



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, OCTOBER 31, 2011, THROUGH FRIDAY, NOVEMBER 4, 2011**

MONDAY, OCTOBER 31, 2011

TIME LOCATION

No Meetings

TUESDAY, NOVEMBER 1, 2011

Housing and Economic Development
Committee (HEDC)

1:00 p.m. Pre-Council Chamber

Local Development Corporation

Immediately
following the
HEDC Pre-Council Chamber

Pre-Council Meeting

3:30 p.m. Pre-Council Chamber

City Council Meeting

7:00 p.m. Council Chamber

WEDNESDAY, NOVEMBER 2, 2011

Board of Adjustment-Commercial
Work Session

9:00 a.m. Pre-Council Chamber

Board of Adjustment-Commercial
Public Hearing

10:00 a.m. City Council Chamber

THURSDAY, NOVEMBER 3, 2011

Downtown Design Review Board
Work Session

1:30 p.m. Pre-Council Chamber

Downtown Design Review Board
Public Hearing

2:00 p.m. Pre-Council Chamber

Golf Advisory Committee

4:00 p.m. Parks and Community Services
4200 South Freeway, Suite 2200
Conference Room 2

FRIDAY, NOVEMBER 4, 2011

No Meetings

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on October 27, 2011, and may not include all meetings to be conducted during the week of October 31, 2011, through November 4, 2011. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.

(CANCELLED) LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MEETING

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

FORT WORTH LOCAL DEVELOPMENT CORPORATION
(IMMEDIATELY FOLLOWING THE HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING)
TUESDAY, NOVEMBER 1, 2011
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

PRE-COUNCIL MEETING
TUESDAY, NOVEMBER 1, 2011
(NOTE TIME CHANGE)
3:30 P.M.
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

1. Report of the City Manager - Tom Higgins, City Manager
 - a. Changes to the City Council Agenda
 - b. Upcoming and Recent Events
 - c. Organizational Updates and Employee Recognition(s)
 - d. Informal Reports

2. Questions Concerning Current Agenda Items - City Council Members
 - a. Overview on Significant Zoning Cases - Dana Burghdoff, Planning and Development

3. Responses to Items Continued from a Previous Week
 - a. [M&C G-17415](#) - Conduct a Public Hearing and Adopt Ordinance Designating Tax Abatement Reinvestment Zone No. 77, City of Fort Worth, Texas, for the Alcon Laboratories Property Located at 6201 South Freeway (COUNCIL DISTRICT 8) (Continued from October 18, 2011 by Staff) (PUBLIC HEARING)

 - b. [ZC-11-044](#) - Blanca D. Cantu', 1207 - 1211 Clinton Avenue; from: "A-5" One-Family to: "PD/A-5" Planned Development for all uses in "A-5" One-Family plus a beauty shop; beauty shop to be developed to "ER" Neighborhood Commercial Restricted development standards and to include the existing front yard fence; site plan waiver requested (COUNCIL DISTRICT 2) (Continued from October 18, 2011 by Council Member Espino)

- c. [ZC-11-056](#) - City of Fort Worth Planning & Development, Alta Mere Addition, Generally bounded by Calmont Avenue, Alta Mere Drive, Garza Avenue, and Reagan Drive; from: "A-5" One-Family, "CF" Community Facilities, "C" Medium Density Multifamily, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "IP" Industrial Park, and "PD-654"

Planned Development to: "CF" Community Facilities, and "I" Light Industrial (COUNCIL DISTRICT 3) (Continued from October 18, 2011 by Council Member Zimmerman)

4. Briefing on Changes in Public Hospitals - Robert Earley, JPS Health Network
5. Briefing on Economic Impact of Texas Motor Speedway - Eddie Gossage, Texas Motor Speedway
6. Review of Public Comments Regarding City Council Redistricting and Discussion on Number of Council Districts - Dana Burghdoff, Planning and Development
7. Briefing on Registration of Community Organizations - Dana Burghdoff, Planning and Development
8. City Council Requests for Future Agenda Items and/or Reports
9. Executive Session - The City Council may conduct a closed meeting as authorized by Section 551.071 of the Texas Government Code to seek the advice of its attorneys on legal issues regarding any matter listed on today's City Council Agendas

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ATTACHMENT

**Executive Session
(PRE-COUNCIL CHAMBER, CITY HALL)
Tuesday, November 01, 2011**

Notice is hereby given that the City Council of the City of Fort Worth will hold a special meeting in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas, on Tuesday, November 1, 2011 to consider the items on the agenda listed below. The special meeting will be held at 3:00 P.M. immediately preceding the Pre-Council meeting that begins at 3:30 P.M. in the Pre-Council Chamber at City Hall and before the regular City Council meeting that begins at 7:00 P.M. in the Council Chamber at City Hall.

I. CALL TO ORDER

II. EXECUTIVE SESSION

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

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

- a. Stacy Davidson, Shannan Zillmer, and Tanya Russom v. City of Fort Worth and Daniel Lopez, Civil Action No. 4-11-CV-0713-A;
- b. Daniel St. Clair v. City of Fort Worth, Cause No. 11-00337; and
- c. Legal issues concerning any item listed on today's City Council meeting agendas.

2. Deliberate the purchase, exchange, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and

3. Deliberate economic development negotiations as authorized by Section 551.087 of the Texas Government Code; and

4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

III. ADJOURN

**CITY COUNCIL AGENDA
FOR THE MEETING AT 7:00 P.M. TUESDAY, NOVEMBER 01, 2011
CITY COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

- I. **CALL TO ORDER**
- II. **INVOCATION** - Rabbi Andrew Bloom, Congregation Ahavath Sholom
- III. **PLEDGE OF ALLEGIANCE**
- IV. **CONSIDERATION OF MINUTES OF REGULAR MEETING OF OCTOBER 25, 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-17430](#) - Authorize the Acquisition, Jointly with the City of Dallas, from the State of Texas of a Tract of Land Containing Approximately 34,547 Square Feet Located Adjacent to the South Side of the State Highway 114 Right-of-Way for the Benefit and Use of the Dallas/Fort Worth International Airport for \$86,370.00 and Pay Estimated Closing Costs of \$1,600.00 for a Total of \$87,970.00 (ALL COUNCIL DISTRICTS)
- 2. [M&C G-17431](#) - Authorize Payment to the Retired Employees' Group Death Benefit Fund for Payments of Retiree Death Benefits Under City Code in the Amount of \$175,000.00 (ALL COUNCIL DISTRICTS)
- 3. [M&C G-17432](#) - Approve Findings of the Vehicle for Hire Review Board Regarding Application of Aries Shuttle-Dallas, LLC, to Operate Eleven Shuttles within the City of Fort Worth and Adopt Ordinance Granting Such Authority (ALL COUNCIL DISTRICTS)
- 4. [M&C G-17433](#) - Approve Findings of Ground Transportation Coordinator Regarding Renewal Application of Wynne Enterprise I, LP, d/b/a Wynne Sedan & Limousine Group, to Operate Twenty-Two Limousines within the City of Fort Worth and Adopt Ordinance Granting Such Authority (ALL COUNCIL DISTRICTS)
- 5. [M&C G-17434](#) - Authorize Allocation of \$447,678.00 for Fiscal Year 2012 Costs Associated with Running the Rent Free, City Operated Adoption Center Located within PetSmart, Inc., Store No. 187 Located at 4800 Southwest Loop 820 and Store No. 2065 Located at 2900 Heritage Trace Parkway in Fort Worth, Authorize Dedication and Deposit of Donations, Site Generated Adoption Revenues and PetSmart Charities Adoption Reward Program Revenues to the Special Trust Fund, Authorize Transfer of \$447,678.00 from the Special

Trust Fund to the General Fund, Authorize Solicitation and Acceptance of Donations for Adoption Center Operations and Adopt Appropriation Ordinances (COUNCIL DISTRICTS 2 and 3)

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

1. [M&C P-11317](#) - Authorize Purchase Agreement for High Voltage Switchgear and Motor Rewind Maintenance and Repair Services with Shermco Industries, Inc., Using a Tarrant Regional Water District Contract No. 11-028 for the Water Department in the Amount of \$1,250,000.00 for the First Year (ALL COUNCIL DISTRICTS)
2. [M&C P-11318](#) - Authorize Non-Exclusive Purchase Agreements with Winfield Solutions LLC, BWI Companies and Red River Specialties, Inc., for Agricultural Pesticides and Herbicides for all City Departments for a Combined Amount of \$70,000.00 for the First Year (ALL COUNCIL DISTRICTS)
3. [M&C P-11319](#) - Authorize Purchase Agreements with Longhorn Harley-Davidson and Wild Child Cycles, LLC, for Police Motorcycle Maintenance for the Equipment Services Department for a Combined Amount of \$130,500.00 for the First Year (ALL COUNCIL DISTRICTS)
4. [M&C P-11320](#) - Authorize the Purchase of a Centrifugal Pump and Motor from Smith Pump Company, Inc., for the Water Department in the Amount of \$92,300.00 (COUNCIL DISTRICT 7)
5. [M&C P-11321](#) - Authorize a Sole Source Purchase Agreement with Kinloch Equipment & Supply, Inc., for Repair Services and Replacement Parts for the Equipment Services Department for an Amount of \$75,000.00 for the First Year (ALL COUNCIL DISTRICTS)
6. [M&C P-11322](#) - Authorize a Sole Source Purchase Agreement with Texas Underground, Inc., for Repair Services and Replacement Parts for the Equipment Services Department for an Amount of \$150,000.00 for the First Year (ALL COUNCIL DISTRICTS)

C. Land - Consent Items

1. [M&C L-15276](#) - Authorize Option Agreement for the Sale of Fee-Simple Properties Owned by the City of Fort Worth Along the North Side of Lancaster Avenue Between Throckmorton Street and Monroe Street for the Appraised Value Up to \$650,000.00 to the Fort Worth Local Development Corporation (COUNCIL DISTRICT 9)
2. [M&C L-15277](#) - Authorize the Acquisition of Easement Interest in 0.090 Acres of Land for a Permanent Sewer Facility Easement and 0.091 Acres for a Temporary Construction Easement, Located on Twelfth Avenue, North of Rosedale and East of Forest Park Boulevard from SHG Resources, LP, in the Amount of \$56,600.00, and Pay Estimated Closing Cost of \$3,000.00 for a Total Cost of \$59,600.00 (COUNCIL DISTRICT 9)

3. [M&C L-15278](#) - Authorize Execution of a Lease Agreement with the Fort Worth Hispanic Chamber of Commerce for Office Space at the Northside Community Center (COUNCIL DISTRICT 2)

D. Planning & Zoning - Consent Items - None

E. Award of Contract - Consent Items

1. [M&C C-25254](#) - Authorize Execution of an Engineering Services Agreement in the Amount of \$61,138.00 with Kimley-Horn and Associates, Inc., for Design of the Ridglea Urban Village Streetscape Improvements Project (COUNCIL DISTRICT 3)
2. [M&C C-25255](#) - Authorize Execution of an Engineering Services Agreement with TranSystems, Inc., in the Amount of \$243,322.00 for the Preparation of Plans, Specifications and Construction Estimates for Intersection Capacity Improvements Projects at Various Locations in the Far North and Far Northwest Sectors (COUNCIL DISTRICTS 2 and 7)
3. [M&C C-25256](#) - Authorize Execution of a Contract with Vendigm Construction, LLC, in the Amount of \$294,630.00 for Bridge Repair and Rehabilitation at Seven Locations (COUNCIL DISTRICTS 7, 8 and 9)
4. [M&C C-25257](#) - Authorize Individual Agreements Each in an Amount of \$150,000.00 with TranSystems Inc., and Kimley-Horn & Associates, Inc., for On-Call Traffic Engineering Services on Various City Projects (ALL COUNCIL DISTRICTS)
5. [M&C C-25258](#) - Authorize Amendment No. 2 in the Amount of \$143,832.00 to City Secretary Contract No. 38486 with Freese and Nichols, Inc., for Additional Design Services for the Extension of Stone Road, Alsbury Boulevard Improvements and Water and Sewer Improvements Around Spinks Airport, Authorize Contingency and Project Management Expenses for Transportation and Public Works Department in the Amount of \$238,000.00, Authorize Use of Mineral Lease Revenues and Adopt Appropriation Ordinance (COUNCIL DISTRICT 8)
6. [M&C C-25259](#) - Authorize a Master Utility Adjustment Agreement Between the City of Fort Worth and North Tarrant Express Mobility Partners, Texas Department of Transportation, and Bluebonnet Contractors, LLC, for the North Tarrant Express Highway Expansion Project (COUNCIL DISTRICT 4)

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1832 - Notice of Claims for Alleged Damages and/or Injuries

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Proclamation of Texas Motor Speedway Race Weekend
2. Presentation of Proclamation of Perioperative Nurse Week
3. Presentation of Certificate of Recognition to Downtown Fort Worth Initiative, Inc.
4. Presentation by Fort Worth Biking Community

- X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF**
1. Upcoming and Recent Events
 2. Recognition of Citizens
- XI. PRESENTATIONS BY THE CITY COUNCIL**
1. Changes in Membership on Boards and Commissions
- XII. PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS, COMMISSIONS AND/OR CITY COUNCIL COMMITTEES**
- XIII. ZONING HEARING**
1. [ZC-11-044](#) - **(CD 2)** - Blanca D. Cantu, 1207-1211 Clinton Avenue; from: "A-5" One-Family to: "PD/A-5" Planned Development for all uses in "A-5" One-Family plus beauty shop to be developed to "ER" Neighborhood Commercial Restricted development standards and to include the existing front yard fence; site plan waiver requested **(Recommended for Denial) (Continued from a Previous Meeting)**
 2. [ZC-11-056](#) - **(CD 3)** - City of Fort Worth Planning & Development, Alta Mere Addition, Generally bounded by Calmont Avenue, Alta Mere Drive, Garza Avenue, and Reagan Drive; from: "A-5" One-Family, "CF" Community Facilities, "C" Medium Density Multifamily, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "IP" Industrial Park, and "PD-654" Planned Development to: "CF" Community Facilities, and "I" Light Industrial **(Recommended for Approval) (Continued from a Previous Meeting)**
 3. [ZC-11-099](#) - **(CD 2)** - Haynes Family Properties, LLC, 4022 Keller Hicks Road; from: "A-10" One-Family to: "E" Neighborhood Commercial **(Recommended for Approval)**
 4. [ZC-11-102](#) - **(CD 5)** - Worthington National Bank, 13451 Trinity Boulevard; from: "C" Medium Density Multifamily to: "I" Light Industrial **(Recommended for Approval as Amended)**
 5. [ZC-11-103](#) - **(CD 5)** - Leticia Escatel, 5401 Parker Henderson Road; from: "A-5" One-Family to: "AG" Agricultural **(Recommended for Approval)**
 6. [ZC-11-104](#) - **(CD 9)** - W. I. Cook Foundation, 1006 & 1020 Southland and 927 8th Avenue; from: "D" High Density Multifamily, "E" Neighborhood Commercial, "FR" General Commercial Restricted, and "G" Intensive Commercial to: "G" Intensive Commercial **(Recommended for Approval)**
 7. [ZC-11-105](#) - **(CD 7)** - Lorin Stolz and Adair Construction & Dev., Inc., 10116, 10124, and 10180 Hicks Field Road; from: "K" Heavy Industrial to: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus wholesale metal recycling; site plan included. **(Recommended for Approval)**
 8. [ZC-11-106](#) - **(CD 7)** - BDRC Hulen Place, LTD., 4000 Hulen Street; from: "PD-16" Planned Development/Specific Use for office, banking, specialty, retail and restaurant with restrictions; site plan waived to: "PD/UR" Planned Development for all uses in "UR" Urban Residential; site plan included. **(Recommended for Approval as Amended for 8 ft. masonry fence along residential property)**
 9. [ZC-11-107](#) - **(CD 7)** - Eagle Mountain-Saginaw ISD, 6129 Texas Shiner Road; from: "R-1" Zero Lot Line/Cluster to: "CF" Community Facilities **(Recommended for Approval)**
 10. [ZC-11-108](#) - **(CD 2)** - Realty Capital Golden Beach, LTD., 4401 Golden Triangle Boulevard; from: "CF" Community Facilities and "E" Neighborhood Commercial to: "AR" One-Family Restricted **(Recommended for Approval)**

11. [ZC-11-110](#) - (CD 2) - Metroport Cities Fellowship and Transcontinental Realty Investors, Inc., 11001 Old Denton Road and 11501 North Riverside Drive; from: "PD-903" Planned Development for all uses in "D" High Density Multifamily plus assisted living with dementia care; site plan approved to: "C" Medium Density Multifamily **(Recommended for Approval)**
12. [ZC-11-111](#) - (CD 7) - International Union of Operating Engineers Chapter 178, 6300 Cromwell Marine Creek Road; from: "AG" Agricultural to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus heavy equipment training and a height maximum of 120 feet for training equipment; site plan included. **(Recommended for Approval)**
13. [ZC-11-112](#) - (CD 8) - City of Fort Worth Planning & Development Department, Greenway Neighborhood, Generally bounded by Delga Street, the North Freeway (I-35W), Mony Street, and the Union Pacific Railroad; from: "B" Two-Family, "CF" Community Facilities, "E" Neighborhood Commercial, and "I" Light Industrial to: "A-5" One-Family, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, and "E" Neighborhood Commercial **(Recommended for Approval)**

XIV.

REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-17415](#) - Conduct a Public Hearing and Adopt Ordinance Designating Tax Abatement Reinvestment Zone No. 77, City of Fort Worth, Texas, for the Alcon Laboratories Property Located at 6201 South Freeway (COUNCIL DISTRICT 8) **(Continued from a Previous Meeting) (PUBLIC HEARING)**
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action
2. [M&C G-17435](#) - Schedule a Public Hearing for December 6, 2011 on the Attached Proposed Ordinance Repealing the Moratorium on Salt Water Disposal Wells and Amending Chapter 15 "Gas", Article II, "Gas Drilling and Production" of the City Code, Section 15-42 to Provide for Regulation of Salt Water Disposal Wells (ALL COUNCIL DISTRICTS)
3. [M&C G-17436](#) - Authorize Application for a Federal Grant Under the Transportation Investment Generating Economic Recovery Discretionary Program of the American Recovery and Reinvestment Act for Approximately \$26,400,000.00 for the Construction of the White Settlement Bridge Project with a Local Match in the Amount of \$14,200,000.00 to Be Provided by the Tarrant Regional Water District (COUNCIL DISTRICT 9)

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

D. Land

1. [M&C L-15279](#) - Conduct a Public Hearing and Authorize Subsurface Drilling and Extraction of Natural Gas From an Off-Site Location at Z Boaz North Golf Course (COUNCIL DISTRICT 3)
(PUBLIC HEARING)
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action

E. Planning & Zoning

1. [M&C PZ-2961](#) - Approve Timetable for Proposed City-Initiated Annexation and Authorize Initiation of Zoning for Approximately 12.3 Acres of Land, Located North of Team Ranch Road and West of West Loop 820 South, AX-12-001, Monserrat Commercial, in the Far West Sector in Accordance with the 2011 Comprehensive Plan (COUNCIL DISTRICT 3)

F. Award of Contract

1. [M&C C-25260](#) - Authorize Execution of Contract Amendment No. 13 to City Secretary Contract No. 37974 for an Amount Not to Exceed \$1,798,116.00 with eVerge Group of Texas, Ltd., and Contract Amendment No. 6 to City Secretary Contract No. 37970 for an Amount Not to Exceed \$399,168.00 with International Consulting Acquisition Corporation d/b/a STA Consulting, for Implementation Support Services and Oversight Assistance for the Upgrade of the City's PeopleSoft Human Resources/Payroll System to the Next Software Version (ALL COUNCIL DISTRICTS)
2. [M&C C-25261](#) - Authorize Execution of an Infrastructure Construction Agreement with Event Facilities Fort Worth, Inc., in an Amount Not to Exceed \$8,550,644.80 for Paving, Storm Drainage, Water and Sanitary Sewer Improvements Associated with Phase 2 of the Harley Avenue Realignment Project and Adopt Appropriation Ordinances (COUNCIL DISTRICT 7)
3. [M&C C-25262](#) - Authorize Five-Year Tax Abatement Agreement with CB&C Management, LLC, for Property Located at 3309 Lawnwood Street in the Riverside Neighborhood Empowerment Zone in Accordance with the Neighborhood Empowerment Zone Tax Abatement Policy and Basic Incentives (COUNCIL DISTRICT 8)
4. [M&C C-25263](#) - Authorize Execution of a Tax Abatement Agreement with Alcon Laboratories Holding Corporation or an Affiliate for the Expansion and Renovation of the Existing Alcon Campus located at 6201 South Freeway, Fort Worth, Texas and Waive Certain Related Development Fees (COUNCIL DISTRICT 8)
5. [M&C C-25264](#) - Authorize Execution of a Contract with Coburn's Catering Service, Inc., to Provide Exclusive Concession and Alcoholic Beverage Services at the Will Rogers Memorial Center for a Period of Five Years (COUNCIL DISTRICT 7)

XV. PUBLIC HEARING

1. First Public Hearing for a Proposed City-Initiated Annexation of Approximately 749.5 Acres of Land in Denton and Tarrant Counties, Located North of Westport Parkway and East of Heritage Parkway (AX-11-013 North I-35W Enclave)
 - a. Report of City Staff
 - b. Citizen Comments

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.

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CITY OF FORT WORTH
CITY COUNCIL

HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE

AGENDA

**Tuesday, November 1, 2011
1:00 pm**

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 – Fernando Costa, Assistant City Manager

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1. **Call to Order** – Joel Burns, Chair
 2. **Approval of Minutes from the Meetings Held on October 4, 2011** – Joel Burns, Chair
 3. **Update on Catholic Diocese of Fort Worth Development Activities** - Bishop Kevin Vann and Vice Chancellor for Administration and Finance Director Peter Flynn
 4. **Update on Economic Development Program with GE Transportation** – Robert Sturns, Economic Development Manager
 5. **Presentation on Economic Development Program Agreement with Bell Helicopter** – Jay Chapa, Housing and Economic Development Director

6. **Update on the Energy Assistance and Weatherization Assistance Programs**– Richard Zavala, Parks and Community Services Director, and Cynthia Garcia, Housing and Economic Development Assistant Director
7. **Executive Session** - The Housing and Economic Development Committee will conduct a closed meeting to:
 - A. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by section 551.071 of the Texas Government Code:
 - (i) legal issues related to any current agenda items; 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.
8. **Requests for Future Agenda Items** – Joel Burns, Chair
9. **Date of Next Regular Meeting:** December 6, 2011 – Joel Burns, Chair
10. **Adjourn** - Chair

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**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011**

Present:

Committee Member Joel Burns, Chair
Committee Member Kathleen Hicks, Vice Chair
Committee Member Betsy Price
Committee Member W. B. "Zim" Zimmerman
Committee Member Danny Scarth
Committee Member Frank Moss

Absent:

Committee Member Salvador Espino
Committee Member Jungus Jordan
Committee Member Dennis Shingleton

City Staff:

Susan Alanis, Assistant City Manager
Peter Vaky, Deputy City Attorney
Marty Hendrix, City Secretary
Jay Chapa, Director of Housing and Economic Development Department
Cynthia Garcia, Assistant Director, Housing and Economic Development Department
William Johnson, Assistant Director, Housing and Economic Development Department

Other City Staff in Attendance:

Tom Higgins, Interim City Manager (arrived at 12:22 p.m.)
Fernando Costa, Assistant City Manager
Vicki Ganske, Senior Assistant City Attorney, Law Department
LeAnn Guzman, Assistant City Attorney, Law Department
Robin Bentley, Business Community/Development Coordinator, Housing and Economic Development Department

With a quorum of the committee members present, Chairman Joel Burns called the meeting of the Housing and Economic Committee to order at 11:35 a.m., on Tuesday, October 4, 2011, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas 76102.

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 2 of 18**

Chairman Burns expressed appreciation to Mayor Betsy Price for his appointment as chair of this City Council committee and advised of the importance of the work of the committee.

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

(Agenda Item 2)

MOTION: Upon a motion made by Committee Member Price and seconded by Committee Member Scarth, the committee members voted six (6) “ayes” and zero (0) “nays” to approve the minutes of the Housing and Economic Development Committee meeting held on August 2, 2011 as presented. The motion carried unanimously.

Chairman Burns adjourned the regular meeting of the Housing and Economic Development Committee into Executive Session at 11:35 a.m.

Executive Session

(Agenda Item 3)

Chairman Burns called to order the Executive Session at 11:35 a.m. in order to discuss the following items:

- A. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (i) legal issues 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.

Chairman Burns adjourned the Executive Session at 12:00 p.m., on Tuesday, October 4, 2011.

Chairman Burns reconvened the regular session of the Housing and Economic Development Committee at 12:00 p.m.

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 3 of 18**

Written Reports

(Agenda Item 4)

Chairman Burns advised that the following written reports had been provided as a matter of information to the committee members:

- 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

Chairman Burns opened the floor for questions and/or comments.

Committee Member Hicks referenced the memo regarding the proposed changes to the Mayor's Advisory Commission on Homelessness. She indicated that she had not had a chance to look at this information and she apologized. She added that in moving forward she hoped that there would be availability for new people to join the commission. She also challenged the City Council that they try to make sure that they had folks that live along the corridor that were represented. She added that she appreciated the Mayor coming to her and asking for some suggestions. She added that she felt it was very important that the folks that were in the area and living with the issues, particularly the folks that were living in the East Lancaster corridor were included in the commission. She indicated that she had been told that individuals who should serve should have the ability to understand the issues. She added that she felt there would be a number of citizens that would be very good. She indicated that she felt if there was diversity with the citizens that were most affected, then the City would have that buy in and it would help the City to move forward in dealing with the issue of homelessness. She reiterated that she hoped that the Council obtained folks for this commission that were directly affected by this issue.

Jay Chapa, Director of Housing and Economic Development Department, advised that the purpose of the memo was to get the committee's feedback on the second box on the proposed changes to be made to the City's ordinance. Director Chapa indicated that he understood Committee Member Hicks' request. He added that the way they were trying to address the membership issue was to increase the number of members on the committee so that they could include more neighborhood representatives, specifically from the area that had been identified by Committee Member Hicks. He reiterated that City staff was requesting their input on the

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 4 of 18**

Written Reports (cont'd)

(Agenda Item 4)

proposed changes to the ordinance and that might be an issue. He added that they could either send their responses to the City staff by e-mail or provide directions at this meeting. He indicated that they would incorporate any changes and then bring back the proposed ordinance to the City Council with a Mayor and Council Communication (M&C).

Chairman Burns indicated that he agreed with Committee Member Hicks' comments on the need to have folks in the community that were affected by the homeless population. He pointed out that there were a number of folks that lived up and down Hemphill that were also affected due to the social services that were located in that area. He added that they were interested in what happens with the City's homelessness program.

Committee Member Price expressed her concern for removing the faith-based community and the criminal justice expert. She asked if the assumption was that they would fall under one of the other spots.

Mr. Chapa indicated that was correct. Committee Member Price questioned whether there would be a guarantee that they would. Director Chapa indicated that there was no guarantee; however, having had the committee had been in place for a number of years. He added that the recommendation would come from Otis Thornton, the Human Services Manager, to him and the department and then to the City Manager's Office. He added that they wanted a good mix of individuals to serve. Committee Member Price pointed out that all of the groups were important; however, she felt those two groups the City could hardly do without.

Committee Member Hicks also requested clarification on the memo regarding the Social Compact Study and that the entire market drilldown for the City would be completed by the end of this month. Mr. Chapa indicated that it was complete and that the City staff was going to be obtaining the statistics. He added that what had been provided to the committee were the eight (8) neighborhoods where there was significant disparity. He added that they were in the CDBG eligible areas and targeted areas. He stated that those were the neighborhoods that they now have this information on. He added before the end of the month, they should be receiving the exact statistical information by neighborhoods. He added that they would be able to use that information for marketing purposes for retail opportunities, etc.

Committee Member Hicks expressed that this was great. She indicated that she could not over state how important this information was and it was particularly important in getting the Masonic Home deal done in her City Council district. She added that they were really undercounted in that area as to their buying power in the community. She explained that her

Written Reports (cont'd)

(Agenda Item 4)

conversations with the development community emphasized how important the information was that was found in the social compact studies, particularly in a difficult economic climate in order to get development or redevelopment going. She added that she was going to be very interested to see what the numbers were in particular areas now. Committee Member Hicks also indicated that she felt this could get the City more money from the federal government as well.

There was no further discussion on these reports. These reports were received as a matter of information.

**Update on Proposed Changes to Fort Worth
Housing Trust Fund**

(Agenda Item 5)

Jay Chapa, Director of Housing and Economic Development Department, spoke before the committee on the update to the proposed changes to the Fort Worth Housing Trust Fund. Mr. Chapa provided some background information on the Home Repair Program that was part of the Fort Worth Housing Trust Fund. He pointed out that the City was struggling with that program and its various components. He added that the program was not going to work to meet all of the federal guidelines and would not allow the City to administer the program from a lot of different perspectives. He stated that the program was placed on hiatus and the City staff worked with the Department of Housing and Urban Development (HUD) to see how the program should be structured and to get the biggest bang for the bucks that were available. He pointed out that the program was to keep and maintain the City's affordable housing stock. He advised that the proposed changes consisted of changes to the application process, the selection process, the program guidelines and the Request for Proposal (RFP) for the contractor to manage the program and repairs.

Mr. Chapa spoke about the qualifications for the program as follows:

- Property must be located in Fort Worth
- Owner-occupied
- Must be a citizen or legal resident alien
- Applicant(s) income must be below 80% area medium income
- Up to \$50,000 available for eligible repairs of the home

Mr. Chapa pointed out that these funds were only available to individuals living in the CDBG eligible areas of the City.

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 6 of 18**

**Update on Proposed Changes to Fort Worth
Housing Trust Fund (cont'd)**

(Agenda Item 5)

Mr. Chapa reviewed the application process as follows:

All documents must be included in application to determine eligibility

- Ownership
- Income

Submit application on-line or in person

Mr. Chapa reviewed the selection criteria as follows:

- Lottery process
 - Select 30 applications
 - Based upon
 - \$1,138,887 in available CDBG funds
 - Up to \$50,000 in repairs
 - Last seven (7) on the list notified that repairs would be made depending on available funds
- Once 30 selected – program closed for the year

Mr. Chapa reviewed the proposed program and repairs as follows:

- City would issue an RFP to identify contractor to management process and repairs
- City would develop policy for the program and repairs
 - Warranty and insurance required from contractor
- City would qualify homeowners
- City would inspect the home
 - Before the repairs were completed to identify eligible repairs
 - After the repairs were completed to ensure completed property

Mr. Chapa presented the program repair guidelines as follows:

Major system repairs

Water

Sewer

Electrical

Gas

Room Repairs

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 7 of 18**

**Update on Proposed Changes to Fort Worth
Housing Trust Fund (cont'd)**

(Agenda Item 5)

Bathrooms
ADA requirements

Mr. Chapa reviewed the proposed timeline as follows:

RFP process to identify contractor	Dec 2011 – Jan 2012
Policy, guidelines and contractor Approved by Council	January 2012
15-day application period	February 2012
Review of applications to determine if complete	February 2012
Lottery	March 1, 2012
Repair Program Begins	March 2012

Mr. Chapa completed his presentation.

Chairman Burns opened the floor for questions and/or comments. He stated that he was glad that this new program was focusing on the major system repairs, rather than on remodeling which was allowed in the previous program.

Committee Member Hicks requested clarification about the people that were placed on the waiting list and what would happen to them. Mr. Chapa stated that the City would be sending out letters to those individuals advising them that the program that they registered for no longer existed. He added that they would be advised about the new program and that they could apply for that new program. Committee Member Hicks expressed concern that they were just done. Mr. Chapa explained that there was just no way to address that issue. He pointed out that their estimate to fix all of the homes of the people on the list would be \$10 million. Committee Member Hicks questioned how many people were on the list. Mr. Chapa indicated that it was about 283. Committee Member Hicks clarified with Mr. Chapa that basically they were starting over. She also expressed her concerns for the people that did not have access to the Internet. She asked how the City staff was going to get the word out to the citizens about the program and the fact that it was changing so significantly and the time period for applications. She added that while certain people could apply on-line, she was worried about the people that did not have this advantage and that they really needed this funding. Mr. Chapa explained that once the new application form was completed, it could be forwarded to the people that had been on the waiting list. Committee Member Hicks indicated that she understood the need for a lottery system because the City simply could not get to everyone. She explained that once this program was

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 8 of 18**

**Update on Proposed Changes to Fort Worth
Housing Trust Fund (cont'd)**

(Agenda Item 5)

completed, she hoped that this program could be done in diverse areas of the City and that it benefitted people from all over the City. Mr. Chapa clarified that this program was only available to those living in CDBG eligible areas. Committee Member Hicks reiterated her concerns for how this information would get out to the community and how they will be notified about the numerous changes that were being made from the prior program. She indicated that she supported the use of the funding for the major system repairs. She pointed out the short window of opportunity for the citizens to apply for this program.

Committee Member Moss referenced that the program was going to address major systems; however, he requested clarification on heating and air conditioning units and roofing. Mr. Chapa indicated that they were trying to address elements of the electrical system and gas systems and suggested that those elements could be parts of those systems. Mr. Chapa indicated that roofs should be included as part of the application process. Committee Member Moss asked whether the weatherization/winterization program could be combined with this overall program. Mr. Chapa indicated that this program would be worked on its own with Community Development Block Grant Funds. He added that they could let the citizens know about the weatherization program and it could be combined. He did point out that the contractors were going to be different. He stated that a weatherization specialist had a different skill set and licenses from the other contractor. Mr. Chapa added that it could be a portion of the total house redo. He explained that they could advise the homeowner to apply for the weatherization program if during the systems check they found problems with the windows, as an example.

Committee Member Scarth referenced the comments made by Committee Member Hicks about getting the word out about the program to the citizens. He suggested that a PowerPoint presentation be put together that could be easily distributed to the various neighborhood associations and/or leader lists that could be presented at the neighborhood meetings. He indicated that this would be better and provide an alternative to having staff have to make those presentations at the neighborhood meetings. Mr. Chapa indicated that they had planned to work with the City's Public Information Office to create some news releases and other communication efforts. He reiterated that they were going to send letters to the people who were currently on the waiting list and could include the PowerPoint as additional information.

Committee Member Price suggested that the faith-based groups and the senior centers also be provided with this information. She added that they often have community outreach people affiliated with their organizations.

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 9 of 18**

**Update on Proposed Changes to Fort Worth
Housing Trust Fund (cont'd)**

(Agenda Item 5)

Committee Member Moss added that he felt it would be important for many of the faith-based groups. He explained that a lot of the people would not be able to complete those applications without some support or some help. He felt the faith-based groups could go in and provide that type of support in order to make sure that those individuals have a completed application.

Committee Member Hicks also talked about the important of using the faith-based groups. She indicated that she had her District 8 Town Hall meeting coming up soon as well. She added that she felt that was an excellent point. She stated that there needed to be a lot of communication so that the City Council Members were not receiving phone calls about the process being confusing and that the citizens could not complete the application process. She indicated that she had received phone calls in the past and she had no idea what the application looked like in order to help the people that were calling.

Chairman Burns indicated that he felt it was important to maintain expectations, i.e., that there will be 23 that will receive the funds and seven (7) that will only receive funds as they become available. He pointed out that this was a very limited number in comparison to the number of people that probably had the need.

Committee Member Moss also suggested some free training sessions on how to complete the application so that the City staff would not necessarily get involved in completing the applications. He felt it was important that people see and learn how they would go about meeting the requirements. He felt this would be very helpful.

This completed the presentation and discussion on this agenda item.

**Recommended Changes to the City's
Minority/Women Business Enterprise
Ordinance (Ordinance No. 15530)**

(Agenda Item 6)

Mr. William Johnson, Assistant Director of the Housing and Economic Development Department spoke before the committee on the proposed City's Minority/Women Business Enterprise (M/WBE) Draft Ordinance and the Minority/Women's Business Enterprise Advisory Committee's Draft recommendation.

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 10 of 18**

**Recommended Changes to the City's
Minority/Women Business Enterprise Ordinance
(Ordinance No. 15530) (cont'd)**

(Agenda Item 6)

Using a PowerPoint presentation, Mr. Johnson spoke before the committee on the purpose of today's presentation as follows:

- To present an overview and schedule for the proposed changes to the City's M/WBE Ordinance
- Present the M/WBE Advisory Committee review process and recommendations or proposed changes to the City's M/WBE Ordinance
- Review legal basis for the City's M/WBE Ordinance
- Present results of the stakeholder outreach
- Seek the Council's direction and approval to move forward with adoption of proposed changes to the City's M/WBE Ordinance.

Mr. Johnson reviewed the schedule of the process as follows:

March 2008 – August 2010	Mason Tillman conducted disparity study
February 2010 – May 2011	M/WBE Advisory Committee developed proposed ordinance revisions
June 7, 2011	Brief Housing and Economic Development Committee
June – September, 2011	See external stakeholder input
September, 2011	Review external stakeholder input
October, 2011	Present proposed changes to ordinance to City Council
October – November, 2011	City Council consideration of new ordinance

Mr. Johnson presented the review process as follows:

- The City Council appointed Minority and Women Business Enterprise Advisory Committee (M/WBE AC) tasked to develop proposed ordinance revisions
- The City engaged outside legal counsel to provide study oversight and consultation for ordinance revision process

Mr. Johnson recognized the M/WBE Advisory Committee Members as follows:

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 11 of 18**

**Recommended Changes to the City's
Minority/Women Business Enterprise Ordinance
(Ordinance No. 15530) (cont'd)**

(Agenda Item 6)

William Giron, Co-Chair
Veronica Chavez Law, Co-Chair
David Berzina
Christine Chapman
Sundra Davis
Dennis Duncan
Ramon Guajardo
Linda Labeau
Glenda Thompson

He recognized members that were in attendance at the meeting: Ramon Guajardo, Glenda Thompson and Melody Woodson was here representing David Berzina. He explained that the advisory committee put in a tremendous amount of work and effort in this process. He added that there was a lot of healthy discussion, analysis and dialogue to get to their recommendation.

He provided a clarification that the City's M/WBE ordinance related to purchases of goods and services that the City either contracted for or subcontracted for. He added that it did not pertain to the City's economic incentive policy regarding M/WBE services. He pointed out that those were negotiated directly with the developers or corporations requesting the incentive policies and thus it fell outside of the City's M/WBE ordinance.

He advised that the North Central Texas Council of Governments hired Mason Tillman Associates, Ltd. He stated that in 2008, they conducted a study update on behalf of the stakeholders of the City of Fort Worth, Fort Worth Independent School District, the Fort Worth Transportation Authority, the City of Arlington, the Dallas/Fort Worth International Airport and the North Texas Tollway Authority.

Mr. Johnson reviewed the legal basis for the program. He advised that the state and local governments were required to validate a statistically significant underutilization of minority and/or women-owned businesses before establishing an M/WBE Goals-Based Program. He added that the courts considered availability and disparity studies to be an acceptable method of validating underutilization and identifying remedies. He stated that the City of Fort Worth's existing M/WBE Ordinance was adopted and became effective in June of 2003. He added that the study should be completed within five (5) to seven (7) years from the date of adoption.

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 12 of 18**

**Recommended Changes to the City's
Minority/Women Business Enterprise Ordinance
(Ordinance No. 15530) (cont'd)**

(Agenda Item 6)

Mr. Johnson reviewed the list of agencies that had been part of the stakeholder meetings. Those agencies were:

1. Fort Worth Metropolitan Black Chamber of Commerce
2. Fort Worth Hispanic Chamber of Commerce
3. National Association of Women in Construction
4. Association of General Contractors (Vertical Construction Group)
5. Association of General Contractors (Heavy Highway)
6. Tarrant County Contractors Association
7. Minority Business Development Council*
8. Women's Business Council Southwest*
9. Black Contractors Association
10. Hispanic Contractors Association (discussed with Exec. Director)
11. Minority Design Professional Council

Mr. Johnson clarified the note for the agencies marked with an "*" were Tarrant County College (TCC) hosted these meetings at their Trinity River Downtown Campus and TCC and Tarrant County assisted the City with coordination and email blasts to advertise these meetings to a broad base of groups.

Mr. Johnson provided a summary of the stakeholder meetings as follows:

Collaborative, constructive comments and concerns
Assertive and passionate, but also respectful
Positive regarding some of the proposed changes
Common themes from meetings
 Concern on reduced market area*
 Concern on good-faith-effort requirement for two modes of solicitation
 Concern regarding inability to include women-owned firms
 Concern regarding inability to set goals in some categories
 Concern regarding reduced participation over time
 Established excellent framework for on-going collaboration

Mr. Johnson explained that the item marked with an "*" was to indicate that the recommendation was revised to address this concern.

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 13 of 18**

**Recommended Changes to the City's
Minority/Women Business Enterprise Ordinance
(Ordinance No. 15530) (cont'd)**

(Agenda Item 6)

Mr. Johnson provided a chart showing the Prime Contractor Disparity Findings under \$500,000.00 and explained the results. He then provided a chart showing the Subcontractor Disparity Findings and explained those results.

Mr. Johnson reviewed the market area findings which were that under the existing ordinance the relevant market area was a nine (9) county area. He added the City of Fort Worth's relevant market area (80% of the City's spending) was Tarrant and Dallas Counties.

Mr. Johnson continued his presentation and reviewed the M/WBE Advisory Committee's recommendation for proposed ordinance changes as follows:

1. Ordinance name
2. Market area – number of counties
3. Market area – firm eligibility
4. Good faith effort
5. Procurements less than \$50,000.00
6. Goal setting threshold
7. Joint Ventures
8. Prime Program
9. Small Business Enterprise Program
10. Overall goals

Mr. Johnson took each of the above recommendations and advised of the recommendations as follows:

1. Ordinance name recommendation: Business Diversity Ordinance
2. Market area: Geographic area where a municipality spends 80% of its dollars

Existing: Tarrant, Dallas, Collin, Denton, Ellis, Johnson, Kaufman, Parker and Rockwall

Recommendation: Tarrant and Dallas, plus: Denton, Wise, Parker and Johnson

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 14 of 18**

**Recommended Changes to the City's
Minority/Women Business Enterprise Ordinance
(Ordinance No. 15530) (cont'd)**

(Agenda Item 6)

Existing: All firms currently doing business in the market area at the time of bid/proposal count towards goal.

Recommendation: Only firms with an office in the market area would be counted towards goal.

3. Good Faith Effort: Steps that a prime must provide that it took if goal was not met.

Existing: If more than 10 M/WBEs in a subcontracting area, only 2/3rds of the list must be solicited. Required two (2) to three (3) methods: mail, phone call or fax.

Recommendation: E-mail added as an acceptable bid solicitation method. Due to reduced market area, 100% of MBE list must be solicited for each subcontracting area.

4. Procurements less than \$50,000.00

Existing: Encourage use of M/WBEs and develop procedures, as needed, to emphasize the use of M/WBEs

Recommendation: Adopt specific departmental procedures to emphasize the use of M/WBEs

5. Goal setting threshold

Existing: \$25,000.00

Recommendation: \$50,000.00

6. Joint Venture Program Element

Existing: Encourages the use of joint ventures and counts participation towards goal.

**Recommended Changes to the City's
Minority/Women Business Enterprise Ordinance
(Ordinance No. 15530) (cont'd)**

(Agenda Item 6)

Recommendation: Adds evaluation preference points when a respondent is a joint venture with at least one qualified M/WBE joint venture partner.

7. M/WBE Prime Program Element

Existing: None

Recommendation: For solicitation of construction, architectural and engineering and other professional services less than \$150,000, allocate up to 20% of weighted selection criteria for minority and/or woman-owned businesses. M/WBE prime cannot subcontract more than 49% to non-M/WBE firms.

8. Small Business Enterprise (SBE) Program

Existing: None

Recommendation: The City may establish SBE subcontracting goals for firms meeting the US Small Business Administration's (SBA's) standards. Overall goal of 15% for SBE.

9. Overall Program Contracting Goal

Existing: 25%

Recommendation: Based on the results of the City's availability and disparity study, race-conscious goals can only be applied in two categories:

Construction (MBE) – all categories = 25%
Professional Service – African American = 15%

10. Overall program contracting goal

Note: The City will monitor the utilization of women and minority-owned firms in the areas where subcontracting goals are no longer applied. If the

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 16 of 18**

**Recommended Changes to the City's
Minority/Women Business Enterprise Ordinance
(Ordinance No. 15530) (cont'd)**

(Agenda Item 6)

trend reflects a significant underutilization, then the City will investigate potential adjustments to the new ordinance that are legally permissible, specifically the re-establishment of race and gender specific subcontracting goals in the affected areas.

Mr. Johnson advised of the next steps in this process as follows:

- Staff recommends that the City Council formally adopt the availability and disparity study and the proposed changes to the M/WBE Ordinance.
- Mayor and Council Communication for consideration by the City Council will be placed on the City Council agenda in November 2011.
- Staff recommends that the effective date of the adopted ordinance be March 1, 2012, to ensure adequate time to implement and communicate new processes and procedures.

Mr. Johnson completed his presentation.

Chairman Burns opened the floor for questions and/or comments. Chairman Burns requested clarification from Mr. Johnson on how he was going to monitor the utilization of women and minority-owned firms in the areas where subcontracting goals were no longer applied. Mr. Johnson indicated that they were still going to require the contractors to tell the City who they were using, even if they had a contract where they were not setting a subcontracting goal. He added that when the contract was closed out, they would be looking to see what they paid to those firms. He explained the information would be maintained in a database so that it could be tracked so that they could see if there was any type of trends or significant drop off. Chairman Burns requested clarification on how often they were required to conduct these studies. Mr. Johnson indicated that there was no hard and fast rule; he stated that typically the disparity studies were done from five, six, or seven years. He pointed out that the further out that a study was done, the staler the data became. He indicated that the pragmatic practice was to have them pretty regular. He clarified that gathering the statistical information would just be part of their tracking process.

This concluded the presentation and discussion on this agenda item.

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 17 of 18**

Request for Future Agenda Items

(Agenda Item 7)

Chairman Burns opened the floor for requests for future agenda items.

Committee Member Moss stated that he wanted to see a report provided to this committee on the City's weatherization/winterization program and also energy assistance programs so that everyone could get a general idea how all of those programs worked together.

Committee Member Hicks indicated that she agreed with this request. She stated that she remembered last year there was only a finite period of time and so that a lot of that funding went to apartments. She added that she felt that the City needed to make sure that those dollars were going into housing stock. She explained that there was a real need there. Committee Member Hicks indicated that it was great to receive more dollars and that the City was able to use them; however, she was concerned about the dollars going back to the homes and the zip codes that really need the help. She added that she appreciated Committee Member Moss requesting this information.

Committee Member Moss explained that he remembered that the City had started with \$13 million and that the City thought that there was a time limit on when those funds could be expended. He added that some of those timeframes had been extended. He stated that he needed to be comfortable with when those timeframes had been extended to what time and how many dollars were going to be available to be expended. He talked about the energy assistance programs and that those tied back into what the City was trying to do.

**Date of Next Regular Meeting –
November 1, 2011**

(Agenda Item 8)

Chairman Burns advised that the next regular meeting of the Housing and Economic Development Committee would be held on Tuesday, November 1, 2011.

Adjourn

(Agenda Item 9)

With no further presentations or discussions, Chairman Burns adjourned the regular meeting of the Housing and Economic Development Committee at 12:53 p.m., on Tuesday, October 3, 2011.

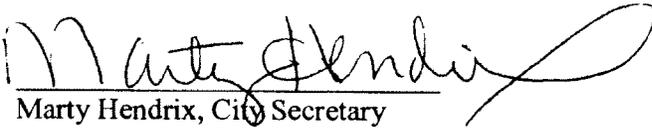
These minutes approved by the Housing and Economic Development Committee on the 1st day of November, 2011.

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
OCTOBER 4, 2011
Page 18 of 18**

APPROVED:

Joel Burns, Chairman

Minutes Prepared by and Attest:



Marty Hendrix, City Secretary

FORT WORTH LOCAL DEVELOPMENT CORPORATION

AGENDA

Tuesday, November 1, 2011

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

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

Board of Directors

Frank Moss, President

Danny Scarth, Vice-President

Dennis Shingleton, Trustee

Zim Zimmerman, Treasurer

Joel Burns, Trustee

Kathleen Hicks, Trustee

Betsy Price, Trustee

Jungus Jordan, Trustee

Salvador Espino, Trustee

Staff Liaison: Fernando Costa, Assistant City Manager

-
1. **Call to Order – Danny Scarth**
 2. **Approval of Minutes from the Meeting Held on October 4, 2011 – Danny Scarth**
 3. **Written Reports – Danny Scarth**
 - a. Financial Report through September 30, 2011
 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. **Authorize Execution of Tax Increment Financing Development Agreement with Board of Directors of Tax Increment Reinvestment Zone Number Eight, City of Fort Worth, Texas (Lancaster TIF) for Construction of Lancaster Avenue Parking Garage– Jay Chapa**
6. **Requests for Future Agenda Items – Danny Scarth**
7. **Adjourn – Danny Scarth**

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, OCTOBER 4, 2011**

Present:

President Frank Moss
Vice President Danny Scarth
Treasurer W.B. “Zim” Zimmerman
Director Betsy Price
Director Joel Burns
Director Kathleen Hicks

Absent:

Director Espino
Director Jordan
Director Dennis Shingleton

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, Assistant Director, Housing & Economic Development Department
Coy Gray, Senior Administrative Services Manager, Housing & Economic Development Dept.

Other City staff in attendance included:

Fernando Costa, Assistant City Manager
Robert Sturns, Economic Development Manager, Housing & Economic Development Dept.
Henry Day, Senior Management Analyst, Housing & Economic Development Department
Robin Bentley, Community Development Manager, Housing & Economic Development Dept.
LeAnn Guzman, Assistant City Attorney

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 1:01 p.m. on Tuesday, October 4, 2011, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas, with Directors Espino, Jordan and Shingleton absent.

**CITY OF FORT WORTH, TEXAS
 FORT WORTH LOCAL DEVELOPMENT CORPORATION
 CALLED – SPECIAL SESSION
 THURSDAY, OCTOBER 4, 2011
 Page 2**

**Approval of Minutes from Meeting Held on
 September 8, 2011**

(Agenda Item 2)

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

MOTION: Upon a motion made by Director Burns and seconded by Director Scarth, the Board of Directors of the Fort Worth Local Development Corporation voted unanimously six (6) “ayes” and zero (0) “nays”, with Directors Espino, Jordan and Shingleton absent, to approve the minutes of the September 8, 2011, meeting of the Fort Worth Local Development Corporation. The motion carried.

Consideration of Financial Report

(Agenda Item 3a)

President Moss referenced the following financial report:

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

Assets	
Cash and cash equivalents	\$1,917,593.61
Interest Receivable	7,438.20
Accounts Receivable	<u>00.00</u>
Total Assets	<u>\$1,925,031.81</u>
Liabilities and Fund Balance	
Accounts and Contracts Payable	0.00
Total Liabilities	0.00
Fund Balance (Deficit)	
Designated for Authorized Expenditures	\$2,492,627.92
Net Income	(567,596.11)
Undesignated	<u>0.00</u>
Total Fund Balance	1,925,031.81
Total Liabilities and Fund Balance	<u>\$1,925,031.81</u>

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

**CITY OF FORT WORTH, TEXAS
 FORT WORTH LOCAL DEVELOPMENT CORPORATION
 CALLED – SPECIAL SESSION
 THURSDAY, OCTOBER 4, 2011
 Page 3**

Consideration of Financial Report (cont'd)

(Agenda Item 3a)

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		\$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		\$1,190,396.02

Excess (Deficiency) of Revenues Over (Under) Expenditures (\$567,596.02)

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

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

**CITY OF FORT WORTH, TEXAS
 FORT WORTH LOCAL DEVELOPMENT CORPORATION
 CALLED – SPECIAL SESSION
 THURSDAY, OCTOBER 4, 2011
 Page 4**

Consideration of Financial Report (cont'd)

(Agenda Item 3a)

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	<u>1,212,464.29</u>
Unrestricted Cash Available	<u><u>\$670,615.39</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.

**Memo Regarding Proposed Changes to Bylaws
 and Bank Accounts**

(Agenda Item 3b)

President Moss referenced the staff’s memorandum regarding the proposals for changes to by Corporation’s bylaws and the creation of separate bank accounts for the Corporation.

President Moss stated that he had questions regarding the memorandum and asked Mr. Jay Chapa, Director, Housing and Economic Development Department, to provide a briefing to the Corporation on this item.

Mr. Chapa stated that staff was considering changes to the bylaws of the Fort Worth Local Development Corporation (LDC) to have them mirror more closely with those of the Fort Worth Housing Finance Corporation (HFC). He advised that in the past the LDC was a property owning entity and now that it was being used more for development and becoming more involved, the staff would like to create the same type of structure as like the HFC. He

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
THURSDAY, OCTOBER 4, 2011
Page 5**

**Memo Regarding Proposed Changes to Bylaws
and Bank Accounts**

(Agenda Item 3b)

added that with the HFC, the City Manager acted in the capacity of General Manager and that there was also an Assistant General Manager. He further added that the restructuring would also assist in defining the roles of staff who worked on particular programs. He pointed out that there was also a need to make sure there was a clear separation between the LDC and the City, and for corporate reasons, the LDC's function was clearly defined. He also added that this would also allow for the staff to determine whether it was necessary to create another bank account to separate the LDC funds from the City funds, as those funds were currently held within the City's finances.

President Moss asked if staff would also be looking who the LDC fell under insofar as auditing and other issues. Mr. Chapa responded affirmatively and added that there was an outside audit performed for the HFC and financial management was held by the City.

President Moss opened the floor for discussion and/or comments on this memorandum. There was no further discussion or formal action on the memorandum and it was accepted as presented.

Executive Session

(Agenda Item 5)

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

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

This agenda item was passed over.

**CITY OF FORT WORTH, TEXAS
 FORT WORTH LOCAL DEVELOPMENT CORPORATION
 CALLED – SPECIAL SESSION
 THURSDAY, OCTOBER 4, 2011
 Page 6**

**Adopt Resolution Approving Budget for the 2011-
 2012 Fiscal Year**

(Agenda Item 5)

Mr. Coy Gray, Administrative Services Manager, Housing and Economic Development Department, presented the 2011-2012 Fiscal Year Budget for the Fort Worth Local Development Corporation. Using a PowerPoint presentation, Mr. Gray and outlined the proposed budget as follows:

REVENUES	Property Tax Reimbursements	\$ 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
	TOTAL REVENUE	\$1,389,556.34

Mr. Gray advised the Corporation of the following expenditures:

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	65,000.00
	Security System	5,280.00
	Storm Water Utility	32,400.00
	Surveys and Appraisals	5,000.00
	Transfers to City	26,000.00
	Utilities	20,200.00
	TOTAL EXPENDITURES	\$1,220,940.98
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER)		\$168,615.36

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
THURSDAY, OCTOBER 4, 2011
Page 7**

**Adopt Resolution Approving Budget for the 2011-
2012 Fiscal Year (cont'd)**

(Agenda Item 5)

Mr. Gray pointed out that staff received information yesterday pertaining to the Repairs line item. He advised that in the packet previously received by Corporation members, the line item reflected \$40,000.00; however, \$25,000.00 had to be added to the line item because of some environmental disposal issues at the Blue Mound facility associated with some chemicals left by America Iron Horse Motorcycle Company, Inc. when they vacated the property. He stated that staff recommended the Corporation amend the budget to reflect the change to the Repairs line item of \$65,000.00 and the overall Total Expenditures of \$1,220,940.98

President Moss opened for the floor for discussion on this issue.

President Moss referred to the revenues portion of the budget and inquired if the amount reflected in the Enhanced CFA from City line item was income. Mr. Gray stated that the income was from the Evans and Rosedale project where the funds were expended from the LDC and were now coming back to the LDC as revenue.

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

MOTION: Upon a motion made by Director Zimmerman and seconded by Director Scarth, the Board of Directors of the Fort Worth Local Development Corporation voted unanimously six (6) “ayes” and zero (0) “nays”, with Directors Espino, Jordan and Shingleton absent, to approve and adopt Resolution No. FWLDC-2011-16 as amended. The motion carried.

**Adopt Resolution Authorizing the Purchase of
Property Located Within the Boundaries of
Lancaster, Jennings, 13th Street and Throckmorton
Street for the Proposed Mixed Use Development on
West Lancaster Avenue**

(Agenda Item 6)

Mr. Jay Chapa, Director, Housing and Economic Development Department, addressed the Corporation regarding the proposed resolution. Using a PowerPoint Presentation, Mr. Chapa began by displaying an aerial view of the property under consideration and noted that the property in green was for residential use, in blue for office use and in gray for the parking garage. His next slide contained information pertaining to the project overview, current status and next steps for the development as follows:

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
THURSDAY, OCTOBER 4, 2011
Page 8**

**Adopt Resolution Authorizing the Purchase of
Property Located Within the Boundaries of
Lancaster, Jennings, 13th Street and Throckmorton
Street for the Proposed Mixed Use Development on
West Lancaster Avenue (cont'd)**

(Agenda Item 6)

- Project Overview:
 - Total Project Cost: \$25-\$35 Million
 - Includes development of:
 - Two residential complexes, both with retail on the ground floor, with at least 100 apartments.
 - Office complex with retail on ground floor.
 - Parking garage to service all three buildings.
- Current Status:
 - LDC has hired development consultant. Market studies, preliminary building designs, surveys, title work, etc., are underway.
 - City of Fort Worth has awarded \$2,000,000.00 to the project for the Development of Affordable Housing.
- Next Steps:
 - LDC needs to acquire property for development.

Mr. Chapa transitioned to the next slide entitled Ownership of Area Properties and advised that the LDC would need to acquire the two (2) properties outlined in red from the City of Fort Worth and also acquire the property outlined in green from the Catholic Diocese who were partners in his program. He pointed out that the diocese would either sell the property as part of the negotiation or would provide the property in exchange for parking spaces in the proposed parking garage. He advised that the properties outlined in yellow (TCCC) and in blue (Meekins Family) were potentially available and staff needed approval from the Corporation to make an offer and provide earnest money to secure options if an agreement was reached.

Mr. Chapa advised of the June 2011 original proposal by the Corporation to purchase the City's property as follows:

- Long term Lease/Option to Purchase City-owned property along Lancaster.
 - Rent and Option Fee (approximately \$40,000.00).
 - Amount for closing costs associated with purchase of the property from the state (*Texas Department of Transportation*).
- At time of sale, City receives appraised value of the land, LDC receives value of improvements.

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
THURSDAY, OCTOBER 4, 2011
Page 9**

**Adopt Resolution Authorizing the Purchase of
Property Located Within the Boundaries of
Lancaster, Jennings, 13th Street and Throckmorton
Street for the Proposed Mixed Use Development on
West Lancaster Avenue (cont'd)**

(Agenda Item 6)

- Parking on the Zipper Building to be replaced in parking garage; one off-street parking space is required for the MCI lease will remain.

Mr. Chapa then presented the following information regarding the new proposal recommended by staff:

- In order to simplify the financing of the project, staff recommends sale of the property instead of long term lease/option.
- Purchase price – Approximately \$483,752.00.
- City currently owes LDC \$344,678.09 for LDC-funded improvements along the Lancaster Corridor. Recommendation is for LDC to forgive City's current debt as part of purchase price, the LDC pays balance in cash.
- *At time of sale, City receives appraised value of the land; LDC receives value of improvements per agreement.*
- *Parking on the Zipper Building lot to be replaced in parking garage; one off-street parking space is required for the MCI lease will remain.*

Mr. Chapa concluded his presentation by advising of the following staff recommendation:

- Authorize purchase of the property owned by the City of Fort Worth for the terms outlined.
- Authorize expenditure of up to \$25,000.00 as earnest money for each tract needed for the project. The project boundary is 13th Street to the North, Lancaster Avenue to the South, Throckmorton Street to the East and Monroe Street to the West.
- Purchase price of each parcel to be negotiated and brought to LDC for approval.

Mr. Chapa advised the Corporation of one amendment to the resolution as follows: Under the second Further Resolved paragraph regarding the sale of the property, the third to the last line, reflected that the City would only get the increased value of the land when the project is sold in the future; however, it should reflect that the City of Fort Worth shall be paid any amount attributable to the full value of the land at the time of purchase.

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
THURSDAY, OCTOBER 4, 2011
Page 10**

**Adopt Resolution Authorizing the Purchase of
Property Located Within the Boundaries of
Lancaster, Jennings, 13th Street and Throckmorton
Street for the Proposed Mixed Use Development on
West Lancaster Avenue (cont'd)**

(Agenda Item 6)

President Moss opened for the floor for discussion on this issue.

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

MOTION: Upon a motion made by Director Scarth and seconded by Director Burns, the Board of Directors of the Fort Worth Local Development Corporation voted unanimously six (6) “ayes” and zero (0) “nays”, with Directors Espino, Jordan and Shingleton absent, to approve and adopt Resolution No. FWLDC-2011-17 as amended. The motion carried.

**Adopt Resolution Authorizing a Broker’s Fee
Agreement for the Property Located at 4600 Blue
Mound Road**

(Agenda Item 7)

Ms. Cynthia Garcia, Assistant Director, Housing and Economic Development Department, addressed the Corporation regarding the proposed resolution. Ms. Garcia advised that on September 8, 2011, the Corporation approved a lease with Lasko Products, Inc., to occupy the property at 4600 Blue Mound Road; however, the broker’s fee agreement was not presented at that time as it had not been fully negotiated.

She began her PowerPoint Presentation entitled, Broker’s Agreement for Lease Agreement with Transwestern Commercial Service Fort Worth for Property Located at 4600 Blue Mound Road, by displaying an aerial view of the location. She explained that the property outlined in yellow was the location of the property at Meacham Boulevard and Blue Mound Road. She then displayed a closer aerial view of the property and advised that the area outlined in red was the area actually being leased. She provided the terms of the broker’s agreement as follows:

- Broker’s Fee – 4-5 percent of the rent.
 - Includes any expansion area.
- Instead of earning the entire commission at execution of the lease, LDC will pay 20 percent each year of the lease on October 1st in case the lease terminates early
 - October 2011 - \$16,608.21.
 - October 2012 - \$17,462.35.

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
THURSDAY, OCTOBER 4, 2011
Page 11**

Adopt Resolution Authorizing a Broker's Fee Agreement for the Property Located at 4600 Blue Mound Road (cont'd)

(Agenda Item 7)

- October 2013 - \$18,316.49.
- October 2014 - \$19,265.53.
- October 2015 - \$20,214.57

Ms. Garcia advised that staff's recommendation was that the Corporation authorize execution of the Broker's Fee Agreement with Transwestern Commercial Services Fort Worth, LLC.

President Moss opened for the floor for discussion on this issue.

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

MOTION: Upon a motion made by Director Zimmerman and seconded by Director Price, the Board of Directors of the Fort Worth Local Development Corporation voted unanimously six (6) "ayes" and zero (0) "nays", with Directors Espino, Jordan and Shingleton absent, to approve and adopt Resolution No. FWLDC-2011-18. The motion carried.

Requests for Future Agenda Items

(Agenda Item 8)

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

Adjourn

(Agenda Item 9)

With no further business before the Board, President Moss adjourned the called – special session of the Fort Worth Local Development Corporation at 1:13 p.m. on Tuesday, October 4, 2011.

These minutes approved by the Fort Worth Local Development Corporation on the _____ day of _____, 2011.

**CITY OF FORT WORTH, TEXAS
FORT WORTH LOCAL DEVELOPMENT CORPORATION
CALLED – SPECIAL SESSION
THURSDAY, OCTOBER 4, 2011
Page 12**

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
September 30, 2011
(Unaudited)

Assets	
Cash and cash equivalents	\$1,867,495.23
Interest Receivable	5,726.79
Accounts Receivable	<u>36,899.08</u>
Total Assets	<u><u>\$1,910,121.10</u></u>
Liabilities and Fund Balance	
Accounts and Contracts Payable	<u>10,973.12</u>
Total Liabilities	10,973.12
Fund Balance (Deficit)	
Designated for Authorized Expenditures	\$2,492,627.92
Net Income	(593,479.94)
Undesignated	<u>0.00</u>
Total Fund Balance	1,899,147.98
Total Liabilities and Fund Balance	<u><u>\$1,910,121.10</u></u>

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

Revenues

Property Tax Reimbursement	\$43,636.30	
Revenue from Rents	363,360.36	
Gas Lease Bonus	0.00	
Gas Lease Royalties	110,859.80	
Easement for Pipelines	64,460.81	
Interest Income	22,359.86	
Gas Well Shut In Payment	5,000.00	
Other Revenue	88,097.46	
Total Revenue	\$697,774.59	\$697,774.59

Expenditures

Bank Charges	\$317.52	
Contractual Services	860,211.43	
Insurance	49,366.50	
Property Management	14,534.46	
Property Purchase	0.00	
Property Taxes	120,315.39	
Repairs	149,982.92	
Security System	6,034.08	
Storm Water Utility	32,609.11	
Transfers to City	26,000.00	
Utilities	31,883.12	
Total Expenditures	\$1,291,254.53	\$1,291,254.53

Excess (Deficiency) of Revenues Over (Under) Expenditures (\$593,479.94)

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

Total Cash at September 30, 2011	\$1,867,495.23
Cash in Property Management Account	(57,451.86)
Cash available in City account	1,810,043.37
Commitments	
Evans & Rosedale Enhanced CFA	0.00
Survey Expenses	6,250.00
Lancaster Project - Construction	456,928.58
Lancaster Project - Attorney Fees	25,088.08
Oliver's Fine Foods - Loan	450,000.00
Oliver's Fine Foods - Attorney Fees	2,950.00
Reserves	
Maintenance Reserve	100,000.00
Property Tax Reserve	100,000.00
Total Commitments & Reserves	1,141,216.66
Unrestricted Cash Available	\$668,826.71

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.

344,678.09

RESOLUTION

Resolution 2011-____

Date:_____

FORT WORTH LOCAL DEVELOPMENT CORPORATION

RESOLUTION OF THE BOARD OF TRUSTEES

*Authorizing Execution of Tax Increment Financing Development Agreement
with the Board of Directors of Tax Increment Reinvestment Zone Number Eight,
City of Fort Worth, Texas (Lancaster Corridor TIF)
for Funding of Construction Costs Associated with a Public Parking Garage
to be Owned by the Corporation on Property
in the Vicinity of Jennings Avenue and W. 13th Street*

WHEREAS, the Fort Worth Local Development Corporation (the "Corporation") was incorporated on June 24, 1987 as a Texas non-profit corporation organized for the benefit of the City of Fort Worth (the "City"), specifically to provide assistance to the City in encouraging, fostering and promoting the renovation, construction, rehabilitation and establishment of economic development facilities within the City; and

WHEREAS, on December 9, 2003 the City Council adopted Ordinance No. 15775, establishing Tax Increment Reinvestment Zone Number Eight, City of Fort Worth, Texas (the "Lancaster Corridor TIF"); and

WHEREAS, on January 22, 2004 the Lancaster Corridor TIF's Board of Directors (the "TIF Board") adopted a Project and Financing Plan for the Lancaster Corridor TIF as required by Section 311.011 of the Texas Tax Code, as subsequently amended (the "Plan"), which Plan was approved by the City Council by ordinance in accordance with Section 311.011 of the Texas Tax Code; and

WHEREAS, in accordance with Section 311.010 of the Texas Tax Code, the TIF Board may use Lancaster Corridor TIF revenue only for the types and kinds of projects set forth in the Plan; and

WHEREAS, Section II.A of the Plan stresses the necessity of using TIF funds in conjunction with private developers and public-private partnerships in order for the Lancaster Corridor to redevelop in a timely manner; and

WHEREAS, as reflected in the Plan, the Board wishes to encourage mixed-use and residential development in certain areas within the TIF, along with complementary streetscape improvements and/or parking structures, by authorizing the use of TIF funds in such areas for any lawful purpose, as more specifically set forth in Section IV.7 of the Plan; and

WHEREAS, the Corporation wishes to assist the City in promoting growth and economic development within the Lancaster Corridor TIF area and in implementing the Plan approved by the City Council by taking title to and overseeing construction of an approximately 206,000 square foot parking garage on property located in the vicinity of Jennings Avenue and W. 13th Street (the “Parking Garage”), which located in Area D5 of Attachment D of the Plan; and

WHEREAS, consistent with the Plan, the Lancaster Corridor TIF’s Board of Directors (the “TIF Board”) voted on October 25, 2011 to reserve up to \$7,600,000.00 of funds in the tax increment fund of the TIF (the “Reserved TIF Funds”) for payment to or draw-down by the Corporation for any lawful “project cost,” as that term is defined in Section 311.002(1) of the Texas Tax Code, that is related to construction of the Parking Garage, provided that the TIF Board shall have the right to approve the design of the Parking Garage prior to the letting of any contract for its construction.; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD:

Section 1. That the Chair is hereby authorized to execute a Tax Increment Financing Development Agreement (the “TIF Agreement”) with the TIF Board for payment to or draw-down by the Corporation for any lawful “project cost,” as that term is defined in Section 311.002(1) of the Texas Tax Code, that is related to construction of the Parking Garage, and any other documents necessary to effectuate such expenditures of the Reserved TIF Funds, provided that (i) the TIF Board shall have the right to approve the design of the Parking Garage prior to the letting of any contract for its construction and (ii) the Corporation will have the right to assign the TIF Agreement and any other related documents to a local government corporation created by the City pursuant to Chapter 431, Texas Transportation Code, or another public entity.

Section 2. That this Resolution shall take effect immediately from and after its passage.

Approved _____
Danny Scarth
Vice President



Updated October 27, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

November 1, 2011 Monthly Zoning Meeting

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

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

Local Development Corporation

(Immediately following the HED)

3:30 p.m. Pre-Council Meeting (NOTE: TIME CHANGE)

Continued Items:

- **M&C G-17415** - Conduct a Public Hearing and Adopt Ordinance Designating Tax Abatement Reinvestment Zone No. 77, City of Fort Worth, Texas, for the Alcon Laboratories Property Located at 6201 South Freeway (COUNCIL DISTRICT 8 – Kathleen Hicks) (**PUBLIC HEARING**) (**Continued from October 18, 2011 by Staff**)
- **ZC-11-044** - Blanca D. Cantu', 1207 - 1211 Clinton Avenue; from: "A-5" One-Family to: "PD/A-5" Planned Development for all uses in "A-5" One-Family plus a beauty shop; beauty shop to be developed to "ER" Neighborhood Commercial Restricted development standards and to include the existing front yard fence; site plan waiver requested.(COUNCIL DISTRICT 2 – Sal Espino) (**Continued from October 18, 2011 by Council Member Espino**)
- **ZC-11-056** - City of Fort Worth Planning & Development, Alta Mere Addition, Generally bounded by Calmont Avenue, Alta Mere Drive, Garza Avenue, and Reagan Drive; from: "A-5" One-Family, "CF" Community Facilities, "C" Medium Density Multifamily, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "IP" Industrial Park, and "PD-654" Planned Development to: "CF" Community Facilities, and "I" Light Industrial (COUNCIL DISTRICT 3 – Zim Zimmerman) (**Continued from October 18, 2011 by Council Member Zimmerman**)
- o Overview on Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
- o Briefing on Changes in Public Hospitals [*Robert Earley, JPS Health Network*]
- o Briefing on Economic Impact of Texas Motor Speedway [*Eddie Gossage, Texas Motor Speedway*]
- o Review of City Council Redistricting Public Comments [*Dana Burghdoff, Planning and Development Department*]
- o Briefing on Registration of Community Organizations [*Dana Burghdoff, Planning and Development Department*]



Updated October 27, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

November 8, 2011

- 1:00 p.m. Infrastructure & Transportation Committee (cancelled)*
- 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)

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*]
- o Review of City Council Calendar for January – December 2012 [*Marty Hendrix, City Secretary*]
- o Briefing on Construction Schedule for Chisholm Trail Parkway [*Kenneth Barr, Victor Vandergriff and Elizabeth Mow, North Texas Tollway Authority*]
- o Briefing on Street and Freeway Lighting [*Doug Wiersig, Transportation and Public Works*]

November 22, 2011

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



Updated October 27, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

November 24, 2011 *(Thursday)*

City Hall Closed – Thanksgiving Holiday

November 25, 2011 *(Friday)*

City Hall Closed – Thanksgiving Holiday

November 29, 2011

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

December 1, 2011 *(Thursday)*

9:00 a.m. Audit and Finance Advisory Committee

December 6, 2011 *Monthly Zoning Meeting*

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

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

*Housing Finance Corporation
(Immediately following the HED)*

*Local Development Corporation
(Immediately following the HFC)*

3:00 p.m. Pre-Council Meeting

- o Overview on Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
- o Quarterly Budget Update [*Horatio Porter, Budget Officer and Doug Wiersig, Transportation and Public Works*]
- o Update on the Drought [*Frank Crumb, Water Department*]
- o Briefing on Public Art Policies and Procedures [*Fernando Costa, City Manager's Office*]



Updated October 27, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

December 13, 2011

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

- o Update on System Master Plan [*Gleniece Robinson, Library*]

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)

January 2, 2012 (Monday)

City Hall Closed – New Year’s Day Holiday

January 3, 2012

1:00 p.m. Housing and Economic Development Committee
Housing Finance Corporation
(Immediately following the HED)
Local Development Corporation
(Immediately following the HFC)
3:00 p.m. Pre-Council Meeting (cancelled)



Updated October 27, 2011

City of Fort Worth
City Council Pre-Council Agenda Calendar

January 10, 2012 *Monthly Zoning Meeting*

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

Continued Items:

- **ZC-11-075** - City of Fort Worth Planning & Development, Camp Bowie Corridor Form Based Code District: I-30 to SW Loop 820, Generally 1/4 mile along both sides of 5500 - 9000 blocks of Camp Bowie Boulevard/Camp Bowie Boulevard W.; from: "A-5" One-Family, "B" Two-Family, "C" Medium Density Multifamily, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "MU-1" Low Intensity Mixed-Use, "FR" General Commercial Restricted, "F" General Commercial, "G" Intensive Commercial, "I" Light Industrial, "MU-2" High Intensity Mixed-Use, and "PD" Planned Developments Nos. 51, 108, 135, 167, 190, 227, 250, 315, 340, 378, 400, 546, 580, 615, 628, 633, 744, 784, and 882 to: Camp Bowie Form-Based districts: Highway Frontage, Transition Frontage, Ridglea Gateway, Ridglea Urban Village Core North, Ridglea Urban Village Core South, General Corridor Mixed-Use, Industrial Art, and Western Business District. Related Zoning Case: ZC-11-100 Text Amendment Camp Bowie Corridor. (COUNCIL DISTRICT 3 – Zim Zimmerman and 7 – Dennis Shingleton) **approved with the exception of the Ridglea Urban Village Core South Subdistrict, (Continued from October 18, 2011 by Council Member Zimmerman)**
- o Overview on Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
- o Presentation on My Tax Dollars at Work [*Horatio Porter, Budget Officer*]

January 16, 2012 *(Monday)*

City Hall Closed – Martin Luther King, Jr. Holiday

January 17, 2012

3:00 p.m. Pre-Council Meeting



Updated October 27, 2011

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

January 24, 2012

8:30 a.m. Pre-Council Meeting

January 26, 2012 ***(Wednesday)***

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

January 31, 2012

8:30 a.m. Pre-Council Meeting

***1:00 p.m. – 4:00 p.m. Joint City Council/Employees' Retirement Fund Board
Pension Workshop (Tentative – Details to Follow)***

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
OCTOBER 25, 2011**

Present:

Mayor Betsy Price
Mayor Pro tem W. B. "Zim" Zimmerman, District 3
Council Member Salvador Espino, District 2
Council Member Danny Scarth, District 4
Council Member Jungus Jordan, District 6
Council Member Dennis Shingleton, District 7
Council Member Kathleen Hicks, District 8
Council Member Joel Burns, District 9

Absent:

Council Member Frank Moss, District 5

Staff Present:

Tom Higgins, 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 10:10 a.m., on Tuesday, October 25, 2011, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, with Council Member Moss absent.

II. [INVOCATION - Reverend Jason Hamilton, University United Methodist Church](#)

The invocation was provided by Reverend Jason Hamilton, University United Methodist Church.

III. [PLEDGE OF ALLEGIANCE](#)

The Pledge of Allegiance was recited.

IV. [CONSIDERATION OF MINUTES OF REGULAR MEETING OF OCTOBER 18, 2011](#)

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman that the minutes of the regular meeting of October 18, 2011, be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss 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

City Manager Tom Higgins requested that Mayor and Council Communication No. G-17424 be withdrawn from consideration.

VII. CONSENT AGENDA

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

A. General - Consent Items

1. M&C G-17416 - Authorize Transfer of \$1,092,896.00 from the Information Systems Capital Projects Fund to the General Debt Service Fund for Fiscal Year 2012 Interest Payments on Tax Notes Issued in 2011 for the Upgrade of the City's Public Communication System.

The City Council approved the following recommendation: Authorize the Transfer of \$1,092,896.00 From the Information Systems Capital Projects Fund to the General Debt Service Fund for Fiscal Year 2012 Interest Payments on the Tax Notes Issued in 2011 for the Upgrade of the City's Public Communication System.

2. M&C G-17417 - Authorize Payment of Up to \$300,000.00 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 and Adopt Appropriation Ordinance.

The City Council approved the following recommendation: Authorize Payment of Up to \$300,000.00 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; and Adopt Appropriation Ordinance No. 19943-10-2011 Increasing the Estimated Receipts and Appropriations in the Rental Rehabilitation Program Fund From Income Currently Available in the Fund, for the Purpose of Paying the United States Department of Housing and Urban Development.

3. M&C G-17418 - Approve Findings of Ground Transportation Coordinator Regarding Application of Anointed Carrier Transportation to Operate One Limousine within the City of Fort Worth and Adopt Ordinance Granting Such Authority.

(VII. CONSENT AGENDA Continued)

(G-17418 Continued)

The City Council approved the following recommendation: Consider and Adopt the Following Findings of the Ground Transportation Coordinator: The Public Necessity and Convenience Require the Operation of One (1) Limousine Upon the City Streets, Alleys and Thoroughfares; Anointed Carrier Transportation is Qualified and Financially Able to Conduct a Limousine Service Within the City; Anointed Carrier Transportation has Complied With the Requirements of Chapter 34 of the City Code; Anointed Carrier Transportation Presented Facts in Support of Compelling Demand and Necessity for One (1) Limousine; the General Welfare of the Citizens of the City Will Best be Served by the Addition of One (1) Limousine Upon City Streets, Alleys and Thoroughfares; and Adopt Ordinance No. 19948-10-2011 Granting the Privilege of Operating Authority to Anointed Carrier Transportation, for the Use of the Streets, Alleys and Public Thoroughfares of the City in the Conduct of its Limousine Business, Which Shall Consist of the Operation of One (1) Limousine, for a Three (3) Year Period Beginning on the Effective Date Subject to and Conditioned on Anointed Carrier Transportation Complying With All Requirements of Chapter 34, Article VI of the Code of the City of Fort Worth (1986), as Amended.

4. **M&C G-17419 - Adopt Capital Improvements Plan Citizen Advisory Committee's Semi-Annual Progress Report Concerning the Status of the Water and Wastewater Impact Fees.**

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

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

1. **M&C P-11310 - Authorize Purchase of a SmartChem 200 Automated Discrete Analyzer from Westco Scientific Instruments, Inc., for the Water Department in the Amount of \$61,125.00.**

The City Council approved the following recommendation: Authorize the Purchase of a SmartChem 200 Automated Discrete Analyzer From Westco Scientific Instruments, Inc., for the Water Department in the Amount of \$61,125.00.

2. **M&C P-11311 - Authorize Purchase Agreement for Heating, Ventilation and Air Conditioning Filters with Air Relief Technologies, Inc. d/b/a Tex-Air Filter Manufacturing, for all City Departments in the Amount of \$60,000.00 for the First Year.**

(VII. CONSENT AGENDA Continued)

(P-11311 Continued)

The City Council approved the following recommendation: Authorize a Purchase Agreement for Heating, Ventilation and Air Conditioning Filters With Air Relief Technologies, Inc., d/b/a Tex-Air Filter Manufacturing, for All City Departments in the Amount of \$60,000.00 for the First Year, Based on Overall Low Bid Meeting Specifications.

3. **M&C P-11312 - Authorize Purchase of a Ford F-550 Pierce Contender Patrol Unit for the Fire Department from Martin Apparatus, Inc., Using a Houston-Galveston Area Council Cooperative Contract for a Total Amount of \$214,830.00.**

The City Council approved the following recommendation: Authorize the Purchase of a Ford F-550 Pierce Contender Patrol Unit for the Fire Department From Martin Apparatus, Inc., Using Houston-Galveston Area Council Cooperative Contract No. FS12-09 for a Total Amount of \$214,830.00.

4. **M&C P-11313 - Authorize Purchase Agreement with Dell Marketing, L.P., for Hardware, Software, Technology Services and Maintenance and Support Services for the Information Technology Solutions Department Using a State of Texas Department of Information Resources Contract in the Amount of \$4,800,000.00 for the First Year.**

The City Council approved the following recommendation: Authorize a Purchase Agreement With Dell Marketing, L.P., for Replacement and New Hardware, Software, Technology Services and Maintenance and Support Services for the Information Technology Solutions Department Using State of Texas Department of Information Resources Contract Number, DIR-SDD-890, in the Amount of \$4,800,000.00 for the First Year.

5. **M&C P-11314 - Authorize Purchase of Two Ford F350 4x2 XL Fire Canine Response Trucks from Chastang Enterprises, Inc. d/b/a Chastang's Bayou City Ford, Using a Texas Association of School Boards Cooperative Contract for the Fire Department for a Total Amount of \$116,244.00.**

The City Council approved the following recommendation: Authorize the Purchase of Two (2) Ford F350 4x2 XL Fire Canine Response Trucks From Chastang Enterprises, Inc, d/b/a Chastang's Bayou City Ford, Using the Texas Association of School Boards Contract No. 358-10 for the Fire Department for a Total Amount of \$116,244.00.

(VII. CONSENT AGENDA Continued)

C. Land - Consent Items

1. M&C L-15270 - Authorize Execution of a Lease Amendment with Edward Traxson d/b/a the Barber Shop, Inc., for Office Space Located at 6436 Meadowbrook Drive B, for the Police Department at a Cost of \$6,600.00 Per Year.

The City Council approved the following recommendation: Authorize Execution of a Lease Amendment With Edward Traxson d/b/a The Barber Shop, Inc., for Approximately 1,020 Square Feet of Office Space Located at 6436 Meadowbrook Drive B, for the Police Department at a Cost of \$6,600.00 Per Year.

2. M&C L-15271 - Authorize Sale of Ten Tax-Foreclosed Properties in Accordance with Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Property Tax Code for a Total of \$49,881.53.

The City Council approved the following recommendation: Authorize Sale of Ten (10) Tax-Foreclosed Properties Located at 1420 Arlington (E), Described as Lot 6, Block 14, Highland Park Addition; 3406 Avenue N, Described as Lot 8, Block A, Millett Addition; 962 Daggett Avenue (E), Described as Lot 6, Block 3, JL Williams Addition; 1400 Evans Avenue, Described as Lot 1, Block 1, Greenwood Sub #2 Addition; 3301 Grove Street (N), Described as Lots 11 and 12, Block 69, Fostepco Heights Addition; 1014 Magnolia Avenue (E), Described as Lot 20C, Eggleston Addition; 3121 Millet Avenue, Described as Lot 6, Block D, Millett Addition; 5115 Rosedale Street (E), Described as Abstract 117, Tract 22E, George N. Butts Addition; 5117 Rosedale Street (E), Described as Abstract 117, Tract 22F, George N. Butts Addition; and 5119 Rosedale Street (E), Described as Abstract 117, Tract 22G, George N. Butts Addition, in Accordance With Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Property Tax Code for a Total of \$49,881.53; and Authorize Execution and Recording of the Appropriate Instruments Conveying the Properties to the Highest Bidders in Compliance With the Bid Form Specifications to Complete the Sale.

3. M&C L-15272 - Authorize Acquisition of Fee Simple Interest in 1.831 Acres of Land for Right-of-Way and Easement Interests in 0.649 Acres for Two Permanent Drainage Facilities Located on East First Street Between Haltom Road and Oakland Boulevard from West Fork Partners, L.P., in the Amount of \$56,400.00 and Pay the Estimated Closing Costs of \$2,500.00 for a Total Cost of \$58,900.00.

The City Council approved the following recommendation: Authorize the Purchase of a Fee Simple Interest in 1.831 Acres of Land for Right-of-Way and Easement Interests in 0.649 Acre for Two (2) Permanent Drainage Facilities Located in the A.C. Warren Survey, Abstract 1686, Tract 2E and the James F. Redding Survey, Abstract 1304, Tract 2, also Known as 0000 East First Street, Between Haltom Road and Oakland Boulevard, Fort Worth, Texas, From West Fork

(VII. CONSENT AGENDA Continued)

(L-15272 Continued)

Partners, L.P., in the Amount of \$56,400.00 and Pay Closing Costs Up to \$2,500.00; Find That the Total Price of \$56,400.00 is Just Compensation for the Acquisitions; and Authorize Acceptance and Recording of Appropriate Instruments.

4. **M&C L-15273 - Authorize Acquisition of Fee Simple Interest in 0.644 Acres of Land for Right-of-Way and Easement Interest in 1.877 Acres for a Permanent Drainage Facility Located on an Undeveloped Tract of Land on East First Street Between Haltom Road and Oakland Boulevard from Tiggator, Inc., in the Amount of \$89,400.00 and Pay the Estimated Closing Costs of \$3,500.00 for a Total Cost of \$92,900.00.**

The City Council approved the following recommendation: Authorize Acquisition of a Fee Simple Interest in 0.644 Acre of Land for Right-of-Way and an Easement Interest in 1.877 Acres for a Permanent Drainage Facility Located in A.C. Warren Survey, Abstract 1686, Tract 2 and J. Blackwell Survey, Abstract 148, Tract 1, also Known as 0000 East First Street, Between Haltom Road and Oakland Boulevard, Fort Worth, Texas, From Tiggator, Inc., in the Amount of \$89,400.00 and Pay the Estimated Closing Cost of \$3,500.00; Find That the Amount of \$89,400.00 Appraised Value is Just Compensation; and Authorize Acceptance and Recording of Appropriate Instruments.

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

1. **M&C C-25238 - Authorize Execution of an Easement Encroachment Agreement with Fort Worth Heart P.A., for the Construction of a Concrete Retaining Wall Proposed to Encroach Onto a Five Foot Utility Easement in the General Vicinity of 1700 Mistletoe Avenue.**

The City Council approved the following recommendation: Authorize the Execution of an Easement Encroachment Agreement With Fort Worth Heart P.A., for the Construction of a Concrete Retaining Wall Proposed to Encroach Onto a Five (5) Foot Utility Easement in the General Vicinity of 1700 Mistletoe Avenue.

2. **M&C C-25239 - Authorize Execution of an Engineering Agreement with Dunaway Associates, L.P., for the Engineering Services for the Infrastructure Improvements Associated with the Hardy Street Single-Family Housing Project in the Amount of \$114,495.00.**

(VII. CONSENT AGENDA Continued)

(C-25239 Continued)

The City Council approved the following recommendation: Authorize Execution of an Engineering Agreement With Dunaway Associates, L.P., for Engineering Services for Infrastructure Improvements Associated With the Hardy Street Single-Family Housing Project Located at 3601 Hardy Street and 3617 Hardy Street in the Amount of \$114,495.00.

3. **M&C C-25240 - Authorize Amendment No. 7 in the Amount of \$15,020.00 to City Secretary Contract No. 34093 an Engineering Agreement with Dunaway Associates, L.P., for Street Reconstruction and Water and Sanitary Sewer Main Replacement on College Avenue, Lipscomb Street, Orange Street and Wayside Avenue for a Total Contract Amount of \$319,188.00.**

The City Council approved the following recommendation: Authorize Execution of Amendment No. 7 to City Secretary Contract No. 34093 With Dunaway Associates, L.P., in the Amount of \$15,020.00 to Provide Additional Engineering Services and Plan Preparation for Street Reconstruction and Water and Sewer Replacement on College Avenue, Orange Street, Lipscomb Street and Wayside Avenue, Thereby Revising the Total Contract Amount to \$319,188.00.

4. **M&C C-25241 - Authorize Execution of Change Order No. 1 in the Amount of \$79,850.00 to City Secretary Contract No. 41763 with McClendon Construction Company, Inc., for Pavement Reconstruction and Water and Sanitary Sewer Main Replacement on Arnold Court, Blevins Street, Clarence Street East and Clarence Street West for a Total Contract Cost of \$804,134.16.**

The City Council approved the following recommendation: Authorize the Execution of Change Order No. 1 in the Amount of \$79,850.00 to City Secretary Contract No. 41763 With McClendon Construction Company, Inc., for Pavement Reconstruction and Water and Sanitary Sewer Main Replacement on Arnold Court, Blevins Street, Clarence Street East and Clarence Street West, Thereby Revising the Total Contract Amount to \$804,134.16.

5. **M&C C-25242 - Authorize Execution of Contract with Conatser Construction TX, LP, in the Amount of \$859,569.50 for the Milam Storm Drain Improvements.**

The City Council approved the following recommendation: Authorize the Execution of a Contract With Conatser Construction TX, LP, in the Amount of \$859,569.50 for Construction of the Milam Storm Drain Improvements.

6. **M&C C-25243 - Authorize Execution of Change Order No. 3 in the Amount of \$516.54 to City Secretary Contract No. 40539 with S.J. Louis Construction of Texas Ltd., for Harley Avenue and Crestline Drive Improvements, Resulting in a Total Contract Amount of \$4,701,209.65.**

(VII. CONSENT AGENDA Continued)

(C-25243 Continued)

The City Council approved the following recommendation: Authorize the Execution of Change Order No. 3, Which Decreases Quantities for Items Relating to Paving Construction Resulting in a Credit of \$59,993.28 and Increases Quantities Related to Water and Sewer Construction Increasing the Construction Cost by \$60,509.77, Requiring Additional \$22,238.00 in Funding for Water, for a Net Change of \$516.54 to City Secretary Contract No. 40539 With S.J. Louis Construction of Texas, Ltd., for Water, Sewer, Storm Drainage and Associated Pavement Repair on Harley Avenue and Crestline Drive, Thereby Increasing the Contract Amount to \$4,701,209.65.

7. **M&C C-25244 - Authorize Execution of Change Order No. 1 in the Amount of \$155,451.95 to City Secretary Contract No. 41188 with JLB Contracting, LLC, for Hot Mix Asphaltic Concrete Surface Overlay 2010-15 Resulting in a Total Contract Amount of \$1,224,811.05.**

The City Council approved the following recommendation: Authorize Execution of Change Order No. 1 in the Amount of \$155,451.95 to City Secretary Contract No. 41188 With JLB Contracting, LLC, for Hot Mix Asphaltic Concrete Surface Overlay 2010-15 on Erie Street, From Rosedale Street to Hart Street; Hart Street, From Erie Street to Handley Drive; and Forest Avenue, From Rosedale Street to Hart Street, Thereby Revising the Total Contract Amount to \$1,224,811.05

8. **M&C C-25245 - Authorize Execution of Contract with Flagship Sweeping Services, Inc., in the Amount of \$204,744.43 for the Fiscal Year 2012 Street Sweeping Program at Various Locations.**

The City Council approved the following recommendation: Authorize Execution of a Contract With Flagship Sweeping Services, Inc., in the Amount of \$204,744.43 for One (1) Year, With Two (2) One (1) Year Options to Renew Based Upon Satisfactory Performance for Street Sweeping at Specified Locations.

9. **M&C C-25246 - Authorize Agreement with the Texas Department of Transportation for Installation of Traffic Signal Equipment Along State Highway 183 from Garza Avenue to Ridgmar Mall and on US 377 at Kermit Avenue/Garza Avenue and Accept the Payment from Texas Department of Transportation in an Amount Not to Exceed \$70,226.00 for the Traffic Signal Equipment Furnished by the City.**

(VII. CONSENT AGENDA Continued)

(C-25246 Continued)

The City Council approved the following recommendation: Authorize an Agreement With the Texas Department of Transportation (TxDOT) for Installation of Traffic Signal Equipment Along State Highway 183 From Garza Avenue to Ridgmar Mall and on US 377 at Kermit Avenue/Garza Avenue and Accept the Payment From TxDOT in an Amount Not to Exceed \$70,226.00 for the Traffic Signal Equipment Furnished by the City.

10. M&C C-25247 - Authorize Execution of Change Order No. 6 in the Amount of \$120,074.00 for a Total Contract Amount of \$47,310,135.67 to City Secretary Contract No. 38806 with McCarthy Building Companies, Inc., for Construction of the Westside Water Treatment Plant Located at 12200 Old Weatherford Road.

The City Council approved the following recommendation: Authorize Execution of Change Order No. 6 in the Amount of \$120,074.00 to City Secretary Contract No. 38806 With McCarthy Building Companies, Inc., for Construction of the Westside Water Treatment Plant Located at 12200 Old Weatherford Road, Thereby Increasing the Contract Amount to \$47,310,135.67.

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS -1831 - Notice of Claims for Alleged Damages and/or Injuries

End of Consent Agenda.

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Proclamation of Fort Worth Magicians Club Week

Council Member Burns presented a Proclamation for Fort Worth Magicians Club Week to Mr. Ash Adams, President, Fort Worth Magicians Club, and stated that magic was one (1) of the oldest, wholesome and delightful forms of entertainment in the world which continued to provide pleasure for people of all ages. He further stated that the Fort Worth Magicians Club, Inc., a non-profit corporation whose purpose was to promote the art of magic illusion, i.e., sleight-of-hand, prestidigitation, and legerdemain. He added that the club sought to display ethical behavior in the presentation of magic to the public and in conduct as magicians in addition to promoting the harmony in the magical arts. He pointed out that the club carried out educational programs that benefited and increased the knowledge of the illusion arts to members. He also advised that the Fort Worth Magicians Club, Ring 15 of the International Brotherhood of Magicians and Assembly 138 of the Society of American Magicians, memorialized the deeply mourned death of Harry Houdini on October 31, 1926. He further stated that Fort Worth joined municipalities

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

across the nation in honoring Magic Rings and Assemblies made up of both professional and amateur magicians who generously gave their time and talent for charitable purposes at hospitals, schools, military bases, churches and nursing homes.

Mr. Adams expressed appreciation to the Mayor and Council for the Proclamation and introduced other members of the club who were in attendance. He presented Mayor Price with a magical walking stick that was hand carved by one (1) of the club members.

2. Presentation of Proclamation of Tarrant County Housing Partnership Day

Mayor Pro tem Zimmerman presented a Proclamation for Tarrant County Housing Partnership Day to Ms. Brandy O'Quinn, Executive Member, Tarrant County Housing Partnership Board of Directors and Principal, Urban Strategies of Texas. He stated that Tarrant County Housing Partnership, an affordable housing non-profit organization dedicated to making the American dream of homeownership come true for hard-working Fort Worth residents and their families, was celebrating its 20th anniversary. He further stated that Tarrant County Housing Partnership had helped hundreds of first-time and first-generation Fort Worth homebuyers become proud, successful and responsible homeowners, through a comprehensive housing counseling and education program and homeownership training. He advised that Tarrant County Housing Partnership had collaborated with community organizations, corporate partners and the City of Fort Worth to revitalize distressed neighborhoods and had increased the amount of quality affordable housing for low to moderate income families and individuals with special housing needs. He pointed out that since October 1991, the Tarrant County Housing Partnership mission had resulted in the creation of thousands of affordable housing units and more than \$4 billion for the economic development of Tarrant County.

Ms. O'Quinn expressed appreciation to the Mayor and Council for the proclamation and stated they were honored to receive assistance from the city, county and federal government. She also recognized Ms. Donna VanNess, President, Tarrant County Housing Partnership.

Council Member Burns expressed appreciation to the Tarrant County Housing Partnership for their increased work in the community and stated he was a former employee of the organization.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Council Member Jordan congratulated Genesis United Methodist Church on their grand opening of their new facility which was held October 23, 2011. He also expressed appreciation to the Southwest High School Cross Country Track Team for picking up trash along Trinity Trail on October 8, 2011.

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

Council Member Burns announced that the 5th Annual Lonestar International Film Festival (LSIFF) would be held November 9-13, 2011, in Sundance Square. He introduced Mr. Alec Jhangiani, Director, LSIFF, who provided an overview of the festival and encouraged everyone to attend the event. He also advised that the LSIFF Stephen Bruton Award celebrated an artist whose career, although anchored in music, included extraordinary achievement in film and pointed out that this year the LSIFF was honored to bestow this recognition upon Willie Nelson. He also announced that the Bullying Project, a documentary confronting one of the most troubling issues in school systems today: the bullying crisis, would be showing at the festival and encouraged everyone to find out more information by emailing info@lonestarfilmssociety.com. Council Member Burns advised that the show time for the Bullying Project was November 13, 2011, at 4:30 p.m., at AMC Palace 9, Theatre 4.

Mayor Price announced that the Saints and Sinners Tour would be held October 29-30, 2011, at Oakwood Cemetery, located at 701 Grand Avenue, and encouraged everyone to attend the event. She also announced that the first Digital Town Hall meeting would be held on October 26, 2011, at 6:00 p.m., and encouraged everyone to send questions via twitter or to TownHall@fortworthtexas.gov. She also announced that the United Way Campaign had officially begun for City and County employees. She encouraged everyone to contribute to United Way and advised that a friendly competition was being held between the City of Fort Worth and Tarrant County. She stated that if the City lost the competition she would have to pedal Tarrant County Judge Glen Whitley around Sundance Square in a pedi-cab.

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: On behalf of Council Member Moss, Council Member Scarth made a motion, seconded by Council Member Shingleton that Gloria Smith be reappointed to Place 5 on the Library Advisory Board, effective October 25, 2011, with a term expiring October 1, 2013. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton that the following individuals be appointed and reappointed to Fort Worth Commission for Women, effective October 25, 2011, with terms expiring October 1, 2013. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

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

New Appointments:

Place 10, Ms. Casey Dyer Oliver, Funding Information Center
Place 12, Ms. Marty Margaret Rangel, UNT Health Science Center
Place 15, Ms. Susan Dougherty, American Association University Women – Tarrant County
Place 18, Ms. Jerrie Schubert, Texas Business Women

Reappointments:

Place 11, Ms. Rana Lambdin, Plaza Medical Center
Place 13, Ms. Barbara Cager, Delta Sigma Theta Sorority, Inc
Place 14, Ms. Elisa Najera, Hispanic Women’s Network
Place 16, Ms. Eboney Cobb, Fort Worth Chapter, The Links
Place 17, Ms. Cynthia Smith, Girl Scouts, Fort Worth Region

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

1. Report by Board of Adjustment - Commercial

Ms. Dana Burghdoff, Deputy Director, Planning and Development Department introduced Ms. Johanna McCully-Bonner, Vice Chair of the Board of Adjustment – Commercial. She also recognized Mr. Emilio Sanchez, Senior Planner, Planning and Development Department and Ms. Melinda Ramos, Assistant City Attorney II, Law Department, who provided staff support to the Board and advised that former Chair Bob West had been recently appointed to the City Zoning Commission.

Ms. McCully-Bonner appeared before Council and advised of the Board of Adjustment – Commercial mission and provided a brief summary of goals and objectives of the board.

Council Member Hicks expressed appreciation to Ms. McCully-Bonner, District 8 appointee, for her service on the Board of Adjustment – Commercial and to the community.

XIII. RESOLUTIONS

1. A Resolution Authorizing Refinancing of the Section 108 Loan for the Mercado Project Guaranteed by the United States Department of Housing and Urban Development.

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton that Resolution No. 4039-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

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

The City Council reappointed the person listed below to the Board of Directors of Tax Increment Reinvestment Zone Number Three (3) 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>
Zim Zimmerman	December 31, 2011

The City Council resolved that the person listed below shall continue to serve on the Board for the remainder of his term:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Joel Burns	December 31, 2011

The City Council acknowledged 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>
Carlos Vasquez	Fort Worth ISD	December 31, 2012
Roy Brooks	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, 2011
Lon Burnam	State Representative	December 31, 2012
Charles Boswell	State Senator	December 31, 2011

The City Council appointed Zim Zimmerman as the Board's chairperson for the remainder of calendar year 2011.

The City Council appointed 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>
Zim Zimmerman	December 31, 2013
Joel Burns	December 31, 2013

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman that Resolution No. 4040-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

3. A Resolution Reappointing and Appointing Members to the Fort Worth Transportation Authority Executive Committee.

The City Council reappointed the persons listed below to the Fort Worth Transportation Authority Executive Committee for a term of one (1) year from October 1, 2011, to September 30, 2012.

<u>COUNCIL DISTRICT</u>	<u>NAME</u>	<u>COUNCIL MEMBER</u>
2	Rosa Navejar	Sal Espino
3	Gary Havener	Zim Zimmerman
4	Gary Cumbie	Danny Scarth
6	Jesse P. Martinez	Jungus Jordan
8	Janet Saltsgiver	Kathleen Hicks
9	Mike Brennan	Joel Burns

The City Council appointed the persons listed below to the Fort Worth Transportation Authority Executive Committee for a term of one (1) year from October 1, 2011, to September 30, 2012.

<u>COUNCIL DISTRICT</u>	<u>NAME</u>	<u>COUNCIL MEMBER</u>
5	Maurice Barnes	Frank Moss
7	Steve Berry	Dennis Shingleton

Motion: Council Member Burns made a motion, seconded by Council Member Hicks that Resolution No. 4041-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

XIV. REPORT OF THE CITY MANAGER

B. General

1. 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. (Continued from a Previous Meeting) (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.

(G-17401 Continued)

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. Joseph and Mrs. Nora Bialek, 1312 Washington Avenue, appeared before Council in support of Mayor and Council Communication No. G-17401 and stated that they had purchased and remodeled a dilapidated shotgun house located at 1314 Alston Avenue. They advised that their original plan was to demolish the house and build a new structure and the Historic Fairmont Neighborhood Association had requested they renovate the house since it was the last historic shotgun house in Fort Worth. They stated that the original use as a restaurant or bar was supported and approved by the former Fairmont Neighborhood Association President. They advised that after completion of the renovation, the Fairmont Neighborhood Association leadership changed and they did not have the support of the neighbors for use of the house as a restaurant or bar. They displayed photographs of the renovation process, the neighborhood and other similar restaurants and bars in the area that were located next door to residential properties.

The following individuals appeared before Council in opposition to Mayor and Council Communication No. G-17401 and stated that the neighbors did not support the use of a residential property as a commercial use. They pointed out that a home located in a residential neighborhood should not share a property line with a restaurant or bar. They added that the apartments located across the street from the property had just been renovated to fit with the neighborhood requirements. They also advised that this property was too close to an elementary school and would negatively impact the property values and create more parking issues in an area that did not have enough parking to begin with.

Mr. Sean Lynch, President, Fairmont Neighborhood Association, 1601 College Avenue
Mr. Tom Malone, 1317 Alston Avenue

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

Mr. Christopher Brassard, 1200 South Adams Street
Mr. James Gorski, 1316 Alston Avenue

Council Member Burns advised that Texas law prohibited the sale of alcohol within 300 feet from schools. He further advised that the City received a letter from the attorney for the Fort Worth Independent School District in opposition of this item. He stated that he would not support this item. He also stated that Mr. and Mrs. Bialek had a significant monetary investment in the property and encouraged the neighbors to work with the property owners to compromise on a use that would be compatible with the residential area.

(G-17401 Continued)

c. Council Action

Motion: Council Member Burns made a motion, seconded by Council Member Hicks that Mayor and Council Communication No. G-17401 be denied. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

2. M&C G-17420 - Authorize Acceptance of Monetary Donations in the Amount of \$5,000.00 from Community Bank for the Employee Idea/Incentive Program and Adopt Appropriation Ordinance.

The recommendation was that the City Council Authorize Acceptance of Monetary Donations in the Amount of \$5,000.00 From Community Bank for the Employee Idea/Incentive Program; and Adopt a Supplemental Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the General Fund Upon Receipt of the Donation, for the Purpose of Funding the Program.

Mayor Price advised that this was an excellent opportunity to encourage suggestions from City employees to create either a direct tangible, such as those that could be taken directly from the budget for materials needed for a project, or indirect tangible, such as efficiencies, time and labor savings and cost savings to the City. She stated that the top (5) five winners would be awarded a cash prize.

Motion: Council Member Jordan made a motion, seconded by Council Member Hicks that Mayor and Council Communication No. G-17420 be approved with appreciation and Ordinance No. 19945-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

3. M&C G-17421 - Authorize Entering into Settlement Agreement with Former Employee Karen Montgomery.

The recommendation was that the City Council Authorize the City Manager to Enter into a Settlement Agreement With Former Employee Karen Montgomery for Payment in the Amount of \$94,076.97.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns that Mayor and Council Communication No. G-17421 be approved. The motion carried seven (7) ayes to one (1) nay, with Council Member Hicks casting the dissenting vote and Council Member Moss absent.

4. M&C G-17422 - Adopt 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 Salt Water 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.

The recommendation was that the City Council Adopt an 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 Section 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 Sections 15-35 and 15-42 to Provide for Best Management Practices Pursuant to State Law.

Mr. Jim Ashford, 6209 Riverview Circle, appeared before Council in opposition to Mayor and Council Communication No. G-17422. He pointed out the harmful effects of drilling on the land, air and water and encouraged the City to perform more testing. He also stated that drilling was having a negative impact on home and property values and stated they wished to have an enjoyable place to live. He stated concerns about salt water disposal wells and the amount of water it took to drill. He expressed concerns on the definition of protected uses and the grandfathering of setbacks and stated that drilling should not occur any closer than what the current ordinance allowed. He urged the City to conduct more public outreach on this matter and carefully review the proposed changes and include the citizen suggestions before approving any revisions or amendments and advised that the proposed changes did not protect the City.

The following individuals appeared before Council in opposition to Mayor and Council Communication No. G-17422. They stated that the amendments would make the parameters too confining for drilling companies which would lead to lost business and revenue. They stated that the study conducted by ERG confirmed that the public was not in danger and the drilling companies had complied with all city, state and federal laws. They pointed out that companies would choose not to operate in the City if there were too many restrictions and if the costs were too high. They also advised that the higher cost of drilling would cause the royalties paid to the property owners, who were harvesting the minerals, to decrease. They stated the current ordinance was safe and protected the citizen interest and encouraged Council to deny the proposed changes.

(G-17422 Continued)

Mr. Bob Manthei, XTO Energy, 810 Houston Street

Ms. Chelsea Bacher, CLEAN Resources, 5601 Bridge Street, Suite 351

Ms. Jenna Gleaton, CLEAN Resources, 4200 Bridgeview Drive, Apartment 1333

Mr. Edward Brown, 2616 Lena Street, appeared before Council in opposition to Mayor and Council Communication No. G-17422 and advised that the noise coming from the pad site near his home was disturbing him during all hours of the day. He also advised that he had received a notice that a company would be conducting seismic testing in the area. He stated that the testing had cracked the floors in his home and the sidewalk outside his residence. He stated that a representative from the company had viewed the damage and advised that it had occurred due to the drought and had not offered any other assistance.

Mayor Price referred Mr. Brown to Mr. Rick Trice, Assistant Director, Planning and Development Department, for resolution.

Mr. Gary Hogan, 2117 Rolling Creek Run, completed a speaker card in opposition to Mayor and Council Communication No. G-17422 and was recognized by Mayor Price, but was not present in the Council Chamber.

Mayor Pro tem Zimmerman and Council Members Jordan, Burns, Shingleton, Espino, Hicks, and Scarth all expressed appreciation to everyone for voicing their concerns at the public hearings and through email and phone calls. They stated that all of the comments were constructive and raised valid points. They pointed out that the ERG Study prompted the review of the ordinance even though the study confirmed there was no immediate health concern to the public. They added that the North Central Texas Council of Governments had worked with a number of citizen and community groups regarding air quality and that gas drilling should not be singled out but also should not be adding to the air quality issues. They also expressed appreciation to the gas well drilling companies for reviewing the best practices for the industry and revising their procedures. They also stated that restrictions should not be placed on access to the Council by the gas well drilling companies. They added that there were a number of important issues to discuss and requested more time for Council discussion and public outreach to all stakeholders before any decisions were made.

Council Member Espino stated he would support the denial of this amendment and he would also support continuing the moratorium on salt water disposal wells. He requested a report by City staff on a possible pilot program for a salt water disposal well in north Fort Worth in the Alliance Corridor near the I-35 industrial area. He stated that the area could be an appropriate place for a salt water disposal well and the discussions should be kept open at this time.

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan that Mayor and Council Communication No. G-17422 be denied. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

5. M&C G-17423 - Adopt Ordinance Extending the Moratorium to April 30, 2012, for Salt Water Disposal Wells as Regulated by Article II, Chapter 15, of the City Code Regarding Gas Drilling and Production.

The recommendation was that the City Council Adopt an Ordinance Extending the Moratorium on the Acceptance of Applications for Salt Water Disposal Wells Pending Consideration of Revised Regulations Regarding Salt Water Disposal Wells in the Current Gas Drilling Ordinance to April 30, 2012, for Salt Water Disposal Wells as Regulated by Article II, Chapter 15, of the City Code Regarding Gas Drilling and Production.

Mr. Jim Ashford, 6209 Riverview Circle, appeared before Council in support of Mayor and Council Communication No. G-17423 and stated that injection wells were causing earthquakes in Texas and across the United States. He provided a handout regarding the details of an earthquake that occurred near San Antonio, Texas, on October 20, 2011, that was a 4.8 magnitude. He pointed out that the earthquake occurred directly below an injection well. He stated that if these earthquakes occurred in a densely populated area they would ruin homes, businesses and roads. He encouraged the Council to continue the moratorium on salt water disposal wells.

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman that Mayor and Council Communication No. G-17423 be approved and Ordinance No. 19946-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

6. M&C G-17424 - Authorize Transfer of \$6,999,882.00 for Fiscal Year 2012 Budgeted Funding of the Public Agencies Retirement Services Retiree Health Care Plan Trust.

It was the consensus of the City Council that Mayor and Council Communication No. G-17424 be withdrawn from consideration.

7. M&C G-17425 - Adopt Ordinance Amending Chapters 10 and 22 of the Fort Worth City Code Relating to the Regulation of Commercial Vehicle Parking, Parking Meters and Parking Enforcement.

The recommendation was that the City Council Adopt an Ordinance Amending the Code of the City of Fort Worth, Texas, (1986), as Amended, to Make Revisions Regarding Parking Meters by Amending Chapter 10 "Courts", Article II "Parking Violations Bureau", Sections 10-22 "Enforcement" and 10-26 "Fines and Fees" and Chapter 22 "Motor Vehicles and Traffic", Article I "In General" Section 22-1 "Definitions", Article VI "Stopping, Standing and Parking", Division 1 "Generally", Sections 22-158.1 "Commercial Loading Zone", 22-162.1 "Parking of Oversize Commercial Vehicles Unlawful on Private Property", 22-167 "Unattended Motor Vehicle", 22-169 "Owner Prima Facie Responsible for Illegal Parking" and Division 2 "Parking Meters", Section 22-191 "Establishment of Zones and Maximum Parking Time Therein; Establishment of Fees".

(G-17425 Continued)

Motion: Council Member Hicks made a motion, seconded by Council Member Burns that Mayor and Council Communication No. G-17425 be approved and Ordinance No. 19947-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

8. M&C G-17426 - Resolution Adopting a Plan for Compliance with Title VI of the Civil Rights Act of 1964 for Use with Texas Department of Transportation Projects.

The recommendation was that the City Council Adopt a Resolution Adopting a Plan for the City of Fort Worth Which Documents City Compliance With Title VI of the Federal Civil Rights Act of 1964 and Subsequent Acts That Protect Individuals, Groups and Organizations From Discrimination on the Basis of Race, Color or National Origin to Apply When the City Participates in Federally Assisted Transportation Related Programs and Activities Generally Administered by the Texas Department of Transportation.

Motion: Council Member Hicks made a motion, seconded by Council Member Espino that Mayor and Council Communication No. G-17426 be approved and Resolution No. 4042-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

9. M&C G-17427 - Authorize Acceptance of a Gift from the Friends of the Fort Worth Nature Center and Refuge, Inc., of Haying Equipment Valued at \$21,298.00.

The recommendation was that the City Council Authorize the Acceptance of a Gift From the Friends of the Fort Worth Nature Center and Refuge, Inc., of Haying Equipment Valued at \$21,298.00 for the Purpose of Assisting the Nature Center Staff in the Care of the Bison Herd.

Council Member Shingleton expressed appreciation to the Friends of the Fort Worth Nature Center and Refuge, Inc., for the generous gift.

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan that Mayor and Council Communication No. G-17427 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

10. M&C G-17428 - Authorize Acceptance of a Monetary Gift from the Friends of the Fort Worth Nature Center and Refuge, Inc., in the Amount of \$20,028.55 to Fund Part-Time Staff Positions for Fiscal Year 2012 and Adopt Appropriation Ordinance.

(G-17428 Continued)

The recommendation was that the City Council Authorize Acceptance of a Monetary Gift in the Amount of \$20,028.55 From the Friends of the Fort Worth Nature Center and Refuge, Inc., for the Purpose of Funding Salaries and Benefits for Fiscal Year 2012 for Part-Time Staff Positions at the Nature Center and Refuge; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Special Trust Fund, Subject to Receipt of the Gift, for the Purpose of Funding the Salaries and Benefits.

Council Member Shingleton expressed appreciation to the Friends of the Fort Worth Nature Center and Refuge, Inc., for the monetary gift and advised that it benefitted one (1) of the true jewels of the City.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman that Mayor and Council Communication No. G-17428 be approved and Ordinance No. 19948 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

11. M&C G-17429 - Conduct Public Hearing and Adopt Ordinance Providing for the Continued Taxation of Goods-In-Transit, as Defined In and Subject to Exemption Under Section 11.253, Texas Tax Code. (PUBLIC HEARING)

The recommendation was that the City Council Conduct a Public Hearing to Allow Members of the Public to Speak for or Against the City's Intention to Continue Taxing Goods-in-Transit, as Defined in and Subject to Exemption Under Section 11.253 of the Texas Tax Code; and Adopt an Ordinance Providing for the Continued Taxation of Goods-in-Transit, as Defined in and Subject to Exemption Under Section 11.253 of the Texas Tax Code, Making Certain Findings of Fact in Relation Thereto.

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

a. Report of City Staff

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

b. Citizen Presentations

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

c. Council Action

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Shingleton that Mayor and Council Communication No. G-14729 be approved and Ordinance No. 19949 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

C. Purchase of Equipment, Materials, and Services

1. M&C P-11315 - Authorize Rejection of All Proposals Received for Outsourcing of the City's Mailroom Operations.

The recommendation was that the City Council Authorize the Rejection of All Proposals Received for the Outsourcing of the City's Mailroom Operations.

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton that Mayor and Council Communication No. P-11315 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

2. M&C P-11316 - Authorize a Sole Source Purchase Agreement With Vigilant Video, Inc., for License Plate Reader Systems, Software Licenses and Related Services for the Police Department Using Homeland Security Grant Funds in the Amount of \$164,674.00 for the First Year.

The recommendation was that the City Council Authorize a Sole Source Purchase Agreement With Vigilant Video, Inc., for License Plate Reader Systems, Software Licenses and Related Services for the Police Department Using Grant Funds for an Amount of \$164,674.00 for the First Year.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Shingleton that Mayor and Council Communication No. P-11316 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

D. Land

1. M&C L-15274 - Approve Acceptance of Lease Agreement with Chesapeake Exploration, LLC, in the Amount of \$112,400.00 for Natural Gas Drilling Under 22.480 Acres of City-Owned Properties Known as Hallmark Park Located at 820 Sycamore School Road.

The recommendation was that the City Council Authorize Acceptance of a Lease Agreement for Natural Gas Drilling Under 22.480 Acres More or Less of City-Owned Properties Known as Hallmark Park Located at 820 Sycamore School Road to Chesapeake Exploration, LLC, in the Amount of \$112,400.00 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: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Scarth that Mayor and Council Communication No. L-15274 be approved. The motion carried seven (7) ayes to zero (0) nays, with (1) abstention by Council Member Jordan and Council Member Moss absent.

2. M&C L-15275 - Authorize Condemnation By Eminent Domain of Fee Simple Interest in 0.309 Acres of Land for Right of Way and Easement Interest in 0.518 Acres of Land for Temporary Easement for Construction Owned by Barry Gross Located in Abstract 1528, Tract 3A, Allen S. Trimble Survey, on the Southwest Corner of West Hurst Boulevard and Precinct Line Road Also Known as 000 West Hurst Boulevard for the Widening of Precinct Line Road from Highway 10 to Concho Trail, North of Council District 5, in the City of Hurst, Texas.

The recommendation was that the City Council Declare That Negotiations Between the City and the Landowner Were Unsuccessful Due to the Inability to Agree on a Purchase Price to Acquire a Fee Simple Interest in 0.309 Acre of Land Needed for Right-of-Way and Temporary Easement Interest in 0.518 Acre for Construction on Land Owned by Barry Gross Located on the Southwest Corner of West Hurst Boulevard and Precinct Line Road also Known as 000 West Hurst Boulevard in Abstract 1528, Tract 3A, Allen S. Trimble Survey, City of Hurst, Tarrant County, Texas, for the Widening of the Roadway From a Two (2) Lane Undivided Section to a Four (4) Lane Divided Section From State Highway 10 to Concho Trail for the Precinct Line Road Project; Declare the Necessity to Acquire a Fee Simple Interest and an Easement Interest in the Subject Property by Means of Condemnation by Eminent Domain for the Widening of Precinct Line Road; Authorize the City Attorney to Institute Condemnation by Eminent Domain Proceedings to Acquire the Easement Interests in the Property; and Authorize Acceptance and Recording of Appropriate Instruments.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton that the Fort Worth City Council authorize the use of the power of eminent domain to acquire a 0.309 acre tract of land for right-of-way acquisition and a 0.518 acre tract of land for a temporary construction easement out of Abstract 1528, Tract 3A, Allen S. Trimble Survey also known as 000 West Hurst Boulevard on the Southwest corner of West Hurst Boulevard and Precinct Line Road to be used for the widening of the roadway from a two-lane undivided section to a four (4) land divided section from State Highway 10 to Concho Trail for the Precinct Line Road project and that Mayor and Council Communication No. L-15275 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

E. Planning & Zoning

1. M&C PZ-2959 - Institution of the Annexation and Adoption of an Ordinance for the Owner-Initiated Annexation of Approximately 38.2 Acres of Land for the GE Transportation Facility Near State Highway 114 and Farm to Market 156, A-11-011.

The recommendation was that the City Council Institute and Consider the Adoption of an Ordinance Declaring Certain Findings; Providing for the Extension of Certain Boundary Limits

(PZ-2959 Continued)

of the City of Fort Worth; Providing for the Annexation of an Approximately 38.2 Acre Tract of Land Situated in the Jeremiah Ivey Survey, Abstract Number 649, Situated About 18.7 Miles North 6 Degrees East of the Courthouse, Tarrant County, Texas (Case No. AX-11-011) Which Said Territory Lies Adjacent to and Adjoins the Present Corporate Boundary Limits of Fort Worth, Texas; Providing That the Territory Annexed Shall Bear its Pro Rata Part of Taxes; Providing That the Inhabitants Thereof Shall Have All the Privileges of All the Citizens of Fort Worth, Texas.

Mr. Edward Eckart, 2405 Mustang Drive, Grapevine, Texas 76051, completed a speaker card in support of Mayor and Council Communication No. PZ-2959, but did not wish to address the City Council.

Motion: Council Member Espino made a motion, seconded by Council Member Scarth that Mayor and Council Communication No. PZ-2959 be approved and Ordinance No. 19950-10-2011 be adopted. The motion carried unanimously (8) ayes to (0) nays with Council Member Moss absent.

2. M&C PZ-2960 - Authorize Joint Ordinance and Boundary Agreement with the City of River Oaks to Adjust the City Limit Boundaries Between the Cities of Fort Worth and River Oaks by Disannexing Approximately 5.7 Acres Located North of White Settlement Road and West of Churchill Street, BAX-11-015, Castleberry High School.

The recommendation was that the City Council Authorize a Joint Ordinance and Boundary Agreement With the City of River Oaks Whereby the Cities of Fort Worth and River Oaks Mutually Agree on a Realignment of the City Limit Boundary by Disannexing and Discontinuing From the Fort Worth Corporate Limits Approximately 5.7 Acres of Land, Located North of White Settlement Road and West of Churchill Street; and Authorize the Mayor to Execute the Joint Ordinance and Boundary Agreement.

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan that Mayor and Council Communication No. PZ-2960 be approved and Ordinance No. 19951-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

F. Award of Contract

1. M&C C-25234 - Authorize Execution of an Agreement with the United Way of Tarrant County for \$2,393,356.00 to Implement Action Items from Directions Home, the City's Homelessness Plan. (Continued from a Previous Meeting)

(C-25234 Continued)

The recommendation was that the City Council Authorize Agreement With the United Way of Tarrant County in the Amount of \$2,393,356.00 for the Implementation of Programs Described as the City's Responsibility in Directions Home, the City's Homelessness Plan; Authorize Extension or Renew the Agreement for Up to One (1) Year if the United Way of Tarrant County Requests an Extension and it is Necessary for the Completion of the Program; and Authorize Amending the Agreement if Necessary to Achieve Program Goals Provided that the Amendment is Within the Scope of the Program and in Compliance With Applicable Laws.

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

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns that Mayor and Council Communication No. C-25234 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with one (1) abstention by Council Member Hicks and Council Member Moss absent.

2. M&C C-25248 - Authorize Acceptance of Monetary Sponsorships for the Human Relations Unit in the Amount of \$1,250.00 from Goodwill Industries of Fort Worth, the Fort Worth Convention and Visitors Bureau, and the Fort Worth Botanical Society to Support the Operation and Production of the Fort Worth Human Relations Commission's Movies that Matter Film Series and Adopt Appropriation Ordinance.

The recommendation was that the City Council Authorize Acceptance of Monetary Sponsorships for the Human Relations Unit in the Amount of \$500.00 From Goodwill Industries of Fort Worth, \$250.00 From the Fort Worth Convention and Visitors Bureau and \$500.00 From the Fort Worth Botanical Society to Support the Operation and Production of the Fort Worth Human Relations Commission's Movies That Matter Film Series; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Special Trust Fund in the Amount of \$1,250.00, Subject to Receipt of Monetary Sponsorships From Various Organizations, for the Purpose of Funding the Human Relations Commission's Movies That Matter Film Series.

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton that Mayor and Council Communication No. C-25248 be approved and Ordinance No. 19952-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays with Council Member Moss absent.

3. M&C C-25249 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Barnett Gathering, LP, a License to Construct and Operate a Natural Gas Gathering Pipeline Across Hodgkins Road.

The recommendation was that the City Council Authorize the Execution of a Public Right-of-Way Use Agreement With Barnett Gathering, LP, Granting a License to Construct and Operate a Natural Gas Gathering Pipeline Across Hodgkins Road, North of Lawrence Lake Road, for a One (1) Time License Fee of \$3,780.00.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth that Mayor and Council Communication No. C-25249 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

4. M&C C-25250 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, L.L.C., a License to Construct and Operate a Natural Gas Gathering Pipeline Across Marine Meadows Drive and Hill Ridge Drive.

The recommendation was that the City Council Authorize the Execution of a Public Right-of-Way Use Agreement With Texas Midstream Gas Services, L.L.C., Granting a License to Construct and Operate a Natural Gas Gathering Pipeline Across Marine Meadows Drive, East of Boat Club Road, and Across Hill Ridge Drive, West of Boat Club Road, for a One (1) Time License Fee of \$6,284.25.

5. M&C C-25251 - Authorize Execution of an Encroachment Agreement With the Fort Worth Independent School District for the Installation of Data and Phone Cable Conduit to be Bored Beneath the Street Right-of-Way at 3000 Shotts Street.

The recommendation was that the City Council Authorize the Execution of a Standard Encroachment Agreement With the Fort Worth Independent School District for the Installation of Data and Phone Cable Conduit to be Bored Beneath the Street Right-of-Way at 3000 Shotts Street.

Motion: Council Member Burns made a motion, seconded by Council Member Scarth that Mayor and Council Communication No. C-25251 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

6. M&C C-25252 - Authorize Execution of Contract with JLB Contracting, LLC, in the Amount of \$1,024,962.00 for Hot Mix Asphaltic Concrete Surface Overlay 2011-19 at Ten Locations and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 3, 6 and 7)

(C-25252 Continued)

The recommendation was that the City Council Authorize Transfer of \$409,984.80 From the Water and Sewer Fund in the Amounts of \$245,990.88 to the Water Capital Projects Fund and \$163,993.92 to the Sewer Capital Projects Fund; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Water Capital Projects Fund and the Sewer Capital Projects Fund, From Available Funds, for the Purpose of Funding Hot Mix Asphaltic Concrete Surface Over 2011-19 at Various Locations; and Authorize Execution of a Contract With JLB Contracting, LLC, in the Amount of \$1,024,962.00 for 110 Calendar Days for Hot Mix Asphaltic Concrete Surface Overlay 2011-19.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton that Mayor and Council Communication No. C-25252 be approved and Ordinance No. 19953 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

7. M&C C-25253 - Authorize Execution of an Easement Encroachment Agreement with Oncor Electric Delivery Company, LLC, for Property Located Near Chambray and Horseman Roads for the West Fork Ranch Phase One New Residential Subdivision at No Cost to the City.

The recommendation was that the City Council Authorize the Execution of an Easement Encroachment Agreement With Oncor Electric Delivery Company, LLC, for Use of Their Existing Easement in West Fork Ranch, Milly Gilbert Survey, Abstract 565, to Construct an Eight (8) Inch Water Line and Two (2) Right-of-Way Crossings for Property Located Near Chambray and Horseman Roads for the West Fork Ranch Phase One (1) New Residential Subdivision at No Cost to the City.

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

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Zimmerman that Mayor and Council Communication No. C-25234 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with one (1) abstention by Council Member Scarth and Council Member Moss absent.

XV. ZONING HEARING

It appeared that the City Council at its regular meeting on September 20, 2011, continued Zoning Docket No. ZC-11-052.

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

1. 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. (Recommended for Approval) (Continued from a Previous Meeting)

Mr. Edward Eckart, 2405 Mustang Drive, Grapevine, Texas 76051, completed a speaker card in support of Zoning Docket No. ZC-11-052, but did not wish to address the City Council.

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton that Zoning Docket No. ZC-11-052 be approved. The motion carried unanimously (8) ayes to (0) nays with Council Member Moss absent.

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

ORDINANCE NO. 19954-10-2011

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

The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

XVI. CITIZEN PRESENTATIONS

The following individuals appeared before Council regarding Occupy Fort Worth – Burnett Park and read the organization's declaration of occupation. They stated that they were exercising their first amendment right to peacefully assemble and protest income inequality and corporate

(XVI. CITIZEN PRESENTATIONS Continued)

influence over government. They advised that the protesters wanted to coexist peacefully with local authorities but were not willing to allow their right to demonstrate be violated.

Ms. Denise Caspersen, 2736 Carter Avenue

Ms. Michelle Dooley, 1716 Thomas Place, completed a citizen presentation card relative to Occupy Fort Worth – Burnett Park, but deferred her three (3) minutes of time to Ms. Jones.

Ms. Joe Jones, 6340 Lake Worth Boulevard (also displayed a sign that detailed the ratio of top executives to employees around the world)

Mayor Price recessed the regular meeting back into Pre-Council meeting at 11:55 a.m., to complete the following Agenda items:

7. Update on Enterprise Resource Planning
8. City Council Requests for Future Agenda Items and/or Reports

Mayor Price adjourned the Pre-Council meeting and reconvened the regular meeting at 12:18 p.m.

XVIII. ADJOURNMENT

There being no further business, Mayor Price adjourned the meeting at 12:18 p.m.



TO: The Honorable Mayor and City Council Members

FROM: Frank Moss, Council Member District 5 *Franklin D. Moss*

DATE: November 1, 2011

SUBJECT: Board and Commission Reappointments – District 5

Request your consideration to approve reappointments to the following boards/commissions/committees with terms expiring as indicated:

Jake Petras, Place 5:	Board of Adjustment – Commercial and Fort Worth Alliance Airport Board of Adjustment, expiring October 1, 2013
Rubby Smith, Place 5:	Building Standards Commission, expiring September 30, 2013
Gyna Bivens, Place 5:	City Plan Commission and Capital Improvement Advisory Committee for Transportation Impact Fees, expiring October 1, 2013
Richard Reyero, Place 5:	Golf Advisory Committee, expiring October 1, 2013

This memorandum and a copy of all the applications were sent to each Council Member electronically for review on October 27, 2011, and the original copy will be maintained in the City Secretary's Office.



TO: The Honorable Mayor and City Council Members

FROM: Dennis Shingleton, Council Member District 7

DATE: November 1, 2011

SUBJECT: Board and Commission Reappointments

Request your consideration to reappoint to the following individuals to boards/commissions/committees with expiration terms as indicated:

Michael Ward, Place 7 - Building Standards Commission, expiring September 30, 2013

Karen Edwards-Fisher, Place 7 - Fort Worth Commission for Women, expiring October 1, 2013

DENNIS P. SHINGLETON
CITY COUNCIL - DISTRICT 7

THE CITY OF FORT WORTH * 1000 THROCKMORTON STREET * FORT WORTH, TEXAS 76102
817-392-8807 * FAX 817-392-6187



TO: The Honorable Mayor and City Council Members

FROM: Kathleen Hicks, Council Member District 8



DATE: November 1, 2011

SUBJECT: Board and Commission Application

Request your consideration to appoint Eunice Givens to Place 8 on the Appeals Board with a term expiring September 30, 2012. Eunice Givens is replacing Reverend Carl Pointer who resigned.

This memorandum and a copy of Eunice Given's application were sent to each Council Member electronically for review on October 27, 2011, and the original copy will be maintained in the City Secretary's Office.

KATHLEEN HICKS
CITY COUNCIL - DISTRICT 8

No Documents for this Section

City of Fort Worth, Texas
Mayor and Council Communication

DATE: Tuesday, November 1, 2011

LOG NAME:

REFERENCE NO.: **OCS-1832

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, October 26, 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, November 01, 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
Rodney Horton	10/21/2011	6/14/2011	4612 Barwick	Property Damage	Water main break.	Water	No	No
Betty Maddox	10/21/2011	9/22/2011	7916 Eastwind Dr.	Reimbursement	Seeking reimbursement for water leak repairs.	Water	Yes	No
Vanessa Henderson	10/24/2011	10/24/2011	2911 Forest Ave	Auto Damage	Hit dip in street and damaged vehicle.	TPW	No	No
Ariel Anderson	10/24/2011	10/19/2011	Village Creek	Auto Damage	Collision with City vehicle.	Police	No	No
Jeffrey Overstreet	10/24/2011	10/9/2011	West on 7th St	Auto Damage	Hit orange cone in street.	TPW	No	No
Martha Ibos	10/24/2011	10/9/2011	Deer Hollow / Dirks Rd	Auto Damage	Drove through water, damaged vehicle.	TPW	No	No
Keivna Sharp	10/25/2011	10/6/2011	2300 White Settlement	Bodily Injury	FWISD bus hit mirror of City vehicle, student claiming injury.	Water	No	Yes

PUBLIC HEARING:

FIRST PUBLIC HEARING FOR A PROPOSED CITY-INITIATED ANNEXATION OF APPROXIMATELY 749.5 ACRES OF LAND IN DENTON AND TARRANT COUNTIES, LOCATED NORTH OF WESTPORT PARKWAY AND EAST OF HERITAGE PARKWAY. (AX-11-013 NORTH I-35W ENCLAVE)

- a. Report of City Staff
- b. Citizen Comments

To the Mayor and Members of the City Council

November 1, 2011

Page 1 of 1

**SUBJECT: SERVICE PLAN PUBLIC HEARING FOR AX-11-013, LOCATED NORTH OF WESTPORT PARKWAY AND EAST OF HERITAGE PARKWAY (COUNCIL DISTRICT 2)**

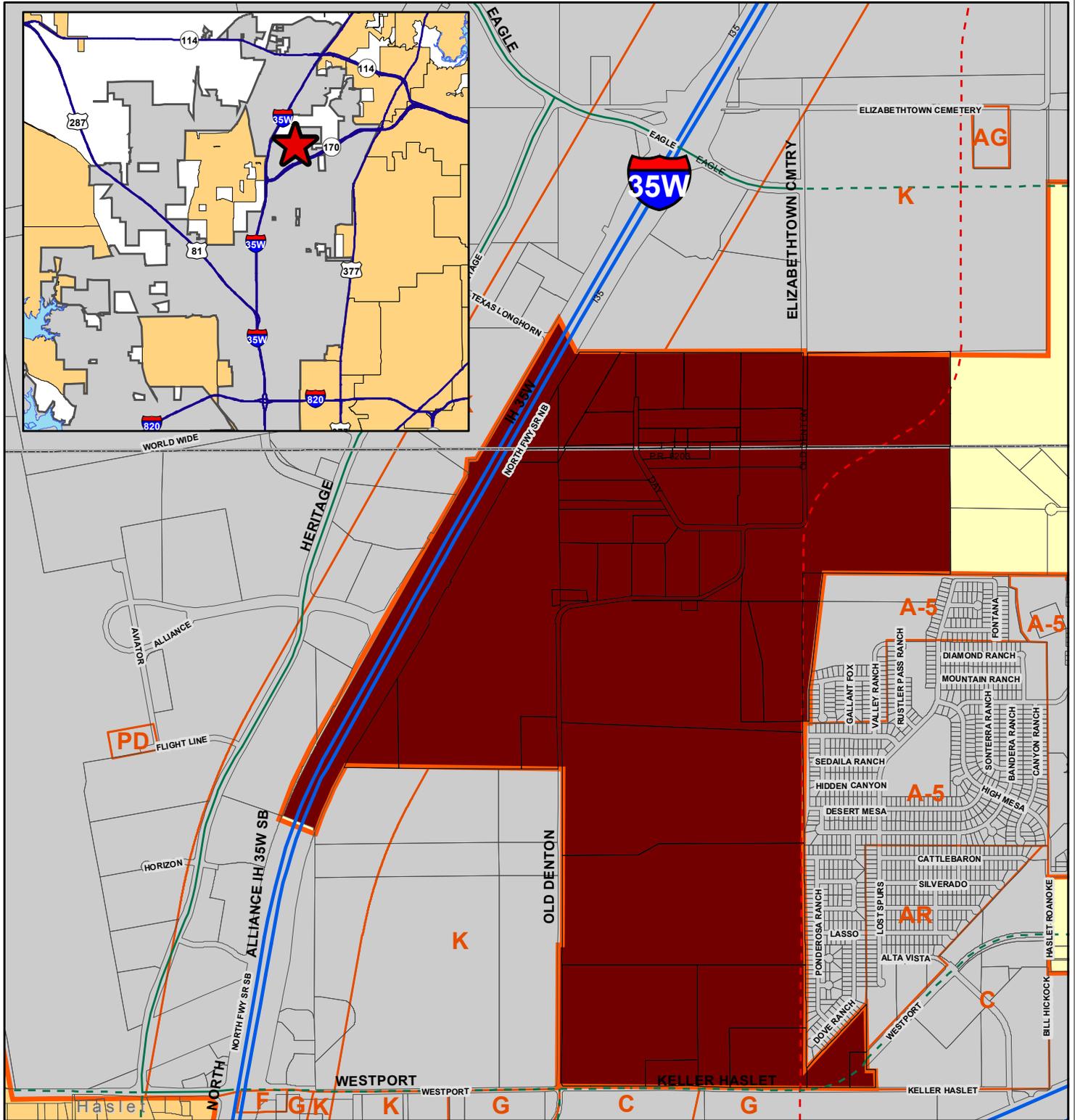
The 2011-2015 annexation program, adopted with the 2011 Comprehensive Plan, recommends this area be considered for full-purpose annexation in 2011 that would be an addition to Council District 2. The property under consideration for annexation as AX-11-013 is approximately 749.5 acres and currently is right-of-way for the North Freeway (I-35W), residential dwellings, industrial uses, gas well activity, and vacant land. No immediate additional development is anticipated. The zoning of the enclave is anticipated to have public hearings in November and December 2011.

The purpose of tonight's public hearing is to collect public comments on the city-initiated annexation service plan for the North Freeway Enclave (AX-11-013). The services that the annexation area will receive immediately upon annexation are: police, fire, and emergency medical services; garbage pick-up; library services; building inspection and code compliance; maintenance of existing public water and sewer lines; and public roadway maintenance. The only Council action necessary is to close the public hearing after receiving public input. Final annexation action will take place at the December 6 City Council meeting, which will contain an M&C to consider and institute adoption of this enclave in the Far North sector.

Project Case # AX-11-013

Exhibit A

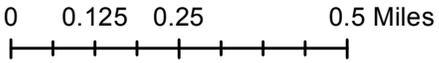
Addition of 749.5 Acres to become part of Council District 2



Legend

- Proposed Annexation Area
- Fort Worth City Limits
- Fort Worth ETJ
- Adjacent City

Proposed Process Schedule		Map References	
1st Public Hearing	11/01/11	Mapsc0	7M, 8E&F
2nd Public Hearing	11/15/11		8JKNS
Date of Institution	12/06/11		
Current Full-Purpose Incorporated Area		334.46 Square Miles	



Fort Worth Planning & Development Department
8/16/11 - BK

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CITY OF FORT WORTH, TEXAS
SERVICE PLAN FOR ANNEXED AREA

Property Subject to Plan: BEING 749.4 acres of land situated in the J. Evans Survey, Abstract Number 396; J. Evans Heirs Survey, Abstract 470; R. King Survey, Abstract 723; R. King Survey, Abstract 905; J. Matthews Survey, Abstract 1021; and the Z.D. Davis Survey, Abstract 1888; situated about 14.9 miles North 9 degrees East of the Courthouse in both Denton and Tarrant Counties, Texas.

Location and Acreage: Approximately 749.4 acres of land in Denton and Tarrant Counties, located north of Westport Parkway and east of Heritage Parkway.

Municipal services to the Annexation Area will be furnished by or on behalf of the City of Fort Worth, Texas, at the following levels and in accordance with the following service plan programs:

1. PROGRAM FOR SERVICES TO BE PROVIDED ON THE EFFECTIVE DATE OF THE ANNEXATION

The City will provide the following services in the Annexation Area on the effective date of the annexation, unless otherwise noted. As used in this plan, the term 'providing services' includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable city ordinances.

A. Police Protection

The Fort Worth Police Department will provide protection and law enforcement services in the Annexation Area commencing on the effective date of annexation. The services will include:

- Normal patrols and responses to calls for service
- Handling of offense and incident reports
- Special units, such as traffic enforcement, criminal investigations, narcotics law enforcement, gang suppression, and crime response team deployment when required.

These services are provided on a citywide basis. The area will be combined with existing Police Reporting Areas O300. The area will be added to Beat N13 in Zone N1 in North Division.

B. Fire Protection

Fire protection services will be provided by existing personnel and equipment of the Fort Worth Fire Department. These services will be provided based upon available water, road and street conditions, and distances from existing fire stations. Services will be provided to the annexation area commencing on the effective date of the annexation. These services include:

- Basic Life Support (BLS) 1st responder emergency medical services;
- Fire suppression and rescue;
- Hazardous materials mitigation and regulation;
- Dive rescue;
- Technical rescue;
- Fire Safety Education;
- Aircraft/rescue/firefighting;
- Fire protection system plan review; and
- Inspections.

These services are provided on a citywide basis. All Fort Worth firefighters are certified by the Texas Commission on Fire Protection.

On the date of annexation, the first responding fire services will come from Fire Station 35, located at 2201 Flight Line Road. The second responding fire company will be from Fire Station 38 located at 13280 Park Vista Boulevard. The Fire Department estimates the response time to be 6.5 and 7.5 minutes, respectively.

C. Emergency Medical Services – Basic Life Support

Basic Life Support (BLS) emergency medical services by existing personnel and equipment of the Fort Worth Fire Department will be provided to the annexation area commencing on the effective date of the annexation. The Fort Worth Fire Department serves as the first responder on life threatening medical emergencies as a part of the MedStar system. All Fort Worth Fire Department personnel are certified as Emergency Medical Technician basic level or higher. All engines, trucks, and rescue units carry Automated External Defibrillators for use with victims who are in cardiac arrest.

Emergency Medical Services – Advanced Life Support

Advanced Life Support response provided by MedStar is greater than 9 minutes to the proposed annexation area with a potential of at least a 30-minute transport time to the nearest trauma center.

D. Solid Waste Collection

Solid waste collection shall be provided to the Annexation Area in accordance with existing City ordinances and policies commencing on the effective date of the annexation. For residential collections, private solid waste service providers under contract with the City will provide services. Residential customers using the services of a privately owned solid waste management service provider other than the City’s contracted service provider may continue to use such services until the second anniversary of the annexation. Residential areas that are Private Communities where the real property and all infrastructure are owned and maintained by a property owners association representing the residents and home owners of that private development will need to enter in to a service agreement with the City in order to receive solid waste collection service in accordance with Chapter 12.5-821(f) of the city ordinance.

At the discretion of the customer, private service providers may provide solid waste collection services for businesses and multi-family dwelling complexes having three or more units. Private solid waste collection providers must have an active Grant of Privilege issued by the City of Fort Worth to provide service within the city limits.

E. Operation and Maintenance of Water and Wastewater Facilities

Currently, there are existing 8-, 10-, and 12-inch water mains water lines and 12-, 21- and 24-inch sewer lines located in or adjacent to the annexation area. Fort Worth will provide water and sewer service to the Annexation Area, at the developer’s cost, in accordance with the “Installation Policy of Community Facilities”.

F. Operation and Maintenance of Roads and Streets, Including Street Lighting

The following services will be provided in the Annexation Area commencing on the effective date of the annexation, unless otherwise noted.

These services include emergency pavement repair and repair maintenance of public streets on an as-needed basis. Preventive maintenance projects are prioritized on a region-wide basis and scheduled based on a variety of factors, including surface condition, ride ability, age, traffic volume, functional class, and available funding. Any necessary rehabilitation or reconstruction will be considered and prioritized by the City.

Streetlights installed on improved public streets shall be maintained by the City of Fort Worth in accordance with current City policies. Other street lighting shall not be maintained by the City of Fort Worth.

The City will also provide regulatory signage services in the Annexation Area. Traffic signal, stop, and all other regulatory studies are conducted in conjunction with growth of traffic volumes. All regulatory signs and signals are installed when warranted following an engineering study. Faded, vandalized, or missing signs are replaced as needed. "CALL BACK" service is provided 24 hours a day, 365 days a year for emergency sign repair.

G. Operation and Maintenance of Parks, Playgrounds and Swimming Pools

Residents of this property may utilize all existing parks and community service facilities throughout the City, beginning with the effective date of the annexation. Existing parks, playgrounds, swimming pools and other recreational and community facilities within the Annexation Area that are private facilities will be unaffected by the annexation.

Existing parks, playgrounds, swimming pools and other recreational and community facilities within this property shall, upon deeding to and acceptance by the City and appropriations for maintenance and operations, be operated by the City of Fort Worth, but not otherwise.

H. Operation and Maintenance of Any Other Publicly Owned Facility, Building or Service.

In the event the City acquires any other facilities, buildings or services necessary for municipal services located in the Annexation Area, the appropriate City department will provide maintenance services.

2. PROGRAM FOR PROVIDING ADDITIONAL SERVICES

In addition to the services identified above, the following services will be provided in the Annexation Area on the effective date of the annexation, unless otherwise noted:

- A. The residents of the Annexation Area will receive the following library services from the Fort Worth Library commencing on the effective date of the annexation.
 - Genealogy, Local History, and Archival Collections
 - Youth & Teen Services
 - Interlibrary Loan to borrow materials from collections of 10,000 libraries
 - Telephone, Mail, and E-mail Reference Services
 - Remote access to over 50 online databases
 - U. S., Texas, and City of Fort Worth documents
 - Free computer classes for the public
 - Large Print Books
- B. The City will provide general municipal administration and administrative services.
- C. The Annexation Area will be included in the Transportation and Public Works Department's Storm Water Utility service area. Properties in this area will be assessed a monthly fee based on the amount of impervious surface. The fees will cover the direct and indirect costs of storm water management services, including routine maintenance (at current citywide service levels) for all public drainage channels and for all public storm sewers within dedicated public drainage easements. The Storm Water Utility will also provide floodplain management and information regarding flood plains, as well as watershed development review and inspection.
- D. Enforcement of the City's code, consumer health, and animal care and control ordinances and regulations, that include but not limited to: high weeds and grass, trash and debris, solid waste, trash carts and illegal dumping, junked and abandoned vehicles, zoning, food, daycare, public pool and spa inspections, stray animals, cruelty and bite investigations. Complaints of ordinance or regulation violations within the area will be answered and investigated by existing personnel within the appropriate department beginning on the effective date of the annexation.
- E. The City's building, plumbing, mechanical, electrical, and all other construction codes will be enforced within the Annexation Area beginning with the effective date of the annexation.

- F. The City's zoning, subdivision, sign, manufactured housing, junk yard and other ordinances shall be enforced in the Annexation Area beginning on the effective date of the annexation.
- G. All inspection services furnished by the City of Fort Worth, but not mentioned above, will be provided to the Annexation Area beginning on the effective date of the annexation.

3. PROGRAM FOR PROVIDING FULL MUNICIPAL SERVICES WITHIN 2-½ YEARS

In addition to the services listed above, the City will provide full municipal services to the Annexation Area commensurate with the levels of services provided in other parts of the City except if differences in topography, land use, and population density constitute a sufficient basis for providing different levels of service, no later than two and one-half (2-½) years after the effective date of the annexation. If full municipal services cannot be reasonably provided within the aforementioned time period, the City will propose a schedule for providing said services within a period of four and one-half (4-½) years after the effective date of the annexation, and/or upon commencement of development of a subdivision within this property, whichever occurs later.

“Full municipal services” are services provided by the annexing municipality within its full-purpose boundaries, excluding gas or electrical service. The City shall provide the services by any of the methods by which it extends the services to any other area of the City.

4. CAPITAL IMPROVEMENTS PROGRAM

The developer will initiate acquisition or construction of capital improvements necessary for providing full municipal services adequate to serve the Annexation Area. Any such construction shall be substantially completed within two and one-half (2-½) years after the effective date of the annexation. If capital improvements necessary for providing full municipal services for the Annexation Area cannot be reasonably constructed within the aforementioned time period, the City will propose a schedule for providing said services within a period of four and one-half (4-½) years, and/or upon commencement of development of a subdivision within this property, whichever occurs later.

Acquisition or construction shall be accomplished by purchase, lease, or other contract. Any such construction shall be accomplished in a continuous process and shall be completed as soon as reasonably possible, consistent with generally accepted local engineering and architectural standards and practices.

- A. Police Protection. No capital improvements are necessary at this time to provide police protection to the Annexation Area. Need for construction of new facilities will be assessed periodically based on population growth, predicted growth and call volume.
- B. Fire Protection. Currently, Fire Station 35 has a 6.5 minute response time to the Annexation Area. Consideration should be given to constructing new stations and staffing new facilities prior to final decision to complete annexation.
- C. Solid Waste Collection. No capital improvements are necessary at this time to provide solid waste collection services to the Annexation Area.
- D. Water and Wastewater. Currently, existing 8-, 10-, and 12-inch water mains and existing 12-, 21- and 24-inch sewer lines located in or adjacent to the annexation area.
- E. Roads. Future capital improvements are required for the widening of Old Denton Road to a collector street, widening Westport Parkway from 2 lanes to a 4-lane divided arterial street, the reconstruction of Day Road as a local street, and the construction of future North Beach Street as a 6-lane divided arterial street.
- F. Storm Water Utility. No capital improvements are necessary at this time to provide drainage services.

- G. Street Lighting. New subdivisions in the Annexation Area are anticipated to install street lighting in accordance with the City's standard policies and procedures. In other cases, the City will consider installation of additional street lighting in the Annexation Area upon request, with priority given to street lighting for traffic safety. Provision of street lighting will be in accordance with the City's street lighting policies, and those of the providing utility.
- H. Parks, Playgrounds and Swimming Pools. Capital improvements such as parkland acquisition and development of facilities will be dictated by future land use of the area, goals established by the Park, Recreation and Open Space Master Plan and appropriation of resources. Should additional residential development occur, parkland dedication, neighborhood park development and neighborhood park infrastructure or payment in lieu thereof will be required in accordance with the Park Dedication Policy of the Subdivision Ordinance.
- I. Other Publicly Owned Facilities, Building or Services: Additional Services. In general, other City functions and services, and the additional services described above can be provided for the Annexation Area by using existing capital improvements. Additional capital improvements are not necessary to provide City services.

5. **IMPACT FEES**

Notwithstanding any other provision of this service plan, a landowner within the Annexation Area will not be required to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Local Government Code governing impact fees, unless otherwise agreed to by the landowner.

No Documents for this Section

Zoning Docket items are linked on the Council Meeting Agenda.



TO: The Honorable Mayor and City Council Members

FROM: Marty Hendrix, City Secretary

DATE: November 1, 2011

SUBJECT: Annual Open Records/Public Information Response Update

The Records and Information Management (RIM) Office performs the receipt, distribution, and tracking of public information requests received by the City, with systematic review for release performed by the City's Law Department. The mission of the City's open records/public information program is to ensure the security and integrity of information being released from the City and to make the City more responsive to the public.

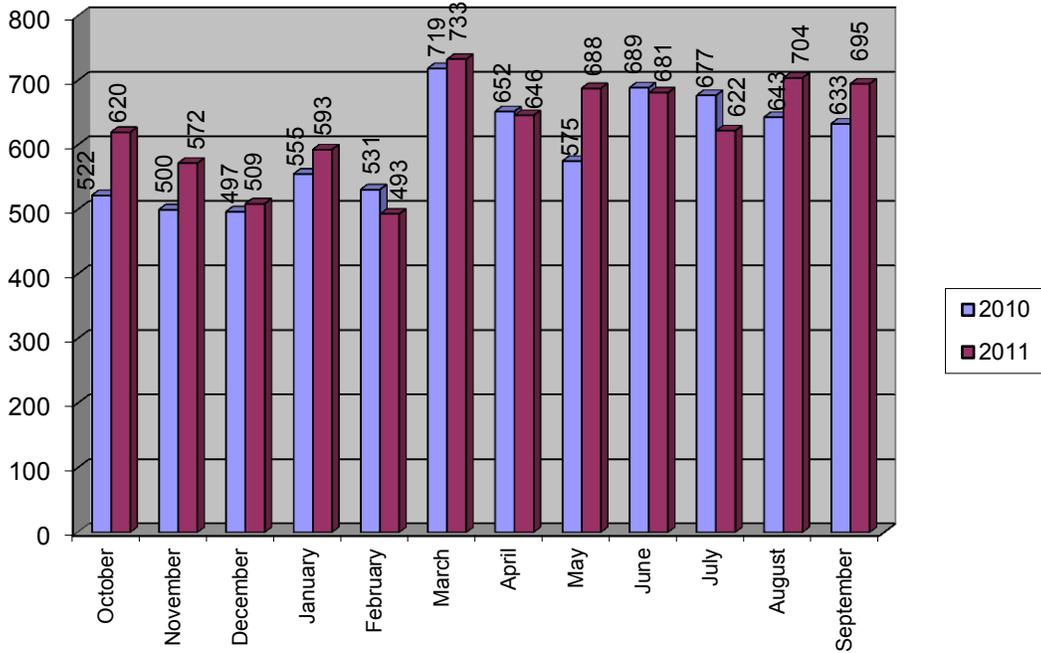
The City received and responded to 7,556 requests for public information in FY2010-2011. This is a 5 percent increase from the previous year and an increase of nearly 1300 percent since the program was streamlined and centralized in the year 2000. Each year since that time has featured increasingly higher totals and numerous monthly records. 2011 included eight months with over 600 requests, with no months reaching that number as recent as two years ago. March 2011 brought a record 733 requests.

The web portal that was designed in coordination with FOIA Software Systems has now been in use for a year and half. This system has automated the request process, enhanced communication and information sharing among requestors and City staff, and allows for reporting to better analyze and plan City-wide program administration.

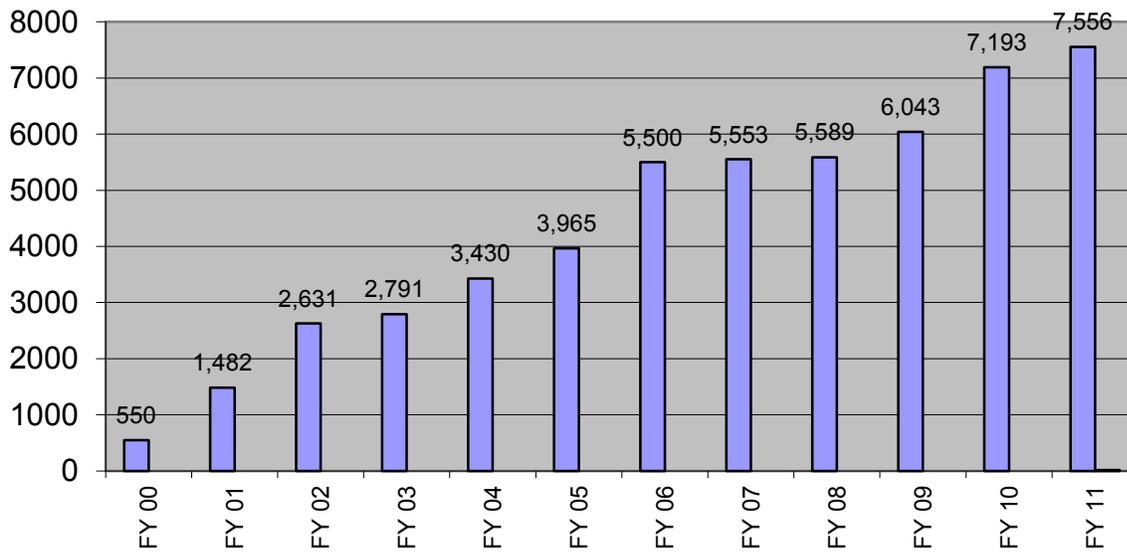
Attached is a breakdown of departmental public information requests received by the City during fiscal 2010/2011, with rounded percentages. Also included are monthly, average, and comparative totals. This report is submitted for informational purposes. Should you have any questions, please contact Doug Jones, Records Manager, at (817) 392-2437.

PUBLIC INFORMATION REQUEST STATISTICS FY 2011

Public Information Requests FY10 - FY11 Monthly Comparison



PUBLIC INFORMATION REQUESTS 11 YEAR PROGRAM GROWTH = 1300%



<u>FY 11 by Dept</u>	<u>Oct 10</u>	<u>Nov 10</u>	<u>Dec 10</u>	<u>Jan 11</u>	<u>Feb 11</u>	<u>Mar 11</u>	<u>Apr 11</u>	<u>May 11</u>	<u>Jun 11</u>	<u>Jul 11</u>	<u>Aug 11</u>	<u>Sept 11</u>	<u>Total</u>	<u>Percentage</u>
Police	378	380	369	369	289	440	404	398	413	440	469	504	4853	48.66%
Planning & Development	69	62	39	62	69	111	91	92	121	80	92	95	983	9.86%
Code Compliance	62	65	46	69	60	98	65	113	75	92	79	97	921	9.23%
Police (IT Solutions)	76	69	69	68	57	71	50	61	61	34	30	25	671	6.73%
TPW	55	55	33	46	36	58	39	53	64	40	53	51	583	5.85%
Fire	34	41	29	54	24	55	30	47	72	38	59	45	528	5.29%
Municipal Court	14	31	24	12	12	28	26	18	24	20	23	41	273	2.74%
Human Resources	25	11	27	21	15	20	23	16	21	19	27	19	244	2.45%
Water	25	23	9	19	14	21	27	17	13	18	30	17	233	2.34%
City Secretary's Office	13	17	12	12	10	14	16	19	12	13	13	15	166	1.66%
IT Solutions	14	8	8	12	8	15	17	14	5	8	11	11	136	1.36%
Financial Management Services	16	18	6	9	10	9	19	8	9	13	9	8	129	1.29%
City Manager's Office	8	9	5	6	3	10	5	4	5	3	5	3	66	0.66%
Mayor & Council	2	5	5	4	4	3	3	6	3	1	3	4	43	0.43%
Housing & Economic	1	5	2	1	2	7	0	7	4	3	4	4	40	0.40%
Parks & Community Services	4	2	0	6	2	3	0	4	2	0	2	2	27	0.27%
Law	2	2	2	5	2	3	2	0	3	3	2	2	27	0.27%
Public Events	2	3	0	2	2	1	2	0	3	2	1	1	19	0.19%
Aviation	2	2	0	2	2	2	0	0	0	0	0	0	11	0.11%
Library	0	3	2	0	0	3	0	0	1	0	0	0	9	0.09%
Internal Audit	0	2	0	0	0	0	1	0	0	1	0	0	7	0.07%
Equipment Services	0	2	0	0	0	0	0	0	0	0	0	2	4	0.04%
Request Involvement Total	802	815	687	779	621	972	820	877	910	829	912	949	9973	100.00%
	620	572	509	593	493	733	646	688	681	622	704	695	7556	



FORT WORTH



S.M.A.R.T. Report

**Street Management And Road Traffic
Transportation and Public Works
October 28—November 10**



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 **mid to late November 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 **late Nov 2011**
- W 12th (from Throckmorton to Jennings) Parking Lane closures through **late Nov 2011**
- Texas (from W 13th to Jennings) Parking Lane closures through **late Nov 2011**
- W 13th (from Texas to Throckmorton) Parking lane closures through **late 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
October 28—November 10



Special Events

Festivals * Runs * Walks

CULTURAL DISTRICT

- **10-4 For Hank Run**
Oct 29 6am to 12pm Trinity Park
- **Vampire Run**
Oct 29 5:30pm to 7:30pm Trinity Park
- **Pet Walk**
Nov 19 9am Trinity Park

Entrances to Park Closed for events

DOWNTOWN OUTDOOR EVENTS DISTRICT (DOED)

- **Kick the Can**
Nov 4 Sundance Square
Street Closure: Main between 3rd and 4th streets, 9am to 2pm
- **Library Bookmobile**
Nov 1 8:30 am to 7pm Sundance Square
Street Closure: Main St between 3rd and 4th streets
- **Annual Christmas Tree Display**
Nov 15—Jan 5 Sundance Square
Street Closure: Main Street between 3rd and 4th streets—24 hour closure

NEAR SOUTHSIDE OUTDOOR EVENTS DISTRICT (NSOED)

- **Open Streets**
Oct 30 12pm to 4pm
Street Closures: Begin at 11am and end at 5pm
S Main from Vickery to Broadway, Broadway from Main to Jennings, Jennings from Broadway to Cannon, Cannon from Jennings to St Louis

STOCKYARDS OUTDOOR EVENTS DISTRICT (SOED)

- **Treat Street**
Oct 31 6pm to 8pm Stockyards District
No street closures

WEST 7TH

- **Margarita Massacre**
Oct 30 1pm to 5pm Crockett Street
Street Closure: Crockett St from Norwood to Currie, 8am to 8pm

Special Events *Continued...*

Festivals * Runs * Walks

OTHER

- **Turkey Trot**
Nov 24 7am Camp Bowie / Ridglea Area
Street Use: Westridge, Camp Bowie, Sunset, Lackland, Calmont

Parades

CULTURAL DISTRICT

DOWNTOWN OUTDOOR EVENTS DISTRICT

- **Parade of Lights**
Nov 25 6pm
Street Closures: Belknap, Commerce, 6th, Houston, Weatherford, 5:30pm and end at 8:30pm

NEAR SOUTHSIDE OUTDOOR EVENTS DISTRICT

STOCKYARDS OUTDOOR EVENTS DISTRICT

OTHER

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