



**SUMMARY OF MEETINGS AND ACTIVITIES  
MONDAY, APRIL 2, 2012, THROUGH FRIDAY, APRIL 6, 2012**

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**MONDAY, APRIL 2, 2012**

**TIME    LOCATION**

No Meetings

**TUESDAY, APRIL 3, 2012**

Housing and Economic Development Committee (HEDC)	1:00 p.m.	Pre-Council Chamber
Local Development Corporation	Immediately following the HEDC	Pre-Council Chamber
Executive Session/Special Meeting Of The City Council	2:30 p.m.	Pre-Council Chamber
Pre-Council Meeting	3:00 p.m.	Pre-Council Chamber
City Council Meeting	7:00 p.m.	Council Chamber

**WEDNESDAY, APRIL 4, 2012**

Disciplinary Appeals Board Special Session-Appeal Hearing	8:30 a.m.	275 W. 13 <sup>th</sup> Street, Conference Room 134, Joint Emergency Operations Center Area
Commercial Board of Adjustment Work Session	9:00 a.m.	Pre-Council Chamber
Commercial Board of Adjustment Public Hearing	10:00 a.m.	Council Chamber
Community Development Council Meeting and Public Hearing Meeting	6:00 p.m.	Pre-Council Chamber

**THURSDAY, APRIL 5, 2012**

City and Police Officers Association Meet and Confer Negotiations	9:00 a.m.	Pre-Council Chambers
Library Advisory Board Meeting	12:30 p.m.	eSkills Library & Job Center 2800 Stark Street
Downtown Design Review Board	2:00 p.m.	Pre-Council Chamber

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on March 29, 2012, and may not include all meetings to be conducted during the week of April 2, 2012 through April 6, 2012. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.



**SUMMARY OF MEETINGS AND ACTIVITIES  
MONDAY, APRIL 2, 2012, THROUGH FRIDAY, APRIL 6, 2012**

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**FRIDAY, APRIL 6, 2012**

No Meetings

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on March 29, 2012, and may not include all meetings to be conducted during the week of April 2, 2012 through April 6, 2012. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.

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HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING  
TUESDAY, APRIL 3, 2012  
1:00 P.M.  
PRE-COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

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FORT WORTH LOCAL DEVELOPMENT CORPORATION  
(IMMEDIATELY FOLLOWING THE HOUSING AND ECONOMIC DEVELOPMENT  
COMMITTEE MEETING)  
TUESDAY, APRIL 3, 2012  
PRE-COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

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EXECUTIVE SESSION/SPECIAL MEETING OF THE CITY COUNCIL  
TUESDAY, APRIL 3, 2012  
2:30 P.M.  
PRE-COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

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PRE-COUNCIL MEETING  
TUESDAY, APRIL 3, 2012  
3:00 P.M.  
PRE-COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

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1. Report of the City Manager - Tom Higgins, City Manager
  - a. Changes to the City Council Agenda
  - b. Upcoming and Recent Events
  - c. Organizational Updates and Employee Recognition(s)
  - d. Informal Reports
    - [IR 9481](#): Local Impact of Federal/State Budget Reductions
    - [IR 9482](#): Proposed Noise Ordinance Amendments
    - [IR 9483](#): Stage 1 Drought Restrictions and Variance Process
    - [IR 9484](#): Regulation of Salt Water Disposal Wells
    - [IR 9485](#): 2012 State Wide Round-Up and City of Fort Worth Warrant Amnesty Program
    - [IR 9486](#): 2012 – 2015+ Healthcare Strategy for Actives and Retirees
2. Current Agenda Items - City Council Members
  - a. Overview of Significant Zoning Cases - Dana Burghdoff, Planning and Development
3. Responses to Items Continued from a Previous Week

- a. [ZC-11-075A](#) - City of Fort Worth Planning & Development, Camp Bowie Corridor Form Based Code District: Ridglea Urban Village Core South: Generally bounded by the 6100 - 6400 blocks of Camp Bowie Boulevard, southside; from: "MU-1" Low Intensity Mixed-Use, "MU-1/HSE" Low Intensity Mixed-Use/Highly Significant Endangered "F" General Commercial, "G" Intensive Commercial, "MU-2" High Intensity Mixed-Use, and "PD" Planned Developments Nos. 400, 633, and 882 to: Camp Bowie Form-Based district: Ridglea Urban Village Core South Subdistrict (Continued from March 6, 2012 by Council Member Zimmerman)
  - b. [ZC-11-100A](#) - City of Fort Worth Planning & Development, Text Amendment: Proposed Amendments to the Camp Bowie Form Based Code, Ridglea Urban Village Core South: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the code of the City of Fort Worth, to amend: Section 5 "Schedule of Permitted Uses" of the Camp Bowie Revitalization Code of Section 4.1204 of Chapter 4, "District Regulations" and the Table of permitted uses in the Ridglea Urban Village Core South Zone. (Recommended for Approval) (Continued from March 6, 2012 by Council Member Zimmerman)
  - c. [ZC-11-101](#) - Victor Lopez, 3602 North Grove Street; from: "K" Heavy Industrial to: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus glass recycling, site plan included (Recommended for Approval) (Continued from March 20, 2012 by Council Member Espino)
  - d. [ZC-12-021](#) - City of Fort Worth Planning & Development, Text Amendment: Telecommunication Towers: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the code of the City of Fort Worth, to amend: Article 1 "Standards for Selected Uses", of Chapter 5, "Supplemental Use Standards"; Sections 5.136 "Telecommunications Antenna" and 5.137 "Telecommunication Tower and Stealth Telecommunication Tower" in their entirety; Reorganize the sections and revise application requirements, design review responsibility, and allow administrative approvals; Section 2.102 "Urban Design Commission" to revise the duties of the Urban Design Commission; and Chapter 9, "Definitions" to revise definitions related to Telecommunications (Recommended for Approval) (Continued from March 6, 2012 by Council Member Shingleton)
4. Briefing on Twice a Week Outdoor Watering - Frank Crumb, Water
  5. Review of Draft Ordinance on Salt Water Disposal Wells - Rick Trice, Planning and Development

6. Overview of Market Data for Police Wages and Pensions - Susan Alanis, City Manager's Office
7. Briefing on Healthcare Strategies - Karen Marshall, Human Resources
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, April 03, 2012

Notice is hereby given that the City Council of the City of Fort Worth will hold a special meeting at 2:30 P.M. in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas, on Tuesday, April 3, 2012 to consider the items on the agenda listed below.

I. CALL TO ORDER

II. EXECUTIVE SESSION

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

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

a. Legal issues related to Employee Benefits and the Employees' Retirement Fund of the City of Fort Worth, Texas;

b. Marshall Hobbs, Jr. v. City of Fort Worth and Mary Kayser, Cause No. 017-258460-12;

c. In re: AMR Corporation, et al., Case Number 11-15463, United States Bankruptcy Court for the Southern District of New York; and

d. 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, APRIL 03, 2012  
CITY COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

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**I. CALL TO ORDER**

**II. INVOCATION** - Jesse Villagomez, Local Spiritual Assembly of Fort Worth Baha'i Faith of Fort Worth

**III. PLEDGE OF ALLEGIANCE**

**IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF MARCH 27, 2012**

**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-17565](#) - Authorize Acceptance of an Additional \$21,663.90 for the Fiscal Year 2011 Emergency Management Preparedness Grant Award from the Texas Division of Emergency Management and the Execution of the Grant Contract for the Total Amount of the Award and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
2. [M&C G-17566](#) - Authorize Acceptance of a Wildlife Hazard Assessment Project Grant for Fort Worth Meacham International Airport from the Texas Department of Transportation Aviation Division in the Amount of \$90,000.00, Authorize the Transfer of \$10,000.00 from the Municipal Airports Fund for the City's Grant Match and Adopt Appropriation Ordinance (COUNCIL DISTRICT 2)

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

1. [M&C P-11368](#) - Authorize Non-Exclusive Purchase Agreements for the Household Crisis Component of the Comprehensive Energy Assistance Program with Atlas Star Energy, Inc., d/b/a ACooler House and Integrity Texas Construction LTD, d/b/a Integrity Home Repair and Construction for the Parks and Community Services Department for a Combined Amount Up to \$200,000.00 for the First Year Using Grant Funds (ALL COUNCIL DISTRICTS)
2. [M&C P-11369](#) - Authorize Purchase Agreement with Metro Irrigation Supply Company, Ltd, in the Amount of \$100,000.00 for the First Year for Irrigation Equipment, Parts and Repair Services for All City Departments (ALL COUNCIL DISTRICTS)
3. [M&C P-11370](#) - Authorize Purchase Agreement with AT&T Mobility LLC, in the Amount of \$500,000.00 for Voice and Data Wireless Services and Hardware, Using a General Services

Administration Contract for the Information Technology Solutions Department for the First Year (ALL COUNCIL DISTRICTS)

4. [M&C P-11371](#) - Authorize Purchase of Two One Ton Crew Vans and Three One Ton Cargo Vans from Sam Packs Five Star Ford Using a Texas Smart Buy Cooperative Contract for the Parks and Community Services and Transportation and Public Works Departments in the Amount of \$111,024.00 (ALL COUNCIL DISTRICTS)

**C. Land - Consent Items**

1. [M&C L-15343](#) - Authorize Direct Sale of Tax-Foreclosed Properties Located at 3428 Bryan Avenue and 3432 Bryan Avenue to Fort Worth Area Habitat for Humanity, Inc., in the Amount of \$16,039.30 (COUNCIL DISTRICT 9)
2. [M&C L-15344](#) - Authorize Acceptance of a Dedication Deed for 0.04 Acres of Land, Being a Part of Lots 7 and 8, Block 3, Burchill Addition, from Renaissance Square, LLC, at No Cost to the City of Fort Worth, for Right-of-Way to Widen US Highway 287 Access Road and East Berry Intersection and to Accommodate Future Development (COUNCIL DISTRICT 8)

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

1. [M&C PZ-2972](#) - Authorize Initiation of Rezoning for Certain Properties in the Oakridge Terrace Neighborhood Area in Accordance with the Comprehensive Plan (COUNCIL DISTRICT 8)

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

1. [M&C C-25538](#) - Authorize Amendment No. 1 to City Secretary Contract No. 35334 with Data Applications Corporation, in the Amount of \$596,000.00 to Provide Continued Computer and Peripherals Maintenance and Support Services for the Information Technology Solutions Department (ALL COUNCIL DISTRICTS)
2. [M&C C-25539](#) - Authorize Execution of an Engineering Agreement with Kimley-Horn and Associates, Inc., in the Amount of \$132,449.00 to Provide Engineering Services for Infrastructure Improvements Associated with the Hardy Street Single-Family Infill Housing Project (COUNCIL DISTRICT 2)
3. [M&C C-25540](#) - Authorize Execution of a Contract with Humphrey & Morton Construction Company, Inc., in the Amount of \$873,649.50 for Longstraw Channel Improvements (COUNCIL DISTRICT 4)
4. [M&C C-25541](#) - Authorize Execution of a Contract with McClendon Construction Company, Inc., in the Amount of \$307,189.45 for the Reconstruction of Shiver Road from Meridian Lane to 300 Feet West of Stirrup Way, Utilizing \$175,000.00 from 2004 Capital Improvement Program New Development Funds and \$232,591.20 from Community Facility Agreement Future Improvements Fund to Provide

for Construction Contract Costs, Contingencies and Construction Services for a Project Total in the Amount of \$407,591.20 and Adopt Appropriation Ordinances (COUNCIL DISTRICT 2)

5. [M&C C-25542](#) - Authorize Agreement Granting Non-Exclusive Privilege to Champion Waste Services, LLC, to Collect and Transport Municipal Solid Waste Pursuant to Chapter 12.5, Article VIII "Solid Waste and Recycling", Division 5 "Private Collectors" of the City Code (ALL COUNCIL DISTRICTS)
6. [M&C C-25543](#) - Authorize Execution of Amendment No. 1 to City Secretary Contract No. 40121 with Halff Associates, Inc., in the Amount of \$140,605.00 for a Total Contract in the Amount of \$315,577.00 for Sanitary Sewer Rehabilitation Contract 80 in an Area of Southeast Fort Worth that is Generally Bound by East Rosedale Street, Anderson Street, Ramey Avenue, Carverly Drive, Stalcup Road and Dillard Street and Adopt Appropriation Ordinance (COUNCIL DISTRICT 5)
7. [M&C C-25544](#) - Authorize Application for and Acceptance, if Awarded, of a Grant from the Texas Department of Agriculture in the Amount Up to \$600,500.00 for the 2012 Summer Food Service Program, Apply Indirect Costs at Approved Percentage Rate and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

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

1. OCS - 1846 - Notice of Claims for Alleged Damages and/or Injuries

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

1. Presentation of Proclamation for Child Abuse Awareness Month

#### **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. RESOLUTION**

1. A Resolution Authorizing Closure of Z. Boaz Golf Course and Re-Purposing of the Property as a Community Park

#### **XIV. ORDINANCE**

1. An Ordinance Amending Ordinance No. 20055-01-2012, Ordering a Special Election on Saturday, the 12th Day of May 2012, for the Purpose of Electing a Council Member for City Council District 8 to Serve the Remainder of an Unexpired Term, to Amend Early Voting Locations, Add Election Day Polling Locations, and Establish a Runoff Date

#### **XV. ZONING HEARING**

1. [ZC-11-070](#) - (CD 9) - Fellowship Church, 2716 - 2724 & 2725 - 2741 Merrimac

Street; from: "R2" Townhouse/Cluster and "PD-268" Planned Development/Specific Use for additional parking for the existing building with restrictions to: "MU-1" Low Intensity Mixed Use **(Recommended for Denial without Prejudice)**

2. **ZC-11-075A** - **(CD 3)** - City of Fort Worth Planning & Development, Camp Bowie Corridor Form Based Code District: Ridglea Urban Village Core South: Generally bounded by the 6100 - 6400 blocks of Camp Bowie Boulevard, southside; from: "MU-1" Low Intensity Mixed-Use, "MU-1/HSE" Low Intensity Mixed-Use/Highly Significant Endangered "F" General Commercial, "G" Intensive Commercial, "MU-2" High Intensity Mixed-Use, and "PD" Planned Developments Nos. 400, 633, and 882 to: Camp Bowie Form-Based district: Ridglea Urban Village Core South Subdistrict.

To view the proposed amendment:

<http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>

**(Recommended for Approval) (Continued from a Previous Meeting)**

3. **ZC-11-100A** - **(CD 3)** - City of Fort Worth Planning & Development, Text Amendment: Proposed Amendments to the Camp Bowie Form Based Code, Ridglea Urban Village Core South: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codefied as Appendix "A" of the code of the City of Fort Worth, to amend:
  - Section 5 "Schedule of Permitted Uses" of the Camp Bowie Revitalization Code of Section 4.1204 of Chapter 4, "District Regulations" and the Table of permitted uses in the Ridglea Urban Village Core South Zone.

**(Recommended for Approval) (Continued from a Previous Meeting)**

4. **ZC-11-101** - **(CD 2)** - Victor Lopez, 3602 North Grove Street; from: "K" Heavy Industrial to: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus glass recycling, site plan included. **(Recommended for Approval) (Continued from a Previous Meeting)**
5. **ZC-12-013** - **(CD 6)** - Rodrigo Armendariz, 7108 South Freeway; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus outside storage of granite slabs for sale and outdoor storage in the rear; site plan included. **(Recommended for Approval)**
6. **ZC-12-017** - **(CD 5)** - Ignacio Garcia, 4900 Miller Avenue, 4108 Moberly; from "E" Neighborhood Commercial to: "FR" General Commercial Restricted **(Recommended for Denial)**
7. **ZC-12-021** - **(CD-ALL)** - City of Fort Worth Planning & Development, Text Amendment: Telecommunication Towers: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codefied as Appendix "A" of the code of the City of Fort Worth, to amend:
  - Article 1 'Standards for Selected Uses', of Chapter 5, "Supplemental Use Standards"; Sections 5.136 "Telecommunications Antenna" and 5.137 "Telecommunication Tower and Stealth Telecommunication Tower" in their entirety;
  - Reorganize the sections and revise application requirements, design review responsibility, and allow administrative approvals;
  - Section 2.102 "Urban Design Commission" to revise the duties of the Urban Design Commission; and
  - Chapter 9, "Definitions" to revise definitions related to Telecommunications.

To review the proposed amendments:

<http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>  
**(Recommended for Approval) (Continued from a Previous Meeting)**

8. **ZC-12-022 - (CD-ALL)** - City of Fort Worth Planning & Development, Text Amendment: Amendments to the Zoning Ordinance creating Articles for Overlays and Form-Based Codes and Re-Activating O-1 & O-2 Floodplain Districts: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the code of the City of Fort Worth to:
  - Reorganize and renumber Chapter 4 "District Regulations";
  - Add a Mixed-Use and Form-Based District Use Table; and
  - Re-Activate Floodplain "O-1" & "O-2" Districts.

To review the proposed amendments:

<http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>  
**(Recommended for Approval)**

9. **ZC-12-023 - (CD 8)** - Raymundo Garcia, 1900, 1904, 1908, 1912 Evans Avenue; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus auto repair with bay doors facing a One or Two-Family residential district; site plan waiver requested.  
**(Recommended for Denial)**
10. **ZC-12-024 - (CD 2)** - Salvador and Deborah Gallardo, 2621 NW 29th Street; from: "A-5" One-Family to: "ER" Neighborhood Commercial Restricted  
**(Recommended for Denial)**
11. **ZC-12-025 - (CD 5)** - Nicholas Martin Jr., 8913 Randol Mill Road; from: "A-7.5" One-Family to: "R2" Townhouse/Cluster **(Recommended for Approval as Amended to PD/R2 limited to six units per acre, site plan required)**
12. **ZC-12-026 - (CD 4)** - Allied Waste Systems, Inc., 6100 & 6101 Elliott Reeder Road; from: "AG" Agricultural & "PD-287" Planned Development/Specific Use for a transfer station and material recovery facility. Site plan required. to: Amend "PD-287" Planned Development/Specific Use for a transfer station and material recovery facility; site plan included. **(Recommended for Approval)**
13. **SP-12-003 - (CD 6)** - FJM Properties, L. P., 7300 Granbury Road; Submit site plan as required for a rehabilitation facility for "PD-655" Planned Development for I uses with exclusions and "PD-656" Planned Development for F uses with exclusions. **(Recommended for Approval)**
14. **SP-12-004 - (CD 8)** - FW Mason Heights, LP, 3670 Wichita Street, Submit site plan as required for "PD-916" Planned Development for C uses for a charter school facility. **(Recommended for Approval)**
15. **ZC-12-028 - (CD 5, CD 8)** - City of Fort Worth Planning & Development, Burchill Neighborhood, Generally bounded by Avenue J, Vaughn Boulevard, US 287 (MLK Freeway), and Mitchell Boulevard; from: "B" Two-Family, "C" Medium Density Multifamily, "D" High Density Multifamily, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "F" General Commercial, and "I" Light Industrial to: "A-5" One-Family, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, and "FR" General Commercial Restricted **(Recommended for Approval)**
16. **ZC-12-029 - (CD 5)** - City of Fort Worth Planning & Development, 3800 - 3824 Elm Street; from: "AG" Agricultural to: "A-5" One-Family **(Recommended for Approval)**

**XVI. REPORT OF THE CITY MANAGER**

**A. Benefit Hearing - None**

**B. General**

1. [M&C G-17567](#) - Conduct Public Hearing on the 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 Regulations of Salt Water Disposal Wells (ALL COUNCIL DISTRICTS) **(PUBLIC HEARING)**
  - a. Report of City Staff
  - b. Citizen Presentations
  - c. Council Action

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

**D. Land**

1. [M&C L-15345](#) - Authorize the Conveyance of 0.508 Acres of Land for an Easement to Oncor Electric Delivery for Electrical Equipment and Appurtenances to Westside Water Treatment Plant on City Property Located at 12200 Old Weatherford Road at No Expense to the City of Fort Worth (COUNCIL DISTRICT 7)

**E. Planning & Zoning - None**

**F. Award of Contract**

1. [M&C C-25545](#) - 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 Ten Inch Natural Gas Gathering Pipeline Across Rogers Road, University Drive South and Old University Drive, GP11-00034 (COUNCIL DISTRICT 9)

**XVII. CITIZEN PRESENTATIONS**

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

**XIX. ADJOURNMENT**

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

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CITY OF FORT WORTH  
CITY COUNCIL

**HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE**

**AGENDA**

**Tuesday, April 3, 2012**

***1:00 P.M.***

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 Meeting Held on March 6, 2012** – Joel Burns, Chair
  3. **Executive Session** - The Housing and Economic Development Committee will conduct a closed meeting to:
    - A. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by section 551.071 of the Texas Government Code:
      - (i) legal issues related to any current agenda items; and
    - B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and

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

4. **Written Reports** – Cynthia Garcia, Assistant Director, Housing and Economic Development
  - A. Memo on Substantial Amendment to the 2011-2012 Action Plan for the Use of \$167,073.00 in Emergency Solution Grant Funds
  - B. Memo on Completion Deadline Extension for KXAS/NBC-5 Tax Abatement and Economic Development Agreements
  - C. Memo on Status of Expanded Emergency Repair Program
  - D. Memo on TIF 3 (Downtown) Project and Financing Plan Amendment
  - E. Memo on Award of \$3,000,000 Grant from HUD for the Lead Hazard Reduction Demonstration Grant Program
5. **Presentation on Section 106 Historic Preservation Review on Projects Utilizing Federal Funds** – Randle Harwood, Director, Planning and Development Department
6. **Presentation on University of Texas at Arlington’s Center for Metropolitan Density** – Michael Buckley, FAIA, Director, University of Texas at Arlington, Center for Metropolitan Density
7. **Presentation on Proposed Lease and Option to Sell the Retail Space in the Houston Street Garage located at 1100 Houston Street to the Fort Worth Local Development Corporation** – Cynthia Garcia, Assistant Director, Housing and Economic Development Department
8. **Requests for Future Agenda Items** – Joel Burns, Chair
9. **Date of Next Regular Meeting:** May 1, 2012 – Joel Burns, Chair
10. **Adjourn** - Chair

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**CITY OF FORT WORTH  
CITY COUNCIL  
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
March 6, 2012**

**Present:**

Committee Member Joel Burns, Chairman  
Committee Member Kathleen Hicks, Vice Chair  
Committee Member Betsy Price (Arrived at 1:13 p.m.)  
Committee Member Salvador Espino  
Committee Member W. B. "Zim" Zimmerman  
Committee Member Danny Scarth  
Committee Member Frank Moss  
Committee Member Jungus Jordan  
Committee Member Dennis Shingleton

**City Staff:**

Fernando Costa, Assistant City Manager  
Peter Vaky, Deputy City Attorney  
Mary J. Kayser, City Secretary  
Jay Chapa, Director of Housing & Economic Development Department  
Cynthia Garcia, Assistant Director, Housing & Economic Development Department  
Robin Bentley, Community Development Manager, Housing & Economic Development Dept.  
Robert Sturns, Manager, Housing and Economic Development Department

**Other City Staff in Attendance:**

Tom Higgins, City Manager  
Vicki Ganski, Senior Assistant City Attorney, Law Department  
LeAnn Guzman, Assistant City Attorney, Law Department

With a quorum of the committee members present, Chairman Joel Burns called the meeting of the Housing and Economic Committee to order at 1:10 p.m., on Tuesday, March 6, 2012, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas 76102.

**Approval of Minutes from the February 7,  
2012, Housing and Economic Development  
Committee**

**(Agenda Item 2)**

Motion was made by Committee Member Hicks and second by Committee Member Jordan, to approve the minutes of the February 7, 2012, Housing and Economic Development Committee Meeting. Motion passed 8-0. (Committee Member Price absent)

**CITY OF FORT WORTH  
CITY COUNCIL  
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
MARCH 6, 2012  
Page 2 of 4**

Chairman Burns adjourned the regular meeting of the Housing and Economic Development Committee into Executive Session at 1:10 p.m.

**Executive Session**

**(Agenda Item 3)**

Chairman Burns called to order the Executive Session at 1:13 p.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 any current agenda items;
- B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and,
- C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

Chairman Burns adjourned the Executive Session at 1:30 p.m., on Tuesday, March 6, 2012.

Chairman Burns reconvened the regular session of the Housing and Economic Development Committee at 1:31 p.m.

**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. Sun Valley Industrial Park Project Memo
- B. TECH Fort Worth Quarterly Report
- C. Memo regarding Timeline of the Hardy Street Project
- D. Spending and Accomplishment Memo on Funds Received by US Department of Housing and Urban Development

**CITY OF FORT WORTH  
CITY COUNCIL  
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
MARCH 6, 2012  
Page 3 of 4**

**Presentation on Old Fire Station Number 10  
Redevelopment Utilizing Community  
Development Block Grant Funds and  
Entering into Agreement with Fort Worth  
Independent School District to Use the  
Building**

**(Agenda Item 4)**

Cynthia Garcia, Assistant Director, Housing and Economic Development Department made a presentation on the background on the redevelopment of Fire Station Number 10 and entering into an agreement with the Fort Worth Independent School District to use the building. Ms. Garcia presented the following timeline:

- 04/25/2006 – City Council approved a ten-year lease agreement with the Friends of Old Fire Station #10 to operate the building in compliance with CDBG regulations
- In 2008, there was \$465,894.29 in CDBG funds available for the renovation of Old Fire Station and the park development. Renovations to the first floor began in 2008-2009.
- \$342,434 in CDBG funds were spent on the first floor, leaving a balance of \$123,459.34.

Lessee's resources do not support the ability to meet the operating costs associated with meeting HUD guidelines for use of the building. Staff is recommending the following:

- Enter into Lease with FWISD
- Enter into lease with community organization to use the building on weekends and nights for community meetings
- Use CDBG funds to make improvements
- If directed, staff will bring forward M&C for City Council consideration to enter into the leases with each entity and to make improvements to the facility.

Committee member Price left the meeting at 1:50pm.

Motion was made by Committee member Jordan and second by Committee member Shingleton to approve the lease with the Fort Worth Independent School District and direct staff to look at other options for the property and for staff to report back to the Committee. Motion passed 7-0. (Moss abstained, Price absent)

**CITY OF FORT WORTH  
CITY COUNCIL  
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
MARCH 6, 2012  
Page 4 of 4**

**Requests for Future Agenda Items**

**(Agenda item No. 6)**

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

Committee member Moss requested a report on Neighborhood Standards for HUD uses.

**Date of Next Regular Meeting –  
April 3, 2012, \_\_\_\_\_**

**(Agenda Item 7)**

Chairman Burns advised that the next regular meeting of the Housing and Economic Development Committee was tentatively scheduled for Tuesday, April 3, 2012.

**Adjourn**

**(Agenda Item 10)**

With no further presentations or discussions, Chairman Burns adjourned the regular meeting of the Housing and Economic Development Committee at 1:54 p.m., on Tuesday, February 7, 2012.

These minutes approved by the Housing and Economic Development Committee on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

APPROVED:

\_\_\_\_\_  
Joel Burns, Chairman

Minutes Prepared by and Attest:

\_\_\_\_\_  
Mary J. Kayser, City Secretary



**MEMORANDUM**

**DATE:** April 3, 2012

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

**FROM:** Jay Chapa, Director  
Housing and Economic Development Department

**SUBJECT:** Substantial Amendment to the 2011-2012 Action Plan for the Use of \$167,073.00 in Emergency Solution Grant Funds

The United States Department of Housing and Urban Development (HUD) has awarded the City a second allocation of Emergency Solution Grant (ESG) funds for Fiscal Year 2011 in the amount of \$167,073.00. The HUD notice emphasized using these funds for rapid re-housing activities.

The City released a Request for Proposals for these funds on February 16, 2012 and five proposals were received by the March 8, 2012 deadline. The City plans to award up to \$147,117.07 to one or more of the providers listed below:

<b>EMERGENCY SOLUTIONS GRANT (ESG)</b>	
<b>Agencies/Programs</b>	<b>Total Amount Not to Exceed</b>
Cornerstone Assistance Network (Homelessness Prevention)	\$147,117.07
SafeHaven of Tarrant County (Rapid Re-Housing)	
The Salvation Army (Rapid Re-Housing and Homelessness Prevention)	
Tarrant County Homeless Coalition (Homeless Management Information System)	
City of Fort Worth Parks and Community Services Department (Homelessness Prevention)	
Housing & Economic Development Dept. ( Administration)	\$19,955.93
<b>Total ESG Budget</b>	<b>\$167,073.00</b>

In order to comply with the Citizen Participation plan approved by HUD, a public hearing will be held on April 4, 2012 at the Community Development Council (CDC) meeting. The CDC will make a recommendation that will be presented to the City Council at public hearings scheduled for April 17<sup>th</sup> and May 1, 2012 at the regularly scheduled City Council meetings.

Once the CDC provides a recommendation, staff will move forward to schedule the public hearings as outlined above with City Council action to award the funds at the May 1<sup>st</sup> meeting. This action will also provide for a substantial amendment to the City's Action Plan which is due to HUD by May 15, 2012.

Please contact me at 817-392-5804 if you have any questions or concerns.



## MEMORANDUM

Date: April 3, 2012

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

From: Jay Chapa, Director of Housing and Economic Development

Subject: Completion Deadline and Conveyance Date Extension for KXAS/NBC-5 Tax Abatement and Economic Development Agreements

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The City of Fort Worth approved a one-year Tax Abatement and a 24-year Economic Development Program Agreement with KXAS/NBC-5 to facilitate the company's relocation and construction of a new production facility in the Centreport Business Park on June 14, 2011.

KXAS/NBC-5 plans to consolidate its operations in a new studio at the southwest corner of Amon Carter Blvd and FAA Blvd. The proposed project is estimated to have a construction cost of at least \$8,000,000 and KXAS/NBC-5 will invest an additional \$8,000,000 in new taxable business personal property at the site.

Due to a delay in finalizing the purchase of the property at Centreport Business Park, KXAS/NBC-5 has approached the Housing and Economic Development Department staff to request an extension of the completion deadline from December 31, 2012 to September 30, 2013 and change the conveyance of land date from December 31, 2013 to March 31, 2014. Extension of the completion deadline will result in the employment commitment deadline being extended to the September 30, 2013 date as well. All other commitments under the agreement will remain the same.

Staff will bring forward an M&C to Council on April 10, 2012 extending the completion deadline, the conveyance of land date, and the employment commitment deadline on both the Tax Abatement and Economic Development Agreements with KXAS/NBC-5.

Please contact me at 817-392-5804 if you have any questions or concerns.



## MEMORANDUM

Date: April 3, 2012

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

From: Jay Chapa, Director  
Housing and Economic Development Department

Subject: Status of Expanded Emergency Repair Program

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During the February 2012 Housing and Economic Development Committee staff recommended the termination the Housing Trust Fund Major Home Repair Program because of federal cuts to the Community Block Grant Fund (CDBG) and the high administrative costs to operate the program. In order to mitigate the impact of the termination of this program, staff recommended implementing a new program for minor repairs that expanded the current Emergency Repair Program. The Emergency Repair Program provides repairs up to \$5,000 for sewer line breaks, waterline breaks, water heaters and heat in the winter for homeowners who earn less than 35% Area Medium Income. The new expanded program would provide for additional repairs including repairs to roofs and electrical systems and would increase the income limits to qualify for the program by raising the maximum Area Medium Family Income (AMI) to 60% from the current 30% limit. The new program would be called the Priority Repair Program.

In order to begin this new program, city staff published a Public Notice in the Star Telegram to move up to \$1,633,107.72 available Community Development Block Grant funding from the terminated Housing Trust Fund Program and the Emergency Repair Program to the new Priority Repair Program. The public comment period regarding moving these federal funds began on March 23, 2012 and will end on April 23, 2013. An M&C for Council to consider the new program will be placed on the City Council's agenda on May 1<sup>st</sup>. If approved by City Council on May 1<sup>st</sup>, the new program will start immediately.

The Priority Repair Program is available in all Council Districts.

Please contact me at 817-392-5804 if you have any questions or concerns.



## MEMORANDUM

**Date:** April 3, 2012

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

**From:** Jay Chapa, Director, Housing and Economic Development

**Subject:** TIF 3 (Downtown) Project and Financing Plan Amendment

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On September 17, 1998, the Downtown TIF Board adopted a Plan for development and redevelopment of property in the Downtown TIF. This Plan was approved by City Council on October 6, 1998 pursuant to Ordinance No. 13603. The Plan was amended by the Downtown TIF Board on February 17, 2003 and approved by the City Council on February 25, 2003 pursuant to Ordinance No. 15464 in order to include environmental remediation projects as an allowable project cost.

On March 22, 2012, the Downtown TIF Board of Directors voted to amend the Project and Financing Plan to include affordable housing as an eligible project. Affordable workforce housing has been identified as a critical element in broadening the housing choices available to prospective downtown residents. The Downtown TIF Board of Directors has approved \$1 million for the Hunter Plaza development contingent on City Council approval of the proposed Amendment.

Before the Amended Plan can take effect, state law requires City Council approve the Amended Plan by Ordinance. City staff will bring forward an M&C for formal action on April 17, 2012.

Please contact me at 817.392.5804 if you have any questions or concerns.



## MEMORANDUM

Date: April 3, 2012

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

From: Jay Chapa, Director of Housing and Economic Development

Subject: Award of \$3,000,000 Grant from HUD for the Lead Hazard Reduction Demonstration Grant Program

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On November 28, 2011, the U.S. Department of Housing and Urban Development (HUD) issued a Notice of Funding Availability for competitive grant funds under the Lead Hazard Reduction Demonstration (LHRD) Program. The purpose of this program is to identify and control lead-based paint hazards in eligible occupied housing. On January 10, 2012 City Council approved M & C C-25398 and Ordinance No. 20046-01-2012 authorizing staff to submit a grant application and accept the award if approved by HUD.

On March 23, 2012, the city received notification that it was awarded the \$3 million grant to conduct activities intended to protect children and families from potentially dangerous lead-based paint. Fort Worth is the only grantee awarded funds in Texas and is also the only grantee in the five state area for HUD's Region VI .

The City of Fort Worth will use its \$3,000,000 Lead Hazard Reduction Demonstration Grant funding to address lead hazards in 200 low income units, providing lead-safe homes for families and children. Up to 10 percent of the grant will be used for administrative costs.

The Housing and Economic Development Department will collaborate with the Tarrant County Public Health Department, the Fort Worth Housing Authority, area non-profits and community-based organizations and other entities to ensure that appropriate outreach is conducted among all at-risk populations and neighborhoods.

The program will operate for 36 months and is anticipated to begin in late May/early June 2012. Outreach and obtaining pre-applications will begin within the next 60 to 90 days. Risk assessment and inspections will begin late Summer and early Fall. Lead abatement on the homes will begin in Fall 2012.

The LHRD Program is available City-wide.

Please contact me at 817-392-5804 if you have any questions or concerns.

# FORT WORTH LOCAL DEVELOPMENT CORPORATION

## AGENDA

**Tuesday, April 3, 2012**

*Immediately following the Meeting of the Housing and Economic  
Development Committee Scheduled to Begin at 1:00 PM*

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** – Frank Moss, President
  2. **Approval of Minutes from the Meeting Held on March 6, 2012** – Frank Moss, President
  3. **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.
  4. **Written Reports** – Frank Moss, President
    - a. Financial Report through February 29, 2012

5. **Discussion and Consideration of Resolution to Authorize a Lease of the Retail Space in the Houston Street Garage at 1100 Houston Street from the City of Fort Worth and Authorize Employment of Kelly, Hart, and Hallman for Preparation of Condominium Documents in an Amount Up To \$8,000.00** – Cynthia Garcia, Administrator
6. **Discussion and Consideration of Resolution to Authorize Sublease of the Retail Space in the Houston Street Garage at 1100 Houston Street to the Lancaster Corridor Redevelopment LLC** – Cynthia Garcia, Administrator
7. **Requests for Future Agenda Items** – Frank Moss, President
8. **Adjourn** – Frank Moss, President

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

**CITY OF FORT WORTH, TEXAS  
FORT WORTH LOCAL DEVELOPMENT CORPORATION  
CALLED – SPECIAL SESSION  
TUESDAY, MARCH 6, 2012**

**Present:**

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

**City staff:**

Fernando Costa, Assistant City Manager  
Vicki Ganske, Senior Assistant City Attorney  
Ron Gonzales, Assistant City Secretary  
Jay Chapa, Director, Housing & Economic Development Department  
Avis Chaisson, Community Development Coordinator, Housing & Economic Development Dept.

**Other staff:**

Tom Higgins, City Manager  
Cynthia Garcia, Administrator  
Horatio Porter, Budget Officer, City Manager’s Office  
Henry Day, Senior Management Analyst, Housing & Economic Development Department  
LeAnn Guzman, Senior Assistant City Attorney

**1. Call to Order.**

With a quorum present, President Moss called the meeting to order for the Board of Directors of the Fort Worth Local Development Corporation (Corporation) at 2.20 p.m. on Tuesday, March 6, 2012, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas.

**2. Approval of Minutes of the December 6, 2011, Meeting.**

President Moss opened the floor for a motion on the approval of the minutes of the Tuesday, December 6, 2011, meeting.

**MOTION:** Upon a motion made by Director Price and seconded by Director Hicks, the Board of Directors voted unanimously 9 ayes and 0 nays, to approve the Tuesday, December 6, 2011, minutes of the Corporation as presented. The motion carried.

***NOTE: Written Reports, draft resolutions, PowerPoint presentations and other documents prepared by staff for this meeting are not detailed in these minutes; the information is summarized. Complete documents are on file in the City Secretary's Office.***

### **3. Executive Session.**

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.

#### **4a. Written Reports: Fort Worth Housing Finance Corporation Financial Report through January 31, 2012.**

President Moss referenced the Financial Report through January 31, 2012, and opened the floor for discussion on the report. He referenced the Statement of Revenues and Expenditures and asked why the statement covered a 16-month period rather than a 12-month period.

Mr. Henry Day, Senior Management Analyst, Housing and Economic Development Department, advised that the date was a typographical error and should have actually reflected the date of October 1, 2011.

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

**5. Discussion and Consideration to Amend the TIF Agreement for Missouri Streetscape Improvements to Include Utility Relocation in Addition to Design and Adopt a Resolution to Enter into an Agreement with Cypress Equities to Reimburse for TIF eligible Expenses Related to Utility Relocation in the Evans and Rosedale Urban Village.**

Ms. Avis Chaisson, Community Development Coordinator, Housing and Economic Development Department, addressed the Corporation regarding the proposed resolution. She explained that the area from Terrell to Rosedale and from Dashwood to Missouri to the frontage road. She added this occurred in order to have the Jack 'N the Box ready for construction. She provided the current status of the project as follows:

- Project is substantially complete. Preliminary request has been submitted for City to accept improvements
- Once project accepted by City, LDC will be reimbursed for expenses incurred
- AT&T line located in an abandoned alley across site for proposed 7-11 is delaying closing of property and the start of construction
- This utility relocation is a TIF eligible expense since AT&T line serves the area and not an individual site (cost of relocation to be up-fronted by Cypress Equities approximately \$20,000)

She advised of the next steps as reflected below:

- Staff submit a request to the Southside TIF to amend the existing agreement to include reimbursement for design and construction of the utility relocation in a public right of way
- Authorize execution of the amended agreement if approved by the TIF Board
- Authorize execution of an agreement with Cypress Equities to reimburse for TIF eligible expenses related to utility relocation not to exceed \$20,000

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 Hicks and seconded by Director Price, the Board voted unanimously 9 ayes and 0 nays, to approve Resolution No. FWLDC 2012-01. The motion carried.

**6. Discussion and Consideration of Resolutions Associated with the Lancaster Mixed-Use Project.**

- a. **Adopt a Resolution Authorizing the Assignment of Purchase Agreement with the City of Fort Worth for Property on Lancaster to the Lancaster Corridor Redevelopment, LLC**

**b. Adopt a Resolution Authorizing Extension of Current Development Management Agreement with L2L for the Lancaster Mixed-Use Project and Assignment to the Lancaster Corridor Redevelopment, LLC**

Mr. Jay Chapa, Director, Housing and Economic Development Department, addressed the Corporation regarding the proposed resolutions. He advised that staff recommended that the Corporation Board authorize the two resolutions to have the Lancaster LLC to take control of the project to move forward with the financing to be followed by the execution of the construction contract. He added that the goal was to begin construction by July 2012 and to secure financing by the end of March or early April 2012.

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 Shingleton and seconded by Director Price, the Board voted unanimously 9 ayes and 0 nays, to approve Resolution Nos. FWLDC 2012-02 and FWLDC-2012-03. The motion carried.

**7. Requests for Future Agenda Items.**

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

**8. Adjourn.**

With no further discussion, President Moss adjourned the called – special session of the Fort Worth Local Development Corporation Board at 2:28 p.m. on Tuesday, March 6, 2012.

These minutes approved by the Fort Worth Housing Finance Corporation Board of Directors on the 3<sup>rd</sup> day of April, 2012.

APPROVED:

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Frank Moss  
President

ATTEST:

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Dennis Shingleton  
Secretary

**CITY OF FORT WORTH, TEXAS  
FORT WORTH LOCAL DEVELOPMENT CORPORATION  
CALLED – SPECIAL SESSION  
TUESDAY, MARCH 6, 2012  
PAGE 5**

Prepared and respectfully submitted by:

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Ronald P. Gonzales, TRMC/CMC  
Assistant City Secretary

Fort Worth Local Development Corporation  
Balance Sheet  
February 29, 2012  
(Unaudited)

Assets	
Cash and cash equivalents	\$913,204.89
Interest Receivable	5,367.98
Note Receivable - Oliver's	<u>450,000.00</u>
Total Assets	<u><u>\$1,368,572.87</u></u>
Liabilities and Fund Balance	
Accounts and Contracts Payable	<u>0.00</u>
Total Liabilities	0.00
Fund Balance (Deficit)	
Designated for Authorized Expenditures	\$1,899,147.98
Net Income	(530,575.11)
Undesignated	<u>0.00</u>
Total Fund Balance	1,368,572.87
Total Liabilities and Fund Balance	<u><u>\$1,368,572.87</u></u>

Fort Worth Local Development Corporation  
Statement of Revenues and Expenditures  
October 1, 2011 through February 29, 2012  
(Unaudited)

Revenues

Property Tax Reimbursement	\$30,844.47	
Revenue from Rents	158,278.60	
Gas Lease Bonus	0.00	
Gas Lease Royalties	93,574.48	
Easement for Pipelines	0.00	
Interest Income	9,458.65	
Gas Well Shut In Payment	0.00	
Other Revenue	0.00	
Total Revenue	\$292,156.20	\$292,156.20

Expenditures

Bank Charges	\$135.35	
Commissions	\$26,539.40	
Contractual Services	340,464.09	
Insurance	36,530.65	
Operations	186.11	
Property Management	7,561.37	
Property Purchase	20,000.00	
Property Taxes	124,508.67	
Repairs	1,319.14	
Security System	2,905.55	
Storm Water Utility	13,542.00	
Transfers to City	26,000.00	
Transfer to Lancaster LLC	200,000.00	
Utilities	23,038.98	
Total Expenditures	\$822,731.31	\$822,731.31

Excess (Deficiency) of Revenues Over (Under) Expenditures (\$530,575.11)

Fort Worth Local Development Corporation  
Schedule of Available Funds  
February 29, 2012  
(Unaudited)

Total Cash at February 29, 2012	\$913,204.89
Cash in Property Management Account	(2,306.40)
Cash available in City account	910,898.49
 Commitments	
Evans & Rosedale Enhanced CFA	0.00
Survey Expenses	6,250.00
Lancaster Project - Construction	1,473.47
Lancaster Project - Attorney Fees	19,589.58
Oliver's Fine Foods - Attorney Fees	2,950.00
 Reserves	
Maintenance Reserve	100,000.00
Property Tax Reserve	100,000.00
Total Commitments & Reserves	230,263.05
 Unrestricted Cash Available	 \$680,635.44

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.



Updated March 29, 2012

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

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April 3, 2012      Monthly Zoning Meeting

*1:00 p.m. Housing and Economic Development Committee*  
*Fort Worth Local Development Corporation*  
*(Immediately following the HED)*

*2:30 p.m. Executive Session/Special Meeting of the City Council*

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

**Continued Items:**

- **ZC-11-075A** - City of Fort Worth Planning & Development, Camp Bowie Corridor Form Based Code District: Ridglea Urban Village Core South: Generally bounded by the 6100 - 6400 blocks of Camp Bowie Boulevard, southside; from: "MU-1" Low Intensity Mixed-Use, "MU-1/HSE" Low Intensity Mixed-Use/Highly Significant Endangered "F" General Commercial, "G" Intensive Commercial, "MU-2" High Intensity Mixed-Use, and "PD" Planned Developments Nos. 400, 633, and 882 to: Camp Bowie Form-Based district: Ridglea Urban Village Core South Subdistrict (**Continued from March 6, 2012 by Council Member Zimmerman**)
- **ZC-11-100A** – City of Fort Worth Planning & Development, Text Amendment: Proposed Amendments to the Camp Bowie Form Based Code, Ridglea Urban Village Core South: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the code of the City of Fort Worth, to amend: Section 5 "Schedule of Permitted Uses" of the Camp Bowie Revitalization Code of Section 4.1204 of Chapter 4, "District Regulations" and the Table of permitted uses in the Ridglea Urban Village Core South Zone. (**Recommended for Approval**) (**Continued from March 6, 2012 by Council Member Zimmerman**)
- **ZC-11-101** – Victor Lopez, 3602 North Grove Street; from: "K" Heavy Industrial to: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus glass recycling, site plan included. (**Recommended for Approval**) (**Continued from March 20, 2012 by Council Member Espino**)
- **ZC-12-021** - City of Fort Worth Planning & Development, Text Amendment: Telecommunication Towers: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the code of the City of Fort Worth, to amend:
  - Article 1 'Standards for Selected Uses', of Chapter 5, "Supplemental Use Standards"; Sections 5.136 "Telecommunications Antenna" and 5.137 "Telecommunication Tower and Stealth Telecommunication Tower" in their entirety;



*Updated March 29, 2012*

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

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**April 3, 2012 (continued)**

**Continued Items:**

- Reorganize the sections and revise application requirements, design review responsibility, and allow administrative approvals;
  - Section 2.102 "Urban Design Commission" to revise the duties of the Urban Design Commission; and
  - Chapter 9, "Definitions" to revise definitions related to Telecommunications  
**(Recommended for Approval) (Continued from March 6, 2012 by Council Member Shingleton)**
- 
- o Overview of Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
  - o Briefing on Twice a Week Outdoor Watering [*Frank Crumb, Water*]
  - o Review of Draft Ordinance on Salt Water Disposal Wells [*Rick Trice, Planning and Development*]
  - o Overview of Market Data for Police Wages and Pensions [*Susan Alanis, City Manager's Office*]
  - o Briefing on Healthcare Strategies [*Karen Marshall, Human Resources*]

**April 10, 2012**

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

***1:00 p.m. Infrastructure & Transportation Committee***

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

- o Presentation on Delinquent Tax Contract and Tax Foreclosed Property [*Jay Chapa, Housing and Economic Development and Steve Meeks, Linebarger, Goggan, Blair & Sampson, LLP*]
- o Update on Trinity River Vision Project [*Mark Rauscher, Planning and Development*]
- o Briefing on the Other Post Employment Benefits (OPEB) Trust [*Susan Alanis, City Manager's Office*]
- o Briefing on Feral Cat Ordinance [*Brandon Bennett, Code Compliance*]



Updated March 29, 2012

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

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*April 17, 2012*

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

- o Briefing on Proposed Ordinance to Regulate Land Disturbance and Grading [*Greg Simmons, Transportation and Public Works*]
- o Update on Area Public School Systems in Fort Worth [*Randle Harwood, Planning and Development*]

*April 24, 2012*

*8:30 a.m. Pre-Council Meeting (cancelled)*  
*1:00 p.m. Tour of City Council District 7*

*April 26, 2012* (*Thursday*)

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

*May 1, 2012*      *Monthly Zoning Meeting*

*11:00 a.m. Legislative and Intergovernmental Affairs Committee*  
*1:00 p.m. Housing and Economic Development Committee*  
*3:00 p.m. Pre-Council Meeting*

- o Briefing on Sign Ordinance [*Randle Harwood, Planning and Development*]
- o Briefing on Municipal Parking Fund [*Doug Wiersig, Transportation and Public Works*]

*May 8, 2012*

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



Updated March 29, 2012

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

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*May 15, 2012*

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

*May 17, 2012* *(Thursday)*

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

*May 22, 2012*

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

*May 28, 2012* *(Monday)*

*City Hall Closed – Memorial Holiday*

*May 29, 2012*

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

*June 5, 2012* *Monthly Zoning Meeting*

*11:00 a.m. Legislative and Intergovernmental Affairs Committee*  
*Housing and Economic Development Committee*  
*3:00 p.m. Pre-Council Meeting*

*June 7, 2012* *(Thursday)*

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



Updated March 29, 2012

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

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**June 12, 2012**

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

**June 19, 2012**

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

**June 21, 2012** *(Thursday)*

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

**June 26, 2012**

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



**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
MARCH 27, 2012**

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**Present:**

Mayor Betsy Price  
Mayor Pro tem W.B. "Zim" Zimmerman, District 3  
Council Member Salvador Espino, District 2  
Council Member Daniel Scarth, District 4 (Arrived at 10:16 a.m.)  
Council Member Frank Moss, District 5  
Council Member Jungus Jordan, District 6  
Council Member Dennis Shingleton, District 7  
Council Member Kathleen Hicks, District 8  
Council Member Joel Burns, District 9

**Staff Present:**

Tom Higgins, City Manager  
Sarah Fullenwider, City Attorney  
Mary J. Kayser, City Secretary

**I. CALL TO ORDER**

With a quorum of the City Council Members present, Mayor Price called the regular session of the Fort Worth City Council to order at 10:15 a.m., on Tuesday, March 27, 2012, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, with Council Member Scarth temporarily absent.

**II. INVOCATION - Dr. Ted Kitchens, Christ Chapel Bible Church**

The invocation was provided by Dr. Ted Kitchens, Christ Chapel Bible Church.

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

(Council Member Scarth assumed his place at the dais.)

**IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF MARCH 20, 2012, AND MINUTES OF COUNCIL BUS TOUR OF DISTRICTS 4 AND 8 ON MARCH 20, 2012**

Motion: Council Member Shingleton made a motion, seconded by Council Member Moss, that the Minutes of the regular meeting of March 20, 2012, and the Minutes of Council Bus Tour of Districts 4 and 8 on March 20, 2012 be approved. The motion carried unanimously 9 ayes to 0 nays.

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

City Manager Higgins requested that Mayor and Council Communication No. C-25525 be withdrawn from the Consent Agenda.

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

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

**VII. CONSENT AGENDA**

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns, that the Consent Agenda be approved as amended. The motion carried unanimously 9 ayes to 0 nays.

**A. General - Consent Items**

**1. M&C G-17556 - Adopt Ordinance Amending Chapter 7-78(a) of the City Code to Expand the Authority of the Appeals Board Over Decisions of the Director of Code Compliance Relating to the Probationary Status, Suspension or Revocation of a Multi-Family Dwelling Registration. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Adopt Ordinance No. 20125-03-2012 amending Section 7-78(a) "Appeals Board" of Division 2 "Administration" of Article IV "Minimum Building Standards Code" of Chapter 7 "Buildings" of the Code of the City of Fort Worth to expand the authority and jurisdiction of the Appeals Board to hear appeals from a decision of the Director of Code Compliance relating to the probationary status, suspension or revocation of a multi-family dwelling registration.

**2. M&C G-17557 - Adopt a Fee Schedule Outlining the Fees Associated with Ordinance No. 19998-12-2011 Adopted by City Council on December 6, 2011 Regarding the Registration and Inspection of Multi-Family Dwelling Complexes. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Adopt the Municipal Fee Schedule - Fiscal Year (FY) 2012 Code Compliance for the remainder of FY 2012 to include an annual fee

to offset the City's cost of administration, registration and inspection based on the number of housing units, a reinspection fee for each follow up inspection and a monthly administrative fee for a multi-family dwelling complex on probationary status, suspension or revocation.

3. **M&C G-17558 - Authorize Payments to The Active Network in the Amount of \$9,425.26 and to the Fort Worth Parks and Community Services Sports Advisory Council, Inc., in the Amount of \$26,500.00 for Revenue Share Commitments and Adopt Appropriation Ordinance. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize payment to The Active Network in an amount of \$9,425.26; authorize payment to Fort Worth Parks and Community Services Sports Advisory Council, Inc., in an amount of \$26,500.00; and adopt Supplemental Appropriation Ordinance No. 20126-03-2012 increasing the estimated receipts and appropriations in the General Fund in the amount of \$35,925.26, from available funds, for the purpose of receiving revenue share commitments from revenues generated from sponsorship fees from Coca-Cola Bottling Company and commissions paid by Intellivend - G&E Vending Services.

4. **M&C G-17559 - Authorize Acceptance of a Monetary Donation from the National Insurance Crime Bureau in the Amount of \$5,000.00 for the Special Trust Fund and Adopt Supplemental Appropriation Ordinance. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize acceptance of a monetary donation from the National Insurance Crime Bureau in the amount of \$5,000.00; and adopt Supplemental Appropriation Ordinance No. 20127-03-2012 increasing the estimated receipts and appropriations in the Special Trust Fund in the amount of \$5,000.00, subject to receipt of the donation, for the purpose of undercover operations by the Fort Worth Police Commercial Auto Theft Unit.

5. **M&C G-17560 - Authorize Application and Acceptance, if awarded, of a Grant in the Amount Up to \$71,774.00 from the Criminal Justice Division of the Office of the Governor of Texas to Operate the Diamond Hill Coalition After-School Program, Authorize Execution of Contracts with YMCA of Metropolitan Fort Worth, Boys and Girls Clubs of Greater Fort Worth and Camp Fire USA First Texas Council, Designate the Assistant City Manager for Community Development Services to Serve as the Authorized Official for the Grant, Adopt Resolution Required by Grant Regulations and Adopt Appropriation Ordinance. (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize application and acceptance, if awarded, of a grant from the Criminal Justice Division of the Office of the Governor of Texas in the amount of \$71,774.00 to operate the Diamond Hill Coalition After-

School Program from September 1, 2012, to August 31, 2013; contingent upon receipt of the grant award, authorize execution of contracts with the YMCA of Metropolitan Fort Worth, Boys and Girls Clubs of Greater Fort Worth and Camp Fire USA First Texas Council for a total combined amount up to \$71,774.00 to conduct the program; designate the Assistant City Manager for Community Development Services to serve as the authorized official for this grant with authority to apply for, accept, reject, alter or terminate the grant; adopt Resolution No. 4077-03-2012 authorizing application for, and acceptance of, a grant from the Criminal Justice Division of the Office of the Governor under the Juvenile Justice & Delinquency Prevention Act for the Diamond Hill Coalition After School Program; designating an authorized official; and assuring repayment of grant funds in the event of loss or misuse; and adopt Appropriation Ordinance No. 20128-03-2012 increasing the estimated receipts and appropriations in the Grants Fund, in the amount of \$71,774.00, subject to receipt of the grant, for the purpose of operating the program.

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

- 1. M&C P-11365 - Authorize Execution of a Master Subscription and Service Agreement with eCivis, Inc., for Grant Tracking and Reporting Licenses and Related Services for City-wide Use in the Amount of \$52,000.00 for the First Year. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize execution of a Master Subscription and Service Agreement with eCivis, Inc., for grant tracking and reporting licenses and related services for City-wide use in the amount of \$52,000.00, for the first year.

- 2. M&C P-11366 - Authorize the Purchase of a Comparison Toolmarks Microscope and Accessories from Leeds Instruments, Inc., Using Texas Comptroller of Public Accounts Non-Automated Term Contract for the Police Department, Crime Lab, Forensics Division, in the Amount of \$70,000.00 Using Grant Funds. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the purchase of a comparison toolmarks microscope and accessories from Leeds Instruments, Inc., using a Texas Comptroller of Public Accounts Non-Automated Term Contract for the Police Department, Crime Lab, Forensics Division, in the amount of \$70,000.00 using grant funds.

**C. Land - Consent Items**

- 1. M&C L-15340 - Authorize Acquisition of a Road Right-of-Way in Fee, a Permanent Water Line Easement, and Two Temporary Construction Easements from USMD Hospital at Fort Worth, L.P., in the Amount of \$73,900.00 Plus Closing Costs and the City's Construction of a Left-Turn Lane for the Dirks Road West Project. (COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Authorize acquisition from USMD Hospital at Fort Worth, L.P., of a road right-of-way in fee, a permanent water line easement, and two temporary construction easements to construct the roadway and the permanent water line displaced by the roadway construction, save and except oil, gas, sulphur and groundwater for the proposed settlement to widen and improve Dirks Road on a portion of land known as Lot 1, Block 1, Southwest Ambulatory Center Addition owned by USMD Hospital at Fort Worth, L.P., for the payment in the amount of \$73,900.00 plus closing costs and the City's construction of a left turn lane; find that the total consideration in the amount of \$73,900.00 for the land interests and construction of a left turn lane to USMD Hospital's property is just compensation for the acquisition of the needed land interests; and authorize the City Manager or his designee to execute and accept the conveyances and to record the appropriate instruments.

2. **M&C L-15341 - Authorize an Easement Interest in 0.0310 Acres of Land for a Permanent Drainage Easement for the Harley Avenue Realignment Project Located at 2050 Montgomery Street from WGH Properties LLC, for \$50,000.00 and Pay the Estimated Closing Costs of \$1,500.00 for a Total Amount of \$51,500.00. (COUNCIL DISTRICT 7)**

The City Council approved the following recommendation: Authorize an easement interest in 0.0310 acre of land, described as Lots 1R and 2R, Block 16, Queensborough Heights Addition, for a permanent drainage easement for the Harley Avenue Realignment project located at 2050 Montgomery Street, from WGH Properties, LLC; find that the total purchase price of \$50,000.00 is just compensation; and authorize the City Manager or his designee to record the appropriate instruments and to pay the estimated closing costs up to \$1,500.00.

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

1. **M&C PZ-2971 - Adopt a Resolution Closing a Portion of Irma Street at the Union Pacific Railroad Crossing Between Magnolia Avenue and East Rosedale Street. (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Adopt Resolution No. 4078-03-2012 authorizing the closure of a portion of Irma Street at the Union Pacific Railroad crossing between Magnolia Avenue and East Rosedale Street, for the East Rosedale Improvements Project.

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

1. **M&C C-25514 - Authorize Execution of Amendment No. 2 to Economic Development Program Agreements, City Secretary Contract Nos. 35326 and 35327 with LPC Trinity Parks L.P., for the Trinity Bluff Project - Phase II & III, to Provide for a Single Supply and Service Spending Commitment and Employment Commitment for Both Agreements. (COUNCIL DISTRICT 9)**

The City Council approved the following recommendation: Execute Amendment No. 2 to Economic Development Program Agreements, City Secretary Contract Nos. 35326 and 35327 with LPC Trinity Parks, L.P., for the Trinity Bluff Project - Phase II & III, to provide for a single Supply and Service Spending Commitment and Employment Commitment for both Agreements.

2. **M&C C-25515 - Authorize Execution of a Contract in the Amount of \$816,256.25 with McClendon Construction Company, Inc., for Pavement Reconstruction and Water and Sanitary Sewer Main Replacement in Portions of Fox Hollow, Chaparral Lane and Tanglewood Trail, Utilizing \$521,709.36 from the Street Improvements 2008 Fund and \$457,453.70 from the Water and Sewer Capital Projects Funds to Provide for Construction Contract Costs, Contingencies and Construction Services for a Project Total of \$979,163.06 and Adopt Appropriation Ordinances. (COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Authorize the transfer of \$457,453.70 from the Water and Sewer Fund in the amounts of \$262,323.71 to the Water Capital Projects Fund and \$195,129.99 to the Sewer Capital Projects Fund; adopt Appropriation Ordinance No. 20129-03-2012 increasing the estimated receipts and appropriations in the Water Capital Projects Fund, from available funds, for the purpose of pavement reconstruction, water and sanitary sewer main replacement for Fox Hollow, from Ranch View Road to Overton Park Drive East; Chaparral Lane, from Bellaire Drive South to Overton Park Drive East; Tanglewood Trail, from Bellaire Drive South to Overton Park Drive East; adopt Appropriation Ordinance No. 20130-03-2012 increasing the estimated receipts and appropriations in Sewer Capital Projects Fund, from available funds, for the purpose of pavement reconstruction, water and sanitary sewer main replacement for the same locations listed above; and authorize the execution of a contract with McClendon Construction Company, Inc., in the amount of \$816,256.25 to provide for construction contract costs, contingencies and construction services for a project total of \$979,163.06.

3. **M&C C-25516 - Authorize Execution of a Contract in the Amount of \$448,849.25 with Conatser Construction TX, LP, for Pavement Reconstruction and Water and Sanitary Sewer Main Replacement on Portions of Kleinert Street, Melody Street and Tasman Street, Utilizing \$323,330.50 from the Street Improvements 2008 Fund and \$228,981.75 from the Water and Sewer Capital Projects Funds to Provide for Construction Contract Costs, Contingencies and Construction Services for a Project Total of \$552,312.25 and Adopt Appropriation Ordinances. (COUNCIL DISTRICT 6)**

The City Council approved the following recommendation: Authorize the transfer of \$228,981.75 from the Water and Sewer Fund in the amounts of \$105,364.75 to the Water Capital Projects Fund and \$123,617.00 to the Sewer Capital Projects Fund; adopt Appropriation Ordinance No. 20131-03-2012 increasing the estimated receipts and appropriations in the Water

Capital Projects Fund, from available funds, for the purpose of pavement reconstruction, water and sanitary sewer main replacement for Kleinert Street, from Tasman Street to South Dead End; Melody Street, from Tasman Street to Edgecliff Road; Tasman Street, from Kleinert Street to Melody Street; adopt Appropriation Ordinance No. 20132-03-2012 increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund, from available funds, for the purpose of pavement reconstruction, water and sanitary sewer main replacement for the same locations reflected above; and authorize the execution of a contract with Conatser Construction TX, LP, in the amount of \$448,849.25 to provide for construction contract costs, contingencies and construction services for a project total of \$552,312.25.

4. **M&C C-25517 - Authorize Execution of a Contract in the Amount of \$596,838.00 with Conatser Construction TX, LP, for Pavement Reconstruction and Water and Sanitary Sewer Main Replacement on Portions of Lloyd Avenue, Normont Circle and Vinson Street, Utilizing \$493,646.00 from the Street Improvements 2008 Fund and \$232,518.00 from the Water and Sewer Capital Projects Funds to Provide for Construction Contract Costs, Contingencies and Construction Services for a Project Total of \$726,164.00 and Adopt Appropriation Ordinances. (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the transfer of \$232,518.00 from the Water and Sewer Fund in the amounts of \$70,370.00 to the Water Capital Projects Fund and \$162,148.00 to the Sewer Capital Projects Fund; adopt Appropriation Ordinance No. 20133-03-2012 increasing the estimated receipts and appropriations in the Water Capital Projects Fund, from available funds, for the purpose of pavement reconstruction, water and sanitary sewer main replacement for Lloyd Street, from Vinson Street to South Dead End; Normant Circle, from Norman Street to South Cul-de-Sac; Vinson Street, from South Hughes Avenue to Griggs Avenue; adopt Appropriation Ordinance No. 20134-03-2012 increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund, from available funds, for the same locations reflected above; and authorize the execution of a contract with Conatser Construction TX, LP, in the amount of \$596,838.00 to provide for construction contract costs, contingencies and construction services for a project total of \$726,164.00.

5. **M&C C-25518 - Authorize Execution of a Contract in the Amount of \$745,406.75 with Conatser Construction TX, LP, for Pavement Reconstruction and Water and Sanitary Sewer Main Replacement on Portions of Christine Avenue, Christine Court and Quinn Street, Utilizing \$557,955.00 from the Street Improvements 2008 Fund and \$312,353.00 from the Water and Sewer Capital Projects Funds to Provide for Construction Costs, Contingencies and Construction Services for a Project Total of \$870,308.00 and Adopt Appropriation Ordinances. (COUNCIL DISTRICT 5)**

The City Council approved the following recommendation: Authorize the transfer of \$312,353.00 from the Water and Sewer Fund in the amounts of \$143,967.00 to the Water Capital

Projects Fund and \$168,386.00 to the Sewer Capital Projects Fund; adopt Appropriation Ordinance No. 20135-03-2012 increasing the estimated receipts and appropriations in the Water Capital Projects Fund, from available funds, for the purpose of pavement reconstruction, water and sanitary sewer main replacement for Christine Avenue, from Burchill Road to Christine Court; Christine Court, from Quinn Street to McKenzie Avenue; Quinn Street, from Christine Avenue to McKenzie Avenue; adopt Appropriation Ordinance No. 20136-03-2012 increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund, from available funds, for the same locations reflected above; and authorize the execution of a contract with Conatser Construction TX, LP, in the amount of \$745,406.75 to provide for construction costs, contingencies and construction services for a project total of \$870,308.00.

6. **M&C C-25519 - Authorize the Assignment of City Secretary Contract No. 35581, an Engineering Agreement with Slater Engineering, Inc., for the Stormwater Utility Project, Berkshire-Hallmark Drainage Improvements, to McK Engineering, Inc., with a Remaining Balance of \$159,867.72. (COUNCIL DISTRICT 6)**

The City Council approved the following recommendation: Authorize the Assignment of City Secretary Contract No. 35581 from Slater Engineering, Inc., to McK Engineering, Inc., with a remaining balance of \$159,867.72.

7. **M&C C-25520 - Authorize Execution of a Contract in the Amount of \$500,620.00 with Estrada Concrete Company, LLC, for Concrete Restoration at Seven Locations and Adopt Appropriation Ordinance. (COUNCIL DISTRICTS 3, 5, 6, 8 and 9)**

The City Council approved the following recommendation: Authorize the transfer of \$500,620.00 from the Contract Street Maintenance Fund to the General Fund; adopt Appropriation Ordinance No. 20137-03-2012 increasing the estimated receipts and appropriations in the General Fund in the amount of \$500,620.00, from available funds, for the purpose of funding the repair and reconstruction of failed concrete pavement under the Concrete Restoration 2012-9 contract for Sycamore School Road, from Crowley Road to Wagonwheel Road; Lilac Street, from College Avenue to 5th Avenue; Tennessee Avenue, from East Vickery Boulevard to East Hattie Street; South Hughes Avenue, from Forbes Street to Emerson Street; Granbury Road, from Benbrook Boulevard to West Seminary Road; East Ripy Street, from South Grove Street to South Freeway; and West Bolt Street, from St. Louis Avenue to May Street; and authorize execution of a contract with Estrada Concrete Company, LLC, in the amount of \$500,620.00.

8. **M&C C-25521 - Authorize Execution of an Engineering Agreement in the Amount of \$206,229.00 with S&B Infrastructure, Ltd, for the Design of NW 35th Street at Cement Creek Drainage Improvements. (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize execution of an Engineering Agreement with S&B Infrastructure, Ltd, in the amount of \$206,229.00 for design of NW 35th Street at Cement Creek Drainage Improvements.

9. **M&C C-25522 - Authorize Execution of a Contract with JLB Contracting, LLC, in the Amount of \$793,895.00 for Hot Mix Asphaltic Concrete Surface Overlay 2011-14 at Nineteen Locations. (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the execution of a contract with JLB Contracting, LLC, in the amount of \$793,895.00 for 120 calendar days for Hot Mix Asphaltic Concrete Surface Overlay 2011-14 at 19 locations in Council District 8.

10. **M&C C-25523 - Authorize Execution of Amendment No. 1 to Engineering Agreement with Freese and Nichols, Inc., in the Amount of \$281,173.00 for Watershed Study Associated with Proposed Water Reclamation Facility in the Upper Portion of Mary's Creek, Thereby Revising the Total Contract Cost to \$524,219.00 for the Mary's Creek Master Plan, and Authorize Execution of an Amendment to City Secretary Contract No. 39306, Interlocal Agreement with the City of Benbrook, to Share Costs for this Amendment (COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Authorize execution of Amendment No. 1 to an Engineering Agreement with Freese and Nichols, Inc., in the amount of \$281,173.00 for a watershed study associated with the proposed water reclamation facility in the upper portion of Mary's Creek, thereby, revising the total contract cost to \$524,219.00 for the Mary's Creek Master Plan; and authorize the City Manager to execute an amendment to City Secretary Contract No. 39306, Interlocal Agreement with the City of Benbrook, to share costs for this agreement in the amount of \$47,847.00 for the basic study tasks and \$9,254.00 for optional work, for a total maximum participation by the City of Benbrook of \$57,101.00.

11. **M&C C-25524 - Authorize Execution of an Engineering Agreement in the Amount of \$180,049.00 with A.N.A. Consultants, LLC, for the Design of the Tulsa Way Drainage Improvements. (COUNCIL DISTRICT 7)**

The City Council approved the following recommendation: Authorize execution of an Engineering Agreement with A.N.A. Consultants, LLC, in the amount of \$180,049.00 for design of the Tulsa Way Drainage Improvements.

13. **M&C C-25526 - Authorize Extension of the Contract with Smart City Networks to Provide Exclusive Communications Services for Facility Users and Exhibitors at the Fort Worth Convention Center for a Period of One Year with a One Year Extension. (COUNCIL DISTRICT 9)**

The City Council approved the following recommendation: Authorize the extension of the contract with Smart City Networks to provide exclusive communications services for facility users and exhibitors at the Fort Worth Convention Center for a period of one (1) year beginning June 11, 2012, and ending June 10, 2013, with a one (1) year extension.

**14. M&C C-25527 - Authorize Acceptance of an Additional Award of \$1,406.25 in Fiscal Year 2011 Homeland Security Grant Program Funds from the Texas Department of Public Safety and Adopt Appropriation Ordinance. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize acceptance of an additional award of \$1,406.25 from the Texas Department of Public Safety to the City of Fort Worth under the Fiscal Year 2011 Homeland Security Grant Program Urban Area Security Initiative grant, CFDA No. 97.067; and adopt Appropriation Ordinance No. 20138-03-2012 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$1,406.25, subject to receipt of the additional grant award, for the purpose of a Regional UASI Citizen Corp Project.

**15. M&C C-25528 - Authorize an Engineering Agreement in the Amount of \$192,000.00 with Dunaway Associates, L.P., for Water Main Relocation Along State Highway 114 from Blue Mound Road, F.M.156 to Harriet Creek Drive. (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the execution of an Engineering Agreement in the amount of \$192,000.00 with Dunaway Associates, L.P., for water main relocation along State Highway 114 from Blue Mound Road, F.M.156 to Harriet Creek Drive.

**16. M&C C-25529 - Authorize Execution of Change Order No. 2 in the Amount of \$175,653.75 for a Total Contract Amount of \$868,088.75 to City Secretary Contract No. 41807 with Conatser Construction TX, LP, for Sanitary Sewer Rehabilitation Contract 56, Part 2 on Portions of West Peter Smith Street, West Cannon Street, West Leuda Street, West Terrell Avenue, College Avenue, Alston Avenue and Lipscomb Street and Adopt Appropriation Ordinance. (COUNCIL DISTRICTS 8 and 9)**

The City Council approved the following recommendation: Authorize the transfer of \$175,653.75 from the Water and Sewer Operating Fund to the Sewer Capital Projects Fund; adopt Appropriation Ordinance No. 20139-03-2012 increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund in the amount of \$175,653.75, from available funds, for the purpose of executing Change Order No. 2 to City Secretary Contract No. 41807 with Conatser Construction TX, LP, for Sanitary Sewer Rehabilitation Contract 56, Part 2; and authorize the execution of the Change Order thereby increasing the contract amount to \$868,088.75.

17. **M&C C-25530 - Authorize Acceptance of Two Grants from the Texas Department of Housing and Community Affairs for 2012-2013 Weatherization Assistance Program Up to a Total of \$2,400,000.00, Authorize Related Contracts, Authorize Waiver of Indirect Costs, Authorize Interfund Loan and Adopt Appropriation Ordinance. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize acceptance of Weatherization Assistance Program Grant Funds in an amount up to \$2,400,00.00 and authorize execution of two contracts with the Texas Department of Housing and Community Affairs (TDHCA) for Program Year April 1, 2012 through March 31, 2013; Authorize amendment, extension or renewal of the contracts in accordance with City policies and regulations upon mutual agreement with the TDHCA; authorize waiver by the City of indirect costs; authorize non-interest bearing interfund loan from the General Fund to the Grants Fund in the amount of \$100,000.00 for interim financing for the Department of Energy Grant Project and \$300,000.00 interim financing for the Low Income Housing Energy Assistance Program Grant Project for a total interfund loan of \$400,000.00 pending contract execution; and adopt Appropriation Ordinance No. 20140-03-2012 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$2,400,000.00, subject to receipt of the grant, for the purpose of funding the Weatherization Assistance Program.

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

1. **OCS - 1845 - Notice of Claims for Alleged Damages and/or Injuries**

End of Consent Agenda.

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

12. **M&C C-25525 - Authorize Solicitation and Acceptance of Donations for a Medical Treatment Room Expansion Project at the Chuck Silcox Animal Care and Control Center. (COUNCIL DISTRICT 5)**

The recommendation was that the City Council authorize staff to solicit and accept donations for a Medical Treatment Room Expansion Project at the Chuck Silcox Animal Care and Control Center.

Council Member Moss stated the late former Council Member Chuck Silcox ensured that the City had a safe and quality animal shelter in place. He stated the City had made significant progress in various areas within the animal shelter. He pointed out that staff made a recommendation for a medical treatment room within the shelter to assist in saving more lives and rehabilitating adoptable animals. He stated Ms. Brenda Silcox would provide additional comments relative to the project.

Ms. Silcox expressed appreciation to the Mayor and Council for moving forward with the authorization for solicitation and acceptance of donations for a medical treatment room at the Chuck Silcox Animal Care and Control Center. She stated that together with her late husband they had rescued many pets and paid for their medical treatments. She stated that the treatment room would allow the sick animals to be isolated and treated properly. She advised that she had created a non-profit organization called Cowtown Goes to the Dogs as a way to raise donations for these types of situations. She stated the first fundraising event would be held on October 6, 2012, in the Northside/Stockyards area and would consist of a 1K and 5K walk/run event for families and their pets. She invited everyone to attend the event and pointed out that October 6, 2012, would have been former Council Member Silcox's 70th birthday.

Motion: Council Member Moss made a motion, seconded by Council Member Hicks, that Mayor and Council Communication No. C-25525 be approved. The motion carried unanimously 9 ayes to 0 nays.

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

There were no special presentations, introductions, etc.

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

##### **1. Upcoming and Recent Events**

Council Member Burns announced that Mr. Michael "Mace" Maben, a Fort Worth musician, passed away on March 21, 2012, and requested the Council meeting be adjourned in his memory.

Council Member Zimmerman announced that Council Member Shingleton's mother-in-law, Mrs. Anna M. Caughlin passed away on March 20, 2012, and requested the Council meeting be adjourned in her memory.

Council Member Espino announced that the Cesar Chavez Committee would hold a march on March 31, 2012, and encouraged those interested to contact Dennis Reese at 817-501-5341. He also encouraged the City Manager to invoke a City holiday in honor of Mr. Chavez and stated that Tarrant County and the State of Texas also observed a Cesar Chavez holiday.

Mayor Price announced that the Police Department held the Cops and Kids event on March 24, 2012, which was a great success and benefitted Cooks Children's hospital. She also expressed appreciation to the Council Members who attended the event. She also announced that Mr. Jim Gilliland, founder of the Cowtown Marathon, passed away on March 23, 2012, and requested the Council meeting be adjourned in his memory.

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**

Mayor Price requested the Council's consideration to appoint Mr. Paul Gerald Johnston to Place 1 on the Board of Adjustment - Residential, with a term expiring October 1, 2013.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Mr. Paul Gerald Johnston be appointed to Place 1 on the Board of Adjustment - Residential, with a term expiring October 1, 2013. The motion carried unanimously 9 ayes to 0 nays.

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

There were no presentations and/or communications from Boards Commission and/or City Council Committees.

**XIII. ORDINANCE**

**1. Forty-Eighth Supplemental Concurrent Bond Ordinance Authorizing One or More Series of Dallas/Fort Worth International Airport Joint Revenue Bonds, for Lawful Purposes; Providing the Security Therefore; Providing for the Sale, Execution and Delivery Thereof Subject to Certain Parameters; and Providing Other Terms, Provisions and Covenants With Respect Thereto (Continued from March 20, 2012 by Staff)**

Motion: Council Member Jordan made a motion, seconded by Council Member Burns, that Ordinance No. 20141-03-2012, the Forty-Eighth Supplemental Concurrent Bond Ordinance Authorizing One or More Series of Dallas/Fort Worth International Airport Joint Revenue Bonds, be adopted. The motion carried unanimously 9 ayes to 0 nays.

Council Member Burns recognized State Senator Wendy Davis who was in the audience.

**XIV. REPORT OF THE CITY MANAGER**

**A. Benefit Hearing - None**

**B. General**

**1. M&C G-17561 - Adopt Ordinance Amending the City of Fort Worth Building Code to Allow Expanded Administrative Approval of Permanent Encroachment Agreements. (ALL COUNCIL DISTRICTS)**

The recommendation was that the City Council adopt an Ordinance amending Section 3210 of the Fort Worth Building Code, by adding provisions allowing for staff administration of certain encroachments; amending fees charged.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. G-17561 be approved and Ordinance No. 20142-03-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**2. M&C G-17562 - Approve the Change of Use and Expenditure of \$1,200,000.00 of HOME Investment Partnerships Grant Funds for the City's Homebuyer Assistance Program and Authorize Substantial Amendment to Various Action Plans from 1998 to 2012. (ALL COUNCIL DISTRICTS)**

The recommendation was that the City Council authorize a Substantial Amendment to various action plans from 1998 to 2012; and approve the change of use and expenditure of \$1,200,000.00 of HOME Investment Partnerships Grant funds for the City's Homebuyer Assistance Program.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. G-17562 be approved. The motion carried unanimously 9 ayes to 0 nays.

**3. M&C G-17563 - Conduct a Public Hearing and Adopt Ordinance to Redesignate the Berryhill/Mason Heights Area as Fort Worth Neighborhood Empowerment Reinvestment Zone No. 34. (COUNCIL DISTRICT 8) (PUBLIC HEARING)**

The recommendation was that the City Council conduct a public hearing to redesignate the Berryhill/Mason Heights area as Fort Worth Neighborhood Empowerment Reinvestment Zone No. 34; and adopt an Ordinance renewing and redesignating the Berryhill/Mason Heights area as Fort Worth Neighborhood Empowerment Reinvestment Zone No. 34, City of Fort Worth, Texas, pursuant to the Texas Property Redevelopment and Tax Abatement Act, Tax Code, Chapter 312.

**a. Report of City Staff**

Ms. Sarah Odle, Administrative Assistant, 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: Council Member Hicks made a motion, seconded by Mayor Pro tem Zimmerman, that the public hearing be closed and that Mayor and Council Communication No. G-17563 be approved and Ordinance No. 20143-03-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**4. M&C G-17564 - Conduct a Public Hearing, Adopt Resolution Redesignating the Ridglea Village/Como Area as a Neighborhood Empowerment Zone and Adopt Ordinance to Redesignate the Ridglea Village/Como Area as Fort Worth Neighborhood Empowerment Reinvestment Zone No. 2 (COUNCIL DISTRICTS 3 and 7) (PUBLIC HEARING)**

The recommendation was that the City Council adopt a Resolution to redesignate the Ridglea Village/Como area as a Neighborhood Empowerment Zone; conduct a public hearing to redesignate the Ridglea Village/Como area as Fort Worth Neighborhood Empowerment Reinvestment Zone No. 2; and adopt an Ordinance renewing and redesignating the Ridglea Village/Como area as Fort Worth Neighborhood Empowerment Reinvestment Zone No. 2, City of Fort Worth, Texas, pursuant to the Texas Property Redevelopment and Tax Abatement Act, Tax Code, Chapter 312.

**a. Report of City Staff**

Ms. Sarah Odle, Administrative Assistant, 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: Council Member Shingleton made a motion, seconded by Council Member Moss, that the public hearing be closed and that Mayor and Council Communication No. G-17564 be approved and Resolution No. 4079-03-2012 and Ordinance No. 20144-03-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**C. Purchase of Equipment, Materials, and Services**

**1. M&C P-11367 - Authorize Purchase Agreement with Morrison Supply Company for Water-Saving Toilets for the Water Department in the Amount of \$1,323,000.00 for the First Year. (ALL COUNCIL DISTRICTS)**

The recommendation was that the City Council authorize a purchase Agreement with Morrison Supply Company for water saving toilets for the Water Department for an amount of \$1,323,000.00 for the first year.

Motion: Council Member Scarth made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. P-11367 be approved. The motion carried unanimously 9 ayes to 0 nays.

**D. Land**

**1. M&C L-15342 - Authorize Conveyance of an Easement to Oncor Electric Delivery for Electrical Equipment and Appurtenances to the Polytechnic Heights Neighborhood Police Center Located at 1100 East Nashville Avenue at No Expense to the City of Fort Worth. (COUNCIL DISTRICT 8)**

The recommendation was that the City Council authorize conveyance of an easement to Oncor Electric Delivery for electrical equipment and appurtenances to the Polytechnic Heights Neighborhood Police Center, described as Lot 2R1, Bloc 5R, Boaz and Dillow Addition, located at 1100 East Nashville Avenue at no expense to the City of Fort Worth; and authorize the execution and recording of necessary documents to complete the conveyance.

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 Hicks made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. L-15342 be approved. The motion carried 8 ayes to 0 nays, with 1 abstention by Council Member Scarth.

E. Planning & Zoning - None

F. Award of Contract

1. M&C C-25531 - Authorize Expenditure in the Amount of \$1,115,000.00 of HOME Investment Partnerships Program Grant Funds to Tarrant County Housing Partnership, Inc., for the Development of Ten Single Family Houses in the Hillside-Morningside Neighborhood, Authorize Execution of Conditional Commitments and Contracts. (COUNCIL DISTRICT 8)

The recommendation was that the City Council authorize substitution of funding years in order to meet commitment, disbursement and expenditure deadlines for grant funds from the United States Department of Housing and Urban Development; authorize expenditure of \$1,115,000.00 in HOME Investment Partnerships Program Grant funds as allocated in the 2011-2012 Action Plan to Tarrant County Housing Partnership, Inc., a certified Community Housing Development Organization, for the development of up to 10 single family houses in the Hillside-Morningside neighborhood; authorize execution of conditional commitments with Tarrant County Housing Partnership, Inc., that conditions funding, among other things, on satisfactory completion of HOME Investment Partnerships Program requirements; authorize execution of contracts with the Tarrant County Housing Partnership, Inc., for the project for a three (3) year term beginning on the date of execution of the contract; authorize extension or renewal of the conditional commitment(s) or the contract(s) if Tarrant County Housing Partnership, Inc., requests an extension and such extension is necessary for completion of the project; and authorize amendment of the conditional commitment(s) or the contract(s) if necessary to achieve project goals provided that the amendment is within the scope of the project and in compliance with City policies and applicable laws and regulations governing the use of federal grant funds.

Motion: Council Member Hicks made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. C-25531 be approved. The motion carried unanimously 9 ayes to 0 nays.

2. M&C C-25532 - Authorize Execution of a Contract in the Amount of \$1,079,601.00 with Conatser Construction TX, LP, for Pavement Reconstruction and Water and Sanitary Sewer Main Replacement on Portions of Belle Place, Dorothy Lane, Sutter Street, Washburn Avenue and Harley Avenue, Utilizing \$788,875.00 from the 2008 Capital Improvement Program Projects Fund and \$496,980.00 from the Water and Sewer Capital Projects Funds to Provide for Construction Contract Costs, Contingencies and Construction Services for a Project Total in the Amount of \$1,285,855.00 and Adopt Appropriation Ordinances. (COUNCIL DISTRICT 7)

The recommendation was that the City Council authorize the transfer of \$496,980.00 from the Water and Sewer Fund in the amounts of \$315,230.00 to the Water Capital Projects Fund and \$181,750.00 to the Sewer Capital Projects Fund; adopt an Appropriation Ordinance increasing the estimated receipts and appropriations in the Water Capital Projects Fund, from available funds, for the purpose of funding pavement reconstruction, water and sanitary sewer main replacement for Belle Place, from Collingwood Avenue to Calmont Avenue; Dorothy Lane, from Lafayette Avenue to Byers Avenue; Sutter Street, from Crestline Road to Lafayette Avenue; Washburn Avenue, from Sutter Street to West Dead End; Harley Avenue, from Sutter Street to West Dead End; adopt an Appropriation Ordinance increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund, from available funds, for the purpose of funding pavement reconstruction, water and sanitary sewer main replacement for the same locations reflected above; and authorize the City Manager to execute a contract with Conatser Construction TX, LP, in the amount of \$1,079,601.00 to provide for construction contract costs, contingencies, and construction services for a project total in the amount of \$1,285,855.00.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-25532 be approved and Appropriation Ordinance Nos. 20145-03-2012 and 20146-03-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**3. M&C C-25533 - Authorize Execution of a Contract in the Amount of \$886,670.25 with Stabile & Winn, Inc., for Pavement Reconstruction and Water Main Replacement on Portions of Fifth Avenue, Sixth Avenue and West Beddell Street, Utilizing \$756,318.50 from the 2008 Capital Improvement Program Fund and \$302,917.00 from the Water and Sewer Capital Projects Funds to Provide for Construction Contract Costs, Contingencies and Construction Services for a Project Total of \$1,059,235.50 and Adopt Appropriation Ordinance. (COUNCIL DISTRICT 9)**

The recommendation was that the City Council authorize the transfer of \$302,917.00 from the Water and Sewer Fund to the Water Capital Projects Fund; adopt an Appropriation Ordinance increasing the estimated receipts and appropriations in the Water Capital Projects Fund, from available funds, for the purpose of pavement reconstruction, water main replacement for 5th Avenue, from West Bolt Street to Flint Street; 6th Avenue, from West Seminary Drive to West Beddell Street; West Beddell Street, from Hemphill Street to South Adams Street; and authorize the execution of a contract with Stabile & Winn, Inc., in the amount of \$886,670.25 to provide for construction contract costs, contingencies, and construction services for a project total of \$1,059,235.50.

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. C-25533 be approved and Appropriation Ordinance No. 20147-03-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**4. M&C C-25534 - Authorize the Execution of a Contract in the Amount of \$1,023,642.65 with McClendon Construction Company, Inc., for Pavement Reconstruction and Water and Sanitary Sewer Main Replacement on Portions of 12th Street, Hawthorne Avenue and Lisbon Street, Utilizing \$857,873.40 from the Street Improvements 2008 Fund and \$301,530.00 from the Water Capital Projects Fund to Provide for Construction Contract Costs, Contingencies and Construction Services for a Project Total of \$1,159,403.40 and Adopt Appropriation Ordinance. (COUNCIL DISTRICT 9)**

The recommendation was that the City Council authorize the transfer of \$301,530.00 from the Water and Sewer Fund to the Water Capital Projects Fund; adopt an Appropriation Ordinance increasing the estimated receipts and appropriations in the Water Capital Projects Fund, from available funds, for the purpose of pavement reconstruction, water main replacement for East 12th Street, from Calhoun Street to Jones Street; Hawthorne Avenue, from Grainger Street to May Street; Lisbon Street, from Clymer Street to Clover Lane; and authorize the execution of a contract with McClendon Construction Company, Inc., in the amount of \$1,023,642.65 to provide for construction contract costs, contingencies, and construction services for a project total of \$1,159,403.40.

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. C-25534 be approved and Appropriation Ordinance No. 20148-03-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**5. M&C C-25535 - Authorize Execution of a Contract in the Amount of \$1,428,769.70 with McClendon Construction Company, Inc., for Paving, Retaining Wall, Street Lights and Drainage Improvements for Ray White Road from North Tarrant Parkway to Shiver Road, Utilizing \$1,739,904.70 from Transportation Public Works Gas Well Revenues Fund to Provide for Construction Contract Costs, Contingencies and Construction Services for a Project Total of \$1,739,904.70 and Adopt Appropriation Ordinance. (COUNCIL DISTRICT 2)**

The recommendation was that the City Council adopt an Appropriation Ordinance increasing the estimated receipts and appropriations in the Transportation Public Works Gas Well Revenues Fund in the amount of \$1,739,904.70, from available funds, for the purpose of covering the acquisition of rights-of-ways, easements, and for construction costs related to the Ray White Road Project; and authorize the execution of a contract with the lowest responsive bidder, McClendon Construction Company Inc., in the amount of \$1,428,769.70 for paving, retaining wall, street lights and drainage improvements for Ray White Road from North Tarrant Parkway to Shiver Road.

Motion: Council Member Espino made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-25535 be approved with appreciation to Doug Wiersig, Director, Transportation and Public Works Department, and Appropriation Ordinance No. 20149-03-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**6. M&C C-25536 - Authorize Execution of a Contract with Laughley Bridge & Construction, Inc., in the Amount of \$2,000,000.00 for Water Main Extensions, Replacements and Relocations at Various Locations throughout the City of Fort Worth. (ALL COUNCIL DISTRICTS)**

The recommendation was that the City Council authorize execution of a contract with Laughley Bridge & Construction, Inc., in the amount of \$2,000,000.00 for Water Main Extensions, Replacements and Relocations Contract 2011A at various locations throughout the City of Fort Worth, Texas.

Motion: Council Member Shingleton made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-25536 be approved. The motion carried unanimously 9 ayes to 0 nays.

**7. M&C C-25537 - Authorize Execution of a Construction Contract in the Amount of \$3,900,225.00, Including a \$185,725.00 Allocation Allowance with Prime Construction Company to Construct the Chisholm Trail Community Center to Be Located at 4680 McPherson Boulevard. (COUNCIL DISTRICT 6)**

The recommendation was that the City Council authorize the execution of a construction contract in the amount of \$3,900,225.00 including a \$185,725.00 allocation allowance with Prime Construction Company to construct the Chisholm Trail Community Center to be located at 4680 McPherson Boulevard.

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: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. C-25537 be approved. The motion carried 8 ayes to 0 nays, with 1 abstention by Council Member Jordan.

**XV. CITIZEN PRESENTATIONS**

Mr. Joe Waller, President, Lake Worth Alliance, 2533 Castle Circle, appeared before Council relative to the dredging of Lake Worth. He expressed appreciation to Council Member Shingleton for his service on the Lake Worth Regional Coordination Committee. He stated that

the dredging project was about to take place and the City had the opportunity to make Lake Worth a world class recreational location. He urged the City to keep the land they owned around the lake for parkland and trails and not sell the land for private development. He also stated that the City should invite the media to observe the state of the art dredging equipment and project operations. He advised that now was the time to promote this project.

Council Member Shingleton expressed appreciation to Mr. Waller for his hard work on this project and stated that the media would be invited to observe the dredging process, the recycled water being put back into the lake, sound mitigation techniques and the state of the art equipment in the near future.

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

There was no Executive Session.

**XVII. ADJOURNMENT**

There being no further business, Mayor Price adjourned the regular meeting at 10:43 a.m. in memory of Mr. Michael “Mace” Maben, Mr. Jim Gilliland, and Mrs. Anna M. Caughlin, respectively.

**No Documents for this Section**

To the Mayor and Members of the City Council

April 3, 2012

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**SUBJECT: Local Impact of Federal/State Budget Reductions**

The purpose of this Informal Report is to respond to Staff Action Tracking item #1 requested by City Council on February 14, 2012 to provide a listing of all federal/state funds the City receives. The reduction in federal / state funds will impact services currently provided by the City. The services will be eliminated, significantly reduced, absorbed by the Departments or submitted for consideration in the upcoming budget. The following is a short synopsis of the grants that are subject to elimination and/or reduction and their impact on City services.

### **General Fund**

The **Library** manages the Early Childhood Matters Grant that targets geographic areas with the largest proportion of children entering kindergarten without the necessary skills. The program teaches parents the essential elements of literacy and language development and gives them ways to work with their children at home to improve school readiness. In 2011, funding for this program was eliminated. Seventy-five (75%) percent of the grant has already been absorbed by the operating budget in FY2012. The total known impact FY2013 will be \$96,131.

**Parks and Community Services (PACS)** has oversight of the community services division. Community Service Block Grants (CSBG) fund the core activities of the division. The total grant is \$1.5M. It allows the division to mobilize various resources to combat the central causes of poverty in the City of Fort Worth; by assisting residents with homeless prevention, emergency food, shelter and other emerging needs across Tarrant County. This grant is slated to be reduced as part of the federal budget; however, Congress has not finalized the reductions. If this grant is lost, the division will have to reduce their Community Action Partners (CAP) and staff. The total anticipated impact is \$765,000 for FY2013.

### **Other Funds**

**PACS'** Low Income Home Energy Assistance Program (LIHEAP) aims to reduce energy costs for low income families, particularly the elderly and residents with disabilities. The total grant is \$4.7M. This grant serves the City's most vulnerable residents. This grant, along with the CSBG mentioned above, is included in the federal budget. If the grant is reduced, there will be minimal impact to staffing levels; however support will be reduced and clients will have greater difficulty accessing services. This can be demanding in the extreme weather months. The total anticipated impact in FY2013 is \$600,000.

**Housing and Economic Development** will have to reduce the number of Public Service contracts due to the reduction of funds provided by Community Development Block Grants (CDBG). The total grant entitlement for this program is \$5.8M for FY2013. These funds are utilized for infrastructure projects, rehabilitation of housing units and acquisition of park property. \$1.1M was reduced in FY2012. The known impact for FY2013 is \$320,410.

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

**April 3, 2012**

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**SUBJECT: Local Impact of Federal/State Budget Reductions**

**Housing and Economic Development** will also have to eliminate the Community Housing Development Organizations (CHDO) set aside by 15% or reduce housing projects and staff as it pertains to the HOME Investment Partnership Grant (HOME). The total grant entitlement for this program is \$1.9M for FY2013. These funds are utilized for the Homebuyer Assistance Program, targeted land infill projects and staff salaries. \$369K was already reduced in FY2012. The known impact for FY2013 is \$877,229.

**Police** has the Project Safe Neighborhood 2011 program to address gang crime through suppression, intervention and prevention. Grant funding has been reduced from \$50,000 to \$5,000. The loss of this funding will tremendously reduce the ability to pay overtime to assist the Gang Unit. Additionally, the Police lost grant funding for Solving Cold Cases with DNA. Without this grant, the City does not have the extra staff and time dedicated to solving the enormous backlog of unsolved cases. The known impact is \$471,962 for FY2013.

The Police are anticipating other grants such as the Buffer Zone Protection program from FEMA, the Victim Coordinator grant to fund a bilingual staff person in victim's assistance and the Justice Assistance Grant (JAG) to be reduced. Without the funding, all of these programs will be hampered as a resource to the citizens. The exact budget impact is not quantified at this time.

Below is a chart summarizing the financial impact of the reductions in external funding. The reductions will require elimination and / or reduction in services. However, the reductions can be mitigated if additional grants are obtained or partnerships secured. Also, Departments may consider submitting funding requests for these programs. The Citywide total is \$3.1M and would impact the FY2013 budget.

	<b>General Fund</b>	<b>Other Funds</b>	<b>Citywide Total</b>
<b>Known Impact</b>	\$ 96,131	\$ 1,669,601	\$ 1,765,732
<b>Anticipated Impact</b>	\$ 765,000	\$ 600,000	\$ 1,365,000
<b>Total Impact</b>	<u>\$ 861,131</u>	<u>\$ 2,269,601</u>	<u>\$ 3,130,732</u>

If you require any additional information, please contact Horatio Porter, Budget Officer at 817-392-2379.

**Tom Higgins**  
City Manager

**To the Mayor and Members of the City Council****April 3, 2012**

Page 1 of 1

**SUBJECT: PROPOSED NOISE ORDINANCE AMENDMENTS**

The purpose of this report is to provide the City Council with information about proposed amendments to the City's noise ordinance in advance of anticipated City Council action on April 10.

On September 13, 2011, the City Council received an Informal Report about proposed changes to the City's noise ordinance. During the fall and winter of 2011 to 2012, staff reached out to community groups and held a public meeting on January 23, 2012. The attached draft ordinance incorporates public comments received to date.

The Police and Law departments have previously expressed concern about the subjective nature of the current noise ordinance and the resulting difficulty in enforcement. The primary purpose of the ordinance is to address common noise complaints caused by repetitive and excessive noise by adding maximum decibel levels and by adding restrictions on noise from animals and from amplifiers in public right-of-way.

If you have any questions, please contact Melinda Ramos, Assistant City Attorney.

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

Attachment

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 23.8 “NOISE” OF CHAPTER 23, “MISCELLANEOUS OFFENSES” OF THE CODE OF THE CITY OF FORT WORTH, TO AMEND THE NOISE ORDINANCE TO ADD DECIBEL LEVELS; TO ADD DEFINITIONS RELATED TO NOISE; TO SET MAXIMUM SOUND LEVELS BASED ON ZONING CATEGORIES; TO REGULATE AMPLIFIERS IN THE RIGHT OF WAY; TO RESTRICT ANIMAL NOISE; TO ALLOW EXCEPTIONS, PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.**

**WHEREAS**, it is the policy of the City of Fort Worth to minimize the exposure of citizens to excessive noise and to protect, promote and preserve the public health, comfort, convenience, safety and welfare; and

**WHEREAS**, it is the intent of the City to control the level of noise in a manner which promotes commerce; protects the sleep and repose of citizens; promotes the use, value and enjoyment of property; and preserves the quality of the environment; and

**WHEREAS**, it is desirable to address common noise complaints caused by repetitive and excessive noise by adding maximum decibel levels and by adding restrictions on noise from animals and from amplifiers in public right-of-way;

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

**SECTION 1.**

**Sec. 23-8. Noise**

**(a) General Provisions.**

- 1. Scope.** This Section applies to the control of all sound and noise within the City of Fort Worth.
- 2. Overview.** This Section is designed to regulate noise by various alternative means in order to allow the enforcement of noise regulations at times when and by persons for whom noise meters are not available. A noise may be in violation of this Section because it is disturbing to a reasonable person of ordinary sensibilities or because it exceeds the decibel level restrictions provided below. If a noise violates more than one of these provisions, the violation will be enforced under whichever provision is most applicable to the situation as determined by the enforcement officer of the City.

**(b) Definitions.**

Ambient noise shall mean the all-encompassing noise level associated with a given environment, being a composite of sounds from all sources at the location, constituting the normal or existing level of environmental noise at a given location.

A-Weighting (dBA) shall mean the sound pressure level in decibels as measured on a sound level meter using the A-weighted network. The level so read is designated dB(A) or dBA.

Bounding real property line shall mean an imaginary line at the ground and its vertical extension which separates the real property owned or occupied by one person from that owned or occupied by another person.

Decibel (dBA) shall mean the unit of measurement for sound pressure at a specified location.

Governmental function shall mean work conducted by a governmental entity in the interest of the community.

Sound level shall mean the instantaneous sound pressure level measured in decibels obtained by the use of a sound level meter set for A-weighting on slow integration speed, unless otherwise noted.

Residential shall mean: property zoned for residential use in accordance with the City's zoning ordinance

Unreasonable noise shall mean:

- (1) Any unreasonably loud, disturbing, and unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof; or
- (2) Any noise of such character, intensity and continued duration, which substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities.

**(c) Restrictions on Decibel Levels.**

(1) Maximum sound levels. During the times and in the zoning districts set out below, the activities that create a sound pressure level on the complainant's bounding real property line that exceeds the maximum allowable sound level (dBA) below are declared to be public nuisances:

All residential (one-, two- and multi-family) zoning districts:

- Daytime: 7 a.m. to 10 p.m. = 70 dBA
- Nighttime: 10 p.m. to 7 a.m. = 60 dBA

All non-residential and mixed-use zoning districts outside “H” Central Business District and “TU” Trinity Uptown:

Daytime: 7 a.m. to 10 p.m. = 80 dBA  
Nighttime: 10 p.m. to 7 a.m. = 70 dBA

“H” Central Business District, “TU” Trinity Uptown, and West 7<sup>th</sup> Village (per attached map)

Sunday – Thursday  
Daytime: 7 a.m. to 10 p.m. = 80 dBA  
Nighttime: 10 p.m. to 7 a.m. the following day = 70 dBA

Friday – Saturday  
Daytime: 7 a.m. to 2 a.m. the following day = 80 dBA  
Nighttime and Sunday: 2 a.m. to 7 a.m. = 70 dBA

ALL zoning where ambient noise level exceeds the prescribed maximum level:

7 a.m. to 10 p.m. = Existing Ambient (dBA) + 3 dBA  
10 p.m. to 7 a.m. = Existing Ambient (dBA)

(2) Method of noise measurement. Noise measurements shall be a minimum of 30 seconds in duration. Decibel levels are measured from the complainant’s property line. For residential districts adjacent to other districts, the residential decibel levels apply when measured from a residential complainant’s property line. Violations will be determined based on the highest registered reading in that measurement period. All measurement levels will be inclusive of any ambient noise that exists at the time of the measurement.

**(d) Noise Prohibited.**

(1) In addition to the other noise restrictions in this Section, no person shall make, cause, suffer, allow or permit unreasonably loud noises in such a manner, or with such volume, intensity or duration, so as to disturb a reasonable person of ordinary sensibilities. A decibel level shall not be required for the enforcement of this subsection.

(2) This subsection is intended to apply to, but is not limited to, unreasonable noises in the form of:

a. Amplifiers in Public ROW and on City Property. The use of a bullhorn, loudspeaker, or other amplification is prohibited in the public right-of-way and on City of Fort Worth property, unless permitted as an exception below.

Exceptions:

- i. Public safety official while performing their duties.
- ii. Persons with an Outdoor Event Permit as described in Section 20-405 of the City Code.
- iii. Persons with permission from pertinent City department director or designee.

- b. Animals. It shall be unlawful to keep, or to permit the keeping of, any dog(s) or rooster(s) or any other bird or animal that creates any bark, cry, crow, or other sound on a frequent, repetitive or continuous basis for ten (10) minutes or longer.
- c. Construction Work. Noise created by construction work within three hundred (300) feet of an occupied residential structure involving the erection, excavation, demolition, alteration, or repair of any building, structure, or flatwork is prohibited as follows:

Before 7:00 a.m. or after 8:00 p.m. Monday-Friday

Before 9:00 a.m. or after 8:00 p.m. Saturday-Sunday

- d. Solid Waste Collection. Noise created by solid waste haulers within three hundred (300) feet of residential zoning before 6:00 a.m. or after 11:00 p.m. is prohibited, unless a waiver is granted to the waste hauler by the Director of Code Compliance or his designee in accordance with the Grant of Privilege issued by the City to the waste hauler.
- e. Music. The playing of any music or musical instrument in such manner or with such volume or bass, particularly during the daytime hours described in Section (c) Restrictions on Decibel Levels above, as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence.
- f. Horns or other signal devices. The continued or frequent sounding of any horn, air horn, or signal device on any vehicle except as a danger or warning signal; the creation by means of any such signal device of any unreasonably loud or harsh noise for any unnecessary and unreasonable period of time.
- g. Operation of motor vehicles. The revving of any engine, the playing of any music with such volume or bass, or the operation of any vehicle so out of repair, so loaded or in such manner as to create loud or unnecessary grating, grinding, jarring, rattling, or squealing noise or vibrations.

(e) Exemptions.

The following acts and sounds shall be exempt from the requirements of this Section:

1. Noise generated due to normal building conditioning and ventilation and property maintenance.
2. Noise generated on public and school property, as permitted by the property owner.
3. Noise generated by an Outdoor Event that is permitted as described in Section 20-405 of the City Code.
4. Noise generated by amplifiers at entertainment venues having a capacity of 1,000 or more persons within “TU” Trinity Uptown.
5. Noise generated by any governmental body and its contractors in the performance of a governmental function.
6. Noise generated by airport, railway and vehicular transportation.
7. Noise produced by gas drilling and production, which is regulated by the Gas Drilling Ordinance in Chapter 15 of the City Code.
8. Noise generated at Texas Motor Speedway.

(f) Enforcement.

1. The provisions of this section shall be enforced primarily by the Police Department and Code Compliance Department.
2. If a person's conduct would otherwise violate this section and consists of expressive activity protected by the United States and Texas Constitutions, including speech, press, assembly and right to petition, but does not include commercial advertising, shall have the opportunity to, move, disperse, or otherwise remedy the violation.

(g) Penalties.

1. A person commits an offense if the person makes noise in violation of this Section.
2. An offense under this Section is punishable by a fine of not more than Five Hundred Dollars (\$500.00).
3. Each occurrence of a violation, or, in the case of multiple violations, each day a violation occurs or continues, constitutes a separate offense and may be punished separately.
4. A violation of this Section is a nuisance. The prosecution of an offense under this Section does not limit the City's right to abate the nuisance, including the use of injunctive or other civil relief.

~~(a) — Definitions.~~

~~Unreasonable noise shall mean:~~

- ~~(1) Any unreasonably loud, disturbing, and unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof; or~~
- ~~(2) Any noise of such character, intensity and continued duration, which substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities.~~

~~(b) — Violations.~~

~~(1) All unreasonable noise is declared to be a nuisance and is hereby unlawful and prohibited.~~

~~(2) Noise created by the following acts is presumed to be unreasonable, but such enumerated acts shall not be deemed to be exclusive:~~

~~a. — Musical instruments. The playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10:00 p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence.~~

~~b. — Loudspeakers and amplifiers. The use of any stationary loudspeaker or amplifier of such intensity that annoys and disturbs persons of ordinary sensibilities in the immediate vicinity thereof; the use of any stationary loudspeaker or amplifier operated on~~

~~any weekday between the hours of 10:30 p.m. and 7:00 a.m., or at any time on Sunday; provided, however, that it shall be a defense to prosecution under this subsection for operating such loudspeakers and amplifiers at such hours on weekdays or on Sunday that the same were operated at a public event on property owned by the city and advance permission for such operation was obtained from the park and recreation director of the city.~~

~~e. — *Animals and birds.* The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person of ordinary sensibilities in the immediate vicinity.~~

~~d. — *Horns or other signal devices on vehicles.* The continued or frequent sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle except as a danger or warning signal; the creation by means of any such signal device of any unreasonably loud or harsh device for any unnecessary and unreasonable period of time.~~

~~e. — *Operation of vehicles.* The running of any automobile, motorcycle or vehicle so out of repair, so loaded or in such manner as to create loud or unnecessary grating, grinding, jarring or rattling noise or vibrations.~~

~~f. — *Steam whistles.* The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of danger.~~

~~g. — *Exhaust without mufflers.* The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or boat engine except through a muffler or other device, which will effectively prevent loud or explosive noises therefrom.~~

~~h. — *Devices operated by compressed air.* The use of any mechanical device operated by compressed air, unless the noise to be created is effectively muffled and reduced.~~

~~i. — *Construction work.* Noise created by construction activities within three hundred (300) feet of an occupied residential structure, involving the erection of, including excavation of, demolition of, alteration to, or repair work on any building, structure, or flatwork before 7:00 a.m. or after 8:00 p.m. Monday through Friday, before 9:00 a.m. or after 8:00 p.m. Saturday, or any time on Sunday.~~

~~j. — *Near schools and hospitals.* The creation of any excessive noise on any street adjacent to any school or institution of learning while the same is in session or adjacent to any hospital which unreasonably interferes with the workings of such institutions, provided conspicuous signs are displayed in such manner indicating that the same is a school or hospital street.~~

~~k. — *Loading and unloading vehicles, etc.* The creation of any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates and containers.~~

~~l. — *Peddlers, hawkers, etc.* The raucous shouting and crying of peddlers, hawkers and vendors, which disturbs the peace and quiet of the neighborhood.~~

~~m. — *Use of drums, etc., to attract attention.* The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention, by the creation of noise, to any performance, show or sale of merchandise.~~

~~n. — *Railroads.* The blowing or sounding of any steam whistle, horn or signal device on any engine, locomotive car or vehicle adapted to the rails of a railroad in the city, except as a warning or danger signal to persons or animals approaching, crossing or using the tracks of the railroad, shall constitute a violation of this section.~~

~~(e) — *Defense.* It shall be a defense to prosecution under subsection (b) that the noise created was reasonable under the totality of the circumstances existing in each case.~~

**SECTION 2.**

That this ordinance shall be cumulative of all other ordinances of the City of Fort Worth, Texas, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

**SECTION 3.**

That all rights or remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the City Code, or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil and criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 4.**

That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5.**

That any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation exists shall constitute a separate offense.

**SECTION 6.**

That the City Secretary of the City of Fort Worth, Texas, is hereby directed to publish this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by the V.T.C.A. Local Government Code Subsection 52.013.

**SECTION 7.**

This ordinance shall take effect after adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_  
Assistant City Attorney

Adopted: \_\_\_\_\_

Effective: \_\_\_\_\_

*DRAFT*

**To the Mayor and Members of the City Council****April 3, 2012**

Page 1 of 2

**SUBJECT: STAGE 1 DROUGHT RESTRICTIONS AND VARIANCE PROCESS**

The purpose of this report is to answer questions raised at the March 27, 2012, Pre-Council meeting regarding pressure-washing restrictions currently in place. The hosing of buildings is restricted in Stage 1 of the Drought Contingency and Emergency Water Management Plan for any purpose other than fire protection or paint preparation. The use of pressure-washing for other purposes can be addressed through a variance process that is documented in the plan. A variance can be requested for any of the Stage 1 drought restrictions listed below.

**Stage 1 Drought Restrictions**

When the capacity of all of the lakes and reservoirs used by Tarrant Regional Water District reaches 75%, the City of Fort Worth enters Stage 1 Drought restrictions as follows:

- Prohibit hosing of paved areas, except to alleviate an immediate health hazard.
- Prohibit hosing of buildings or other structures, except for fire protection or surface preparation prior to painting.
- Limit landscape watering with sprinklers or irrigation systems to a twice-per-week schedule, as outlined below:
  - Residential addresses ending in an even number (0, 2, 4, 6, 8) may water on Wednesdays and Saturdays.
  - Residential addresses ending in an odd number (1, 3, 5, 7, 9) may water on Thursdays and Sundays.
  - Non-residential locations may water on Tuesdays and Fridays.
- Establishing new turf is discouraged.

**Variance Procedure**

A variance process is available for exceptions to the Stage 1 restrictions, as necessary. Completion of the following steps must be met for consideration.

- The installer or owner submits an application to the Water Department with all pertinent information. This includes, but is not limited to:
  - Name and address of the petitioner(s)
  - Purpose of water use
  - Specific provisions from which relief is requested
  - Detailed statement of the adverse effect of the provision from which relief is requested
  - Description of the relief requested
  - Period of time for which the variance is sought
  - Alternative measures that will be taken to reduce water use
  - Landscaper information and copies of the installation receipt
  - Detailed map of the location and zones to be watered with run times
  - Any other pertinent information.

**To the Mayor and Members of the City Council****April 3, 2012**

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**SUBJECT: STAGE 1 DROUGHT RESTRICTIONS AND VARIANCE PROCESS**

- For new turf or landscape variances, the Water Conservation Licensed Irrigator will visit each application site and determine (based on the date of installation, type of plant or grass installed, etc.) how long and how often the applicant will need to water to establish their particular landscaping.
- The applicant receives an approval or denial letter, or subsequent e-mail, to explain the restrictions that they must follow and the expiration date of their variance.

Since Stage 1 was implemented August 29, 2011, variances have been granted for large-scale properties that are not able to fully irrigate within their two days, properties establishing new landscape, athletic fields, and new construction. Some large-scale examples include the Fort Worth Zoo, Fort Worth Independent School District, and churches. Requests related to pressure washing and the hosing of paved areas have been granted based on defined health and safety concerns.

On December 13, 2011, the Council was briefed on proposed amendments to the Drought Ordinance. One of these included removal of restrictive power-washing rules in Stage 1. Staff will work with our regional conservation partners to address this change as well as other potential revisions to the Drought Ordinance and present proposed revisions to the City Council for consideration.

Should you have any questions about the Drought Contingency and Emergency Water Management Plan, please contact Water Director Frank Crumb at 817-392-8246.

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

**To the Mayor and Members of the City Council****April 3, 2012**

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**SUBJECT: REGULATION OF SALT WATER DISPOSAL WELLS**

On March 20, 2012, the City Council asked staff to determine which cities near Fort Worth allow salt water disposal wells within their city limits and what regulatory authority nearby cities exercise to control the development of those facilities within their extraterritorial jurisdiction (ETJ).

Staff contacted eleven neighboring cities: Arlington, Bedford, Benbrook, Cleburne, Denton, Flower Mound, Grand Prairie, Hurst, Keller, Mansfield, and Southlake. All of these cities prohibit salt water disposal wells within their city limits with the exception of Cleburne, which allows those facilities within certain industrial zoning districts. All of the cities responded that they exercise no development controls within their ETJ.

Fort Worth's authority to regulate gas drilling is mostly limited to its incorporated limits. The ability of a city to regulate development within its ETJ generally is also limited, with a few exceptions as set forth in state statutes. Section 217.042 of the Texas Local Government Code does allow a municipality to define and prohibit a nuisance within its boundary and within 5,000 feet of the city limits. However, because the development of salt water disposal wells has historically been a common practice associated with gas drilling, it may be difficult to prove that the wells are a nuisance. Case law suggests that gas drilling activities are not a nuisance *per se* and, therefore, the City would have to prove that salt water disposal wells were a nuisance due to factual conditions associated with the wells, such as noise and dust. Again, due to the common use of salt water disposal wells and precedent in the law, it may be difficult for Fort Worth categorically to deem the wells a nuisance.

Chapter 212 of the Texas Local Government Code also provides cities the authority to regulate plats and subdivisions in the ETJ. The City's Subdivision Ordinance requires review and approval of plats when land is being subdivided within its ETJ. Platting is not required if the division of land is into parcels greater than five acres where each parcel has access to a public street and no public improvement is being dedicated. Under those conditions, an operator could build a salt water disposal well on an existing tract of land within the ETJ without city oversight or regulation.

If you have any questions about this information, please contact Rick Trice, Assistant Director of the Planning and Development Department, at 817-392-7959.

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

**To the Mayor and Members of the City Council****April 3, 2012**

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**SUBJECT: 2012 STATE WIDE ROUND-UP AND CITY OF FORT WORTH  
WARRANT AMNESTY PROGRAM**

The purpose of this Informal Report is to provide the City Council follow-up information on the Municipal Court Services Department's participation in the 2012 Statewide Round-Up and the Warrant Amnesty Program.

The Department worked closely with the City Manager's Office of Media and Public Affairs staff to utilize multiple media venues for advertisement including: videos, flyers, city cable, city website, twitter, television and radio. The Department also coordinated a mailing campaign with its current external collection vendor of over 20,000 letters related to approximately 60,000 cases.

Customer service hours were extended at the downtown location to provide increased opportunity for citizens to resolve their outstanding case(s).

The following is a brief summary of each of these programs.

**2012 Statewide Round-Up**

On February 13, 2012 the City of Fort Worth Municipal Court served as the host for the North Texas kick-off news conference that included representation from over 30 local and state agencies, at the Southwest Municipal Court, to announce the 2012 Statewide Roundup held February 13, 2012 to March 4, 2012.

During this time period the Department was able to clear over 9,100 warrants with a corresponding total fine or bond amount of \$3.3 million; compared to \$2.8 million in 2011. Actual payments collected were over \$460,000.00 in fines and court costs; compared to approximately \$239,000.00 in 2011. We also held a special Saturday round-up on March 3, 2012 that resulted in the clearance of approximately 500 warrants.

**Warrant Amnesty Program**

To complement other measures to reduce the number of undisposed cases with warrants and increase court collections, the Department implemented a limited warrant amnesty program. The program period was February 27, 2012 to Friday, March 23, 2012 under the following conditions:

- Defendant was required to appear voluntarily;
- Ticket had to be in warrant status;
- Defendant had to plead guilty or no-contest; and
- Defendant was required to pay the remaining balance in full

**To the Mayor and Members of the City Council****April 3, 2012**

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**SUBJECT: 2012 STATE WIDE ROUND-UP AND CITY OF FORT WORTH  
WARRANT AMNESTY PROGRAM**

During the amnesty period the Department cleared over 14,000 warrants and collected over \$620,000.00 in fines and court costs on cases in warrant. Approximately \$68,000 in warrant fees were waived as a result of citizens voluntarily resolving their case(s) in compliance with the amnesty program. The Court answered over 15,000 phone calls, assisted over 40,000 citizens in-person, processed over 2,700 time payment plan applications, and resulted over 22,000 cases in the walk-in courtrooms.

The Courts established goal of \$500,000.00 in collections on warrant cases for the amnesty period was exceeded.

If you have any questions or concerns, please contact Deidra Emerson, Municipal Court Services Director, at (817) 392-6711.

**Tom Higgins  
City Manager**

**To the Mayor and Members of the City Council****April 3, 2012**

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**SUBJECT: 2012 – 2015+ HEALTHCARE STRATEGY FOR ACTIVES AND RETIREES**

During Pre-Council on April 3, 2012, staff will present an overview of a multi-year strategy to evaluate opportunities to manage healthcare costs for active and retired employees. In advance of that presentation, this Informal Report provides a summary of the issues. Attached you will find a copy of the detailed strategic plan that includes descriptions of each strategy under consideration.

As part of on-going efforts to manage costs, provide affordable healthcare and improve the wellbeing and productivity of employees and retirees, staff has developed a multi-year healthcare strategy. The goals are 1) create a long-term cost management approach for 2012 and beyond that keeps the City's trend below the 2012 national average of 9.9%.; 2) increase member engagement through disease management and wellness programs; 3) provide retiree medical options that positively impact long term healthcare costs; and 4) give employees tools to plan and save for future healthcare needs that are not funded by the City or Medicare.

This healthcare approach encompasses plan design and administration, measurement of program effectiveness, trend management, member health improvement, engagement and accountability, wellness, disease management, cost sharing through contribution strategies and management of future healthcare costs associated with retirement.

The City implemented several changes over the past seven years that have kept healthcare costs at or below national trend levels. These changes include: development of wellness programs; disease management programs; the elimination of high cost plan design and the addition of the Medicare Advantage Plan for retirees. In addition, the City eliminated future retiree healthcare subsidies for employees hired after January 1, 2009.

Nationwide, employers are redesigning their programs to encourage employees to consider cost when making medical decisions. Health savings accounts are becoming a popular solution for point-of-care cost sharing through higher medical and pharmacy plan deductibles, co-pays and coinsurance rates that cause members to seek out the most cost-efficient alternative. In addition, they provide a vehicle for employees to save for future unreimbursed retiree healthcare costs. Changes in the pre-65 and Medicare marketplace are fueling some employers to consider alternatives for retiree medical sponsorship. Employers expect even bigger changes in the not-too-distant future with the opening of the insurance exchanges in 2014 as a result of Healthcare Reform.

The City's healthcare claims and administration costs for retirees and active employees are expected to increase from \$93 million in 2012 to \$139 million by 2017 unless plan changes and increased employee engagement are adopted. The attached five year strategy considerations detail ways the City can slow down the trend cost and continue to provide affordable healthcare for employees, retirees and their dependents.

To the Mayor and Members of the City Council

April 3, 2012

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**SUBJECT: 2012 – 2015+ HEALTHCARE STRATEGY FOR ACTIVES AND RETIREES**

The following are highlights from the attached five year Healthcare strategy:

**• 2012**

- **Comprehensive vendor selection:** medical, pharmacy, COBRA, flexible spending accounts, disease management/wellness effective January 1, 2013
- **Medicare vendor selection:** summer 2012 effective January 1, 2013
- **Dependent Verification Audit (DEVA)** – ensure dependents meet eligibility requirements; to be conducted in the summer of 2012 – estimated saving \$3M in the next five years
- **Develop plan designs changes for implementation in 2013**
- **Premium incentives/surcharges:** consider smoker vs. non-smokers; participate in the wellness program health risk assessment and bio-metrics; consider spouse surcharges if coverage is available through their employers for 2013

**• 2013**

- Identify mandatory **Centers of Excellence** for certain specialty surgeries
- Establish **Near-Site clinics** through a local facility
- Conduct a **contribution analysis**
- Enhance **diabetes management** programs
- Offer **Medicare HMO option** to retirees to complement current Traditional and Medicare Advantage plan
- Replace Retiree Drug Subsidy Program with retiree prescription plans through **Employer Group Waiver Plan Plus Wrap**
- Offer **Consumer Directed Plan with a health savings account** or health reimbursement account as a plan option

**• 2014**

- Offer a premium reduction for employees participating in **annual biometric program** and health risk assessments
- Designate Consumer Directed Plan for **auto-enrollment** as required by Healthcare Reform
- Continue evaluating **plan design** modifications for actives and retiree
- Perform feasibility and cost impact study of **state or private exchanges** as an option for health plan offerings Pre/Post 65 retirees

To the Mayor and Members of the City Council

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**SUBJECT: 2012 – 2015+ HEALTHCARE STRATEGY FOR ACTIVES AND RETIREES**

• **2015**

- Consider requiring Medicare eligible retirees to be on a **Medicare Plan** such as Advantage/HMO/PPO or Supplement Plans (comparable plan to the Traditional Plan).
- Perform vendor search for **state or private exchange** for 2016 if appropriate based on feasibility study
- Offer plan options to employees based on **wellness and disease management** engagement
- Consider a defined **flat contribution** strategy

If you have any questions regarding this information, please contact, Margaret Wise, Assistant Director of Human Resources, at 817-392-8058 or Karen Marshall, Director of Human Resources, at 817-392-7737.

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

**City of Fort Worth  
Healthcare Strategy for Actives and Retirees  
FY 2012 – 2015+**

**City of Fort Worth  
Healthcare Strategy for Actives and Retirees  
FY 2012 – 2015+**

**2012 initiatives include:**

- **Comprehensive vendor selection** and contracts for 2013 and beyond. Vendor selection anticipated to be complete by April 2012 for effective date of January 1, 2013. The City is actively reviewing the vendor proposals for plan administration, disease management, employee assistance programs, flexible spending accounts and COBRA administration.
- **Dependent Verification Audit (DEVA)**. The Dependent Verification Audit will be done in late spring to validate that employee dependents meet eligibility definitions under the group health plan. Staff recommends that DEVA be conducted prior to additional eligibility changes due to healthcare reform in 2014, such as the mandate to offer coverage to all adult children of covered employees to age 26 regardless of access to their own employer coverage. Some Texas public employers that have completed or will complete a DEVA include Arlington, Dallas, Garland, Houston, Irving, Plano, Richardson and San Antonio and the State of Texas. Estimated savings to the City is \$3,000,000 over five years.

**Plan designs** - Traditional PPOs have limited ability to encourage and promote employee awareness of healthcare pricing or quality. Consumer Directed Health Plan or Consumer Driven Health Plans (CDHPs) are designed to encourage members to be more active and engaged in the purchase of healthcare services through the use of account based plan designs.

City staff will consider offering consumer directed plans for 2013 including a Health Savings Account (HSA) and Health Reimbursement Account (HRA). (See Attachment 1)

- **HRA** –The HRA can cover current and former employees (retirees), spouses, dependents, and spouses and dependents of deceased employees. The funds contributed to the HRA can be used by employees to pay deductibles, copays, coinsurance amounts and other medical expenses not reimbursed through the health plan. Funds in the HRA can also be used to pay for health coverage, COBRA, and retiree coverage. Any funds remaining in the account at the end of a plan year can be carried forward to the next plan year. The HRA cannot provide cash or any benefit other than medical expense reimbursement. HRAs are not subject to restrictions on health Flexible Spending Accounts (FSA) under the Internal Revenue Code §125. Employees participating in an HRA may also participate in Flexible Spending Account (FSA) programs. Only the City can contribute dollars to the HRA. The City can continue to credit additional amounts to an HRA after an employee terminates or retires. Monies left in HRA accounts revert to the City if unclaimed.
- **HSA** – The HSA is a tax-advantaged account created to pay medical expenses. Unlike the HRA, anyone can contribute to the HSA account up to the annual maximum. Employer contributions are excluded from the income of employees. Employee contributions can be made on a pre-tax basis or the employee may choose to make contributions on a post tax basis and claim the contributed amount as an exclusion from income tax on their federal returns. Additionally, employees may use vacation sell-back distributions to fund an HSA.

**City of Fort Worth  
Healthcare Strategy for Actives and Retirees  
FY 2012 – 2015+**

Distributions for qualified medical expenses are tax free. Distributions for non-qualified expenses are taxed and an additional tax penalty is applied to the employee. Participants over the age of 65 are not subject to the tax penalty for non qualified distributions. The HSA is owned by the employee, not the employer. Accumulated funds in the HSA roll over from year to year and are portable. Funds accumulated in the HSA may be directed to investment vehicles and earnings grow tax free. A comparison chart has been provided for review. (See Attachment 1)

To be eligible for the HSA, an employee 1) must be covered under a High Deductible Health Plan (HDHP) as defined by the IRS, 2) cannot be covered under another non-HDHP 3) is not enrolled in Medicare and 4) cannot be claimed as a dependent on another person's income tax return. Although retirees age 65 or over enrolled in Medicare may no longer contribute to an HSA, retirees may receive tax-free distribution from monies accumulated in the HSA to pay for Medicare premiums and other post-65 healthcare with the exception of a Medigap plan.

**The Patient Protection and Affordable Care Act of 2010** (healthcare reform) will require the City to automatically enroll newly hired employees in to a health plan by 2014. The City will designate the lowest cost plan as the default auto enrollment plan.

- **PPO Plan Design Modifications** – Co-insurance and deductibles pay a decreasing percentage of medical costs over time if they are not modified to reflect rising healthcare costs. The City will review the appropriateness of adjusting the current PPO Plans accordingly. Modifications to be evaluated include:
  - Increasing out of pocket maximums
  - Increasing deductibles for emergency room visits
  - Pharmacy changes – coinsurance / increase in deductibles – estimated savings \$500K
  - As an example, increasing deductibles and out of pocket limits by \$250 to Basic Plan from \$950 to \$1,200 and Basic Plus Plan from \$750 to \$1,000 deductible could save the plan about \$1.4 million per year. These rates would be in line with other Metroplex Cities in the Jan. 2011 salary and benefit surveys.
- **Medicare Advantage Plans for Post 65 Retirees** – The City will perform a formal request for proposals to review Medicare plans, including HMOs, to provide post-65 Medicare Eligible retirees with additional low cost options for retiree healthcare. A chart with high level comparison of Medicare plan options is included for review. (See Attachment 2)
- **Contribution strategy:** The review will include consideration of surcharge on premiums for tobacco use; premium incentives for wellness and disease management compliance.
- **Wellness/Disease Management:** In a recent study published by Health Affairs, Harvard Economists reported that medical costs fall by about \$3.27 for every dollar spent on wellness programs. And that absenteeism costs fall by about \$2.73 for every dollar spent.
  - City staff will review a contribution strategy based on rewarding employees who participate in wellness and disease management programs and initiatives (annual exams, flu shots, weight maintenance, prescription adherence, etc...) by providing additional contributions toward HRA/HSA/FSA or premiums.

**City of Fort Worth  
Healthcare Strategy for Actives and Retirees  
FY 2012 – 2015+**

- **Dependent Coverage:** The City will perform an analysis to determine the impact to the plan of requiring spouses or domestic partners who have access to their own employer coverage to pay a surcharge to remain on the City Plan.
- **Early Retiree Reinsurance Reimbursement Program (ERRP):** ERRP was established by the Health Reform Act as a way to encourage employers to continue offering pre-65 health benefits to its retirees. \$5 billion dollars was allocated on a first come first basis. Once funds have been distributed the program ends. The \$2.8M received from the ERRP program has been applied to the Other Post Employee Benefits (OPEB) Trust this fiscal year. City staff has requested additional ERRP funds of approximately \$1.3M; if received will be applied to the Trust in FY 2013.
- **Review the Retiree Premium Rebates** – City staff will evaluate the continuation of the Retiree Rebate based on the change from RDS to the EGWP + Wrap program. The City initially approved a one-time rebate to retirees in 2006 in lieu of increasing the City's retiree contribution amount toward dependent costs. However the rebate has been paid each year through 2011. Retiree premium rebates are budgeted again in FY 2012. The rebate funds were obtained from the RDS reimbursement checks. Continuation of the Retiree Rebate program costs the City an additional \$600,000 - \$700,000 annually. The rebate adds about 4.3% to the Annual Required Contribution for OPEB. While this rebate to retirees was initially linked to the retiree dependent subsidy, these are separate issues. However, the rate structure will be analyzed concurrently.
- **Add PPO designated providers/tiered network:** This structure holds providers accountable to deliver quality evidence care to meet employer specifications at an agreed upon price. The model holds providers and members accountable for healthcare and provides for education, incentives and member steerage. Potential savings are \$1.9M per year.

**2013**

- **Mandatory Centers of Excellence for certain specialty surgeries** Centers of Excellence have met quality of care and cost metrics which control expense by lower readmission rates and lower infection rates
- **Establish Near-Site Clinics through a local facility.** Near-Site clinic can be cost-effectively used as a center for minor care and/or specific conditions. City staff will review local facilities as potential candidates for a Near Site clinic.
- **Contribution analysis:** The City will conduct an assessment of comparable employers' contributions to healthcare premiums. In addition, many benchmark cities have gone to a flat dollar contribution approach that levels benefits for employees with and without dependent participation and can shift some cost escalation risk to members. This will be evaluated for possible implementation in 2015. Staff will evaluate the current years of service required for healthcare subsidies. Staff will evaluate the blended rate structure for Actives and Retirees for appropriateness. A vacation sellback program to fund future retiree medical premiums and wellness compliance credits will also be considered. As an example, shifting 5% of the City's contribution could save the General Fund \$2.7M/yr of healthcare costs to employees/retirees changing the cost share to 65%/35% on average.

**City of Fort Worth  
Healthcare Strategy for Actives and Retirees  
FY 2012 – 2015+**

- **Enhanced diabetes programs:** City staff will review options for enhanced diabetes programs and the applicability of City disease management programs with the vendor selected through the RFP process.
- **Offer Medicare HMO option to retirees to complement current Traditional and Medicare Advantage plan**
- **Replace the Retiree Drug Subsidy with the Employer Group Waiver Program plus Wrap for 2013:** Effective January 1, 2006, the City elected to enroll in the Centers for Medicare and Medicaid Services (CMS) Retiree Drug Subsidy Program that provides a 28% subsidy to the City under Medicare Part D (prescription drug program) and offers a pharmacy benefit that is actuarially equivalent to the standard Part D benefits.

The City has applied and received an application each year since the inception in 2006 of the CMS prescription subsidy program and the value of the program through spring 2012 is anticipated to be \$4,600,000. Recent changes to the RDS program and the development of the Employer Group Waiver Program will make RDS less advantageous to the City in the near future.

The Federal Government is now offering an alternative to the RDS that leverages 50% negotiated discounts with brand drug manufacturers, saving the City an anticipated \$1 million annually in drug costs for retirees. As background, the Standard Part D benefit under Medicare is intended to cover drugs up to a limit and then only in catastrophic situations, leaving a “donut hole” for drug coverage. Healthcare reform phases out this donut hole by 2020. With this option, the employer contracts with a vendor (Pharmacy Benefit Manager - PBM) to provide prescription drug benefits that can “match” the City’s current plan design through two Rx plans: 1) EGWP provides standard Part D benefits and 2) Wrap Plan fills in the gaps to keep retirees whole (closes the “donut hole”). This approach leverages pharmacy discounts and government subsidies and allows the City to take advantage of closing the Medicare Part D donut hole. Member disruption is limited (but not zero as with RDS).

- **Offer Consumer Directed Plan (HSA or HRA) as a plan option**

**2014**

- **Offer a premium reduction for employees participating in annual biometric program and health risk assessments**
- **Designate Consumer Directed Plan as base plan for auto-enrollment as required by Healthcare Reform**
- **Continue evaluating plan design modifications for actives and retirees**
- **Perform feasibility and cost impact study of state or private exchanges as an option for health plan offerings Pre/Post 65 retirees.**

Transitioning retirees to the growing individual market may benefit the City as well as retirees. The City may achieve significant cost savings of greater than \$1,000 per retiree. The retiree individual market can be funded through a Health Reimbursement Account (HRA).

**City of Fort Worth  
Healthcare Strategy for Actives and Retirees  
FY 2012 – 2015+**

Retirees could also receive significant cost savings and increased choice. Retirees are given a wide range of plan options through multiple carriers. Retirees have the ability to select the right amount of coverage (indemnity and managed care options) on an individual level to better meet their needs. They are also allowed an annual election to change plans.

**2015**

- **Consider Requiring Medicare eligible retirees to be on a Medicare Plan such as Advantage/HMO/PPO or Supplement Plans (comparable plan to the Traditional Plan).** Offer the Traditional Plan only to eligible retirees who live outside the service area. Plans available can be similar to the Traditional Plan with greater options for the retiree for lower monthly premiums(estimated savings of \$2.4M per year).
- **Perform vendor search for state or private exchange for 2016 if appropriate based on feasibility study**
- **Plan options available to employees based on wellness and disease management engagement:** Staff will work with its vendors and consultants to validate the cost savings and or impact to City and employees and retirees for each action recommended and update council as appropriate.
- **Consider implementation of a defined flat contribution strategy**

**City of Fort Worth  
Healthcare Strategy for Actives and Retirees  
FY 2012 – 2015+**

**Attachment 1**

	<b>Health FSA</b>	<b>HRA</b>	<b>HSA<sup>4</sup></b>
<b>Structure</b>			
High deductible health plan requirement	None.	None.  Employer has complete discretion in designing high deductible plan.	Required. For 2012, deductible must be at least: \$1,200/individual \$2,400/family  Out-of-pocket expense must not be more than: \$6,050/individual \$12,100 family  Limits are inflation adjusted in annual increments.
Trust requirement	None. Accounts are unfunded. Claims paid out of employer's general assets.	Same as FSA	Trust account required.
Partners/sole proprietors	Not eligible.	Not eligible.	Eligible.
Medicare-enrolled employees	No participation restrictions.	Same as FSA.	No contributions may be made.
<b>Contributions</b>			
Employer contributions allowed.	Yes. Employer can deduct contributions. They are excludable from employee wages for income and payroll tax purposes.	Same as FSA.	Same as FSA.
Pre-tax salary reduction contributions allowed	Yes.	No – must be employer-funded only.	Yes. <sup>5</sup>
Maximum contribution	No limit.	Same as FSA.	In 2012: \$3,100/individual \$6,250/family  Individuals age 55 or older may contribute an additional \$1,000.

**City of Fort Worth  
Healthcare Strategy for Actives and Retirees  
FY 2012 – 2015+**

	<b>Health FSA</b>	<b>HRA</b>	<b>HSA<sup>4</sup></b>
<b>Eligible Expenses &amp; Unused Amounts</b>			
Eligible expenses	<p>Unreimbursed medical expenses [IRC §213(d)] incurred during the coverage period.</p> <p>No other insurance premiums or LTC expenses allowed.</p>	<p>Unreimbursed medical expenses [URC §213(d)] incurred while coverage is in effect.</p> <p>May reimburse health, LTC insurance premiums.</p>	<p>Unreimbursed medical expenses [IRC §213(d)] incurred while coverage is in effect.</p> <p>May not reimburse insurance premiums except:</p> <ul style="list-style-type: none"> <li>-LTC insurance</li> <li>-COBRA premiums</li> <li>-Health insurance during unemployment periods.</li> <li>-For Medicare beneficiaries, health insurance other than Medigap.</li> </ul>
Claim substantiation	Required. Claimants must submit documentation that legitimate medical expense was incurred.	Same as FSA.	Not required.
Employer limits on medical expenses	Allowed. Employers may limit type of expenses reimbursed under the plan.	Same as FSA.	Not allowed. HSA is controlled by the individual/employee.
Carryover unused amounts at year-end	No.	Yes.	Yes.
Cash-out unused amounts	No.	No.	Yes. Non-medical withdrawals are taxable. A 20% penalty applies except for Medicare beneficiaries, employee's disability, or death.

**City of Fort Worth  
Healthcare Strategy for Actives and Retirees  
FY 2012 – 2015+**

<sup>1</sup> Health flexible spending account created under Internal Revenue Code §125.

<sup>2</sup> Health reimbursement arrangement created under Revenue Ruling 2002-41 and Notice 2002-45.

<sup>3</sup> Health savings accounts created under Internal Revenue Code §223.

<sup>4</sup> HSAs are similar to Archer Medical Savings Accounts (MSAs). However, MSAs are available only to self-employed individuals or employees of small employers (50 employees or less) covered by a high deductible health plan.

<sup>5</sup> In addition, an employee can deduct after-tax contributions made directly to the HSA even though the employee does not itemize tax deductions.

	Health FSA	HRA	HSA <sup>4</sup>
<b>COBRA &amp; ERISA</b>			
COBRA	Applies. Special rule for qualifying FSAs.	Applies.  Alternatively, HRA may continue reimbursements after COBRA event until depleted without COBRA election.	Not applicable. <sup>6</sup>  HSA is owned by the individual and is portable.  Upon employee's death, spouse becomes new account beneficiary. If no spouse, HSA cashed out to estate or non-spouse beneficiary.
ERISA Form 5500 (Does not apply to public entity)	Required (as self-funded health plan). Exception for small plans (less than 100 participants).	Same as FSA.	Generally not required. <sup>7</sup>
ERISA SPD and claim procedures (Does not apply to public entity)	Required.	Required.	Generally not required. <sup>8</sup>

<sup>6</sup> COBRA still applies, however, to the accompanying high deductible health plan.

<sup>7</sup> DOL Field Assistance Bulletin 2004-1 indicates that HSAs are not subject to ERISA unless the employer: limits the ability of eligible individuals to move their funds to another HSA beyond the restrictions already imposed by the CODE; imposes conditions on the use of HSA funds other than those permitted by the CODE; makes or influences investment decisions regarding HSA funds; represents that HSAs are a benefit plan established or maintained by the employer; or receives any payment or compensation in connection with an HSA.

<sup>8</sup> *Ibid.*

**Attachment 2**

**SAMPLE RETIREE HEALTH PLAN OPTIONS**

	<b>Medicare Part A/B</b>	<b>Traditional Plan</b>	<b>Medicare PPO</b>	<b>Medicare HMO</b>	<b>Medicare Supplement F</b>
	shows what Retiree pays	coordinates with Medicare)	(pays Medicare approved services)	(pays Medicare approved services)	(pays Medicare approved services)
<b>Monthly Premium Medical</b>	\$451-Part A (If applicable). Part B -\$99.90	YOS and retiree date determine rate. Also pay Part A/B Medicare premium	\$39 (illustrative 2011) + Part A/B premium	\$0 (Illustrative 2011) + Part A/B premium	TBD + Part A/B premium. Age 65, non smoker in 761 zip code \$142.23 mo.
<b>Premium Rx</b>	Must purchase separate plan. Premiums vary	Included with medical	Included with medical	Included with Medical	Must purchase separate plan
<b>Deductibles</b>	\$1,156 – Part A \$162 – Part B	\$0 – Medical \$50 - Rx	In Network -\$0 Medical/Rx Non Network- \$500 Medical	\$0 –Medical \$0 - Rx	\$0 (Plan F pays Part A & B deductible)
<b>Out of Pocket Maximum</b>	No limit	\$2,000	\$5,000 - In Network \$7,500 – Combined In and Non Network	\$3,400	NA
<b>Value Added Benefits</b>	NA	NA	Eyewear, Hearing aid, Fitness Club	Eyewear, Hearing aid, Fitness Club	NA

**No Documents for this Section**

# A Resolution

NO. \_\_\_\_\_

## **AUTHORIZING CLOSURE OF Z. BOAZ GOLF COURSE AND RE-PURPOSING OF THE PROPERTY AS A COMMUNITY PARK**

**WHEREAS**, on July 13, 1928, Z. Boaz, Teck Boaz, and N. A. Dodge conveyed two tracts of land to the City of Fort Worth; and

**WHEREAS**, the deed provides that Tract No. 2, consisting of approximately one hundred and forty acres and being part of the H. Covington and E. Wilburn Surveys, was conveyed for development and use as a municipal golf course for a period of at least ten (10) years and thereafter for such course or park purposes as the City may determine; and

**WHEREAS**, Z. Boaz golf course has continually operated as a municipal golf course for more than eighty years; and

**WHEREAS**, in 2010 the National Golf Foundation reported that the United States golf market was overbuilt as a result of 3,000 courses having been constructed between 1990 to 2010 and predicted a market correction in the form of 500 to 1,000 course closures by 2015; and

**WHEREAS**, the local golf market has exhibited this same oversaturation, with the number of public golf courses in the Fort Worth area having increased from 15 in 1979 to 42 in 2009, an increase of 180%, and with the number of courses within a fifteen-mile radius of Z. Boaz golf course having grown from 8 in 1979 to 19 in 2009, an increase of 137%; and

**WHEREAS**, the overbuilt market conditions have contributed to decreases in the number of golf rounds at the City's system overall – from 262,000 rounds in 2000 to 152,000 rounds in 2010, a decrease of 42% – and at Z. Boaz golf course in particular – from 46,873 in 2000 to 21,844 in 2010, a decrease of 53%; and

**WHEREAS**, in 2011, a fifteen-member Citizens Review Committee for the Library and Parks and Community Services Departments was created and charged with evaluating the efficiency of various aspects of the Library and Parks Departments and was specifically instructed to review the City's Golf Program and make recommendations on ways it could be re-structured to increase profitability and address overbuilt market conditions; and

**WHEREAS**, on May 12, 2011, the Committee issued its recommendations, which included urging the City to reevaluate the operation of its Golf Program and to consider re-purposing one or more of its unprofitable golf courses; and



**WHEREAS**, in connection with its FY2012 Business Plan, the Parks and Community Services Department began a systematic review of the Committee's recommendations, including completion of an analysis of possible operating alternatives for the Golf Program, with a general goal of improving the program's overall long-term sustainability while specifically taking into account issues of equity, geographic distribution, affordability, and access as well as the needs of the overall park system; and

**WHEREAS**, the area surrounding Z. Boaz golf course does not meet the City's current goals for allocating community parks throughout the City as established by the City's Park, Recreation, and Open Space Master Plan and is anticipated to experience a population increase of more than 60,000 people by the year 2040 based on projections included in the City's Comprehensive Plan; and

**WHEREAS**, Tract No. 2 of the Z. Boaz property exhibits a number of characteristics conducive to the development of a community park, as it is a large tract of land in a park-like setting with diverse topography, ponds, trees, wildlife, and vegetation; easy access from major thoroughfares; existing amenities including R. D. Evans Community Center, a commercial recreation facility, and a park operations service center; and existing infrastructure and support facilities such as parking lots, utility lines, and concrete paths; and

**WHEREAS**, the Z. Boaz property is deed restricted and must continue to be used as a public park; and

**WHEREAS**, in light of its analysis of the Golf Program and the needs of the overall park system, staff recommended closure of Z. Boaz golf course and re-purposing of the property as a community park; and

**WHEREAS**, staff's recommendation was presented to the Golf Advisory Committee, which adopted an alternate recommendation calling for the re-assignment of Z. Boaz golf course from the Golf Enterprise Fund to the General Fund; and

**WHEREAS**, the recommendation from staff and the recommendation from the Golf Advisory Committee were both presented to the Parks and Community Services Advisory Board, which endorsed staff's recommendation for the re-purposing of Z. Boaz golf course; and

**WHEREAS**, on March 6, 2012, staff made a presentation to the Fort Worth City Council regarding "Re-Purposing of Z. Boaz Golf Course for Use as a Community Park" and presented the recommendations from staff, the Golf Advisory Committee, and the Parks and Community Services Advisory Board; and

**WHEREAS**, the City Council directed staff to prepare a resolution for Council consideration for the re-purposing of Z. Boaz golf course as a community park; and

**WHEREAS**, it is vital to ensure that financial resources are properly managed to meet the present and future needs of the citizens of Fort Worth and to ensure that long-term financial management strategies and policy decisions consider the future



sustainability of facilities and programs managed and operated by the City of Fort Worth; and

**WHEREAS**, it is imperative to ensure fiscal stability and the effective and efficient delivery of services through the identification of necessary services, establishment of appropriate service levels, and careful administration of the expenditure of available resources while taking into consideration the availability of similar programs, facilities, and services in the market region; and

**WHEREAS**, the sustainability of the Municipal Golf Program is contingent on adjustments in the regional golf market wherein the supply of facilities is reduced to more effectively align with the demands of the golfing public; and

**WHEREAS**, re-purposing of the facility currently known as Z. Boaz golf course is anticipated to improve the long-term viability of the Golf Program and to help the City to meet its goals of providing adequate community park facilities to meet the needs of all of its citizens.

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

1. That the City Manager is hereby authorized to develop and implement a plan for the closure of Z. Boaz golf course no later than September 30, 2012; and
2. That the City Manager is further authorized to re-purpose the Z. Boaz park property, hereafter to be known as North Z. Boaz Community Park, into a traditional community park for the use and enjoyment of the general public for park purposes in accordance with the terms of the deed conveying Tract No. 2 of the Z. Boaz property to the City of Fort Worth.

Adopted this 3rd day of April 2012.

ATTEST:

By: \_\_\_\_\_

Mary Kayser, City Secretary



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. 20055-01-2012, ORDERING A SPECIAL ELECTION ON SATURDAY, THE 12<sup>TH</sup> DAY OF MAY, 2012, FOR THE PURPOSE OF ELECTING A COUNCIL MEMBER FOR CITY COUNCIL DISTRICT 8 TO SERVE THE REMAINDER OF AN UNEXPIRED TERM, TO AMEND EARLY VOTING LOCATIONS, ADD ELECTION DAY POLLING LOCATIONS, AND ESTABLISH A RUNOFF DATE.**

**WHEREAS**, the City Council adopted Ordinance No. 20055-01-2012 on January 24, 2012, ordering a special election to be held on May 12, 2012, for the Purpose of Electing a Council Member for City Council District 8 to Serve the Remainder of an Unexpired Term; and

**WHEREAS**, the City desires to amend early voting locations; and

**WHEREAS**, the City desires to add Election Day polling locations; and

**WHEREAS**, the City desires to establish a runoff date, in the event a runoff is necessary;

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

**SECTION 1.  
EARLY VOTING LOCATIONS.**

Exhibit A to Ordinance No. 20055-01-2012 is hereby repealed in its entirety and replaced with the Amended Exhibit A, attached hereto and made a part hereof.

**SECTION 2.  
ELECTION DAY POLLING LOCATIONS.**

Section 7., Voting System, of Ordinance 20055-02-2012 is hereby amended to add subsection (h) as follows:

(h) The locations of the polling places for the election, except insofar as they may be changed by the City Council, are set forth on Exhibit "B", Election Day Polling Locations, attached hereto and made a part hereof.

**SECTION 3.  
RUNOFF**

Section 8 of Ordinance No. 20055-01-2012, is hereby repealed in its entirety and replaced as follows:

**SECTION 8.  
RUNOFF.**

Any candidate receiving a majority of all the votes cast for the office for which he or she is a candidate shall be elected to such office. In the event of a tie or in the event that no candidate receives a majority of all votes cast for the office sought, the Mayor shall issue a call, proclamation and notice for a second election, as required by law, to be held on June 23, 2012, or such other date as may be set in conjunction with the Tarrant County Elections Administrator and in accordance with the Texas Election Code, to fill that place. At such second election, the names of the two candidates receiving the highest number of votes for such office in the first election, at which no one was elected by receiving a majority of all votes cast for all candidates for such office, shall be printed on the ballot and shall again be voted for.

**SECTION 4.  
OPEN MEETING COMPLIANCE.**

That it is hereby officially found and determined that the meeting at which this ordinance

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

**SECTION 5.  
EFFECTIVE DATE.**

That this ordinance, amended election order, proclamation, call and notice shall take effect upon adoption.

\_\_\_\_\_  
Betsy Price, Mayor  
City of Fort Worth

ATTEST:

\_\_\_\_\_  
Mary J. Kayser  
City Secretary

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Sarah J. Fullenwider  
City Attorney

**ADOPTED and EFFECTIVE:** \_\_\_\_\_

**AMENDED EXHIBIT "A"**  
**CITY OF FORT WORTH MAY 12, 2012 ELECTION**  
**TARRANT COUNTY EARLY VOTING LOCATIONS**

**Early Voting by Tarrant County Residents.** Early voting by personal appearance of Fort Worth residents that live in Tarrant County shall be conducted on the following dates and times and at the following locations:

**Dates and Hours of Early Voting**

April 30	Monday	8:00 a.m. – 5:00 p.m.
May 1 - 4	Tuesday - Friday	8:00 a.m. – 5:00 p.m.
May 5	Saturday	7:00 a.m. – 7:00 p.m.
May 6	Sunday	11:00 a.m. – 4:00 p.m.
May 7 - 8	Monday - Tuesday	7:00 a.m. – 7:00 p.m.

**MAIN EARLY VOTING POLLING PLACE**

Tarrant County Elections Center\*  
2700 Premier Street  
Fort Worth, Texas 76111

*\*Emergency and Limited ballots available at this location only.*

**Branch Early Voting Polling Places**

*City of Fort Worth Locations:*

**Handley-Meadowbrook Community Center**  
6201 Beaty Street  
Fort Worth, Texas 76112

**Summerglen Branch Library**  
4205 Basswood Drive  
Fort Worth, Texas 76137

**Southside Community Center**  
959 East Rosedale Street  
Fort Worth, Texas 76104

**Villages of Woodland Springs**  
*Amenity Center*  
12209 Timberland Boulevard  
Fort Worth, Texas 76244

**Worth Heights Community Center**  
3551 New York Avenue  
Fort Worth, Texas 76110

*Other Tarrant County Locations:*

**Bob Duncan Center**  
2800 South Center Street  
Arlington, Texas 76014

**South Service Center**  
1100 S.W. Green Oaks Blvd.  
Arlington, Texas 76017

**Elzie Odom Athletic Center**  
1601 N.E. Green Oaks Boulevard  
Arlington, Texas 76006

**Tarrant County Sub-Courthouse in Arlington**  
700 E. Abram Street  
Arlington, Texas 76010

**Center for Community Service  
Junior League of Arlington**  
4002 W. Pioneer Parkway  
Arlington, Texas 76013

**Bedford Public Library**  
2424 Forest Ridge Drive  
Bedford, Texas 76021

**AMENDED EXHIBIT "A"**  
**CITY OF FORT WORTH MAY 12, 2012 ELECTION**  
**TARRANT COUNTY EARLY VOTING LOCATIONS**

**Colleyville City Hall**  
100 Main Street  
Colleyville, Texas 76034

**Crowley Community Center**  
900 East Glendale Street  
Crowley, Texas 76036

**Eules Public Library**  
201 North Ector Drive  
Eules, Texas 76039

**Mahaney Community Center**  
6800 Forest Hill Drive  
Forest Hill, Texas 76140

**Starrett Elementary School**  
2675 Fairmont Drive  
Grand Prairie, Texas 75052

**Grapevine Community Activities Center**  
1175 Municipal Way  
Grapevine, Texas 76051

**Haltom City Northeast Center**  
3201 Friendly Lane  
Haltom City, Texas 76117

**Hurst Recreation Center**  
700 Mary Drive  
Hurst, Texas 76053

**Northeast Sub-Courthouse**  
645 Grapevine Highway  
Hurst, Texas 76054

**Keller Town Hall**  
1100 Bear Creek Parkway  
Keller, Texas 76248

**Kennedale Community Center**  
316 West 3<sup>rd</sup> Street  
Kennedale, Texas 76060

**Sheriff's Office North Patrol Division**  
6651 Lake Worth Boulevard  
Lake Worth, Texas 76135

**Mansfield Sub-Courthouse**  
1100 East Broad Street  
Mansfield, Texas 76063

**Former North Richland Hills  
Recreation Center**  
(intersection of Loop 820 & Rufe Snow)  
6720 Northeast Loop 820  
North Richland Hills, Texas 76180

**Pelican Bay City Hall**  
1300 Pelican Circle  
Pelican Bay, Texas 76020

**Richland Hills Community Center**  
3204 Diana Drive  
Richland Hills, Texas 76118

**River Oaks City Hall**  
4900 River Oaks Boulevard  
River Oaks, Texas 76114

**Saginaw Senior Citizens Center-Log Cabin**  
405 S. Belmont Street  
Saginaw, Texas 76179

**Southlake Town Hall**  
1400 Main Street  
Southlake, Texas 76092

**Watauga City Hall**  
7105 Whitley Road  
Watauga, Texas 76148

**White Settlement Public Library**  
8215 White Settlement Road  
White Settlement, Texas 76108

**EXHIBIT "B"**  
**CITY OF FORT WORTH MAY 12, 2012 ELECTION**

<u>PRECINCTS</u>	<u>DISTRICT</u>	<u>ELECTION DAY POLLING LOCATION</u>
<u>1005</u> , 1444 4006, 4492	8	Van Zandt-Guinn Elementary School 501 Missouri Avenue Fort Worth, Texas 76104
<u>1008</u> , 1544, 1550	8	Versia L. Williams Elementary School 901 Baurline Avenue Fort Worth, Texas 76111
<u>1010</u>	8	Community Christian Church Education Building 1720 Vickery Boulevard East Fort Worth, Texas 76104
<u>1019</u> , 1476	8	Andrew "Doc" Session Community Center 201 South Sylvania Avenue Fort Worth, Texas 76111
<u>1024</u> , 1084, 1244, 1301 1418, 1431, 1439, 1504 1577, 1578, 1621, 2262	8	Precinct One Garage 800 East Rendon Crowley Road Burleson, Texas 76028
<u>1056</u>	8	I. M. Terrell Elementary School 1411 I.M. Terrell Circle Fort Worth, Texas 76102
<u>1059</u> , 4370	8	Antioch Baptist Church 1063 East Rosedale Street Fort Worth, Texas 76104
<u>1061</u>	8	Greenway Church 1816 Delga Street Fort Worth, Texas 76102
<u>1066</u> , 1236, 1479 1617, 1672	8	New Covenant Community Church 3201 Purington Avenue Fort Worth, Texas 76103
1011, <u>1075</u>	8	Sycamore Recreation Center 2525 East Rosedale Street Fort Worth, Texas 76105

**EXHIBIT "B"**  
**CITY OF FORT WORTH MAY 12, 2012 ELECTION**

<u>PRECINCTS</u>	<u>DISTRICT</u>	<u>ELECTION DAY POLLING LOCATION</u>
<u>1078</u> , 1619	8	Mount Olive Missionary Baptist Church 2951 Evans Avenue Fort Worth, Texas 76104
<u>1079</u> , 4432	8	Pilgrim Rest Missionary Baptist Church 960 East Baltimore Avenue Fort Worth, Texas 76104
<u>1080</u>	8	Greater Harvest Church of God in Christ 2900 Mitchell Boulevard Fort Worth, Texas 76105
<u>1083</u>	8	Oaklawn Elementary School 3220 Hardeman Street Fort Worth, Texas 76119
<u>1088</u>	8	Sagamore Hill Elementary School 701 South Hughes Avenue Fort Worth, Texas 76103
<u>1089</u> , 4587	8	Morningside Elementary School 2601 Evans Avenue Fort Worth, Texas 76104
<u>1090</u>	8	Greater Progressive Church of God in Christ 1349 East Baltimore Avenue Fort Worth, Texas 76104
<u>1104</u> , 1482	8	Bradley Center 2601 Timberline Drive Fort Worth, Texas 76119
<u>1154</u> , 1555, 1576 1597, 1652, 4495	8	Carter Park Elementary School 1204 East Broadus Avenue Fort Worth, Texas 76115
<u>1170</u> , 1146, 1415 (voters in District 8 only)	8	Meadowbrook Middle School 2001 Ederville Road Fort Worth, Texas 76103
<u>1291</u>	8	Highland Hills Community Center 1600 Glasgow Road Fort Worth, Texas 76134

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

**DATE:** Tuesday, April 3, 2012

**LOG NAME:**

**REFERENCE NO.:** \*\*OCS-1846

**SUBJECT:**

Notices of Claims for Alleged Damages and/or Injuries

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**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, March 28, 2012.

**Attachment**

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**Submitted for City Secretary's Office by:**

Mary J. Kayser (6152)

**Originating Department Head:**

Mary J. Kayser (6152)

**Additional Information Contact:**

Lena Ellis (8517)

Nancy McKenzie (7744)

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# CITY COUNCIL MEETING

Tuesday, April 03, 2012

## 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
Claude T. Scott	3/23/2012	3/20/2012	4348 Westdale Dr	Property Damage	Sewer backup.	Water	No	No
Marvin Brown	3/22/2012	3/19/2012	FW Nature Center	Auto Damage	Wind blew tree over onto vehicle.	PACS	Yes	No
Howard Baker	3/22/2012	3/16/2012	Will Rogers Memorial Center	Property Damage	Bike was damaged by City Pub Events scrubber.		Yes	No
Meeks, Mark Sr	3/23/2012	3/23/2012	5737 Blackmore Avenue	Property Damage	Property damaged during Police investigation.	Police	No	No
Elizabeth Ann Martin	3/26/2012	3/23/2012	4248 Killian	Property Damage	Water main break caused damage to property.	Water	No	No
Community of Hope Lutheran	3/26/2012	3/21/2012	4301 Miller Avenue	Property Damage	Water main break caused damage to building.	Water	No	No
Ruby Villa	3/26/2012	3/25/2012	28th & Clinton	Auto Damage	Hit pothole.	TPW	Yes	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
AT&T Texas	3/26/2012	12/22/2011	1501 Throckmorton St	Property Damage	Line damaged during water line replacement.	Water	No	No
Llajaira Bolaños	3/27/2012	3/27/2012	809 Blandin	Property Damage	Driveway damaged during sewer line installation.	Water	No	No
Roderick Dion Hart	3/27/2012	3/19/2012	7621 Woodfield Rd	Auto Damage	Wind blew tree over onto vehicle.	PACS	No	No
Andrea Watson	3/27/2012	2/14/2012	FWISD School Bus	Bodily Injury	Student struck by vehicle after exiting school bus.	FWISD	No	Yes
Hiram Hernandez	3/27/2012	3/15/2012	1104 E Arlington Ave	Property Damage	Window broken during police pursuit of suspect.	Police	No	No

**No Documents for this Section**

**No Documents for this Section**



## MEMORANDUM

Date: March 26, 2012  
To: The Honorable Mayor and Members of the City Council  
From: Brandon Scott Bennett, Director, Code Compliance Department  
Subject: City of Fort Worth Introduces Recyclebank

---

The City of Fort Worth is taking recycling to a whole new level!

We have entered into a partnership with Waste Management to offer a new program - Recyclebank - to our residents. Recyclebank is a recycling incentive program that rewards residents not only for recycling but for taking every day green actions as well. The Recyclebank program is set to begin on April 1, 2012.

The objective of this program is to provide the City with an opportunity to promote recycling with the following goals in mind:

- Increase recycling participation and community engagement
- Provide residents with rewards for recycling
- Enhance outreach and engagement activities

The intent of the program is to combine the curbside collection of residential recyclables, currently being provided by Waste Management, with an online community and incentive platform. There are no changes in the day to day collection routine – residents continue to use the same cart, set it out on the same day, etc.

What has changed is that residents can earn points each time they recycle during their weekly household waste collection. The more Fort Worth recycles, the more points residents can earn. They can then spend those points on discounts from hundreds of local and national businesses listed on the Recyclebank website tailored for Fort Worth.

Currently, Fort Worth residents are diverting approximately 23 percent of materials from the landfill by using the blue recycling carts and weekly yard waste collections. The goal is 40 percent.

Recently the Solid Waste Services Division completed an audit of a single load of garbage headed to the landfill to collect data on what could have been recycled. A summary of the audit results are reflected on the attached page.

Simply stated, we're tossing far too much recyclable materials into the brown garbage carts that end up being buried in the landfill. Our audit indicates that nearly 30 percent of the debris taken to the landfill is material that is currently accepted in our blue cart recycling program.

We have one of the easiest recycling programs available and now residents will get the opportunity to receive incentives for their efforts. Together we can ***Recycle Right and Recycle More!***

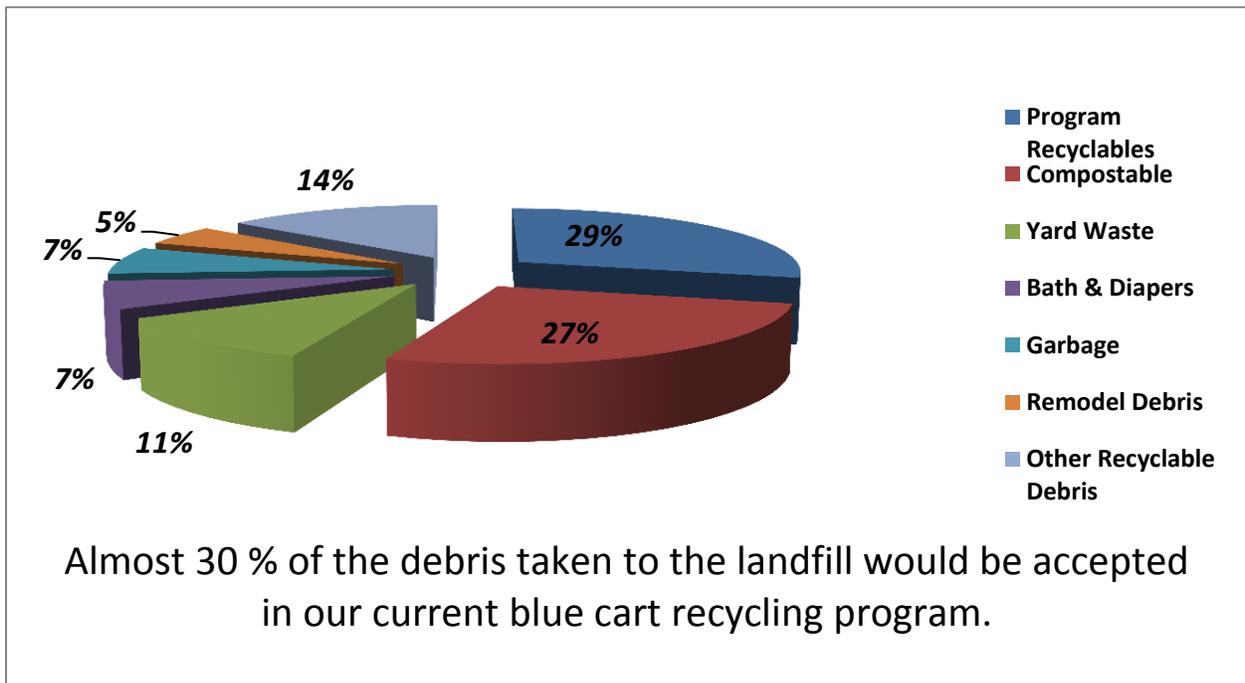
Mayor Betsy Price will formally kickoff the program on April 6<sup>th</sup>, 2012, at 10:00 a.m. at the Haws Athletic Center. As part of the kickoff, Waste Management will be bringing a load of residential waste to the site and staff, with the assistance of the Mayor, will go through the bags and demonstrate how much is wasted in every truck and how easy it is to simply place the recycle material in the blue cart instead.

If you need additional information, please contact Director Brandon Bennett at (817) 392-6322 or Assistant Director Kim Mote at (817) 392-5153.

## Evaluation of Garbage Truck Load Audited March 1, 2012

### Load Composition:

- The largest amount of material by weight in the garbage truck load was recycling program materials (i.e. paper, glass, mixed plastic containers and aluminum/steel containers). These materials comprised 29 percent of the total load.
- If 29 percent is representative of all garbage loads buried at the landfill and by extrapolating this over FY2011 disposal at Southeast Landfill, we estimate that Fort Worth residents disposed of nearly **\$12,750,000** of recycling program materials last FY.
- Yard waste, which is also collected separately under our curbside program, was 11 percent of the garbage load and should have been placed in the green yard cart or brown yard bags.
- 14 percent of the garbage load (textiles, electronics, plastic bags, clothes hangers and other) could have been recycled through various other non-curbside recycling programs.



### Notations

- Audit conducted at Fort Worth's Southeast Landfill March 1, 2012
- Route profile
  - \* Economically diverse area
  - \* Recycling participation in the area is average for the City
  - \* All calculations based on pounds/tons of materials
  - \* Audit done on a representative sample of a single garbage truck; one load



## CENTRAL BUSINESS DISTRICT STREET ACTIVITY

*New items printed in red.*

- North Main Street Bridge Rehabilitation—TxDOT Project  
Bottom-side work and top-side work to include intermittent lane closures (9am-4pm) **until early April 2012**
- Water Line Upgrades for new Sundance Buildings  
Lane closures on 3<sup>rd</sup> from Throckmorton to 75 feet past Commerce, Main from 3<sup>rd</sup> to 4<sup>th</sup> streets, Houston from 3<sup>rd</sup> to 4<sup>th</sup> streets, Commerce from 3<sup>rd</sup> to 4<sup>th</sup> streets, and 4<sup>th</sup> St intersection of 4<sup>th</sup> and Houston  
March 12 through late June 2012. Work will stop during Main Street Arts Festival.
- 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
- Demolition Project—Construction of Spire Center  
100 blk Throckmorton St and 100 blk Taylor St: various lane and sidewalk closures through June 2012
- Chisholm Trail Parkway  
Chisholm Trail Parkway construction prompts several road closures near Interstate 30

### Permanent closures

Southbound 15<sup>th</sup> Avenue between the westbound I- 30 frontage road and Vickery Boulevard  
North and southbound Old University Drive from north of I-30 to just south of the Union Pacific Railroad  
**Eastbound right turn lane on Vickery from Rogers Road to University**

### Indefinite closures

East- and westbound West Vickery Boulevard from Forest Park Boulevard to just west of Summit Avenue  
I-30 westbound frontage road from east of 15<sup>th</sup> Avenue

For more information about upcoming lane closures, go to the "Chisholm Trail Lane/Ramp Closures" listing at [www.ntta.org](http://www.ntta.org) or call (817) 207-0184.

- New Tarrant County Jail  
Belknap (from Cherry to Burnett) Parking lane and Sidewalk closures through **April 2012**  
Weatherford (from Cherry to Burnett) Parking lane and Sidewalk closures through **April 2012**  
Weatherford (from Cherry to Burnett) various lanes closed from 9am to 4pm through **April 2012**  
Cherry (from Belknap to Weatherford) Northbound direction closed and sidewalk closures through **April 2012**  
Southbound Burnett (from Belknap to Weatherford) closed and sidewalk closures through **April 2012**  
Burnett (from Belknap to Weatherford) dates and times TBD
- St Patrick's Cathedral New Hall  
**Parking lanes now open. Pay and display parking meters to be installed.**

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

*For additional information on Street Activity, please contact 817-392-6672*

## OUTDOOR EVENTS

***New items printed in red.***

▪ **CULTURAL DISTRICT & W 7th**

**MS Walk**

Mar 31 8 a.m. Trinity Park  
Entrances to park closed at 6 a.m. Mar 31 and reopened at noon on Mar 31

**Brewfest on Crockett**

Mar 31 Crockett Street in the W 7<sup>th</sup> St Development  
Street Closure: Begin at 6 a.m. Mar 31 and end at 6 a.m. Apr 1  
Crockett from University to Currie  
Norwood from W 7<sup>th</sup> St to Morton

**Victory Over Violence Run**

Apr 7 Trinity Park  
Entrances to park closed

▪ **DOWNTOWN OUTDOOR EVENTS DISTRICT (DOED)**

**Cesar Chavez Celebration (Procession)**

Mar 31 2 p.m. Step-off at 2<sup>nd</sup> and Calhoun  
Route: 2<sup>nd</sup>, Main, Weatherford, Commerce, Belknap, end at TCC Campus

**American Cancer Society Cowtown Ball Kickoff**

Apr 10 4<sup>th</sup> St from Houston to Throckmorton  
Street closure begins at 2 p.m. and ends at 11:30 p.m.

**Main Street Fort Worth Arts Festival**

Apr 19 – 22 Main Street from Weatherford to 9<sup>th</sup> Street  
Street Closures begin Apr 16  
Main Street, 1<sup>st</sup> through 9<sup>th</sup> streets from Houston to Commerce

▪ **NEAR SOUTHSIDE OUTDOOR EVENTS DISTRICT (NSOED)**

**Spring Out Arts and Street Festival**

Apr 14 Street closures begin at 6 am and end at 8 pm  
Pennsylvania from W Grainger to St Louis  
S Jennings from W Cannon to W Tucker  
W Hattie from S Jennings to the dead-end

▪ **STOCKYARDS OUTDOOR EVENTS DISTRICT (SOED)**

**Easter Egg Hunt in the Stockyards**

No street closures

▪ **OTHER**

**Neuroblastoma 5K Run & Walk Edwards Ranch Road**

Mar 31 No street closures

**South Hills Christian Church Run South Fort Worth**

Mar 31  
Route Includes: Bilglade, Grambell, Fuller, McCart, Sandage, Boyce, Lubbock, Spurgeon

**Pantego Bible Church Easter Festival**

Apr 7 Anderson Blvd from John T White to Dead-end  
Street closure begins at 10 a.m. and ends at 2 p.m.

**Race for the Cure Ridgmar Mall and Ridgmar Area**

Apr 14 Street use begins at 6am and ends at noon  
Route Includes: Green Oaks, Ridgmar Blvd, Inca, Saxony, Aden, Dakar, Plaza Pkwy

***For additional information on Outdoor Events, please contact 817-392-7894.***