to take such other action in the consummation of the transactions herein contemplated and to do any and all other acts and things necessary or proper in furtherance of the transactions contemplated by these Resolutions, as the Executing Officer shall deem to be necessary or desirable, and all acts heretofore taken by the Executing Officer to such end are hereby expressly ratified and confirmed as the acts and deeds of the Corporation;

FURTHER RESOLVED, that all of the actions, documents, correspondences, recordings, instruments, or other writings that are necessary, advisable, or desirable in order to carry out the foregoing Resolutions, and for the development and financing of the Project, for and on behalf of the Corporation, its approval of each to be conclusively evidenced by its execution thereof, are hereby approved;

FURTHER RESOLVED, that, to the extent any of the actions authorized by these Resolutions have already been taken by the Corporation, Tom Higgins or Jesus J. Chapa, such actions are hereby ratified and confirmed as the valid actions of the Corporation, GP, and Partnership, as applicable, effective as of the date such actions were taken.

These Resolutions shall take effect on the date of their adoption.

AND IT IS SO RESOLVED.

Adopted October 4, 2011.

FORT WORTH HOUSING FINANCE CORPORATION

By: _____
Kathleen Hicks, President

FORT WORTH LOCAL DEVELOPMENT CORPORATION

AGENDA

Tuesday, October 4, 2011

Immediately Following the Meetings of the Housing and Economic Development Committee and the Fort Worth Housing Finance Corporation Scheduled to Begin Immediately Following the 10:00 am City Council Meeting

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

Board of Directors

Frank Moss, President

Zim Zimmerman, Trustee

Betsy Price, Trustee

Danny Scarth, Vice-President

Joel Burns, Trustee

Jungus Jordan, Trustee

Dennis Shingleton, Trustee

Kathleen Hicks, Trustee

Salvador Espino, Trustee

Staff Liaison: Susan Alanis, Assistant City Manager

-
1. **Call to Order** – Frank Moss, President
 2. **Approval of Minutes from the Meeting Held on September 8, 2011** – Frank Moss, President
 3. **Written Reports** – President
 - a. Financial Report through August 31, 2011
 - b. Memo Regarding Proposed Changes to Bylaws and Bank Accounts
 4. **Executive Session:** The Fort Worth Local Development Corporation's Board of Trustees will conduct a closed meeting to:
 - a. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (i) legal issues concerning any current agenda item; and
 - b. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
 - c. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

5. **Adopt Resolution Approving Budget for the 2011-2012 Fiscal Year** – Coy Gray, Senior Administrative Services Manager, Housing and Economic Development Department, City of Fort Worth
6. **Adopt Resolution Authorizing the Purchase of Property Located within the Boundaries of Lancaster, Jennings, 13th Street and Throckmorton for the Proposed Mixed Use Development on West Lancaster Avenue** - Jay Chapa, Director, Housing and Economic Development Department, City of Fort Worth
7. **Adopt Resolution Authorizing a Broker’s Fee Agreement for the Property Located at 4600 Blue Mound Road** – Cynthia Garcia, Administrator
8. **Requests for Future Agenda Items** – Frank Moss, President
9. **Adjourn** – Frank Moss, President

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

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
TUESDAY, SEPTEMBER 8, 2011**

Present:

President Frank Moss
Vice President Danny Scarth
Treasurer W.B. “Zim” Zimmerman
Director Betsy Price
Director Salvador Espino
Director Dennis Shingleton
Director Jungus Jordan
Director Joel Burns
Director Kathleen Hicks

City staff:

Susan Alanis, Assistant City Manager
Peter Vaky, Deputy City Attorney
Ron Gonzales, Assistant City Secretary
Jay Chapa, Director, Housing & Economic Development Department
Cynthia Garcia, Administrator

Other City staff in attendance included:

Robert Sturns, Economic Development Manager, Housing & Economic Development Dept.
Mark Folden, Business Development Coordinator, Housing & Economic Development Dept.
Henry Day, Senior Management Analyst, Housing & Economic Development Department

Call to Order

(Agenda Item 1)

With a quorum of the Board Members present, President Moss called the called - special session to order for the Board of Directors of the Fort Worth Local Development Corporation (Corporation) at 9:15 a.m. on Thursday, September 8, 2011, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton, Fort Worth, Texas.

**Approval of Minutes from Meeting Held on
August 2, 2011**

(Agenda Item 2)

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

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
THURSDAY, SEPTEMBER 8, 2011
Page 2**

**Approval of Minutes from Meeting Held on
August 2, 2011 (cont'd)**

(Agenda Item 2)

MOTION: Upon a motion made by Director Shingleton and seconded by Director Price, the Board of Directors of the Fort Worth Local Development Corporation voted unanimously nine (9) “ayes” and zero (0) “nays”, to approve the minutes of the August 2, 2011, meeting of the Fort Worth Local Development Corporation. The motion carried.

Election of Secretary

(Agenda Item 3)

Mr. Jay Chapa, Director, Housing and Economic Development Department, advised that the position of Secretary became vacant once Director Carter Burdette was no longer serving as a member of the City Council. He asked that the Corporation Board nominate a member to serve as Secretary for the Fort Worth Local Development Corporation.

President Moss opened the floor for Secretary for the Fort Worth Local Development Corporation.

MOTION: Upon a motion made by Director Espino and seconded by Director Hicks, the Board voted unanimously nine (9) “ayes” and zero (0) “nays”, that Director Dennis Shingleton be elected as Secretary for the Fort Worth Local Development Corporation, effective September 8, 2011. The motion carried.

Consideration of Financial Report

(Agenda Item 4A)

President Moss referenced the following financial report:

The Balance Sheet dated July 31, 2011, for the Corporation (unaudited) as follows:

Assets	
Cash and cash equivalents	\$1,880,438.52
Interest Receivable	8,544.49
Accounts Receivable	<u>38.09</u>
Total Assets	<u><u>\$1,889,021.10</u></u>
Liabilities and Fund Balance	
Accounts and Contracts Payable	0.00
Total Liabilities	0.00

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
THURSDAY, SEPTEMBER 8, 2011
Page 3**

Consideration of Financial Report (cont'd)

(Agenda Item 4A)

Fund Balance (Deficit)	
Designated for Authorized Expenditures	\$2,492,627.92
Net Income	(603,606.82)
Undesignated	<u>0.00</u>
Total Fund Balance	1,889,021.10
Total Liabilities and Fund Balance	<u>\$1,889,021.10</u>

The Statement of Revenues and Expenditures from October 1, 2010, through July 31, 2011 (unaudited), for the Corporation as follows:

Revenues		
Property Tax Reimbursement	\$42,324.86	
Revenue from Rents	301,773.90	
Gas Lease Bonus	0.00	
Gas Lease Royalties	91,761.74	
Easement for Pipelines	15,003.29	
Interest Income	18,720.61	
Gas Well Shut in Payment	5,000.00	
Other Revenue	51,198.38	
Total Revenue	<u>525,782.78</u>	\$525,782.78

Expenditures		
Bank Charges	\$264.00	
Contractual Services	723,218.06	
Insurance	49,336.50	
Property Management	12,071.00	
Property Purchase	0.00	
Property Taxes	120,315.39	
Repairs	142,201.84	
Security System	4,887.42	
Storm Water Utility	26,362.50	
Transfers to City	26,000.00	
Utilities	24,702.89	
Total Expenditures	<u>\$1,029,389.60</u>	\$1,029,389.60

Excess (Deficiency) of Revenues Over (Under) Expenditures	<u><u>(\$603,606.82)</u></u>
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**CITY OF FORT WORTH, TEXAS
 FORT WORTH LOCAL DEVELOPMENT CORPORATION
 CALLED – SPECIAL SESSION
 THURSDAY, SEPTEMBER 8, 2011
 Page 4**

Consideration of Financial Report (cont'd)

(Agenda Item 4A)

Fort Worth Local Development Corporation dated July 31, 2011, (unaudited) for the Corporation as follows:

Total Cash at July 31, 2011	\$1,880,438.52
Cash in Property Management Account	<u>(19,387.43)</u>
Cash available in City account	1,861,051.09
Commitments	
Evans & Rosedale Enhanced CFA	\$13,870.78
Survey Expenses	6,250.00
Lancaster Project	575,500.00
Oliver's Fine Foods	455,000.00
Reserves	
Maintenance Reserve	100,000.00
Property Tax Reserve	<u>100,000.00</u>
Total Commitments & Reserves	1,250,620.78
Unrestricted Cash Available	<u><u>\$610,430.31</u></u>

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

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

President Moss stated that Agenda Item 6 would be moved up on the agenda for consideration at this time.

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
THURSDAY, SEPTEMBER 8, 2011
Page 5**

**Adopt Resolution Authorizing a Lease Agreement
with Lasko Products, Inc., for the Property
Located at 4600 Blue Mound Road**

(Agenda Item 6)

Ms. Cynthia Garcia, Administrator, addressed the Corporation of the proposed lease agreement. She advised that in April of this year, staff had discussed a proposed lease of this property with United Pipe and Steel Corporation; however, the company decided not to lease the property and therefore it was placed back on the market. Using a PowerPoint Presentation, Ms. Garcia displayed an aerial view of the property owned by the Corporation located west of IH35 and south of Loop 820 on Blue Mound Road and Meacham Boulevard. Her next slide showed a closer view of the building and she advised that United Pipe and Steel Corporation had requested to lease only a portion of the building whereas Lasko Products, Inc., had the desire to lease the entire building except the office and parking space depicted yellow.

Ms. Garcia advised of the following proposed terms for the lease:

- Use – Lasko Products, Inc., would like to lease as warehouse space for the storage and distribution of fans, humidifiers, utility boxes, heaters and parts.
- Term – Five (5) years and 1½ month lease of approximately 210,898 square feet.
- Rent –
 - Year 1 \$1.75/sf (\$30,755.95 a month)
 - Year 2 \$1.84/sf (\$32,337.69 a month)
 - Year 3 \$1.93/sf (\$33,919.42 a month)
 - Year 4 \$2.03/sf (\$35,676.91 a month)
 - Year 5 \$2.13/sf (\$37,434.39 a month)
 - 1½ Months free rent in order that tenant can make improvements
- AS IS lease
- Tenant is responsible for all utilities and maintenance.
- LDC responsible for Roof, Structural Issues, Taxes (Up to Current Year Taxes) and Insurance of the building.

Ms. Garcia stated that staff recommended the Corporation authorize the lease with Lasko Products, Inc., with the lease term to begin upon execution of the lease.

President Moss opened the floor for discussion on this issue.

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

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
THURSDAY, SEPTEMBER 8, 2011**

Page 6

**Adopt Resolution Authorizing a Lease Agreement
with Lasko Products, Inc., for the Property
Located at 4600 Blue Mound Road (cont'd)**

(Agenda Item 6)

MOTION: Upon a motion made by Director Hicks and seconded by Director Burns, the Board of Directors of the Fort Worth Local Development Corporation voted unanimously nine (9) “ayes” and zero (0) “nays”, to approve and adopt Resolution No. FWLDC-2011-15. The motion carried.

President Moss recessed the meeting of Board of Directors of the Fort Worth Local Development Corporation at 9:20 a.m., on Thursday, September 8, 2011, and advised that the meeting would reconvene after conclusion of the Budget Study Session.

President Moss reconvened the meeting of the Board of Directors of the Fort Worth Local Development Corporation at 10:32 a.m., on Thursday, September 8, 2011.

Executive Session

(Agenda Item 5)

In accordance with Chapter 551 of the Texas Government Code, President Moss and the Directors of the Fort Worth Local Development Corporation, convened into Executive Session at 10:33 a.m., on Thursday, September 8, 2011, in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, in order to:

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

(Director Jordan left the meeting at 10:50 a.m. and did not return.)

The Executive Session adjourned at 10:52 a.m.

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
THURSDAY, SEPTEMBER 8, 2011
Page 7**

President Moss reconvened from the Executive Session back into the called – special session at 10:52 a.m., with Director Jordan absent.

Requests for Future Agenda Items (Agenda Item 7)

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

Adjourn (Agenda Item 8)

With no further business before the Board, President Moss adjourned the called – special session of the Fort Worth Local Development Corporation at 10:52 a.m. on Thursday, September 8, 2011.

These minutes approved by the Fort Worth Local Development Corporation on the 4th day of October, 2011

APPROVED:

Frank Moss
President

ATTEST:

Dennis Shingleton
Secretary

Prepared and respectfully submitted by:

Ronald P. Gonzales, TRMC
Assistant City Secretary

Fort Worth Local Development Corporation
Balance Sheet
August 31, 2011
(Unaudited)

Assets	
Cash and cash equivalents	\$1,917,593.61
Interest Receivable	7,438.20
Accounts Receivable	<u>0.00</u>
Total Assets	<u><u>\$1,925,031.81</u></u>
Liabilities and Fund Balance	
Accounts and Contracts Payable	<u>0.00</u>
Total Liabilities	0.00
Fund Balance (Deficit)	
Designated for Authorized Expenditures	\$2,492,627.92
Net Income	(567,596.11)
Undesignated	<u>0.00</u>
Total Fund Balance	1,925,031.81
Total Liabilities and Fund Balance	<u><u>\$1,925,031.81</u></u>

Fort Worth Local Development Corporation
Statement of Revenues and Expenditures
October 1, 2010 through August 31, 2011
(Unaudited)

Revenues

Property Tax Reimbursement	\$42,980.58	
Revenue from Rents	331,951.29	
Gas Lease Bonus	0.00	
Gas Lease Royalties	106,737.96	
Easement for Pipelines	64,460.81	
Interest Income	20,470.89	
Gas Well Shut In Payment	5,000.00	
Other Revenue	51,198.38	
Total Revenue	51,198.38	\$622,799.91

Expenditures

Bank Charges	\$290.59	
Contractual Services	768,479.78	
Insurance	49,366.50	
Property Management	13,278.10	
Property Purchase	0.00	
Property Taxes	120,315.39	
Repairs	148,380.85	
Security System	5,602.17	
Storm Water Utility	29,972.86	
Transfers to City	26,000.00	
Utilities	28,709.78	
Total Expenditures	28,709.78	\$1,190,396.02

Excess (Deficiency) of Revenues Over (Under) Expenditures (\$567,596.11)

Fort Worth Local Development Corporation
Schedule of Available Funds
August 31, 2011
(Unaudited)

Total Cash at August 31, 2011	\$1,917,593.61
Cash in Property Management Account	(34,513.93)
Cash available in City account	1,883,079.68
Commitments	
Evans & Rosedale Enhanced CFA	0.00
Survey Expenses	6,250.00
Lancaster Project - Construction	511,214.29
Lancaster Project - Attorney Fees	40,000.00
Oliver's Fine Foods - Loan	450,000.00
Oliver's Fine Foods - Attorney Fees	5,000.00
Reserves	
Maintenance Reserve	100,000.00
Property Tax Reserve	100,000.00
Total Commitments & Reserves	1,212,464.29
Unrestricted Cash Available	\$670,615.39

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

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

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



MEMORANDUM

Date: October 4, 2011

To: President Frank Moss & Trustees of the Fort Worth Local Development Corporation

From: Jay Chapa, Director of Housing and Economic Development

Subject: Proposals for Changes to Bylaws; Creation of Bank Account

This memo is to update the board as to staff efforts related to the Corporation's bylaws.

In an effort to promote administrative efficiencies, staff is reviewing the Corporation's bylaws and, if necessary, will develop recommendations to amend the bylaws. Additionally, staff is researching the advisability of creation of separate bank accounts for the Corporation if required to maintain legal separation between the City of Fort Worth and the Corporation.

Recommendations regarding bank accounts and amendment to the bylaws will be presented at the December meeting if appropriate.

Please contact me if you have any questions or concerns.

FORT WORTH LOCAL DEVELOPMENT CORPORATION

**RESOLUTION
OF THE BOARD OF TRUSTEES**

Approving the 2011-2012 Fiscal Year Budget

WHEREAS, the administrative staff of the Fort Worth Local Development Corporation, a Texas non-profit corporation (the "Corporation"), presented the attached proposed budget for the 2011-2012 fiscal year of the Corporation (the "Budget") during the Corporation's meeting on October 4, 2011; and

WHEREAS, members of the Board of Trustees were permitted to ask questions and to request clarifications of the staff with respect to the Budget;

NOW, THEREFORE, BE IT RESOLVED that, the administrative staff's Budget presentation having been completed and all questions and clarifications requested by members of the Board of Trustees having been answered, the Budget is hereby adopted for all purposes;

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

Adopted this 4th day of October, 2011.

By: _____
Dennis Shingleton
Secretary

Fort Worth Local Development Corporation
Proposed Budget
October 1, 2011 through September 30, 2012
(Unaudited)

Revenues

Property Tax Reimbursement	\$38,158.45	
Revenue from Rents	479,397.89	
Gas Lease Royalties	30,000.00	
Enhanced CFA from City	830,000.00	
Interest Income	12,000.00	
Change in Fair Value of Investments	0.00	
Other Revenue	0.00	
	<hr/>	
Total Revenue		\$1,389,556.34

Expenditures

Bank Charges	\$350.00	
Commissions	\$18,374.00	
Contractual Services	622,571.06	
Insurance	84,000.00	
Property Management	19,175.92	
Property Purchase	200,000.00	
Property Taxes	122,590.00	
Repairs	40,000.00	
Security System	5,280.00	
Storm Water Utility	32,400.00	
Surveys & Appraisals	5,000.00	
Transfers to City	26,000.00	
Utilities	20,200.00	
	<hr/>	
Total Expenditures		\$1,195,940.98

Excess (Deficiency) of Revenues Over (Under) Expenditures \$193,615.36

FORT WORTH LOCAL DEVELOPMENT CORPORATION

RESOLUTION OF THE BOARD OF TRUSTEES

WHEREAS, the Fort Worth Local Development Corporation ("Corporation") desires to be an active party to the development of a proposed mixed use project bounded by Throckmorton on the east and Monroe Street on west, and 13th on north and Lancaster on the south in order to promote revitalization of the area and to benefit the citizens of Fort Worth by creating affordable housing, retail, jobs and commercial opportunities in an area in need of revitalization ("Project");

WHEREAS, the Project is proposed to consist of multiple buildings with approximately ninety residential units with a mix of market and affordable rents, 60,000 square feet of office space, 20,000 square feet of retail space, and a parking garage;

WHEREAS, on June 7, 2011, the Corporation approved a resolution to allow for the lease of certain property in the Project area from the City for a term of thirty years, with an option to purchase the Property at the conclusion of the term; and

WHEREAS, Corporation, consistent with the economic development objectives of the Corporation and to further the development of the Project, now desires to purchase the property located in the Project area from various property owners.

NOW, THEREFORE, BE IT RESOLVED that the Corporation is hereby authorized to purchase the parcels of the Property in the Project area that are owned by the City of Fort Worth, consisting of a purchase price ("Purchase Price") of (1) \$1.00 for each of the parcels to be used for the development of affordable housing, and (2) \$45.00 per square foot for the land to be used for the office building; and

FURTHER RESOLVED, that the Corporation is hereby authorized to forgive debt owed to the Corporation by the City of Fort Worth with a dollar-for-dollar reduction in an amount up to the Purchase Price, with the Corporation paying the City of Fort Worth for any amount remaining on the Purchase Price after the reduction is made for the debt in exchange for the Property; and

FURTHER RESOLOVED, that for any future sale of the Property in the Project area that is purchased by Corporation from the City of Fort Worth, the sales price of said property shall be for no less than fair market value based on an appraisal that apportions a separate value for the land and a separate value for the improvements; and Corporation shall retain all sales proceeds attributable to the improvements, but shall retain only the portion of the sales proceeds attributable to the land in an amount equal to the Purchase Price, and the City of Fort Worth shall be paid any amount attributable to the land over the Purchase Price; and

FURTHER RESOLVED, that the Corporation is hereby authorized, for the Property in the Project area that is owned by persons or entities other than the City of Fort Worth, to pay up to \$25,000 earnest money per agreement, with the terms of the purchase to be approved by the Corporation's Board of Trustees at a future meeting.

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

Adopted this 4th day of October, 2011.

By: _____
Dennis Shingleton
Secretary

**FORT WORTH LOCAL DEVELOPMENT CORPORATION
RESOLUTION
OF THE BOARD OF TRUSTEES**

WHEREAS, Fort Worth Local Development Corporation ("Corporation") is the owner of real property located at 4600 Blue Mound Road ("Property"), which Property is improved with a parking area and a 224,800 square foot building ("Building"), among other improvements;

WHEREAS, Corporation, on September 9, 2011, approved a lease ("Lease") with Lasko Products, Inc. ("Lasko") for 210,898 square feet in the eastern portion of the Building and a certain portion of the parking area south and west of the Building from Corporation for the purpose of warehouse, distribution and storage of fans, humidifiers, utility boxes and heaters, and parts incidental thereof;

WHEREAS, as part of the Lease, Corporation desires to enter into a Leasing Commission Agreement with Transwestern Commercial Services Fort Worth, LLC d/b/a Transwestern ("Broker"), for the payment of Broker's compensation for the procurement of Lasko as a tenant.

NOW, THEREFORE, BE IT RESOLVED that the Corporation hereby authorizes a Leasing Commission Agreement with Broker that provides the following:

- (1) Payment to Broker of a leasing commission in the amount of 4.5% of the gross aggregate rent payable by Lasko under the Lease;
- (2) Payment to Broker of a leasing commission in the amount of 4.5% of the gross aggregate rent which is attributable to any expansion space taken by Lasko during the term of the Lease;
- (3) Payment to Broker of the leasing commission shall be as follows, provided that no commission shall be paid on a specified date if Lasko has terminated the lease during the preceding twelve months:

Upon full execution of the Lease: 20%

On October 1, 2012: 20%

On October 1, 2013: 20%

On October 1, 2014: 20%

On October 1, 2015: 20%;

- (4) Broker is entitled to a broker's lien pursuant to the provisions of Chapter 62 of the Texas Property Code; and

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

Adopted this 4th day of October, 2011.

By: _____
Secretary



**AUDIT AND FINANCE ADVISORY COMMITTEE
AGENDA**

Wednesday, October 5, 2011

3:00 p.m.

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

Committee Members

Council Member Kathleen Hicks, Chair
Council Member Frank Moss, Vice Chair
Jungus Jordan, Council Member
Dennis Shingleton, Council Member
John Stevenson, Citizen
Vickie Stevens, Citizen

Staff Members

Karen Montgomery, Assistant City Manager
Lena Ellis, Financial Management Services Director/CFO
Maleshia Farmer, Sr. Assistant City Attorney
Darlene Allen, City Auditor
Virginia Gomez, Recording Secretary

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- | | |
|---|--|
| 1. Call to Order/Welcome | Council Member Kathleen Hicks, Chair |
| 2. Approval of Minutes from Meeting Held August 25, 2011 | Committee |
| 3. Review of Audit and Finance Committee Charter and Roles/Responsibilities | Maleshia Farmer, Sr. Asst. City Attorney |
| 4. Review of Internal Audit's Five-Year Audit Plan, Including Fiscal Year 2012 | Darlene Allen, City Auditor |
| 5. Review of Purchasing Processes | Jack Dale, Purchasing Manager |
| 6. Executive Session
The Audit and Finance Advisory Committee will conduct a closed meeting, as necessary, to seek the advice of its attorneys regarding the following 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: (i) legal issues concerning any current agenda items. | |
| 7. Future Agenda Items | Committee |
| 8. Next Meeting – Thursday, October 27, 2011, at 3:00 p.m. in the Pre-Council Chambers | |
| 9. Adjournment | |

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

ASSISTANCE AT THE PUBLIC MEETING

The Fort Worth City Hall and the Pre-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 Virginia Gomez at 817-392-1206, e-mail: Virginia.Gomez@fortworthgov.org, or call TDD 817-392-8856 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

**City of Fort Worth
Audit and Finance Advisory Committee
Minutes of the Meeting Held
August 25, 2011**

**Review Status of City's
Payroll with Focus on
Internal Controls from an
Audit Perspective**

Terry Kile, Deloitte & Touche LLP
Darlene Alan, City Auditor

Ms. Allen advised the committee that the Police and Fire Departments will be included in the (internal) audit of time and attendance records. Mr. Kile described the external auditor's focus which includes (1) general computer controls; (2) examination of the HR/Payroll system from the perspective of how the system was designed and how it was implemented and (3) detailed audit of payroll records for selected individuals through the entire year.

Executive Session

Not Required

Future Agenda Items

- 1) Update on the Internal Audit's Decision Package which is being considered for the FY 2011/12 budget.
- 2) Review Internal Audit's Five Year Audit Plan

Next Meeting

Thursday, September 22, 2011 at 3:00 p.m. in the Pre Council Chamber

Adjournment

Meeting adjourned.



Updated September 29, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

October 4, 2011

8:30 a.m. Pre-Council Meeting
(Meeting moved to morning for National Night Out)
Housing and Economic Development Committee
(Immediately following the 10:00 a.m. City Council Meeting)
Housing Finance Corporation
(Immediately following the HED)
Local Development Corporation
(Immediately following the HFC)

- o Presentation of Fort Worth Public Art Fiscal Year 2012 Annual Work Plan [*Elva LeBlanc, Fort Worth Art Commission and Martha Peters, Arts Council of Fort Worth & Tarrant County*]
- o Briefing on Roles and Responsibilities of the City Council and Employees' Retirement Fund Board [*Laetitia Brown, Law Department*]
- o Update on City Council Redistricting [*Dana Burghdoff, Planning and Development Department*]

October 5, 2011 (***Wednesday***)

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

October 11, 2011

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



Updated September 29, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

October 18, 2011 **Monthly Zoning Meeting**

10:00 a.m. Legislative and Intergovernmental Affairs Committee
Noon – 3:00 p.m. Joint City Council/Employees' Retirement Fund Pension
Workshop (Ella Mae Shamblee Library, 1062 Evans Ave.)
4:00 p.m. Pre-Council Meeting (NOTE TIME CHANGE)
(Council Meeting moved to 7:00 p.m.)

Continued Items:

- **M&C L-15261** - Conduct a Public Hearing and Authorize Subsurface Drilling and Extraction of Natural Gas From an Off-Site Location at Wedgwood Park (COUNCIL DISTRICT 6 – Jungus Jordan) (**PUBLIC HEARING**) (**Continued from September 27, 2011 by Staff**)
- o Briefing on the Naval Air Station Fort Worth Joint Reserve Base and the Regional Coordination Committee [*Captain Rob Bennett, Commanding Officer of Naval Air Station Fort Worth Joint Reserve Base and Paul Paine, Chairman of the Regional Coordination Committee*]
- o MedStar Presentation [*Chief Rudy Jackson, Fire Department and Jack Eades, MedStar*]
- o Presentation on Crime Free Multi-Housing Ordinance [*Brandon Bennett, Code Compliance*]

October 25, 2011 **8:30 a.m. Pre-Council Meeting**

Continued Items:

- **M&C G-17401** - Consideration of Variance from Section 4-4 of the City Code to Allow Alcoholic Beverage Sales for Mixed Beverages at the 1884 Recovery Room Bar, Located at 1314 Alston Avenue (COUNCIL DISTRICT 9 – Joel Burns) (**PUBLIC HEARING**) (**Continued from September 27, 2011 by Council Member Burns**)
- **ZC-11-052** - Mitchell, Mitchell, & Mitchell Partners, LTD., 12700 block of Private Road 4716; from: Unzoned and "FR" General Commercial Restricted to: "K" Heavy Industrial (COUNCIL DISTRICT 2 – Sal Espino) (**Continued from September 20, 2011 by Council Member Espino**)



Updated September 29, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

October 25, 2011 (continued)

- o Briefing on Review of Permit Process [*Randle Harwood, Planning and Development and Mark Presswood, Development Advisory Committee*]
- o Briefing on Registration of Community Organizations [*Dana Burghdoff, Planning and Development Department*]

October 27, 2011 (Thursday)

3:00 p.m. Audit and Finance Advisory Committee
5:30 p.m. Joint FWISD/City Council Meeting
(Tarrant County College – River Campus)

November 1, 2011 *Monthly Zoning Meeting*

3:00 p.m. Pre-Council Meeting

November 8, 2011

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

November 15, 2011

8:30 a.m. Pre-Council Meeting
Fort Worth Crime Control and Prevention District Board of Directors Meeting
(Immediately Following the City Council 10:00 a.m. Meeting)



Updated September 29, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

November 15, 2011 (continued)

Continued Items:

- **M&C PZ-2957** - Consider Institution of the Annexation and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 3.3 Acres of Land Located North of Avondale-Haslet Road and East of US 287, AX-11-008, 2484 Avondale-Haslet Road (COUNCIL DISTRICT 7 – Dennis Shingleton) (**Continued from September 20, 2011 by Council Member Shingleton**)
 - **ZC-11-043** - M & H Food Mart, 2484 Avondale-Haslet Road; from: Unzoned to "E" Neighborhood Commercial (COUNCIL DISTRICT 7 – Dennis Shingleton) (**Continued from September 20, 2011 by Council Member Shingleton**)
- o AllianceTexas Update [[*Mike Berry, Hillwood Development Corporation*](#)]

November 22, 2011

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

November 24, 2011 (*Thursday*)

City Hall Closed – Thanksgiving Holiday

November 25, 2011 (*Friday*)

City Hall Closed – Thanksgiving Holiday



Updated September 29, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

November 29, 2011

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

December 6, 2011 *Monthly Zoning Meeting*

3:00 p.m. Pre-Council Meeting

December 13, 2011

3:00 p.m. Pre-Council Meeting

December 20, 2011

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

December 26, 2011 (Monday)

City Hall Closed – Christmas Holiday

December 27, 2011

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

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
SEPTEMBER 27, 2011**

Present:

Mayor Betsy Price
Mayor Pro tem W. B. "Zim" Zimmerman, District 3
Council Member Salvador Espino, District 2
Council Member Frank Moss, District 5
Council Member Jungus Jordan, District 6
Council Member Dennis Shingleton, District 7
Council Member Joel Burns, District 9

Absent:

Council Member Daniel Scarth, District 4
Council Member Kathleen Hicks, District 8

Staff Present:

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

I. CALL TO ORDER

With a quorum of the City Council Members present, Mayor Price called the regular session of the Fort Worth City Council to order at 10:06 a.m., on Tuesday, September 27, 2011, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, with Council Members Scarth and Hicks absent.

II. INVOCATION - Pastor Peter Couser, Saint Paul Lutheran Church

The invocation was provided by Pastor Peter Couser, Saint Paul Lutheran Church.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF SEPTEMBER 20, 2011

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Espino that the minutes of the regular meeting of September 20, 2011, be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks 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 No. L-15261 be continued to the October 18, 2011.

VII. CONSENT AGENDA

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Zimmerman, that the Consent Agenda be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

A. General - Consent Items

1. M&C G-17396 - Confirm the Reappointment of Delonia Watson as a Member of the City of Fort Worth Firefighters' and Police Officers' Civil Service Commission for a Three-Year Term Expiring October 1, 2014.

The City Council approved the following recommendation: Confirm the Reappointment of Delonia Watson as a Member of the City of Fort Worth Firefighters' and Police Officers' Civil Service Commission for a Three (3) Year Term Expiring October 1, 2014.

2. M&C G-17397 - Adopt a Supplemental Appropriation Ordinance Increasing Appropriations in the Culture and Tourism Fund in the Amount of \$189,152.50 and Decreasing the Unaudited, Unreserved, Undesignated Culture and Tourism Fund Balance by the Same Amount to Fund the Fort Worth Convention Center Repair and Refurbishment of Arena Air Handler Units.

The City Council approved the following recommendation: Adopt Supplemental Appropriation Ordinance No. 19922-09-2011 Increasing the Estimated Receipts and Appropriations in the Culture and Tourism Fund in the Amount of \$189,152.50 and Decreasing the Unaudited, Unreserved, Undesignated Culture and Tourism Fund Balance by the Same Amount, for the Purpose of Funding the Repair and Refurbishment of Arena Air Handler Units in the Fort Worth Convention Center.

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

1. M&C P-11298 - Authorize Purchase Agreements for Moving Services from All Points Pioneer, Suddath Relocation Systems of Texas, Inc., and Berger Texas, Inc., Using a Tarrant County Cooperative Contract for an Amount of \$135,000.00, for the First Year.

(VII. CONSENT AGENDA Continued)

(P-11298 Continued)

The City Council approved the following recommendation: Authorize Purchase Agreements for Moving Services From All Points Pioneer, Suddath Relocation Systems of Texas, Inc., and Berger Texas, Inc., Using the Tarrant County Cooperative Contract No. 2011-055 for an Amount of \$135,000.00 for the First Year.

2.M&C P-11299 - Authorize the Sole Source Purchase of a Remotec Robot Upgrade and Accessories from Remotec, Inc., for the Fire Department Using Homeland Security Grant Funds for an Amount of \$57,880.00.

The City Council approved the following recommendation: Authorize the Sole Source Purchase of a Remotec Robot Upgrade and Replacement Parts From Remotec, Inc., for the Fire Department Using Homeland Security Grant Funds for an Amount of \$57,880.00.

3.M&C P-11300 - Authorize the Purchase of an X-Ray System from Envision Product Design, LLC, for the Fire Department Using Homeland Security Grant Funds, Purchasing Under a General Services Administration Cooperative Contract, for an Amount of \$58,860.17.

The City Council approved the following recommendation: Authorize the Purchase of an X-Ray System From Envision Product Design, LLC, for the Fire Department Using Homeland Security Grant Funds, Purchasing Under a General Services Administration Cooperative Contract Number GS-07F-0280T for an Amount of \$58,860.17.

C. Land - Consent Items

1.M&C L-15251 - Authorize the Direct Sale of Tax-Foreclosed Property Located at 1301 Eastview Street to the City of Fort Worth for Park Purposes in the Amount of \$35,215.83, Approve the Purchase and Dedicate the Property as Parkland.

The City Council approved the following recommendation: Authorize the Direct Sale of Tax-Foreclosed Property Located at 1301 Eastview Street, Described as Abstract 2027, Tract 2E, Gonefacio Herrera Survey, in Accordance With Section 34.05 of the Texas Tax Code, to the City of Fort Worth and Approve the Purchase of 1301 Eastview Street by the City of Fort Worth for Park Purposes for \$35,215.83; Authorize Execution of and Record the Appropriate Instruments Conveying the Property to Complete the Sale and Purchase; and Accept the Property and Dedicate the Property as Parkland Upon Acceptance.

(VII. CONSENT AGENDA Continued)

2. M&C L-15252 - Authorize Execution of a Lease Agreement with Elizabeth Ibarra and Dennis Kraft, for Office and Warehouse Space, for the Police Department at a Cost of \$120,000.00 Per Year.

The City Council approved the following recommendation: Authorize the City Manager to Execute a Lease Agreement With Elizabeth Ibarra and Dennis Kraft for Approximately 24,213 Square Feet of Office and Warehouse Space, at a Cost of \$120,000.00 per Year for a Term of 24 Months, Beginning July 1, 2011, and Ending June 30, 2013.

3. M&C L-15253 - Authorize the Payment of \$5,579.15 to Javier Arguelles in Settlement of a Claim Against the City of Fort Worth and Authorize the Sale of Tax-Foreclosed Property Located at 2817 NW 17th Street to Javier Arguelles.

The City Council approved the following recommendation: Authorize the Payment of \$5,579.15 to Javier Arguelles in Settlement of a Claim Against the City of Fort Worth; Authorize the Sale of Tax-Foreclosed Property Located at 2817 NW 17th Street, Described as Lot 9, Block 135, Belmont Park Addition, to Javier Arguelles for the Purchase Price of \$5,579.15, Plus Closing Costs, in Accordance with Section 34.05 of the Texas Tax Code; and Authorize Execution and Recording of the Appropriate Instruments Conveying the Property to Complete the Sale.

4. M&C L-15254 - Authorize the Acquisition of Fee Simple Interest in 0.6300 Acres of Improved Land for the Lebow Channel Drainage Improvements Project, Located at 3504-3512 Lebow Street from John A. Webster, III for \$709,000.00 and Pay the Estimated Closing Costs of \$15,000.00 for a Total Cost of \$724,000.00.

The City Council approved the following recommendation: Authorize the Acquisition of Fee Simple Interest in Five (5) Improved Lots Located at 3504 Lebow Street, Described as Lot 3, Block 21, 3506 Lebow Street, Described as Lot 4, Block 21, 3508 Lebow Street, Described as Lot 5, Block 21, 3510 Lebow Street, Described as Lot 6, Block 21, and 3512 Lebow Street, Described as Lot 7, Block 21, All Located in the Dixie Wagon MFG., Co. Addition, Fort Worth, Texas, From John A. Webster, III; Find That the Total Purchase Price of \$709,000.00 is Just Compensation; and Authorize Acceptance of the Conveyances, the Recording of the Appropriate Instruments and Payment of the Estimated Closing Costs Up to \$15,000.00.

E. Award of Contract - Consent Items

1. M&C C-25188 - Authorize Amendment No. 2 in the Amount of \$46,858.00 to City Secretary Contract No. 37971, an Engineering Agreement with Dunaway & Associates, L.P., for the Storm Water Utility Project-Bellaire Park Court Drainage Improvements.

(VII. CONSENT AGENDA Continued)

(C-25188 Continued)

The City Council approved the following recommendation: Authorize Execution of Amendment No. 2 in the Amount of \$46,858.00 to City Secretary Contract No. 37971 With Dunaway & Associates, L.P., for the Bellaire Park Court Drainage Improvements Project, Thereby Revising the Total Contract Cost to \$116,310.00.

2. M&C C-25189 - Authorize Execution of an Engineering Agreement in the Amount of \$526,653.00 with James DeOtte Engineering, Inc., for the Design of Greenfield Acres Storm Drain Improvements.

The City Council approved the following recommendation: Authorize Execution of an Engineering Agreement With James DeOtte Engineering, Inc., in the Amount of \$526,653.00 for the Design of Greenfield Acres Storm Drain Improvements.

3. M&C C-25190 - Authorize Execution of an Engineering Agreement in the Amount of \$271,440.00 with HDR Engineering, Inc., for the Design of Mercado Channel Improvements.

The City Council approved the following recommendation: Authorize Execution of an Engineering Agreement With HDR Engineering, Inc., in the Amount of \$271,440.00 for Design of Mercado Channel Improvements.

4. M&C C-25191 - Authorize Execution of an Engineering Agreement in the Amount of \$377,092.00 with HDR Engineering, Inc., for the Design of Washington Heights Storm Drain Improvements.

The City Council approved the following recommendation: Authorize Execution of an Engineering Agreement With HDR Engineering, Inc., in the Amount of \$377,092.00 for Design of Washington Heights Storm Drain Improvements.

5. M&C C-25192 - Authorize Amendment No. 1 in the Amount of \$788,790.56 to City Secretary Contract No. 38407, a Professional Services Agreement with Teal Engineering Services, Inc., for the Upgrade to the Citywide Traffic Management System for a Total Contract of \$1,272,415.56.

The City Council approved the following recommendation: Authorize the Execution of Amendment No. 1 in the Amount of \$788,790.56 to City Secretary Contract No. 38407, a Professional Services Agreement With Teal Engineering Services, Inc., for the Upgrade of the Citywide Traffic Management System, Thereby Revising the Contract Amount to \$1,272,415.56.

(VII. CONSENT AGENDA Continued)

6. M&C C-25193 - Authorize Execution of a Construction Contract with Scott Dennett Construction, LLC, in the Amount of \$232,542.00 for Renovation of R.D. Evans Community Center.

The City Council approved the following recommendation: Authorize the Execution of a Construction Contract With Scott Dennett Construction, LLC, in the Amount of \$232,542.00 for Renovation of R.D. Evans Community Center.

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1828 - Notice of Claims for Alleged Damages and/or Injuries

End of Consent Agenda.

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Proclamation for All-America City Celebration Day

Ms. Shirley Little, Chief of Staff, Mayor's Office introduced the City employees who participated in the application process for the All-America City Award.

Mayor Price presented the proclamation for All-America City Celebration Day to City employees who participated and worked on the All-America City application and celebration. She stated that the National Civic League (NCL) was founded in 1894 and was the nation's oldest good government organization. She further stated the NCL was founded to improve the effectiveness of local government and fight corruption and was responsible for the development of the first model City Charter which continued to be updated and utilized by cities across the nation. She advised that the NCL established the All-America City Award in 1949, and the award was described by George Gallup as the "Nobel prize for constructive citizenship," and recognized cities where citizen action had made communities a better place to live. She pointed out that in 1964, Fort Worth was selected as an All-America City for a citywide town hall meeting process which was credited with starting many projects, including the construction of Tarrant County Convention Center (now the Fort Worth Convention Center) and the old Arlington Stadium, the creation of the Tarrant County Junior College System and the development of the Child Study Center. She stated in 1993, Fort Worth was again designated as an All-America City for the Fort Worth Vision Coalition/Town Hall 1992 series of citizen meetings which led to the creation of Code Blue as a public/private partnership to fight crime and for Targeted Area Planning (TAP), in which the city provided technical expertise to residential or commercial stakeholders seeking to revitalize their areas. She advised that this year, for the third time, Fort Worth was honored as an All-America City, after competing against 25 communities from across the United

(IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC. # 1 Continued)

States, for meeting three (3) challenges that were being addressed through public/private partnerships: homelessness through the Directions Home program, mental health services through the Mental Health Connection and graffiti through WAL, We Are Legal. She encouraged everyone to wear their "I love Fort Worth" shirts on October 4, 2011, for All-America City Celebration Day.

Mr. Pat Svacina, Fort Worth Team Leader, All-America City Award Application Committee, expressed appreciation to the Mayor and Council for the proclamation. He stated that the award was all about community and partnerships and pointed out that the award also represented the team that presented the application in Kansas City, Kansas. He advised that what made Fort Worth special was that the City had the courage to take on some of the toughest problems that faced cities across the nation. He also stated that winning the award three (3) times was very prestigious and reiterated that Fort Worth was a great place to live.

2. Presentation of Proclamation for National Night Out in Texas

Mayor Pro tem Zimmerman presented a proclamation for National Night Out in Texas to Police Chief Jeff Halstead, Police Department. He stated the National Association of Town Watch (NATW) in conjunction with the City of Fort Worth was sponsoring a unique, nationwide crime, drug and violence prevention program on October 4, 2011, entitled "National Night Out in Texas" where police-community partnerships, neighborhood safety, awareness and cooperation were important themes. He further stated that the "28th Annual National Night Out in Texas" provided a unique opportunity for the City of Fort Worth to join forces with thousands of other communities across the world in promoting cooperative, police-community crime prevention efforts. He advised that it was essential that all citizens of Fort Worth including 1,521 Neighborhood Crime Watch groups, 250 Citizen on Patrol groups, graduates of the Citizens Police Academy and members of Volunteers in Policing assisted our dedicated Police Officers by playing a vital role and being aware of the importance of crime prevention programs and the impact that their participation had on reducing crime, drugs and violence in the City.

Chief Halstead expressed appreciation to the Mayor and Council for the proclamation and their support of this program. He also expressed appreciation to the Police and Fire Department staff for the great partnership as well as the mass of volunteers that made this event successful each year. He encouraged all the citizens to join the Fort Worth Police Department and the NATW in supporting the "28th Annual National Night Out in Texas."

3. Presentation of Proclamation for Senior Citizens Fair, Inc. Days

Council Member Shingleton presented the proclamation for Senior Citizens Fair, Inc., Days to Ms. Carolyn Zeller, President, Altrusa International, Inc., of Fort Worth and Ms. Jennie Price, President, Senior Citizens Fair. He stated that 2011 marked the 50th anniversary celebration of the Arts and Crafts Marketplace often referred to as the Senior Citizens Fair, an event that offered senior citizens a chance to sell their hand-crafted, heirloom-quality wares with minimum concern on their part. He further stated that for five (5) decades, the planning, organization and staffing of this Fort Worth tradition had been a community service project of Altrusa International, Inc., of Fort Worth with support from many individuals, organizations, foundations and businesses through the years including 2011 associate sponsors, the Fort Worth Medical Society Alliance and the Fort Worth Newcomers Club. He advised that the Fair, incorporated in 1983, had long enjoyed its relationship with the City with the first two (2) fairs being held in the Pioneer Palace which was built as part of the 1936 Fort Worth Centennial, later moving to the cattle barn at the Will Rogers Memorial Center and ultimately to the Amon Carter Exhibit Hall. He pointed out that the popularity of the Fair had grown steadily to the nearly 1,000 crafters who brought 28,000 items, including quilts, stained glass, paintings, jewelry, home furnishings and holiday decorations. He also added that the senior citizens collectively retained \$224,500.00, with none of the sponsoring organizations benefitting from the event. He stated that 400 volunteers from companies, sponsor organizations and community groups donated over 3,000 hours to present last year's event as a service to the seniors. He encouraged everyone to attend the Fair at the Amon Carter Exhibit Hall from October 13, 2011, through October 15, 2011, and added the cost for entrance was \$5.00.

Ms. Price expressed appreciation to the Mayor and Council for the proclamation and their support of the Fair and introduced members of Altrusa International, Inc., who were in attendance at the meeting.

Ms. Zeller also expressed appreciation to the Mayor and Council for the proclamation and provided a brief overview of the history of Altrusa, International, Inc.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Council Member Burns announced that Tarrant County Gay Pride Week would be held September 29, 2011, through October 9, 2011. He stated a parade would be held on October 1, 2011, at 10:00 a.m., in the downtown area and a street festival would take place from 10:00 a.m. to 6:00 p.m., at General Worth Park. He advised that a picnic would be held on October 2, 2011, from 12:00 p.m. to 6:00 p.m., at Trinity Park. He also announced that the City of Fort Worth would change the domain name, effective October 1, 2011, and advised that the new City webpage address would be www.fortworthtexas.gov. He further announced that a meeting regarding the Forest Park drainage

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

improvements would be held on September 29, 2011, at 6:30 p.m., at Travis Avenue Baptist Church, located at 800 West Berry Street. He also announced the second annual Tarrant County Harambee Festival in the historic Evans Avenue Plaza of Terrell Heights would be held on October 1, 2011, from 9:00 a.m. to 8:00 p.m. He stated the event would feature a parade, wellness booth, food and live entertainment.

Council Member Shingleton announced that Jazz by the Boulevard had grown and was renamed the Fort Worth Music Festival. He stated that the festival would be held September 30, 2011, through October 1, 2011, at Will Rogers Memorial Complex and would feature 20 bands, food and family fun.

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

Motion: Council Member Burns made a motion, seconded by Council Member Espino, that the following individuals be reappointed to various boards and commissions effective September 27, 2011, with terms expiring as reflected:

- Ms. Marlene Beckman – Board of Adjustment, Commercial and Fort Worth Alliance Airport Board of Adjustment, with terms expiring October 1, 2013
- Ms. Victoria Bargas – Board of Adjustment, Residential, with a term expiring October 1, 2013
- Ms. Gaye Reed – City Zoning Commission and Fort Worth Alliance Airport Zoning Commission, with terms expiring October 1, 2013
- Mr. Robert Adams – Historical & Cultural Landmarks Commission, with term expiring October 1, 2013
- Ms. Virginia Kluck – Library Advisory Board, with term expiring October 1, 2013
- Ms. Melissa Konur – Urban Design Commission, with term expiring October 1, 2013

The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

(XI. PRESENTATIONS BY THE CITY COUNCIL #1 Continued)

Motion: Council Member Jordan made a motion, seconded by Council Member Espino, that the following individuals be appointed to various boards and commissions effective September 27, 2011, with terms expiring as reflected:

- Mr. Trey Harris – Appeals Board, with term expiring September 30, 2012
- Mr. Kenneth Williams – Building Standards Commission, with term expiring September 30, 2012

The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that the following individuals be appointed or reappointed to various boards and commissions effective September 27, 2011, with terms expiring as reflected:

Appointment:

- Mr. Barry G. Wallis – Library Advisory Board, with term expiring October 1, 2013

Reappointments:

- Ms. Marty Craddock – Appeals Board, with term expiring September 30, 2013
- Mr. William P. Cranz – Aviation Advisory Board, with term expiring October 1, 2013
- Mr. James Hill – Board of Adjustment, Commercial and Fort Worth Alliance Airport Board of Adjustment with terms expiring October 1, 2013
- Mr. Wade Chappell – Board of Adjustment, Residential, with term expiring October 1, 2013
- Mr. James Weitholter – City Plan Commission and Capital Improvements Advisory Committee for Transportation Impact Fees, with terms expiring October 1, 2013
- Mr. Nick Genua – City Zoning Commission and Fort Worth Alliance Airport Zoning Commission, with terms expiring October 1, 2013
- Mr. Larry Crockett – Community Development Council, with term expiring October 1, 2013

(XI. PRESENTATIONS BY THE CITY COUNCIL #1 Continued)

- Ms. Kelly Owen-Pacleb – Historic & Cultural Landmarks Commission, with term expiring October 1, 2013
- Ms. Linda Christie – Parks & Community Services Advisory Board, with term expiring October 1, 2013
- Mr. Jack Summerford – Urban Design Commission, with term expiring October 1, 2013

The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

2. Council Proposal No. 288 - Waiver of Festival Equipment Rental Fee for the Harambee Festival

Motion: Council Member Moss made a motion, seconded by Council Member Espino, to suspend the rules for approval of the Council Proposal. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

Motion: Council Member Moss made a motion, seconded by Council Member Shingleton, that Council Proposal No. 288 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

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

1. Presentation by the Fort Worth Human Relations Commission-President's Award from the International Association of Human Rights Agencies

Mr. Estrus Tucker, Chair, Fort Worth Human Relations Commission made a presentation regarding the President's Award, which was received from the International Association of Official Human Rights Agencies (IAOHRA). He stated that the award was given jointly to the City of Fort Worth Human Relations Commission and Fairness Fort Worth for their collaborative work with the City following the Rainbow Lounge raid. He introduced Commission members that were in attendance and expressed appreciation to everyone for their support of human rights.

Mr. Thomas R. Anable, President, Fairness Fort Worth, expressed appreciation to the Mayor and Council and the Police Department and former City employees for their support of human rights. He stated that following the incidents at the Rainbow Lounge the City established the Diversity Task Force and redeveloped the City employee Gay Lesbian Bisexual Transgender (GLBT) training to improve relations in the GLBT community and pointed out the City's GLBT training was the most inclusive in the State of Texas.

XIII. RESOLUTIONS

1. A Resolution Approving the FY 2011-2012 Budget for Dallas/Fort Worth International Airport

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Moss, that Resolution No. 4026-09-2011 be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

2. A Resolution Appointing Alternates to the Mayor's Place on the Dallas/Fort Worth International Airport Board

City Secretary Marty Hendrix stated the Resolution reflected the following individuals would serve as alternates in the following order for the Mayor if she was unable to attend: Mayor Pro tem W. B. "Zim" Zimmerman, Council Member Danny Scarth and Council Member Dennis Shingleton.

Motion: Council Member Espino made a motion, seconded by Council Member Burns, that Resolution No. 4027-09-2011 be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

XIV. REPORT OF THE CITY MANAGER

B. General

1. M&C G-17398 - Amend the Financial Management Policy Statements to Implement the Governmental Accounting Standards Board, Statement No. 54 Requirement for Establishing Fund Balance Spending Priorities by Adding a New Statement II.F, Designate the Fund Balances of the Risk Management Fund, Workers Compensation Insurance Fund, Group Health Insurance Fund and Unemployment Compensation Insurance Fund as Committed to Expenditures Related to Risk Financing, and Authorize the City Manager, or His Designee, to Designate Assigned Fund Balances for Specific Intended Spending Purposes Without Further Approval of the City Council.

The recommendation was that the City Council Amend the Financial Management Policy Statements, to Add Statement II.F, Fund Balance Spending Priorities, to Comply With the Governmental Accounting Standards Board Statement No. 54; Designate That the Fund Balances of the Following Funds are Committed to Risk Financing: Risk Management Fund; Workers Compensation Insurance Fund; Group Health Insurance Fund; Unemployment Compensation Insurance Fund; and Authorize the City Manager, or his Designee, to Designate Assigned Fund Balances for Specific Intended Spending Purposes Without Further Approval by the City Council.

(G-17398 Continued)

Motion: Council Member Shingleton made a motion, seconded by Council Member Burns that Mayor and Council Communication No. G-17398 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

2. M&C G-17399 - Adopt Appropriation Ordinance and Transfer \$166,557.89 to Various Designated Funds for Subrogation Recovery and Self-Funded Property Losses.

The recommendation was that the City Council Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Risk Management Fund in the Amount of \$159,619.12, From Available Funds Due to Subrogation Recovery, for the Purpose of Transferring Said Funds to Various Funds for the Insured Property and Liability Losses; and Authorize the Transfer of \$166,557.89 From the Risk Management Fund to Various Funds, as Follows: General Fund (GG01) - \$115,393.24; Crime Control & Prevention District Fund (GR79) - \$23,171.00; Water & Sewer Fund (PE45) - \$18,794.53; Solid Waste Management Fund (PE64) - \$2,260.35; and Municipal Airports Fund (PE40) - \$6,938.77.

Motion: Council Member Moss made a motion, seconded by Mayor Pro tem Zimmerman that Mayor and Council Communication No. G-17399 be approved and Appropriation Ordinance No. 19923-09-2011 be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

3. M&C G-17400 - Authorize the Transfer of \$10,000,000.00 from the Water and Sewer Operating Fund to the Water Capital Projects Fund in the Amount of \$3,000,000.00 and to the Sewer Capital Projects Fund in the Amount of \$7,000,000.00 and Adopt Appropriation Ordinance.

The recommendation was that the City Council Authorize the Transfer of \$10,000,000.00 From the Water and Sewer Operating Fund to the Water Capital Projects Fund in the Amount of \$3,000,000.00 and to the Sewer Capital Projects Fund in the Amount of \$7,000,000.00; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Water Capital Projects Fund and the Sewer Capital Projects Fund, From Available Funds, for the Purpose of Funding Unspecified Water and Sewer Capital Projects.

Motion: Council Member Shingleton made a motion, seconded by Council Member Moss that Mayor and Council Communication No. G-17400 be approved and Appropriation Ordinance No. 19924-09-2011 be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

4. M&C G-17401 - Consideration of Variance from Section 4-4 of the City Code to Allow Alcoholic Beverage Sales for Mixed Beverages at the 1884 Recovery Room Bar, Located at 1314 Alston Avenue. (PUBLIC HEARING)

The recommendation was that the City Council Consider a Request From Joseph Bialek, Owner of 1884 Recovery Room Bar, Located at 1314 Alston Avenue for a Variance From Section 4-4 of the City Code Prohibiting the Sale of Alcoholic Beverages Within 300 Feet of DeZavala Elementary/Fort Worth Independent School District Located at 1419 College Avenue.

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

a. Report of City Staff

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

b. Citizen Presentations

Mr. Christopher Brassard, 1200 South Adams Street, appeared before Council in opposition to Mayor and Council Communication No. G-17401 and stated that he was heavily involved in the redevelopment of this area of the Fairmont Neighborhood. He stated that the applicant had denied any discussion of this project with the neighbors since June 2011, and added that he had contacted Council Member Burns about the lack of communication since the beginning of the process. He stated that there were seven (7) residential permits relative to this property and that no one had been able to get an answer from the applicant about what was planned for the property. He pointed out that this site was the oldest structure in the Fairmont Neighborhood and to maintain the historical designation, at least 30 percent of the original structure must be retained during the renovation process. He pointed out that this structure was a total loss and would need to be completely rebuilt. He advised that he would not be able to attend the next meeting when this item would be heard and encouraged the Council to vote against the item.

The following individuals completed speaker cards in support of Mayor and Council Communication No. G-17401 and were recognized by Mayor Price, but were not present in the Council Chamber.

Mr. Joseph Bialek, 1312 Washington Avenue
Mr. Kyle Bialek, 11829 Lake Stone Drive, Austin, Texas 78738
Mr. Scott Corso, 4323 Vista Ridge Circle
Mr. Carlo Galotto, 1001 West Magnolia Avenue
Ms. Philippa Rudolph, 500 Throckmorton Street, Suite 1308

(G-17401 Continued)

The following individuals completed speaker cards in opposition to Mayor and Council Communication No. G-17401, but did not wish to address the City Council.

Ms. Debbie Malone, 1317 Alston Avenue
Mr. Sean Lynch, 1601 College Avenue
Mr. Tom Malone, 1317 Alston Avenue

Council Member Burns advised that he would make a motion to continue this item to the October 25, 2011, Council meeting to allow time for the applicant to meet with the leaders of the Fairmont Neighborhood Association.

c. Council Action

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton that Mayor and Council Communication No. G-17401 be continued to the October 25, 2011, Council meeting. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

5. M&C G-17402 - Schedule a Public Hearing for October 18, 2011 for an Ordinance Amending Article II, Chapter 15 Gas Drilling of the City Code, Section 15-31 to Provide Definitions for Existing Well Site, Well Permit, Multiple Gas Well Pad Site Permit, Potential Impact Radius and a Revised Definition for Protected Use, Division V to Provide Provisions for Multiple Gas Well Pad Site Permits, Waiver Setbacks and Requirements, Notice, Section 15-34 Exceptions to Grandfathering Provisions for Outer Boundary Property Line and Tanks and Equipment, Section 15-42 to Provide for Regulation of Saltwater Disposal Wells, Sections 15-35 and 15-42 to Provide for Best Management Practices, and Section 15-46 to Provide for a Notification Zone for Proposed New Gas Pipelines. (PUBLIC HEARING)

The recommendation was that the City Council Schedule a Public Hearing for October 18, 2011, to Receive Public Comments Regarding a Proposed Ordinance Amending the Code of Ordinances of the City of Fort Worth, by Amending Article II of Chapter 15, "Gas" Entitled, "Gas Drilling and Production", Regulating the Drilling and Production of Gas Wells Within the City by: Amending Section 15-31 to Provide for the Definition of Existing Well Site and Potential Impact Radius and for the Revised Definition of Protected Use; by Repealing Division 5 in its Entirety and Replacing it With a New Division 5 Requiring a Multiple Gas Well Pad Site Permit for All Future Gas Wells; by Amending Division VI to Change the Phrase "Gas Well Permit" to Read "Multiple Gas Well Pad Site or Gas Well Permit"; by Amending Sections 15-42 to Provide for the Permitting of Salt Water Disposal Wells and Mandate Injection into the Ellenburger Formation; by Amending Section 35-46 to Provide for Notification Requirements; and by Amending Section 15-35 and 15-42 to Provide for Best Management Practices Pursuant to State Law; and Set the Date for Adoption of the Proposed Ordinance at the October 25, 2011, City Council Meeting.

(G-17402 Continued)

Mr. Rick Trice, Assistant Director, Gas Wells, Planning and Development Department spoke before the Council on the proposed Ordinance and setting the Public Hearing for October 18, 2011.

Council Member Jordan stated that he had concerns with singling out two (2) waterways without adequate justification. He added that the typical practice was to review issues based on quality of life, health and safety. He stated that this was not consistent with the current policy and sent a negative message but added he would support setting public hearing.

Motion: Council Member Shingleton made a motion, seconded by Council Member Moss that Mayor and Council Communication No. G-17402 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

6. M&C G-17403 - Adopt an Ordinance Providing for the Issuance and Sale of Approximately \$80,000,000.00 of the City of Fort Worth, Texas, Drainage Utility System Revenue Bonds, Series 2011.

The recommendation was that the City Council Adopt an Ordinance Providing for the Issuance of Approximately \$80,000,000.00, City of Fort Worth, Texas, Drainage Utility System Revenue Bonds, Series 2011.

Mr. James Mauldin, City Treasurer, stated that the Recommendation Section of Mayor and Council Communication No. G-17403 be amended to read: *Authorize approximately \$80,000,000.00, City of Fort Worth, Texas, Drainage Utility System Revenue Bonds, Series 2011, be sold to Robert W. Baird & Company, the bidder offering the lowest true interest rate of 3.697796 percent.* He also advised that this was the third time utility bonds had been sold and this was the lowest interest rate paid historically by .25 percent, which he pointed out spoke to the condition of the market as well as the good name the City of Fort Worth had in the market.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman that Mayor and Council Communication No. G-17403 be approved as amended and Ordinance No. 19925-09-2011 be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

C. Purchase of Equipment, Materials, and Services

1. M&C P-11301 - Authorize the Purchase of a 2011 Spartan Aerial Ladder Fire Truck from Scott Fire Apparatus, Inc., Using a Houston-Galveston Area Council Cooperative Contract for the Fire Department for a Total Amount of \$764,497.00.

(P-11301 Continued)

The recommendation was that the City Council Authorize the Purchase of a 2011 Spartan Aerial Ladder Fire Truck From Scott Fire Apparatus, Inc., Using the Houston-Galveston Area Council Contract No. FS12-09 for the Fire Department for a Total Amount of \$764,497.00.

Motion: Council Member Burns made a motion, seconded by Council Member Moss that Mayor and Council Communication No. P-11301 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

2. M&C P-11302 - Authorize the Purchase of Four Rosenbauer Pumper Fire Trucks from Daco Fire Equipment, Inc., Using a Houston-Galveston Area Council Cooperative Contract for the Fire Department for a Total Amount of \$2,616,492.00.

The recommendation was that the City Council Authorize the Purchase of Four (4) Rosenbauer Pumper Fire Trucks From Daco Fire Equipment, Inc., Using the Houston-Galveston Area Council Cooperative Contract No. FS12-09 for the Fire Department for a Total Amount of \$2,616,492.00.

Motion: Council Member Moss made a motion, seconded by Council Member Shingleton that Mayor and Council Communication No. P-11302 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

3. M&C P-11303 - Authorize the Purchase of Three Brush Trucks for the Fire Department from Chastang Enterprises, Inc., d/b/a Chastang's Bayou City Ford, Using a Texas Association of School Boards Cooperative Contract for a Total Amount of \$515,934.00.

The recommendation was that the City Council Authorize the Purchase of Three (3) Brush Trucks for the Fire Department From Chastang Enterprises, Inc., d/b/a Chastang's Bayou City Ford, Using Texas Association of School Boards Contract No. 323-09 for a Total Amount of \$515,934.00.

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton that Mayor and Council Communication No. P-11303 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

4. M&C P-11304 - Authorize the Purchase of Thirty Half-Ton Trucks from Sam Packs Five Star Ford, Using a State of Texas Smart Buy Cooperative Contract No. 072-A1 for Multiple Departments for a Total Amount of \$644,945.00.

(P-11304 Continued)

The recommendation was that the City Council Authorize the Purchase of 30 Half-Ton Trucks From Sam Packs Five Star Ford Using the Texas Smart Buy Cooperative Contract No. 072-A1 for Multiple Departments for a Total Amount of \$644,945.00.

Motion: Council Member Shingleton made a motion, seconded by Council Member Moss that Mayor and Council Communication No. P-11304 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

D. Land

1. M&C L-15255 - Authorize Execution of a Six-Month Temporary Access Permit Agreement with Texas Midstream Gas Services, L.L.C., in the Amount of \$6,000.00 for the City Owned Property Described as Block 14, Lot A4 of the Sycamore Heights Addition, Located Near 1750 Beach Street Just West of Gateway Park.

The recommendation was that the City Council Authorize Execution of a Six (6) Month Temporary Access Permit Agreement With Texas Midstream Gas Services, LLC, in the Amount of \$6,000.00 for Access Across City-Owned Property Located Near 1750 Beach Street Just West of Gateway Park, Described as Block 14, Lot 4A, Sycamore Heights Addition.

Motion: On behalf of Council Member Hicks, Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns that Mayor and Council Communication No. L-15255 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

2. M&C L-15256 - Approve Acceptance of Lease Agreement with Chesapeake Exploration, LLC in the Amount of \$26,700.00 for Natural Gas Drilling Under 5.34 Acres, More or Less, of City-Owned Properties Known as the Meadowbrook Water Tank, Located at Bridge Street Just North of I-30.

The recommendation was that the City Council Approve the Acceptance of a Lease Agreement for Natural Gas Drilling Under 5.34 Acres More or Less of City-Owned Property Known as the Meadowbrook Water Tank, Located at Bridge Street Just North of I-30 to Chesapeake Exploration, LLC, for a Two (2) Year Primary Term.

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

(L-15256 Continued)

Motion: On behalf of Council Member Scarth, Council Member Shingleton made a motion, seconded by Council Member Burns that Mayor and Council Communication No. L-15256 be approved. The motion carried unanimously six (6) ayes to zero (0) nays and one (1) abstention by Council Member Jordan, with Council Members Scarth and Hicks absent.

3. M&C L-15257 - Approve Acceptance of Lease Agreement with Chesapeake Exploration, LLC, in the Amount of \$59,794.60 for Natural Gas Drilling Under 11.958 Acres, More or Less, of City-Owned Properties Known as Woodhaven Country Club Estates, Lot 1, Block 14A, Located at 5901 Boca Raton Boulevard.

The recommendation was that the City Council Approve the Acceptance of a Lease Agreement for Natural Gas Drilling Under 11.958 Acres More or Less of City Owned Property Known as Woodhaven Country Club Estates, Lot 1, Block 14A, Located at 5901 Boca Raton Boulevard to Chesapeake Exploration, LLC, for a Two (2) Year Primary Term.

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

Motion: On behalf of Council Member Scarth, Council Member Shingleton made a motion, seconded by Council Member Moss that Mayor and Council Communication No. L-15257 be approved. The motion carried unanimously six (6) ayes to zero (0) nays and one (1) abstention by Council Member Jordan, with Council Members Scarth and Hicks absent.

4. M&C L-15258 - Ratify the City Secretary Contract No. 42203, with Heirs of Z Boaz Park South and Z Boaz Golf Course for Release of Deed Reverter Terms.

The recommendation was that the City Council Ratify the Mineral Agreement and Deed, City Secretary Contract No. 42203, With the Heirs of Z Boaz Park South and Z Boaz Golf Course for Release of Deed Reverter Terms in Exchange for the Heirs Retaining a 40 Percent Interest in the Mineral Estate.

City Secretary Hendrix stated the following amendment to the Discussion Section of Mayor and Council Communication No. L-15258, paragraph two (2), line seven (7), Agreement Term two (2), should read:

2) The City will retain 17 percent of the City mineral revenues solely for use at the Z Boaz Park South and Z Boaz Golf Course.

(L-15258 Continued)

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Moss that Mayor and Council Communication No. L-15258 be approved as amended. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

5. M&C L-15259 - Authorize the Direct Sale of Thirteen Tax-Foreclosed Properties to Texas Midstream Gas Services, L.L.C., for \$51,829.53.

The recommendation was that the City Council Authorize the Direct Sale of 13 Tax-Foreclosed Properties Located at 2010 Danner; 1733 S. Edgewood Terrace; 4811 Fitzhugh; 1612, 1724, 2013, 2025, 2029 and 2109 Langston; 1637 Lindsey; 4759 Ramey; 4817 Sunshine; and 4328 E. Berry to Texas Midstream Gas Services, LLC, in Accordance With Section 34.05 of the Texas Tax Code for \$51,829.53; and Authorize the Execution and Recording of the Appropriate Instruments Conveying the Properties to Complete the Sale.

Motion: Council Member Moss made a motion, seconded by Mayor Pro tem Zimmerman that Mayor and Council Communication No. L-15259 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

6. M&C L-15260 - Conduct a Public Hearing and Authorize the Use of a Portion of Rockwood Golf Course for an Electric Utility Easement for Lines and Equipment to Service the Ben Hogan Learning Center and Authorize Granting an Electric Utility Easement to Oncor Electric Delivery.

The recommendation was that the City Council Conduct a Public Hearing Under the Guidelines Set Forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; Find That No Feasible or Prudent Alternative Exists for the Use of Rockwood Golf Course for the Location of the Proposed Easement for Electric Lines and Equipment to Service the Ben Hogan Learning Center; Find That the Proposed Electric Utility Easement Includes All Reasonable Planning to Minimize Harm to the Parkland and Including That the Lines and Equipment Will Be Constructed in Rockwood Golf Course Located at 701 North University Drive, Located Southwest of Jacksboro Hwy SR199, East of Isbell Road, South of Ohio Garden Road, East of the Terminus of Ovid Drive, Inez Drive and Ester Drive, North of the Trinity River; Close the Public Hearing and Authorize Use of Approximately 0.067 Acre of Dedicated Parkland at Rockwood Golf Course for an Electric Utility Easement; and Authorize Granting an Electric Utility Easement to Oncor Electric Delivery at Rockwood Golf Course.

(L-15260 Continued)

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

City Secretary Hendrix advised that the attachment entitled "Aerial 1" was attached in error and advised that the attachment needed to be removed from Mayor and Council Communication No. L-15260 and the motion would be to approve as amended.

a. Report of City Staff

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

b. Citizen Presentations

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

c. Council Action

Motion: Council Member Shingleton made a motion, seconded by Council Member Espino that the public hearing be closed and that Mayor and Council Communication No. L-15260 be approved as amended. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

7. [M&C L-15261 - Conduct a Public Hearing and Authorize Subsurface Drilling and Extraction of Natural Gas From an Off-Site Location at Wedgwood Park. \(PUBLIC HEARING\)](#)

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 Use Wedgwood Park Located at 5309 Winifred Drive, South of Winifred Drive, North of Walton Avenue, West of Wharton Drive, and East of Whitman Avenue; Find That the Proposed Use Includes All Reasonable Planning to Minimize Harm to the Parkland and Including That the Proposed Use Will Have No Impact on Use of the Surface of Parkland; and Close the Public Hearing and Authorize the City Manager to Approve the Use of the Subsurface of Parkland for the Drilling and the Extraction of Natural Gas.

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

(L-15261 Continued)

a. Report of City Staff

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

b. Citizen Presentations

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

c. Council Action

Motion: Council Member Jordan made a motion, seconded by Mayor Pro tem Zimmerman that the public hearing be closed and that Mayor and Council Communication No. L-15261 be continued to the October 18, 2011, Council meeting. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

F. Award of Contract

1. M&C C-25194 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, LLC, a License to Construct and Operate a Natural Gas Gathering Pipeline Across East Rosedale Street, Avenue G, Langston Street, Chapman Street, Ramey Street, Lorin Street, Sunshine Drive and Fitzhugh Avenue.

The recommendation was that the City Council Authorize the Execution of a Public Right-of-Way Use Agreement With Texas Midstream Gas Services, LLC, Granting a License to Construct and Operate a Natural Gas Gathering Pipeline Across East Rosedale Street, East of Lindsey Street; Across Avenue G, East of Lindsey Street; Across Langston Street, South of Willie Street; Across Chapman Street, East of Langston Street; Across Ramey Street, East of Langston Street; Across Lorin Street, East of Langston Street; Across Sunshine Drive, East of Langston Street; and Across Fitzhugh Avenue, East of Langston Street, for a One (1) Time License Fee of \$19,278.00.

Council Member Moss stated there were concerns in the area about citizens not receiving royalties for the mineral leases. He stated this was due to the fact that pipelines had not been constructed in the area so the minerals could not be harvested. He advised that he had only received one (1) phone call inquiry about this item and the majority of the citizens were in favor of this item and construction of this pipeline would allow for the citizens to receive the royalties from leasing their minerals.

(C-25194 Continued)

Motion: Council Member Moss made a motion, seconded by Council Member Espino that Mayor and Council Communication No. C-25194 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

2. M&C C-25195 - Authorize Execution of a Development Agreement to Continue the Extraterritorial Jurisdiction Status of Property Owned by 820 Management Trust, Located Generally South and West of Chapin Road and South of Old Weatherford Road.

The recommendation was that the City Council Authorize the Execution of a Development Agreement Between the City and 820 Management Trust for the Application of Development Standards and to Continue the Extraterritorial Jurisdiction Status for Property Located Generally South and West of Chapin Road and South of Old Weatherford Road in Unincorporated Tarrant County.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Shingleton that Mayor and Council Communication No. C-25195 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

3. M&C C-25196 - Authorize Execution of a Tax Abatement Agreement with Locap Holdings, LLC, for the Construction of a Multifamily Apartment Complex at 2920 West Lancaster Avenue and 1020 Currie Street.

The recommendation was that the City Council Authorize the Execution of a Tax Abatement Agreement With Locap Holdings, LLC, for the Construction of a Multifamily Apartment Complex at 2920 West Lancaster Avenue and 1020 Currie Street; and Authorize Waiving of Related Development Fees.

Motion: Council Member Burns made a motion, seconded by Council Member Moss that Mayor and Council Communication No. C-25196 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

4. M&C C-25197 - Authorize Execution of a Contract in the Amount of \$1,938,509.25 with Stable & Winn, Inc., for Pavement Reconstruction and Water and Sanitary Sewer Main Replacement on Portions of Bird Street, Bonnie Brae Avenue, Clary Avenue, Concord Avenue and Dalford Street, Utilize \$1,615,002.25 from the 2007 Critical Capital Projects Fund and \$647,813.00 from the Water and Sewer Capital Projects Funds to Provide for Construction Contract Costs, Contingencies and Construction Services for a Project Total of \$2,262,815.25 and Adopt Appropriation Ordinance.

(C-25197 Continued)

The recommendation was that the City Council Authorize the Transfer of \$647,813.00 From the Water and Sewer Fund in the Amounts of \$473,402.00 to the Water Capital Projects Fund and \$174,411.00 to the Sewer Capital Projects Fund; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Water Capital Projects Fund, From Available Funds, for the Purpose of Funding Pavement Reconstruction and Water and Sanitary Sewer Main Replacement on Portions of Bird Street, From North Riverside Drive to Bonnie Brae Avenue; Bonnie Brae Avenue, From East Belknap Street to Yucca Avenue; Clary Avenue, From North Riverside Drive to Seaman Street; Concord Avenue, From Bonnie Brae Avenue to Bonnie Brae Avenue; and Dalford Street, From Bonnie Brae Avenue to Bonnie Brae Avenue; and Authorize the Execution of a Contract With Stable & Winn, Inc., in the Amount of \$1,938,509.25 for the Project.

Motion: On behalf of Council Member Scarth, Council Member Shingleton made a motion, seconded by Council Member Moss that Mayor and Council Communication No. C-25197 be approved and Appropriation Ordinance No. 19926-09-2011 be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

5. M&C C-25198 - Authorize Execution of a Contract with Conatser Construction TX, LP, in the Amount of \$1,138,957.75 for the Cromwell Marine Creek Bridge, Paving and Sewer Improvements.

The recommendation was that the City Council Authorize the Execution of a Contract With Conatser Construction TX, LP, in the Amount of \$1,138,957.75 for Construction of the Cromwell Marine Creek Bridge, Paving and Sewer Improvements.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman that Mayor and Council Communication No. C-25198 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

6. M&C C-25199 - Authorize Execution of a Contract in the Amount of \$4,066,142.00 with Ark Contracting Services, LLC, for Construction of South Shore Sanitary Sewer Replacement Main 253, Part 2 in Randol Mill Road and Mallard Cove Park Between Precinct Line Road and the Northeast Landfill and Adopt Appropriation Ordinance.

The recommendation was that the City Council Authorize the Transfer of \$627,021.00 From the Water and Sewer Operating Fund to the Sewer Capital Projects Fund; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Sewer Capital Projects Fund, From Available Funds; for the Purpose of Funding Sanitary Sewer Replacement Main 253, Part 2 in Randol Mill Road and Mallard Cove Park Between Precinct Line Road and the Northeast Landfill; and Execute a Contract With Ark Contracting Services, LLC, in the Amount of \$4,066,142.00 for Sanitary Sewer Replacement Main 253, Part 2.

(C-25199 Continued)

Motion: Council Member Moss made a motion, seconded by Mayor Pro tem Zimmerman that Mayor and Council Communication No. C-25199 be approved and Appropriation Ordinance No. 19927-09-2011 be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Scarth and Hicks absent.

XV. CITIZEN PRESENTATIONS

Mr. Leroy Comley, 2604 Market Avenue, appeared before Council relative to theft and gang activity at his residence. He stated that he has received obscene and threatening phone calls from individuals he presumed were police officers. He further stated that he had contacted the Police Department, including his Neighborhood Police Officer and the Mayor's Office, but had not received any assistance.

Mayor Price referred Mr. Comley to Police Chief Halstead, Police Department, for resolution of this matter.

Mayor Price adjourned the regular session of the Fort Worth City Council into Executive Session at 11:08 a.m., in accordance with the requirement of the Open Meetings Law.

XVI. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER)

Present:

Betsy Price, Mayor
Council Member Salvador Espino, District 2
Mayor Pro tem W. B "Zim" Zimmerman, District 3
Council Member Frank Moss, District 5
Council Member Jungus Jordan, District 6
Council Member Carter Burdette, District 7
Council Member Joel Burns, District 9

Absent:

Council Member Daniel Scarth, District 4
Council Member Kathleen Hicks, District 8

Staff Present:

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

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
SEPTEMBER 27, 2011
PAGE 26 of 26**

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

Karen Montgomery, Assistant City Manager

Brandon Bennett, Director, Code Compliance Department on behalf of Charles Daniels, Assistant City Manager

Gleniece Robinson, Director, Library on behalf of Susan Alanis, Assistant City Manager

Gerald Pruitt, Deputy City Attorney

Peter Vaky, Deputy City Attorney

It was the consensus of the City Council that they recess into Executive Session at 11:08 p.m. to:

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code:

- a. In Re: McKesson Governmental Entities Average Wholesale Price Litigation, Case No. 1:08-cv-108473-PBS (Mass);
- b. In Re: Municipal Derivatives Antitrust Litigation, Case No. 1:08-cv-2516 (SDNY);
- 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.

Mayor Price adjourned the Executive Session of the Fort Worth City Council at 11:27 a.m.

Mayor Price reconvened back into regular session at 11:27 a.m.

XVII. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:27 a.m.



TO: The Honorable Mayor and City Council Members

FROM: Zim Zimmerman, Mayor Pro tem, District 3

DATE: September 29, 2011

SUBJECT: **Board and Commission Appointments and Reappointments – District 3**

Below are the appointments and reappointments for District 3 on various boards and commissions for consideration during the Council meeting on October 4, 2011, with terms to expire as reflected:

Appointments:

Gene Miers (replacing Robert West) – Board of Adjustment - Commercial, Place 3 – Term Effective October 4, 2011, through Term Expiration October 1, 2013.

Robert West (replacing Jackson Wilson) – City Zoning Commission, Place 3 – Term Effective October 4, 2011, through Term Expiration October 1, 2013.

Reappointments:

Charles Team, IV – Appeals Board, Place 3 – Term Effective October 4, 2011, through Term Expiration September 30, 2013.

William Lawson – Aviation Advisory Board, Place 3 – Term Effective October 4, 2011, through Term Expiration October 1, 2013.

Barbara Worthley – Board of Adjustment - Residential, Place 3 – Term Effective October 4, 2011, through Term Expiration October 1, 2013.

Gerald Curtis – Building Standards Commission, Place 3 – Term Effective October 4, 2011, through Term Expiration September 30, 2013.

Jim Tidwell – City Plan Commission, Place 3 – Term Effective October 4, 2011, through Term Expiration October 1, 2013.

Elizabeth McCune – Fort Worth Commission for Women, Place 3 – Term Effective October 4, 2011, through Term Expiration October 1, 2013.

Harry Butcher – Community Development Council, Place 3 – Term Effective October 4, 2011, through Term Expiration October 1, 2013.

JoAn Earl – Historical and Cultural Landmarks Commission, Place 3 – Term Effective October 4, 2011, through Term Expiration October 1, 2013.

Andrew Nuttall – Parks and Community Services Advisory Board, Place 3 – Term Effective October 4, 2011, through Term Expiration October 1, 2013.

This memorandum and the applications were sent to each Council Member electronically for review on September 29, 2011, and the original copy will be maintained by the City Secretary's Office.



TO: The Honorable Mayor and City Council Members

FROM: Joel Burns, Council Member District 9

DATE: September 29, 2011

SUBJECT: **Board and Commission Appointments and Reappointments – District 9**

Below are the appointments and reappointments for District 9 on various boards and commissions for consideration during the Council meeting on October 4, 2011, with terms to expire as reflected:

Appointment:

Jamie Martinez (replacing Mike Brennan) – Community Development Council, Place 9 – Term Effective October 4, 2011, through Term Expiration October 1, 2013.

Reappointments:

Joe Ralph Martinez – Building Standards Commission, Place 9 – Term Effective October 4, 2011, through Term Expiration September 30, 2013.

Melissa Mitchell – Fort Worth Commission for Women, Place 9 – Term Effective October 4, 2011, through Term Expiration October 1, 2013.

This memorandum and the applications were sent to each Council Member electronically for review on September 29, 2011, and the original copy will be maintained by the City Secretary's Office.

**To the Mayor and Members of the City Council****October 4, 2011****Page 1 of 1****SUBJECT: UPDATE AND LISTING OF PROJECTS FOR ACCELERATED DELIVERY OF CAPITAL ROADWAY AND BRIDGE PROJECTS**

This Informal Report provides an update on the delivery of capital roadway and bridge projects associated with the 2004, 2007, and 2008 debt programs.

At the August 30, 2011 City Council FY 2011 Budget Workshop, the Department of Transportation and Public Works presented an accelerated schedule for delivery of arterial and neighborhood street projects associated with current debt programs. The delivery schedule identified projected spending levels in 6 month intervals for the next 18 months. The Department has refined this accelerated delivery schedule for each of the remaining projects taking into account further review of delivery considerations such as utility coordination, developer coordination, area mobility constraints, and 3rd party funding availability.

Tables will be provided to Council on Tuesday, October 4, 2011 listing remaining projects – arterials, bridges and neighborhood streets, and specific information on when the next delivery phases will occur and the anticipated spend. The tables list for each project or contract the funding debt program, current delivery phase, time period when next delivery phases will occur and the projected spending plan. Schedule and spending tables are provided for Arterial & Bridge projects and 2007 and 2008 Neighborhood Street contracts.

As individual projects progress through the delivery phases, schedules and estimated budgets will be updated to reflect this additional information. Updated summary tables will be provided to the Mayor and Council in conjunction with the quarterly financial update of capital programs provided by the Budget Office. The next quarterly update is scheduled for December 2011.

The project schedule information provided in each of these summary tables is being updated in the Project Management Information System such that individuals can access this latest information through the City web site and TPW Infrastructure Project web page. Updated information should be available to users in October. A news release will be prepared to announce the availability of these updated schedules.

Should you have further questions, please contact Douglas Wiersig, Director, Transportation and Public Works Department, at 817-392-7801.

Tom Higgins
Interim City Manager



To the Mayor and Members of the City Council

October 4, 2011

Page 1 of 1

SUBJECT: EMERGENCY PROCUREMENT – ROBIN DENVER PROJECT

The purpose of this Informal Report is to notify City Council that City staff has initiated an emergency procurement to mitigate a dangerous situation created by a contractor working on a City stormwater capital project. A ratification M&C on this action will be presented to City Council in the near future.

On August 25, 2011 the City's Code Compliance Department received a call from the St. Demetrios Greek Orthodox Church (the Church) located at 2020 NW 21st St. (CD 2) reporting that large pieces of concrete had rolled down the hillside at the rear of their property and into their parking lot. The responding Code officer determined that the material was from an improper dump site behind three residences on Terrace Avenue, uphill from the Church. Based upon discussion with the owners of two of the residential properties it was determined that the fill was being placed on their property, with their consent, by Laughley Bridge and Construction Inc. Contractors (Laughley). Laughley is the prime contractor for a City of Fort Worth stormwater capital project in the near vicinity of the improper fill site. It is believed at this time that much of the material placed behind these residences is spoil material from the nearby stormwater project.

City staff has taken the following actions: ordered Laughley to cease and desist from the dumping activity; notified Laughley's surety and demanded immediate action to remove the fill; engaged a geo-technical engineer to evaluate the site; and placed concrete barriers at the toe of the slope to protect the Church property. Based on the report of the geo-technical engineer the City determined that the fill presented an urgent risk to health and safety and, so, action to remove the fill needed to be initiated as quickly as possible. Neither Laughley nor their surety presented a plan for removal of the fill, therefore, City staff engaged Mario Sinacola Bros. contractors (Sinacola) to remove the fill and notified Laughley's surety that the City was taking action to mitigate the health and safety issue and would be demanding remuneration for all costs associated with this work through Laughley and/or their surety.

The fill removal activity is currently underway and is expected to be completed in mid-late October. Staff is working with Sinacola to establish the final terms of the effort. Once those terms are finalized an M&C will be developed and presented to City Council recommending ratification of the emergency procurement action.

Questions on this matter can be directed to Greg Simmons, Assistant Director, TPW at X7862.

Tom Higgins
Interim City Manager

**To the Mayor and Members of the City Council****October 4, 2011****Page 1 of 1****Subject: RECYCLING AWARD**

The Code Compliance Department has been selected as the winner of the *Incredibly Effective Education Techniques* category in the 2011 North Texas Corporate Recycling Association's gR3een Awards! (NTCRA). The NTCRA has been a part of the Dallas-Fort Worth recycling landscape for more than 20 years. The organization exists to promote recycling and the use of recycled goods to area businesses through leadership, advocacy, and education.

Through the Solid Waste Division, the Department implemented a two-pronged strategic marketing and education campaign to encourage residential recycling and the reduction of incorrect materials placed in the blue residential recycling bins. Instrumental in this effort and the architect of the plan was Diane Covey, the Department's Public Information Officer.

In the second quarter of 2010, the contamination rate was a whopping 31.5 percent. As a result of the education campaign, including the involvement of key partners, contamination dropped by 14 percent - the lowest contamination rate ever recorded.

The campaign consisted of mixed media components to emanate positive response from the diverse city residential audience. Components included:

- Quarterly recycling report cards were mailed to residents engaging them with a message that reported the results of the City's quarterly recycling audits.
- The six-member Blue Crew provided a human face to the campaign.
- Effective use of billboards, newspaper advertising, website advertising, water bill inserts, youth pledge sheet, participation in community events, the City's website, City News and City Times.

Partnerships also played a key role in the campaign and included:

- *Our neighborhoods:* During 2010, the City of Fort Worth Neighborhood Education and Outreach Division, which is a team of five city employees, reached out to an amazing 10,000+ Fort Worth residents with information about recycling.
- *Our youth:* Members of the Neighborhood Education and Outreach team made 215 presentations in third and fourth grade classrooms throughout Fort Worth.
- *Our contractors:* Simply stated, Waste Management and Knight Waste Services are with us 365 days a year working towards the same goals to increase recycling and reduce the contamination.

As a final note, the education outreach is an ongoing campaign that is integral to the success of maintaining and lowering our existing level of contamination while helping us reach our goal of a 40 percent diversion of waste from the landfill to recycling. Our current contamination rate is even lower than reported in the award application and stands at 13.8 percent in the third quarter of 2011.

Should you have questions, please contact Brandon Bennett, Director of Code Compliance, at (817) 392-6322.


Tom Higgins
Interim City Manager

No Documents for this Section

A Resolution

NO. _____

**APPOINTING CERTAIN MEMBERS TO THE BOARD OF DIRECTORS OF
TAX INCREMENT REINVESTMENT ZONE NUMBER TWO,
CITY OF FORT WORTH, TEXAS; ACKNOWLEDGING THE APPOINTMENT OF
THE OTHER CURRENT MEMBERS OF THE BOARD; AND
APPOINTING A CHAIRPERSON FOR THE BOARD
(SPEEDWAY TIF)**

WHEREAS, the City Council of the City of Fort Worth (the “City Council”) previously adopted Ordinance No. 12323, as amended by Ordinance No. 13889, creating Tax Increment Reinvestment Zone Number Two, City of Fort Worth, Texas (the “Reinvestment Zone”), which was designated under Section 311.005(a)(4) of the Texas Tax Code; and

WHEREAS, Ordinance No. 12323 provides that the Reinvestment Zone is to be overseen by a nine (9)–member Board of Directors (the “Board”), of which one (1) member is the State Senator whose district lies within the Reinvestment Zone or a designee; one (1) member is the State Representative whose district lies within the Reinvestment Zone or a designee; each county and school district with jurisdiction in the Reinvestment Zone that has elected to contribute tax increment to the Reinvestment Zone has the right to appoint one (1) member apiece; and the City Council has the right to appoint all remaining members; and

WHEREAS, House Bill 2853, which was passed by the 82nd Texas Legislature and took effect on June 17, 2011, amended Section 311.009 of the Texas Tax Code regarding the appointment of members to the Boards of tax increment reinvestment zones and preempts any conflicting provision of Ordinance No. 12323; and

WHEREAS, pursuant to Section 311.009(b) of the Texas Tax Code, as amended by House Bill 2853, all taxing units other than the City that have elected to contribute tax increment to the Reinvestment Zone, and not just each participating county and school district, now have the right to appoint one (1) member apiece to the Board; and

WHEREAS, because, aside from the City, no taxing units other than Northwest Independent School District and Denton County have elected to contribute tax increment to the Reinvestment Zone, the passage of House Bill 2853 does not affect the composition of the Board; and

WHEREAS, the City Council has the right, at any time and for any reason, to appoint an individual to the Board to replace any current member appointed by the City Council for the remainder of the person’s term; and



WHEREAS, Section 311.009(c) of the Texas Tax Code provides that Board member terms shall be for two (2) calendar years, unless otherwise staggered; and

WHEREAS, the terms of the certain Board members appointed by the City Council will expire on December 31, 2011, and the City Council wishes at this time to make appointments to those places for terms beginning January 1, 2012; and

WHEREAS, Section 311.009(f) of the Texas Tax Code provides that the City Council must appoint one (1) member of the Board to serve as the Board's chairperson for a term of one (1) year beginning January 1 of the year:

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

1. The City Council hereby appoints the person listed below to the Board for a term beginning on the date of adoption of this Resolution and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Dennis Shingleton	December 31, 2011

2. The City Council hereby acknowledges that the following persons have been appointed to the Board by the following entities for terms expiring on the dates indicated below:

<u>NAME</u>	<u>APPOINTING ENTITY</u>	<u>EXPIRATION OF TERM</u>
Sal Espino	City of Fort Worth	December 31, 2011
Tom Kelly	City of Fort Worth	December 31, 2011
Kenton Nelson	City of Fort Worth	December 31, 2011
Albert Perez	City of Fort Worth	December 31, 2011
Tye Sheets Pierpont	Denton County	December 31, 2012
Mark Schluter	Northwest ISD	December 31, 2012
Michael McCartney	State Representative	December 31, 2012
Karen Rue	State Senator	December 31, 2011

3. The City Council hereby appoints Dennis Shingleton as the Board's chairperson for the remainder of calendar year 2011.



4. The City Council hereby appoints the persons listed below to the Board for terms beginning on January 1, 2012 and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Dennis Shingleton	December 31, 2013
Sal Espino	December 31, 2013
Tom Kelly	December 31, 2013
Kenton Nelson	December 31, 2013
Albert Perez	December 31, 2013

5. The City Council hereby reserves the right, at any time and for any reason, to remove a Board member appointed by the City Council and to appoint individuals to the Board to replace any of the City Council-appointed Board members.

AND IT IS SO RESOLVED.

ADOPTED this 4th day of October 2011.

ATTEST:

By: _____
Marty Hendrix, City Secretary



A Resolution

NO. _____

**APPOINTING CERTAIN MEMBERS TO THE BOARD OF DIRECTORS OF
TAX INCREMENT REINVESTMENT ZONE NUMBER FOUR,
CITY OF FORT WORTH, TEXAS; ACKNOWLEDGING THE APPOINTMENT OF
THE OTHER CURRENT MEMBERS OF THE BOARD; AND
APPOINTING A CHAIRPERSON FOR THE BOARD
(SOUTHSIDE TIF)**

WHEREAS, the City Council of the City of Fort Worth (the “City Council”) previously adopted Ordinance No. 13259 creating Tax Increment Reinvestment Zone Number Four, City of Fort Worth, Texas (the “Reinvestment Zone”), which was designated under Section 311.005(a)(1) of the Texas Tax Code; and

WHEREAS, pursuant to Ordinance No. 13259, the Reinvestment Zone is overseen by a Board of Directors (the “Board”) appointed in accordance with applicable provisions of Section 311.009 of the Texas Tax Code; and

WHEREAS, by previous Resolutions, the City Council has, within the authority granted to it by Section 311.009(a) of the Texas Tax Code, set the number of Board members at nine (9); and

WHEREAS, in accordance with Section 311.009(a) of the Texas Tax Code, as amended by House Bill 2853, which was passed by the 82nd Texas Legislature and took effect on June 17, 2011, the five (5) taxing units that levy taxes on real property in the Reinvestment Zone, other than the City, and that have elected to contribute tax increment Reinvestment Zone (the Fort Worth Independent School District, Tarrant County, Tarrant County College District, Tarrant County Hospital District, and Tarrant Regional Water District) each have the right to appoint one (1) Board member apiece, and the City Council has the right to appoint the remaining four (4) Board members; and

WHEREAS, Section 311.009(c) of the Texas Tax Code provides that Board member terms shall be for two (2) calendar years, unless otherwise staggered; and

WHEREAS, the terms of two (2) Board members appointed by the City Council expired on December 31, 2010 and those individuals have continued to serve in holdover status; and

WHEREAS, the terms of certain Board members appointed by the City Council will expire on December 31, 2011, and the City Council wishes at this time to make appointments to those places for terms beginning January 1, 2012; and



WHEREAS, Section 311.009(f) of the Texas Tax Code provides that the City Council must appoint one (1) member of the Board to serve as the Board's chairperson for a term of one (1) year beginning January 1 of the year:

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

1. The City Council hereby appoints the person listed below to the Board for a term beginning on the date of adoption of this Resolution and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Joel Burns	December 31, 2012
Roy Brooks	December 31, 2012

2. The City Council hereby acknowledges that the following persons have been appointed to the Board by the following entities for terms expiring on the dates indicated below:

<u>NAME</u>	<u>APPOINTING ENTITY</u>	<u>EXPIRATION OF TERM</u>
Kathleen Hicks	City of Fort Worth	December 31, 2011
Don Scott	City of Fort Worth	December 31, 2011
Juan Rangel	Fort Worth ISD	December 31, 2011
Jon Ed Robbins	Tarrant County	December 31, 2012
Mark McClendon	Tarrant County College District	December 31, 2011
Scott Rule	Tarrant County Hospital District	December 31, 2011
Linda Christie	Tarrant Regional Water District	December 31, 2012

3. The City Council hereby appoints Joel Burns as the Board's chairperson for the remainder of calendar year 2011.

4. The City Council hereby appoints the persons listed below to the Board for terms beginning on January 1, 2012 and expiring as indicated below:



<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Kathleen Hicks	December 31, 2013
Don Scott	December 31, 2013

5. The City Council hereby reserves the right, at any time and for any reason, to remove a Board member appointed by the City Council and to appoint individuals to the Board to replace any of the City Council-appointed Board members.

AND IT IS SO RESOLVED.

ADOPTED this 4th day of October 2011.

ATTEST:

By: _____

Marty Hendrix, City Secretary



A Resolution

NO. _____

**APPOINTING CERTAIN MEMBERS TO THE BOARD OF DIRECTORS OF
TAX INCREMENT REINVESTMENT ZONE NUMBER EIGHT,
CITY OF FORT WORTH, TEXAS; ACKNOWLEDGING THE APPOINTMENT OF
THE OTHER CURRENT MEMBERS OF THE BOARD; AND APPOINTING A
CHAIRPERSON FOR THE BOARD
(LANCASTER CORRIDOR TIF)**

WHEREAS, the City Council of the City of Fort Worth (the “City Council”) previously adopted Ordinance No. 15775 creating Tax Increment Reinvestment Zone Number Eight, City of Fort Worth, Texas (the “Reinvestment Zone”), which was designated under Section 311.005(a)(1) of the Texas Tax Code; and

WHEREAS, Ordinance No. 15775 provides that the Reinvestment Zone is to be overseen by an eleven (11)–member Board of Directors (the “Board”), of which each taxing unit that levies taxes on real property in the Reinvestment Zone has the right to appoint one (1) member each and the City Council has the right to appoint all remaining members; and

WHEREAS, House Bill 2853, which was passed by the 82nd Texas Legislature and took effect on June 17, 2011, amended Section 311.009 of the Texas Tax Code regarding the appointment of members to the Boards of tax increment reinvestment zones and preempts any conflicting provision of Ordinance No. 15775; and

WHEREAS, pursuant to Section 311.009(a) of the Texas Tax Code, as amended by House Bill 2853, the Fort Worth Independent School District and Tarrant County Hospital District no longer have the right to appoint a member to the Board because those taxing units do not contribute tax increment to the Reinvestment Zone; and

WHEREAS, it is necessary for the City to appoint two (2) members to the Board to replace the members previously appointed by the Fort Worth Independent School District and Tarrant County Hospital District; and

WHEREAS, the City Council has the right, at any time and for any reason, to appoint an individual to the Board to replace any current member appointed by the City Council for the remainder of that person’s term; and

WHEREAS, Section 311.009(c) of the Texas Tax Code provides that Board member terms shall be for two (2) calendar years, unless otherwise staggered; and

WHEREAS, the term of three (3) Board members appointed by the City Council expired on December 31, 2010 and those individuals have continued to serve in holdover



status; and

WHEREAS, the terms of certain Board members appointed by the City Council will expire on December 31, 2011, and the City Council wishes at this time to make appointments to those places for terms beginning January 1, 2012; and

WHEREAS, Section 311.009(f) of the Texas Tax Code provides that the City Council must appoint one (1) member of the Board to serve as the Board's chairperson for a term of one (1) year beginning January 1 of the year;

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

1. The City Council hereby appoints the persons listed below to the Board for terms beginning on the date of adoption of this Resolution and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
David Parker	December 31, 2011
William Bleibdrey	December 31, 2011
Mike Guyton	December 31, 2011
Jungus Jordan	December 31, 2012
Joel Burns	December 31, 2012
Elaine Petrus	December 31, 2012

2. The City Council hereby acknowledges that the following persons have been appointed to the Board by the following entities for terms expiring on the dates indicated below:

<u>NAME</u>	<u>APPOINTING ENTITY</u>	<u>EXPIRATION OF TERM</u>
Kathleen Hicks	City of Fort Worth	December 31, 2011
Dan Piotrowski	City of Fort Worth	December 31, 2011
Roy Brooks	Tarrant County	December 31, 2012
Mark McClendon	Tarrant County College District	December 31, 2011
Linda Christie	Tarrant Regional Water District	December 31, 2012

3. The City Council hereby appoints Jungus Jordan as the Board's chairperson for the remainder of calendar year 2011.



4. The City Council hereby appoints the persons listed below to the Board for terms beginning on January 1, 2012 and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
David Parker	December 31, 2013
William Bleidbrey	December 31, 2013
Mike Guyton	December 31, 2013
Kathleen Hicks	December 31, 2013
Dan Piotrowski	December 31, 2013

5. The City Council hereby reserves the right, at any time and for any reason, to remove a Board member appointed by the City Council and to appoint individuals to the Board to replace any of the City Council-appointed Board members.

AND IT IS SO RESOLVED.

ADOPTED this 4th day of October 2011.

ATTEST:

By: _____

Marty Hendrix, City Secretary



A Resolution

NO. _____

**APPOINTING CERTAIN MEMBERS TO THE BOARD OF DIRECTORS OF
TAX INCREMENT REINVESTMENT ZONE NUMBER NINE,
CITY OF FORT WORTH, TEXAS; ACKNOWLEDGING THE APPOINTMENT OF
THE OTHER CURRENT MEMBERS OF THE BOARD; AND
APPOINTING A CHAIRPERSON FOR THE BOARD
(TRINITY RIVER VISION TIF)**

WHEREAS, the City Council of the City of Fort Worth (the “City Council”) previously adopted Ordinance No. 15797 creating Tax Increment Reinvestment Zone Number Nine, City of Fort Worth, Texas (the “Reinvestment Zone”), which was designated under Section 311.005(a)(1) of the Texas Tax Code; and

WHEREAS, Ordinance No. 15797, as amended by Ordinance No. 16005, provides that the Reinvestment Zone is to be overseen by a fifteen (15)–member Board of Directors (the “Board”), of which each taxing unit that levies taxes on real property in the Reinvestment Zone has the right to appoint one (1) member each and the City Council has the right to appoint all remaining members; and

WHEREAS, House Bill 2853, which was passed by the 82nd Texas Legislature and took effect on June 17, 2011, amended Section 311.009 of the Texas Tax Code regarding the appointment of members to the Boards of tax increment reinvestment zones and preempts any conflicting provision of Ordinance No. 15797, as amended by Ordinance No. 16005; and

WHEREAS, pursuant to Section 311.009(a) of the Texas Tax Code, as amended by House Bill 2853, the Fort Worth Independent School District no longer has the right to appoint a member to the Board because that taxing unit does not contribute tax increment to the Reinvestment Zone; and

WHEREAS, it is necessary for the City to appoint one (1) member to the Board to replace the member previously appointed by the Fort Worth Independent School District; and

WHEREAS, Section 311.009(c) of the Texas Tax Code provides that Board member terms shall be for two (2) calendar years, unless otherwise staggered; and

WHEREAS, the City Council has the right, at any time and for any reason, to appoint an individual to the Board to replace any current member appointed by the City Council for the remainder of that person’s term; and



WHEREAS, the terms of five (5) Board members appointed by the City Council expired on December 31, 2010 and those individuals have continued to serve in holdover status; and

WHEREAS, the terms of certain Board members appointed by the City Council will expire on December 31, 2011, and the City Council wishes at this time to make appointments to those places for terms beginning January 1, 2012; and

WHEREAS, Section 311.009(f) of the Texas Tax Code provides that the City Council must appoint one (1) member of the Board to serve as the Board's chairperson for a term of one (1) year beginning January 1 of the year;

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

1. The City Council hereby appoints the persons listed below to the Board for term beginning on the date of adoption of this Resolution and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Brian Chase	December 31, 2011
Dennis Shingleton	December 31, 2012
Gary Walker	December 31, 2011
Sal Espino	December 31, 2012
Victor Henderson	December 31, 2012
G.K. Maenius	December 31, 2012
Tom Purvis	December 31, 2012

2. The City Council hereby acknowledges that the following persons have been appointed to the Board by the following entities for terms expiring on the dates indicated below:

<u>NAME</u>	<u>APPOINTING ENTITY</u>	<u>EXPIRATION OF TERM</u>
Mark Barfield	City of Fort Worth	December 31, 2011
Roy Brooks	City of Fort Worth	December 31, 2011
Leah King	City of Fort Worth	December 31, 2011
Hal Sparks	City of Fort Worth	December 31, 2011
J.D. Johnson	Tarrant County	December 31, 2012



Erma Johnson-Hadley	Tarrant County College District	December 31, 2011
Scott Rule	Tarrant County Hospital District	December 31, 2011
Jack Stevens	Tarrant Regional Water District	December 31, 2012

- The City Council hereby appoints Dennis Shingleton as the Board's chairperson for the remainder of calendar year 2011.
- The City Council hereby appoints the persons listed below to the Board for terms beginning on January 1, 2012 and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Brian Chase	December 31, 2013
Gary Walker	December 31, 2013
Mark Barfield	December 31, 2013
Roy Brooks	December 31, 2013
Leah King	December 31, 2013
Hal Sparks	December 31, 2013

- The City Council hereby reserves the right, at any time and for any reason, to remove a Board member appointed by the City Council and to appoint individuals to the Board to replace any of the City Council-appointed Board members.

AND IT IS SO RESOLVED.

ADOPTED this 4th day of October 2011.

ATTEST:

By: _____

Marty Hendrix, City Secretary



CITY OF DALLAS ORDINANCE NO. _____

CITY OF FORT WORTH ORDINANCE NO. _____

ORDINANCE AMENDING THE FORTY-SEVENTH SUPPLEMENTAL CONCURRENT BOND ORDINANCE AUTHORIZING DALLAS/FORT WORTH INTERNATIONAL AIRPORT JOINT REVENUE REFUNDING BONDS, SERIES 2011C, SERIES 2011D, SERIES 2011E, SERIES 2011F, AND SERIES 2011G, AND SERIES 2011H; AND PROVIDING OTHER TERMS, PROVISIONS AND COVENANTS WITH RESPECT THERETO

WHEREAS, the City Councils of the Cities of Dallas and Fort Worth, (the “Cities”) on May 25, 2011 and May 24, 2011, respectively, concurrently adopted the Forty-Seventh Supplemental Concurrent Bond Ordinance (the “Forty-Seventh Supplemental Ordinance”) authorizing the issuance of the Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011C, the Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011D, the Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011E, the Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011F, the Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011G and the Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011H in the aggregate principal amount of all such series not to exceed \$1,500,000,000 (collectively, the “Bonds”) for the purpose of (1) refunding all or a portion of the Refunded Bonds, as set forth in the Forty-Seventh Supplemental Ordinance and the Officer’s Pricing Certificate authorized therein, (2) to provide funding for the Debt Service Reserve Requirement through either the deposit of Bond proceeds or entering into a surety or such other agreement, if applicable, and (3) to pay the Cities’ and the Dallas/Fort Worth International Airport Board’s (the “Board”) costs incurred in connection with the issuance of the Bonds including the costs of the Policy or Policies of Insurance or the surety or debt service reserve agreement; and

WHEREAS, pursuant to the Forty-Seventh Supplemental Ordinance, the City Councils of the Cities delegated the terms of the final pricing and sale of the Bonds to certain Authorized Officers; and

WHEREAS, the City Councils of the Cities have determined that it is in the best interests of the Cities and the Board to amend the Forty-Seventh Supplemental Ordinance to delegate the to the Authorized Officer the authority to issue any series of Bonds as either taxable or tax-exempt obligations; and

WHEREAS, each City Council finds and determines that the meeting at which this Ordinance was adopted was open to the public, and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by Applicable Law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

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

Section 1. The statements contained in the preamble of this Ordinance are true and correct and are hereby adopted as findings of fact and as a part of the operative provisions hereof.

Section 2. Section 3.1 of the Forty-Seventh Supplemental Ordinance is hereby amended in its entirety and shall read as follows:

3.1 Authorization. Additional Obligations, to be designated “Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011C, Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011D, Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011E, Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011F, Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011G and Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011H” or such other designation or designations as set forth in the Pricing Certificate, are hereby authorized to be issued and delivered in accordance with the Constitution and laws of the State of Texas, including specifically Chapters 1207 and 1371, Texas Government Code, as amended. The Authorized Officer is hereby authorized and directed to modify the title of each Series to the extent that, in the judgment of the Authorized Officer, it is necessary or appropriate. The final titles, the number of series and allocation of principal amount between each Series of Bonds shall be determined by the Authorized Officer based on market conditions in the discretion of the Authorized Officer and set forth in the Officer’s Pricing Certificate for each series. The Authorized Officer shall also be authorized to issue and sell any series of Bonds as taxable obligations if the Authorized Officer determines that it is in the best interest of the Cities and the Airport to do so. The designation of any series of Bonds as taxable shall be set forth in the Officer’s Pricing Certificate for that series. The Bonds shall be issued in the number of series and aggregate principal amount per series designated in the Officer’s Pricing Certificate, provided that the aggregate principal amount of all of the Bonds shall not exceed \$1,500,000,000, for the purpose of (1) refunding all or a portion of the Refunded Bonds, as set forth in the Officer’s Pricing Certificate, (2) to provide funding for the Debt Service Reserve Requirement through either the deposit of Bond proceeds or entering into a surety or such other agreement, if applicable, and (3) to pay the Cities’ and the Board’s costs incurred in connection with the issuance of the Bonds including the costs of the Policy or Policies of Insurance or the surety or debt service reserve agreement.

Section 3. Section 8.12 is hereby added to Article VIII of the Forty-Seventh Supplemental Ordinance and shall read as follows:

8.12. Issuance of Taxable Bonds. In the event the Authorized Officer determines to issue any series of Bonds as taxable obligations pursuant to the authority granted in Section 3.1 of this Ordinance, all covenants and representations of the

Cities regarding the tax-exempt status of the Bonds or any obligations relating to the issuance of tax-exempt Bonds shall be null and void, including the covenants contained in Sections 8.4 through 8.10 of this Article VIII.

Section 4. Effective Date. This Ordinance, when duly passed by both Cities, shall be in full force and effect.

APPROVED AND ADOPTED BY THE DALLAS CITY COUNCIL THIS SEPTEMBER ____, 2011.

CITY OF DALLAS:
MARY K. SUHM,
City Manager

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR.,
City Attorney

By: _____
City Manager

By: _____
Assistant City Attorney

PASSED BY THE FORT WORTH CITY COUNCIL THIS OCTOBER ____, 2011.

Mayor, City of Fort Worth, Texas

ATTEST:

City Secretary,
City of Fort Worth, Texas

APPROVED AS TO FORM AND LEGALITY:

City Attorney,
City of Fort Worth, Texas

THE STATE OF TEXAS §
COUNTY OF DALLAS §
CITY OF DALLAS §

I, Rosa Rios, Acting City Secretary of the City of Dallas, Texas, do hereby certify:

1. That the above and foregoing is a true and correct copy of an excerpt from the minutes of the City Council of the City of Dallas, had in regular meeting, September __, 2011, confirming the passage of an Ordinance amending the Dallas/Fort Worth International Airport Forty-Seventh Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011C, Series 2011D, Series 2011E, Series 2011F Series 2011G and Series 2011H which ordinance is duly of record in the minutes of said City Council.

2. That said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

WITNESS MY HAND and seal of the City of Dallas, Texas, this ____ day of _____, 2011.

Acting City Secretary,
City of Dallas, Texas

(SEAL)

THE STATE OF TEXAS §
COUNTY OF TARRANT §
CITY OF FORT WORTH §

I, Marty Hendrix, City Secretary of the City of Fort Worth, Texas, do hereby certify:

1. That the above and foregoing is a true and correct copy of an Ordinance, duly presented and passed by the City Council of the City of Fort Worth, Texas, at a regular meeting held on September __ 2011, as same appears of record in the Office of the City Secretary.

2. That said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

WITNESS MY HAND and the Official Seal of the City of Fort Worth, Texas, this __ day of _____, 2011.

City Secretary,
City of Fort Worth, Texas

(SEAL)

City of Fort Worth, Texas
Mayor and Council Communication

DATE: Tuesday, October 4, 2011

LOG NAME:

REFERENCE NO.: **OCS-1829

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, September 28, 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, October 04, 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
Steven Hutyra	9/22/2011	8/31/2011	Alameda Apts	Auto Damage	Parked car hit by City vehicle.	Police	No	No
Zipora Kohanim	9/22/2011	4/21/2011	Stockyards Station	Bodily Injury	Fell off of high sidewalk and onto uneven surface street.	TPW	No	Yes
Ann Mulvey	9/23/2011	9/16/2011	Precinct Line & Randol Mill Rd	Auto Damage	Drove over high manhole in construction area.	TPW	No	No
Dwayne Butler	9/21/2011	8/31/2011	5740 Minnow Dr	Property Damage	Sprinklers and lawn damaged due to city leak repair.	Water	No	No
Michael Goldman	9/26/2011	8/17/2011	4455 Kirkland Dr	Property Damage	Water line damaged when digging at meter.	Water	Yes	No
Russell Martin	9/23/2011	7/12/2011	2020 Williams Pl	Property Damage	Damage to home during police action.	Police	Yes	No
Javed Shareef	9/23/2011	8/24/2011	Library	Employment	Alleged discrimination due to disability	Library	No	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
James & Linda Lessis	9/26/2011	8/1/2011	512 N Oakhurst Ln	Property Damage	Sprinkler system damage.	Water	No	No
David Leath	9/26/2011	9/16/2011	35W & 820	Auto Damage	Hit by City vehicle.	Unk	No	No
Randal Hightower	9/26/2011	9/16/2011	4000 E Berry St	Auto Damage	Vehicle struck pothole.	TPW	Yes	No
Maria Quintana	8/26/2011	9/6/2011	500 N Hampton & 1250 E Peach	Bodily Injury	Collision with City vehicle.	Police	No	Yes
Angela M. Martinez	9/28/2011	9/3/2011	7700 Rockdale	Property Damage	Tree fell on car causing damage	PACS	No	No

No Documents for this Section

No Documents for this Section



FORT WORTH



S.M.A.R.T. Report

**Street Management And Road Traffic
Transportation and Public Works
September 30 —October 13**



CENTRAL BUSINESS DISTRICT STREET CLOSURES (Partial)

North Main Street Bridge Rehabilitation—TxDOT Project

Main (from Belknap to NE 5th St) lane closures until mid-Dec 2011

Spur 347 (Weatherford St) Bridge Replacement Over UP Railroad

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

7th Street Bridge Utility Relocation

- 7th Street from Summit Avenue to Carroll Street, lane closures through October 2011

Demolition Project

- 100 blk Throckmorton St and 100 blk Taylor St: various lane and sidewalk closures through end of October 2011

New Tarrant County Jail

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

St Patrick's Cathedral New Hall

- Throckmorton (from W 12th to W 13th) Parking Lane closures through **early Nov 2011**
- W 12th (from Throckmorton to Jennings) Parking Lane closures through **early Nov 2011**
- Texas (from W 13th to Jennings) Parking Lane closures through **early Nov 2011**
- W 13th (from Texas to Throckmorton) Parking lane closures through **early Nov 2011**

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

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

New items printed in red.



FORT WORTH



S.M.A.R.T. Report Street Management And Road Traffic Transportation and Public Works September 30—October 13



Special Events

Festivals * Runs * Walks

CULTURAL DISTRICT

DOWNTOWN OUTDOOR EVENTS DISTRICT (DOED)

- **Ride the Rainbow Gay Pride Festival**
Oct 1 12pm to 6pm General Worth Square
Street Closures: Main from 8th to 9th streets
9th St from Houston to Commerce
- **City of Fort Worth All American City Celebration**
Oct 3 11am to 1pm City Hall
Street closures: W 10th St from Throckmorton to Taylor, Jennings
from W 10th to Texas, Monroe from W 10th to Texas
Closures begin at 7am and end at 2pm
- **6th Annual Flying Saucer Beer Festival**
Oct 8 2pm to 10pm Flying Saucer Parking Lot

NEAR SOUTHSIDE OUTDOOR EVENTS DISTRICT (NSOED)

- **Tarrant County Harambee Festival**
Oct 1 10am to 9pm Evans Plaza
Street Closures: Begin Friday 9/30 at 2pm and end 10/1 at 11pm
Evans from Rosedale to Terrell, Missouri from Rosedale to Terrell,
Verbena from I-35 Service Rd to New York, Pulaski from Missouri
to New York, Dashwood from Evans to New York, Humbolt from
Evans to New York
- **Fall Arts Goggle**
Oct 8 4pm to 10pm Park Place & Daggett Streets
Street closures: Park Place from Enderley to 8th, Daggett from
Houston to S Main
Street closures begin at 2pm and end at 12am

STOCKYARDS OUTDOOR EVENTS DISTRICT (SOED)

OTHER

- **Musicarte de Fort Worth**
Oct 1 12pm to 10:30pm Tarrant Regional Water Dist Prop
- **McLean Mad Hatter's 5 K**
Oct 1 6am to 10 am
- **Lily B Clayton Walk-a-thon**
Oct 7 7:30am to 9:30am Berkeley Neighborhood
- **North Texas Bicycle Rally**
Oct 8 8am to 12pm Keller-Haslet, Park Vista, West Port
- **Handley Fest**
Oct 8 10am to 10pm Historic Handley Area
Street closures: Handley from Lancaster to Craig, Church from
halberd to Forest, Halbert from Lancaster to Routt, Forest from
Lancaster to Routt, Kerr from Halbert to Forest, Routt from Halbert
to Forest
Street closures begin at 12pm 10/7 and end at 12am 10/8

Special Events *Continued...*

Festivals * Runs * Walks

- **Trinity Trot C.A.L.F. 5K and 1 Mile Fun Run**
Oct 8 6:30am to 10am TCU Area
Route: Starts at TCU tennis courts parking lot, to Bellaire Dr N,
to Westcliff Rd N, to Simondale, to Park Hill, to Stadium, to W Berry,
to Bellaire N, finish at TCU tennis courts parking lot
- **PID 7 Heritage Fall Fest**
Oct 8 1pm to 5pm Heritage Trace Center
Street closures: Courtright from Heritage Trace to General Worth,
Burts from Cogley to Heritage Trace
- **Saint Andres Fall Festival and 5K/1Mile Run**
Oct 8 & 9 7am to 7pm
Street closure: Dryden from Stadium to Winfield
Begins at 6am 10/8 and ends at 7pm 10/9
Route: Stadium to Hilltop, to Bellaire Cir, to Encanto, to Trail Lake,
to Suffolk, to Winfield, to Brady to Stadium

Parades

CULTURAL DISTRICT

DOWNTOWN OUTDOOR EVENTS DISTRICT

- **Ride the Rainbow Gay Pride Parade**
Oct 1 10am
Route: Starts at Weatherford and Taylor, to Main, to 7th

NEAR SOUTHSIDE OUTDOOR EVENTS DISTRICT

- **Tarrant County Harambee Parade**
Oct 1 9am to 11am
Route: Starts at Morning Side Elem north on Evans Ave and
ends at Evans and Rosedale

STOCKYARDS OUTDOOR EVENTS DISTRICT

OTHER

- **Huong Dao Temple Parade**
Oct 1 8:30 am to 9:30am
East Rosedale at Edgewood Terrance to Lindsey
- **Dunbar High School Homecoming Parade**
Oct 1 9am
Route: Starts at Dunbar Middle School, to Stalcup, to Ramey, to
Cass, to Truman, to Fitzhugh, to Stalcup

For additional information, please contact 817-392-6672.
New items printed in red.