



**SUMMARY OF MEETINGS AND ACTIVITIES  
MONDAY, JUNE 4, 2012, THROUGH FRIDAY, JUNE 8, 2012**

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**MONDAY, JUNE 4, 2012**

	<b><u>TIME</u></b>	<b><u>LOCATION</u></b>
TIF 3 (Downtown) Board Meeting	11:00 a.m.	Pre-Council Chamber
Community Development Council Special Called Meeting	6:00 p.m.	Pre-Council Chamber

**TUESDAY, JUNE 5, 2012**

Legislative and Intergovernmental Affairs Committee	11:00 a.m.	Pre-Council Chamber
Housing and Economic Development Committee (HEDC)	1:00 p.m.	Pre-Council Chamber
Local Development Corporation (LDC)	Immediately following the HEDC	Pre-Council Chamber
Fort Worth Housing Finance Corporation	Immediately following the LDC	Pre-Council Chamber
Pre-Council Meeting	3:00 p.m.	Pre-Council Chamber
Fort Worth Housing Authority Special Meeting	5:00 p.m.	Hillside Apartments Office 300 Crump Street
Council Meeting	7:00 p.m.	Council Chamber

**WEDNESDAY, JUNE 6, 2012**

Board of Adjustment – Commercial Work Session	9:00 a.m.	Pre-Council Chamber
Board of Adjustment – Commercial Public Hearing	10:00 a.m.	Council Chamber

**THURSDAY, JUNE 7, 2012**

Library Advisory Board Meeting	12:30 p.m.	University of North Texas Health Science Center, 3500 Camp Bowie Blvd, 3 <sup>rd</sup> Floor Conference Room 302
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This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on May 31, 2012, and may not include all meetings to be conducted during the week of June 4, 2012 through June 8, 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, JUNE 4, 2012, THROUGH FRIDAY, JUNE 8, 2012**

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**THURSDAY, JUNE 7, 2012**

(continued)

	<b><u>TIME</u></b>	<b><u>LOCATION</u></b>
Capital Projects Work Session	1:00 p.m.	Pre-Council Chamber
Downtown Design Review Board	2:00 p.m.	City Hall, Development Conference Room Lower Level
Fort Worth Crime Control and Prevention District Board of Directors	7:00 p.m.	Pre-Council Chamber

**FRIDAY, JUNE 8, 2012**

No Meetings

**SATURDAY, JUNE 9, 2012**

Fort Worth Human Relations Commission Retreat	10:00 a.m.	Fort Worth Museum of Science and History 1600 Gendy Street
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**LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MEETING  
TUESDAY, JUNE 5, 2012  
11:00 A.M.  
PRE-COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

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**HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING  
TUESDAY, JUNE 5, 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 MEETING  
(IMMEDIATELY FOLLOWING THE HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
MEETING)  
TUESDAY, JUNE 5, 2012  
PRE-COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

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**FORT WORTH HOUSING FINANCE CORPORATION MEETING  
(IMMEDIATELY FOLLOWING THE LOCAL DEVELOPMENT CORPORATION MEETING)  
TUESDAY, JUNE 5, 2012  
PRE-COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

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**PRE-COUNCIL MEETING  
TUESDAY, JUNE 5, 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 9493](#): Owner-Initiated Full-Purpose Annexation of BNSF Property on John Day Road
    - [IR 9494](#): Full-Purpose Annexation of Two Areas in Far North Fort Worth
    - [IR 9495](#): Update on Enterprise Resource Planning (ERP) Project - Phase II
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. [M&C G-17585](#) - Adopt Ordinance Amending Chapter 12.5, Environmental Protection and Compliance of the City Code By Adding Article X, Grading Permit, Sections 12.5-874 through 12.5-882 in Order to Regulate Land Disturbance and Grading and Establish a Fee in the Amount of \$50.00 for a Grading Permit (ALL COUNCIL DISTRICTS) **(Continued from May 15, 2012 by Staff)**
4. Briefing on Proposed Redistricting Plan - **Dana Burghdoff, Planning and Development**
5. Briefing on Healthcare Administration Contract - **Susan Alanis, City Manager's Office**
6. Briefing on Models for Management and Delivery of Capital Projects - **Douglas Wiersig, Transportation and Public Works**
7. City Council Requests for Future Agenda Items and/or Reports
8. Executive Session - The City Council may conduct a closed meeting as authorized by Section 551.071 of the Texas Government Code to seek the advice of its attorneys on legal issues regarding any matter listed on today's City Council Agendas

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## ATTACHMENT

### Executive Session (PRE-COUNCIL CHAMBER, CITY HALL) Tuesday, June 05, 2012

Notice is hereby given that the City Council of the City of Fort Worth will hold a special meeting in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas, on Tuesday, June 5, 2012 to consider the items on the agenda listed below. The special meeting will be held immediately after the Pre-Council meeting that begins at 3:00 P.M. in the Pre-Council Chamber at City Hall and before the regular City Council meeting that begins at 7:00 P.M. in the Council Chamber at City Hall.

#### I. CALL TO ORDER

#### II. EXECUTIVE SESSION

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

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules and as authorized by Section 551.071 of the Texas Government Code:
  - a. Legal issues regarding the regulation of off-premise signs;
  - b. *Schorn v. City of Fort Worth*, Cause No. 48-245325-10; and
  - c. Legal issues concerning any item listed on today's City Council meeting agendas.
2. Deliberate the purchase, exchange, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and
3. Deliberate economic development negotiations as authorized by Section 551.087 of the Texas Government Code; and
4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

#### III. ADJOURN

**CITY COUNCIL AGENDA  
FOR THE MEETING AT 7:00 P.M. TUESDAY, JUNE 05, 2012  
CITY COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

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- I. CALL TO ORDER**
- II. INVOCATION** - Pastor Michael Masterson, St. Matthews Lutheran Church
- III. PLEDGE OF ALLEGIANCE**
- IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF MAY 15, 2012 AND MINUTES OF CALLED-SPECIAL MEETING OF MAY 17, 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-17600](#) - Approve Findings of Ground Transportation Coordinator Regarding Application of Echo Transportation Solutions, LLC, to Operate Five Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority (ALL COUNCIL DISTRICTS)
- 2. [M&C G-17601](#) - Authorize Six Month Extension of Injury Leave of Absence Pay Benefits in the Amount of \$44,758.90 for Firefighter Jayson Morris (ALL COUNCIL DISTRICTS)
- 3. [M&C G-17602](#) - Authorize Engineering Services Agreement in the Amount of \$58,373.00 with Garver, LLC, for the Design Phase Services of Drainage Improvements Near Taxiway Delta at Fort Worth Meacham International Airport, Authorize Project Management, Administration and Related Expenses in the Amount of \$10,000.00 and Adopt Appropriation Ordinance (COUNCIL DISTRICT 2)
- 4. [M&C G-17603](#) - Adopt Ordinance Increasing the Estimated Receipts and Appropriations in the Special Trust Fund in the Amount of \$20,000.00 for Donations to the Water and Garbage Fee Assistance and Plumbing Repair Program (ALL COUNCIL DISTRICTS)

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

- 1. [M&C P-11385](#) - Authorize Purchase Agreements with HD Supply Waterworks, Ltd., and Municipal Water Works Supply, LP, for Fire Hydrant Parts for the Water Department for a Combined Amount Up to \$75,000.00 (ALL COUNCIL DISTRICTS)
- 2. [M&C P-11386](#) - Authorize Purchase of an Air Handler Unit and Installation Services from Johnson Controls, Inc., Through a Texas Multiple Award Schedule for the Water Department in an

Amount Up to \$152,263.00 (COUNCIL DISTRICT 8)

3. [M&C P-11387](#) - Authorize Purchase Agreement with Applied Industrial Technologies, Inc., in the Amount Up to \$220,000.00 for Specialized Maintenance, Repair and Operating Supplies Using a U.S. Communities Cooperative Contract for All City Departments (ALL COUNCIL DISTRICTS)
4. [M&C P-11388](#) - Authorize Purchase of Four Pre-Constructed Restrooms and Installation Services from Romtec, Inc., Through the Texas Multiple Award Schedule, for the Parks and Community Services Department in an Amount Up to \$199,600.00 (COUNCIL DISTRICT 3)

**C. Land - Consent Items**

1. [M&C L-15370](#) - Authorize Execution of a Lease Renewal with Texas Christian University for Office Space of Approximately 902 Square Feet Located at 2900 West Berry Street for the Police Department (COUNCIL DISTRICT 9)
2. [M&C L-15371](#) - Authorize Direct Sale of a Tax Foreclosed Property Located at 515 Crawford Street in Accordance with Section 34.05 of the Texas Tax Code to Jesse Stamper in the Amount of \$954.24 (COUNCIL DISTRICT 8)
3. [M&C L-15372](#) - Authorize Purchase of Property Located at 8600 Shelby Lane from Robyn Keating in the Amount of \$175,000.00 Plus Approximately \$5,000.00 in Closing Costs, Dedicate the Property as Parkland and Adopt Appropriation Ordinance (COUNCIL DISTRICT 7)
4. [M&C L-15373](#) - Authorize Acquisition of a Fee Simple Interest in 2.1770 Acres of Improved Lots for the Lebow Channel Drainage Improvements Project, Located at 3051-3061, 3101-3109, and 3106 Hardy Street from Betty J. Williamson in the Amount of \$750,000.00, Authorize Payment of Estimated Closing Costs of \$30,000.00 for a Total Cost of \$780,000.00 and Authorize Payment of Relocation Assistance in the Amount of \$200,000.00 (COUNCIL DISTRICT 2)
5. [M&C L-15374](#) - Accept Dedication of Approximately 5.569 Acres of Unimproved Park Land from Arcadia Lots, Ltd., as an Addition to Arcadia Trail Park North (COUNCIL DISTRICT 2)
6. [M&C L-15375](#) - Accept Dedication of Approximately 0.388 Acres of Park Land and Facility Improvements from Hillwood Alliance Residential, LP, for Camp Worth Park (COUNCIL DISTRICT 2)

**D. Planning & Zoning - Consent Items - None**

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

1. [M&C C-25623](#) - Authorize Acquisition of Property Located on 920 East Humbolt Street from Carolyn Jordan, in the Amount of \$8,750.00 for a Future Public Facility to Be Leased and Operated by the United Community Centers, Inc.

(COUNCIL DISTRICT 8)

2. [M&C C-25624](#) - Authorize Execution of a Professional Services Agreement with Komatsu/Rangel, Inc., in the Amount of \$353,441.00 for Design and Construction Administration Services for a Community Facility in the Evans-Rosedale Business and Cultural District (COUNCIL DISTRICT 8)
3. [M&C C-25625](#) - Authorize Execution of a Contract with Vendigm Construction, LLC, in the Amount of \$338,742.22 for Bridge Repair and Rehabilitation at Six Locations (COUNCIL DISTRICTS 2, 8 and 9)
4. [M&C C-25626](#) - Authorize Execution of a Construction Contract with A&F Elevator Company, Inc., in the Amount of \$269,790.00 to Renovate the Elevators in the Commerce Street Parking Garage (COUNCIL DISTRICT 9)
5. [M&C C-25627](#) - Authorize Execution of Amendment No. 4 in the Amount of \$155,902.00 to City Secretary Contract No. 36513, an Engineering Services Agreement with Dunaway Associates, L.P., for the Design of East First Street from Beach Street to Oakland Boulevard for a Total Contract Amount of \$1,025,721.00 and Adopt Appropriation Ordinances (COUNCIL DISTRICT 4)
6. [M&C C-25628](#) - Authorize Execution of an Engineering Agreement with Bridgefarmer and Associates, Inc., in an Amount Up to \$500,000.00 for General Engineering Support for the North Riverside Bridge at Interstate Highway 820 Project (COUNCIL DISTRICT 4)
7. [M&C C-25629](#) - Adopt Appropriation Ordinance Increasing Receipts and Appropriations in the Storm Water Capital Projects Fund in the Amount of \$118,600.00, Authorize Transfer of \$118,600.00 from the Lake Worth Gas Lease Capital Improvement Fund to the Storm Water Capital Projects Fund and Authorize Execution of a Contract with West Coast Storm, Inc., in the Amount of \$171,600.00 for Stormwater Structural Control Devices for the Transportation and Public Works Department (COUNCIL DISTRICTS 4 and 7)
8. [M&C C-25630](#) - Authorize Execution of an Agreement with Brown & Gay Engineers, Inc., in the Amount of \$448,904.00 for the Greenbriar Creek Master Plan (COUNCIL DISTRICTS 6 and 9)
9. [M&C C-25631](#) - Authorize Execution of an Engineering Services Agreement with Kimley-Horn and Associates, Inc., in the Amount of \$132,000.00 for the Design of Local Street and Intersection Improvements to Support the Henderson Street Bridge Detour (COUNCIL DISTRICTS 2, 7 and 9)
10. [M&C C-25632](#) - Authorize Execution of a Work Order with Job Order Contractor, Yeargan Construction Company - The Mark IV Construction Group in the Amount of \$120,253.77 to Renovate the Visitor's Center at the Will Rogers Memorial Center (COUNCIL DISTRICT 7)
11. [M&C C-25633](#) - Authorize Execution of a Construction Reimbursement



Agreement with Atmos Energy Corporation in the Amount of \$158,122.02 for the Relocation of Gas Pipelines as Part of the Runway Extension Project at Fort Worth Alliance Airport (COUNCIL DISTRICT 2)

12. [M&C C-25634](#) - Authorize Execution of Amendment 1 to City Secretary Contract No. 41865 with Garver, LLC, in the Amount of \$99,500.00, for a Total Cost of \$199,000.00, for Small Engineering Projects on an As Needed Basis for Both Meacham and Spinks Airports and Adopt Appropriation Ordinance Decreasing the Available Cash Balance (COUNCIL DISTRICTS 2 and 8)
13. [M&C C-25635](#) - Authorize Execution of a Professional Services Agreement with Garver, LLC, in the Amount of \$127,200.00 for a Pavement Condition Index Evaluation for the Aviation Department, Authorize Use of Gas Lease Revenue and Adopt Appropriation Ordinances (COUNCIL DISTRICTS 2 and 8)
14. [M&C C-25636](#) - Authorize Construction Management Contract with CP&Y, Inc., in the Amount of \$176,390.00, for the Installation of Security and Alert Notification Improvements at the Rolling Hills and Westside Water Treatment Plants and the Lake Worth Dam (COUNCIL DISTRICTS 7 and 8)
15. [M&C C-25637](#) - Authorize Execution of the First Renewal with James DeOtte Engineering, Inc., in the Amount of \$150,000.00 to City Secretary Contract No. 42503 for Water and Sewer Design Services, Contract 2011, Thereby Increasing the Contract Amount to \$300,000.00 (ALL COUNCIL DISTRICTS)
16. [M&C C-25638](#) - Authorize Execution of Change Order No. 2 to City Secretary Contract No. 41532 with UtiliTex Construction, LLP, in the Amount of \$133,489.20 for a Total Contract Amount of \$1,260,020.34 for Sanitary Sewer Rehabilitation Contract 65, Part 1, on North Sylvania Avenue, Stratford Park Drive and Brentwood Stair Road and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 2, 4 and 8)

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

1. OCS - 1853 - Notice of Claims for Alleged Damages and/or Injuries

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

1. Presentation by the 4H-Club
2. Presentation of General William Jenkins Worth Portrait
3. Presentation of Proclamation of the Centennial Panther Badge Day

#### **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. RESOLUTIONS**

1. A Resolution Appointing a Member to Serve on the Fort Worth Art Commission
2. A Resolution Supporting the Environmental Clearance and Commencement of Improvements to the IH-35W Corridor

### **XIV. ZONING HEARING**

1. [ZC-10-116C](#) - **(CD 2)** - City of Fort Worth Planning & Development, Far Greater Northside Phase 4, 3702, 3704, 3706, 3708 & 3716 Clinton Avenue; from "J" Medium Industrial to: "A-5" One-Family **(Recommended for Approval by the Zoning Commission)**
2. [ZC-12-003](#) - **(CD 3)** - Edwards Geren Ltd., Southeast corner of Vickery Boulevard & Bryant Irvin Road; from: "PD-630" Planned Development for all uses in "MU-2" High Intensity Mixed Use as outlined in the September 30, 2003 Comprehensive Zoning Ordinance with a minimum 20 foot front yard setback and minimum block length of 500 feet, maximum block length 1500 feet, with 20% of the block length allowed to be between 200 and 500 feet; site plan waived to: "G" Intensive Commercial **(Recommended for Approval by the Zoning Commission)**
3. [ZC-12-038](#) - **(CD 4)** - Juan Gabriel Gonzales, 8328 Randol Mill Road; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus indoor and outdoor storage for a pool construction business with or without a primary use; site plan waiver recommended. **(Recommended for Approval as Amended by the Zoning Commission to include indoor storage)**
4. [ZC-12-039](#) - **(CD 7)** - White Settlement ISD, 9850 Legacy Drive; from: "C" Medium Density Multifamily to: "CF" Community Facilities **(Recommended for Approval by the Zoning Commission)**
5. [ZC-12-041](#) - **(CD 6)** - Robert Petrie, 5408 Woodway Drive; from: "CF" Community Facilities to: "E" Neighborhood Commercial **(Recommended for Approval by the Zoning Commission)**
6. [ZC-12-042](#) - **(CD 2)** - Taly's Properties, Inc. 3240 NW 33rd Street; from: "A-5" One-Family to: "PD/SU" Planned Development/Specific Use for arena, club house, and stables; site plan included. **(Recommended for Denial by the Zoning Commission)**
7. [SP-12-005](#) - **(CD 4)** - Dan Vo, 6705 Meadowbrook Drive; Amend "PD-612" site plan to add 900 sq. ft. **(Recommended for Approval by the Zoning Commission)**
8. [ZC-12-043](#) - **(CD 6)** - Forestar (USA) Real Estate Group, Inc. 8808 W. Cleburne Road; from: "A-5" One-Family to: "PD/SU" Planned Development for all uses in "F" General Commercial with the exception of a tattoo parlor, cocktail lounge, private or teen club, bar and tavern, no auto repair allowed within 200' of the intersection of South Hulen and McPherson; site plan waiver recommended. **(Recommended for Approval by the Zoning Commission)**
9. [ZC-12-044](#) - **(CD 6)** - BR2R1: Tarrant Opportunity Fund, Ltd. 2101 Sycamore School Road; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial with building greater than 60,000 square feet; site plan included. **(Recommended for Approval by the Zoning Commission)**
10. [ZC-12-045](#) - **(CD 2)** - D. R. Horton-Texas, Ltd. 2400 block of Basswood Boulevard; from: "A-7.5" One-Family to: "A-5" One-Family **(Recommended for**

## **Approval by the Zoning Commission)**

11. [ZC-12-046](#) - **(CD 8)** - City of Fort Worth Planning & Development Department, Oakridge Terrace Neighborhood, Generally bounded by Seminary Drive, Wichita Street, Interstate 20, and rail line east of Oak Grove Road; from: "A-5" One-Family, "B" Two-Family, "CR" Low Density Multifamily, "C" Medium Density Multifamily, "D" High Density Multifamily, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "G" Intensive Commercial, and "I" Light Industrial to: "B" Two-Family, "R2" Townhouse/Cluster, "CR" Low Density Multifamily, "C" Medium Density Multifamily, "D" High Density Multifamily, "CF" Community Facilities, "E" Neighborhood Commercial, and "G" Intensive Commercial **(Recommended for Approval by the Zoning Commission)**
12. [ZC-12-047](#) - **(CD 8)** - City of Fort Worth Planning & Development Department, 1804 E. Robert Street; from: "B" Two-Family to: "CF" Community Facilities **(Recommended for Approval by the Zoning Commission)**

## **XV. REPORT OF THE CITY MANAGER**

### **A. Benefit Hearing - None**

### **B. General**

1. [M&C G-17585](#) - Adopt Ordinance Amending Chapter 12.5, Environmental Protection and Compliance of the City Code By Adding Article X, Grading Permit, Sections 12.5-874 through 12.5-882 in Order to Regulate Land Disturbance and Grading and Establish a Fee in the Amount of \$50.00 for a Grading Permit (ALL COUNCIL DISTRICTS)  
**(Continued from a Previous Meeting)**
2. [M&C G-17585](#) - **(Revised)** Adopt Ordinance Amending Chapter 12.5, Environmental Protection and Compliance of the City Code By Adding Article X, Entitled "Grading Permit", Sections 12.5-874 Through 12.5-882 in Order to Regulate Land Disturbance and Grading and Establish a Fee in the Amount of \$50.00 for a Grading Permit (ALL COUNCIL DISTRICTS)
3. [M&C G-17604](#) - Adopt Ordinance Amending Chapter 22 of the Code of the City of Fort Worth, as Amended, by Adding Section 22-324 Prohibiting Engine Braking in the City Limits (ALL COUNCIL DISTRICTS)
4. [M&C G-17605](#) - Authorize Temporary Closure of the Intersection of West Berry Street and University Drive from June 11, 2012 Through July 31, 2012 for the Construction of the West Berry Streetscape Improvements Project (COUNCIL DISTRICT 9)

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

1. [M&C P-11389](#) - Authorize Purchase of Upgrades to Three Existing Propane Fueling Facilities for the Equipment Services Department from Ferrellgas, Inc., in the Amount of \$223,256.58 (ALL COUNCIL DISTRICTS)

### **D. Land**

1. [M&C L-15376](#) - Authorize Conveyance of Two Easements to Atmos Energy in the Amount of \$6,030.00 on City Owned Property Located at East Northside Drive (COUNCIL DISTRICT 8)
2. [M&C L-15377](#) - Authorize Conversion of the Houston Street Garage at 1100 Houston Street to Two Condominium Units and Authorize Sale of One Condominium Unit Containing 23,700 Square Feet of Retail Space Located on the First Floor of the Garage to the Fort Worth Local Development Corporation in the Amount of \$1,900,000.00 (COUNCIL DISTRICT 9)
3. [M&C L-15378](#) - Authorize Condemnation by Eminent Domain of Easement Interests in 0.115 Acres of Land for a Permanent Drainage Facility and 0.085 Acres of Land for Temporary Construction Access, Owned By Western Related Properties L.L.C., Located in Block 3, Lot 1-R, Deavers Addition, Also Known as 240 Nursery Lane for Scott Sunset Drainage Improvements (COUNCIL DISTRICT 7)

**E. Planning & Zoning - None**

**F. Award of Contract**

1. [M&C C-25639](#) - Authorize Execution of a Construction Reimbursement Agreement with Crosstex Energy Services in the Amount of \$3,977,686.00 for Relocation of Gas Pipelines as Part of the Runway Extension Project at Fort Worth Alliance Airport (COUNCIL DISTRICT 2)
2. [M&C C-25640](#) - Authorize Execution of an Agreement with the Fort Worth Independent School District in an Amount Up to \$50,076.00 for Operation of the Fort Worth After School Program at Como Elementary School for the 2012-2013 School Year and Adopt Appropriation Ordinance (COUNCIL DISTRICT 7)

**XVI. PUBLIC HEARING**

1. Public Hearing on a Proposed Redistricting Plan for Fort Worth's Single Member City Council Districts
  - a. Report of City Staff
  - b. Public Comments
  - c. Council Action

**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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***services, please call the City Manager's Office at 817-392-6143, 48 hours in advance.***



**CITY COUNCIL**  
**Legislative and Intergovernmental Affairs Committee**  
**Agenda**

**Tuesday, June 5, 2012**  
**11:00 a.m.**  
**Pre-Council Chambers**  
**1000 Throckmorton Street**  
**Fort Worth, Texas**

Councilmember Danny Scarth, Chair  
Councilmember Dennis Shingleton, Vice Chair

Mayor Pro Tem Zim Zimmerman  
Councilmember Frank Moss

Charles Daniels, Assistant City Manager  
Shirley Little, Manager, Government Relations  
TJ Patterson, Manager, Legislative Affairs  
Maleshia Farmer, Sr. Assistant City Attorney  
Evonia Daniels, Staff Liaison

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**I CALL TO ORDER**

**II APPROVAL OF MINUTES FROM MAY 1, 2012**

**III ACTION ITEMS**

- A. CONSIDERATION OF THE APPOINTMENT OF WILLIAM (BILL) MURRAY BOOKER TO PLACE 3 ON THE DOWNTOWN DESIGN REVIEW BOARD (MARY J. KAYSER, CITY SECRETARY)
- B. CONSIDERATION OF THE APPOINTMENT OF TERRI THORNTON TO PLACE 2 ON THE FORT WORTH ART COMMISSION (MARTHA PETERS, VICE PRESIDENT, PUBLIC ART, ARTS COUNCIL OF FORT WORTH AND TARRANT COUNTY)

**IV BRIEFING**

- A. UPDATE ON FEDERAL FUNDING FOR THE AMERICAN COMMUNITY SURVEY (DANA BURGHDOFF, DEPUTY DIRECTOR, PLANNING AND DEVELOPMENT)
- B. TEXAS MUNICIPAL LEAGUE'S (TML) POLICY COMMITTEE'S SUPPORT OF FORT WORTH'S REQUEST TO REGULATE LAND USE AUTHORITY WITHIN ETJS (DANNY SCARTH, CHAIR)

**V REQUEST FOR FUTURE AGENDA ITEMS**

- A. THE NEXT MEETING IS SCHEDULED FOR AUGUST 7, 2012, AT 11:00 A.M. IN THE PRE-COUNCIL CHAMBERS

**VI EXECUTIVE SESSION**

THE LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MAY CONDUCT A CLOSED MEETING TO SEEK THE ADVICE OF ITS ATTORNEYS CONCERNING LEGAL ISSUES REGARDING ANY MATTERS LISTED ON TODAY'S AGENDA, WHICH 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.

**VII ADJOURN**

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

*This facility is wheelchair accessible. For accommodations or sign interpretive services, please call the City Manager's Office at 392-7504, 48 hours in advance.*

**CITY COUNCIL**  
**Legislative and Intergovernmental Affairs Committee**  
**Minutes**  
**Tuesday, May 1, 2012**

COUNCIL MEMBERS IN ATTENDANCE: Councilmember Danny Scarth (Chairman), Mayor Pro Tem Zim Zimmerman, Councilmember Frank Moss and Councilmember Dennis Shingleton.

The Legislative and Intergovernmental Affairs Committee was called to order by Chairman Danny Scarth at 11:00 a.m.

Chairman Scarth called for a motion for approval of the April 10, 2012 minutes. The motion was made by Mayor Pro Tem Zim Zimmerman, and seconded by Councilmember Dennis Shingleton. The minutes were approved.

**ACTION ITEMS**

- A. Mary J. Kayser, City Secretary presented to the committee the recommendation of the appointment of Deidra Norris to Place 18, representing Texas Business Women, Inc. on the Fort Worth Commission for Women. Ms. Norris replaces Jerri Schubert.

Chairman Danny Scarth recommended the appointment of Deidra Norris to Place 18. The motion was made by Councilmember Dennis Shingleton and seconded by Councilmember Zim Zimmerman and the motion passed.

- B. Angela Rush, Human Relations Commission Administrator presented to the committee the recommendation of the appointment of Carla McKenzie to Place 11 on the Fort Worth Human Relations Commission. Ms. McKenzie replaces Richard Burnet.

Chairman Danny Scarth recommended the appointment of Carla McKenzie to Place 11. The motion was made by Councilmember Dennis Shingleton and seconded by Councilmember Zim Zimmerman and the motion passed.

**BRIEFINGS**

- A. Shirley Little, Government Relations Manager reported that the first training session on the Grant Tracking Program has been given. Shirley stated that the Council will be trained next.

Dorothy Wing, Consultant on the Grant Tracking Program provided an update of the Program to the Committee. (handout)

T.J. Patterson, Shirley Little and Evonia Daniels received training on the research on April 9<sup>th</sup>. In addition, hands-on training is scheduled for May 11<sup>th</sup> for 25 users. Councilmember Scarth stated he had already been set up with a user name. He

said it is very interesting and worthwhile. Councilmember Moss asked when the Aides would be trained. Shirley indicated that the Aides would be trained as soon as possible. Councilmember Moss said he would also like to receive training.

There being no further business, the Committee adjourned at 11:10 a.m.





CITY OF FORT WORTH  
CITY COUNCIL

**HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE**

**AGENDA**

**Tuesday, June 5, 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

- 
1. **Call to Order** – Joel Burns, Chair
  2. **Approval of Minutes from the Meeting Held on May 1, 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** – Jay Chapa, Director, Housing and Economic Development
  - A. Memo on Tax Abatement Policy Renewal
  - B. Memo on Proposal to Change Affordability Period for Down Payment Loans Executed from 1994-2004 to Match Federal Requirements.
5. **Presentation on Proposal to Utilize Urban Development Action Grant Related Funds for the Development of a Dental Clinic by Catholic Charities** – Cynthia Garcia, Asst. Director, Housing and Economic Development
6. **Presentation on Economic Development Agreement with Patterson Equity Partners LLC for the Development of Casino Beach** – Jay Chapa, Director, Housing and Economic Development Department
7. **Presentation on Tax Abatement Agreement with Project Sun Greer** – Robert Sturns, Economic Development Manager, Housing and Economic Development Department
8. **Action Plan Presentation on the 2012-2013 Allocation of Community Development Block Grant, HOME Investment Partnerships Program, Emergency Shelter Grant and Housing Opportunities for Persons with AIDS Program Grant Funds** – Jay Chapa, Director, Housing and Economic Development Department
9. **Audit Report on Economic Development Incentive Program** – Robert Sturns, Economic Development Manager, Housing and Economic Development Department
10. **Requests for Future Agenda Items** – Joel Burns, Chair
11. **Date of Next Regular Meeting:** August 7, 2012 – Joel Burns, Chair
12. **Adjourn** - Chair

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

**CITY OF FORT WORTH, TEXAS  
CITY COUNCIL  
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
MAY 1, 2012**

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**Present:**

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

**Absent**

Committee Member Salvador Espino

**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  
Robert Sturns, Manager, Housing and Economic Development Department  
Randle Harwood, Planning and Development Director

**Other City Staff in Attendance:**

Tom Higgins, City Manager  
LeAnn Guzman, Assistant City Attorney, Law Department

**1. Call to Order - Joel Burns, Chair**

With a quorum of the committee members present, Chairman Joel Burns called the meeting of the Housing and Economic Development Committee to order at 1:02 p.m., on Tuesday, May 1, 2012, in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

**2. Approval of Minutes from the Meeting Held on April 3, 2012 - Joel Burns, Chair**

Motion was made by Committee Member Price and second by Committee Member Shingleton, to approve the minutes of the April 3, 2012, Housing and Economic Development Committee Meeting. Motion passed 8-0 Committee Member Espino absent.

Chairman Burns adjourned the regular meeting of the Housing and Economic Development Committee into Executive Session at 1:03 p.m.

### **3. Executive Session**

In accordance with Chapter 551 of the Texas Government Code, Chairman Burns convened into Executive Session at 1:03 p.m. on Tuesday, May 1, 2012, in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, in order to:

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

Chairman Burns adjourned the Executive Session at 1:23 p.m., on Tuesday, May 1, 2012.

Chairman Burns reconvened the regular session of the Housing and Economic Development Committee at 1:24p.m., on Tuesday, May 1, 2012.

### **4. Written Reports - Jay Chapa, Director, Housing and Economic Development**

- A. Memo on Extending the Completion Deadline for Wal-Mart at Avondale-Haslet Road
- B. Memo on Proposed Temporary Construction Easements on City Owned Property Adjacent to the Lancaster Mixed Use Project
- C. Memo on 2012 Public Improvement District Mid-Year Budget Revisions
- D. Memo Regarding the Sale of Retail Space in the Houston Street Garage to the Local Development Corporation

At the Chairs request Items 5 and 6 were taken in reverse order.

**6. Presentation on the Business Assistance Center's Fort Worth Business Plan Competition - Ossana Hermosillo, Business Development Manager, Housing and Economic Development Department**

Ossana Hermosillo announced this year's Business Plan Competition and recognized Capital One Bank for their support and showed a video of last year's competition.

**5. Economic Development Activity Update - Jay Chapa, Director, Housing and Economic Development Department**

The committee received presentations and updates from the Fort Worth Metropolitan Black Chamber of Commerce, The Fort Worth Chamber of Commerce and the Fort Worth Hispanic Chamber of Commerce.

**7. Requests for Future Agenda Items - Joel Burns, Chair**

Chairman Burns opened the floor for requests for future agenda items. There were none.

**8. Date of Next Regular Meeting: June 5, 2012 - Joel Burns, Chair**

**9. Adjourn - Chair**

With no further presentations or discussions, Chairman Burns adjourned the regular meeting of the Housing and Economic Development Committee at 2:14 p.m., on Tuesday, May 1, 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: June 5, 2012

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

From: Jay Chapa, Director of Housing and Economic Development

Subject: Renewal of Tax Abatement Policy

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Chapter 312 of the Texas Tax Code authorizes cities to designate tax abatement reinvestment zones and to enter into tax abatement agreements only after the city elects to become eligible to participate in tax abatement and adopts a Tax Abatement Policy that establishes guidelines and criteria governing its tax abatement program. A Tax Abatement Policy adopted by a city is effective for two years from the date of adoption. The City of Fort Worth's last Tax Abatement Policy was adopted on June 22, 2010 (M&C G-16964, Resolution No. 3895-06-2010) and will expire on June 21, 2012.

Staff will bring forward an M&C and resolution to Council on June 12, 2012 to adopt the Tax Abatement Policy for 2012-2014. The proposed Tax Abatement Policy has been updated to:

1. Revise the definition of Business Expansion Project to include the redevelopment of vacant land;
2. Revise the definition of Capital Investment to include infrastructure improvements and utility installation as eligible real property improvements;
3. Revise language in Section 7.8 to require companies to file a plan to utilize Fort Worth Certified M/WBE Companies and monthly reports if the commitment for use of Fort Worth Certified M/WBE Companies is less than 25 percent of the cost of the Capital Improvements to be made.

Once adopted, the proposed Tax Abatement Policy will be effective from June 22, 2012 through June 21, 2014, unless amended or repealed by at least a three-fourths vote of the City Council. The Tax Abatement Policy does not apply to tax abatement granted pursuant to the City's Neighborhood Empowerment Zone (NEZ) Policy or the City's Relocation Incentives Policy.

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



## MEMORANDUM

Date: June 5, 2012

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

From: Jay Chapa, Director of Housing and Economic Development

Subject: Proposal to Change Affordability Period for Closing Costs and Down Payment Loans Provided under the Housing Assistance Program from 1998- 2004 to Correspond With Federal Requirements

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In the early 90's the City of Fort Worth offered closing cost assistance to income eligible first time home buyers using Community Development Block Grant funds. The Housing Assistance Program (HAP) was expanded a few years later using up \$14,999.00 of HOME funds to provide closing cost assistance and down payment assistance.

The federal rules for the HOME funds required that the home remain affordable for 5 years. To ensure this requirement is enforced, federal requires that the city place a lien on the property for the affordability period. If the home is sold during the affordability period to a person that was not income eligible, the city is required to enforce the lien. In order to meet these federal requirements, each year the city monitors these loans to verify that ownership of the home has not changed. If ownership has changed the loan must be repaid according to the Note.

Although the federal rules only required a 5 year affordability period, when the program was adopted in the early 1990's, the city required a 15 year affordability period and placed 15 year liens on all residents who were provided assistance under this program. In April 2003, the City Council changed this program and reduced the affordability period for the Down Payment Loans from 15 years to 5 years to correspond with the federal requirements (M&C G-13930) This action changed all future loans under the Housing Assistance Program, but did not change the terms of any previous loans.

Staff has been reviewing the loans from 1998-2003 and has determined that there are approximately 900 loans with a 15 year affordability period. Staff recommends modifying the HAP loans from 1998-2003 to reduce the affordability period from 15 years to 5 years. Staff's recommendation is based upon the federal law only requiring a 5 year affordability period, the large number of homeowners who have a 15 year affordability period even though homebuyers who participated in the same program a few years later have the five year affordability period and the staff requirements to monitor these outstanding loans. Staff is preparing an M&C to present the recommendation to City Council in July to modify these loans by reducing the affordability period from 15 years to 5 years. If Council approves the M&C, city staff will prepare lien releases for these loans since they are older than 5 years. Staff will then record all lien releases.

# FORT WORTH LOCAL DEVELOPMENT CORPORATION

## AGENDA

**Tuesday, June 5, 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 April 3, 2012** – Frank Moss, President
  3. **Written Reports** – Frank Moss, President
    - A. Financial Report through April 30, 2012
  4. **Executive Session:** The Fort Worth Local Development Corporation's Board of Trustees will conduct a closed meeting to:
    - a. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (i) legal issues concerning any current agenda item; and
    - b. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
    - c. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.



5. **Discussion and Consideration of Resolution to Authorize the Sale of 2200 Bomar Avenue to the City of Fort Worth for \$34,848.00 for a Water Facility** – Cynthia Garcia, Administrator
6. **Discussion and Consideration of Resolution to Authorize the Purchase of Retail Space in the Houston Street Garage from the City of Fort Worth for \$1,900,000** – Jay Chapa, Administrator
7. **Discussion and Consideration of Resolution Authorizing a Guaranty for a Loan from Southwest Bank to Lancaster Corridor Redevelopment, LLC for up to \$25,150,851 for the Lancaster Mixed-Use Project** – Jay Chapa, Administrator
8. **Discussion and Consideration of Resolution Authorizing Assignment of Agreements Related to the Lancaster Mixed-Use Project to the Lancaster Corridor Redevelopment, LLC** – Jay Chapa, Administrator
9. **Discussion and Consideration of a Resolution to Authorize a License Agreement to Citizens Concerned with Human Dignity for the Temporary Use of 911 E. Rosedale** – Jay Chapa, Administrator
10. **Requests for Future Agenda Items** – Frank Moss, President
11. **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, APRIL 3, 2012**

**Present:**

Vice President Danny Scarth  
Treasurer W. B. “Zim” Zimmerman  
Trustee Betsy Price  
Trustee Dennis Shingleton  
Trustee Kathleen Hicks  
Trustee Joel Burns

**Absent:**

President Frank Moss  
Trustee Salvador Espino  
Trustee Jungus Jordan

**City staff:**

Fernando Costa, Assistant City Manager  
Peter Vaky, Deputy City Attorney  
Ron Gonzales, Assistant City Secretary  
Cynthia Garcia, Administrator

**Other staff:**

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

**1. Call to Order.**

With a quorum present, Vice President Scarth called the meeting to order for the Board of Directors of the Fort Worth Local Development Corporation (Corporation) at 2:13 p.m. on Tuesday, April 3, 2012, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas, President Frank Moss, and Trustees Salvador Espino and Jungus Jordan absent.

**2. Approval of Minutes of the March 6, 2012, Meeting.**

Vice President Scarth opened the floor for a motion on the approval of the minutes of the Tuesday, March 6, 2012, meeting.

**MOTION:** Upon a motion made by Director Price and seconded by Director Shingleton, the Board of Directors voted unanimously 6 ayes and 0 nays, with President Moss and Trustees Espino and Jordan absent, to approve the Tuesday, March 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.**

Vice President Scarth 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.**

Vice President Scarth referenced the Financial Report through February 29, 2012, and opened the floor for discussion on the report.

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

Ms. Cynthia Garcia, Administrator, advised the Corporation Board that the next presentation would pertain to both Item 5 and Item 6 on the agenda.

**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 for the Lease.**

**6. Discussion and Consideration of Resolution to Authorize Sublease of the Retail Space in the Houston Street Garage at 1100 Houston Street with Lancaster Corridor Redevelopment, LLC.**

Ms. Garcia addressed the Corporation regarding the proposed resolutions. Using a PowerPoint presentation entitled “Lease of Retail Space in Houston Street Garage & Sublease to Lancaster Corridor Redevelopment, LLC”, Ms. Garcia displayed an aerial photo that reflected the Houston Street Parking Garage, the Omni Hotel and the Fort Worth Convention Center. She explained that the retail space in the garage was approximately 23,700 square feet and provided the following background information:

- In 2005 the City entered into an agreement with Omni Fort Worth Partnership, L.P., (Omni) allowing Omni to lease the retail space on the City’s behalf.
  - Omni’s right to lease the retail space terminated two (2) years after their hotel opened.
  - The hotel’s grand opening was in January 2009, so the agreement terminated January 2011.
  - During the term of the agreement, Omni did not lease any of the retail space.
- City has approached the Fort Worth Local Development Corporation (FWLDC) to lease and manage the space.

Ms. Garcia advised the Corporation Board of the lease recommendation as follows:

- Lease the retail space from the City for the terms indicated.
  - \$10.00 per square foot for 5,000 square feet on Houston closest to the Omni.
  - Lease is “As is”.
  - No rent due during the first six (6) months.
  - Triple Net – FWLDC would pay taxes, insurance and maintenance.
- Sublease the retail space to the Lancaster Corridor Redevelopment, LLC, on terms they negotiate with tenants.

Ms. Garcia’s next slide, “Option to Purchase Recommendation”, provided the below information:

- Upon entering lease with the City, study option of purchasing retail space from City.
- Steps to Purchase

- Obtain appraisal – City will sell for Fair Market Value.
- Payment Terms to be negotiated.
  - Terms to be presented to Corporation Board in May 2012.
- FWLDC pays all costs to condo the space.
  - Hire Kelly Hart and Hallman to condo the space.
- Benefits to FWLDC:
  - FWLDC obtains an asset that compliments Lancaster Project.

Ms. Garcia advised of the next steps for this initiative as reflected below:

- Enter into lease with the City for the retail space.
- Enter into a sublease with the Lancaster Corridor Redevelopment, LLC, for the terms negotiated with the tenant.
- Hire Kelly Hart and Hallman to prepare condo documents.
- Review appraisal to purchase retail space and negotiate terms.

Vice President Scarth opened for the floor for discussion on this issue. There being no discussion, Vice President Scarth opened the floor for a motion.

**MOTION:** Upon a motion made by Director Burns and seconded by Director Price, the Board voted unanimously 6 ayes and 0 nays, with President Moss and Trustees Espino and Jordan absent, to approve Resolution Nos. FWLDC FWLDC-2012-04 and FWLDC-2012-05. The motion carried.

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

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

## **8. Adjourn.**

With no further discussion, Vice President Scarth adjourned the called – special session of the Fort Worth Local Development Corporation Board at 2:18 p.m. on Tuesday, April 3, 2012.

These minutes approved by the Fort Worth Housing Finance Corporation Board of Directors on the \_\_\_\_ day of \_\_\_\_\_, 2012.

APPROVED:

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Danny Scarth  
Vice President

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

ATTEST:

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Dennis Shingleton  
Secretary

Prepared and respectfully submitted by:

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Ronald P. Gonzales, TRMC/CMC  
Assistant City Secretary

Fort Worth Local Development Corporation  
Balance Sheet  
April 30, 2012  
(Unaudited)

Assets

Cash and cash equivalents	\$996,968.45
Interest Receivable	2,359.35
Note Receivable - Oliver's	<u>450,000.00</u>
Total Assets	<u><u>\$1,449,327.80</u></u>

Liabilities and Fund Balance

Accounts and Contracts Payable	0.00
Prepaid Rent	<u>31,155.95</u>
Total Liabilities	31,155.95

Fund Balance (Deficit)

Designated for Authorized Expenditures	\$1,899,147.98
Net Income	(480,976.13)
Undesignated	<u>0.00</u>

Total Fund Balance	1,418,171.85
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Total Liabilities and Fund Balance	<u><u>\$1,449,327.80</u></u>
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Fort Worth Local Development Corporation  
Statement of Revenues and Expenditures  
October 1, 2011 through April 30, 2012  
(Unaudited)

Revenues

Property Tax Reimbursement	\$32,155.91	
Revenue from Rents	242,514.80	
Gas Lease Bonus	0.00	
Gas Lease Royalties	117,000.55	
Easement for Pipelines	0.00	
Interest Income	10,012.22	
Gas Well Shut In Payment	0.00	
Other Revenue	0.00	
Total Revenue		\$401,683.48

Expenditures

Bank Charges	\$189.83	
Commissions	\$26,539.40	
Contractual Services	362,459.91	
Insurance	54,959.55	
Operations	186.11	
Property Management	10,930.81	
Property Purchase	20,000.00	
Property Taxes	124,508.67	
Repairs	2,560.22	
Security System	3,769.39	
Storm Water Utility	19,536.00	
Transfers to City	26,000.00	
Transfer to Lancaster LLC	200,000.00	
Utilities	31,019.72	
Total Expenditures		\$882,659.61

Excess (Deficiency) of Revenues Over (Under) Expenditures	<u><u>(\$480,976.13)</u></u>
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Fort Worth Local Development Corporation  
Schedule of Available Funds  
April 30, 2012  
(Unaudited)

Total Cash at April 30, 2012	\$996,968.45
Cash in Property Management Account	<u>(58,302.51)</u>
Cash available in City account	938,665.94
 Commitments	
Evans & Rosedale Enhanced CFA	0.00
Survey Expenses	6,250.00
Lancaster Project - Construction	1,435.25
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	<u>100,000.00</u>
Total Commitments & Reserves	230,224.83
 Unrestricted Cash Available	<u><u>\$708,441.11</u></u>

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.

**FORT WORTH LOCAL DEVELOPMENT CORPORATION**

**RESOLUTION  
OF THE BOARD OF TRUSTEES**

**WHEREAS**, the Fort Worth Local Development Corporation (“Corporation”) is the owner of a tract of land known as 2200 Bomar Avenue, Fort Worth, Texas (“Property”);

**WHEREAS**, the Property was tax-foreclosed property that was purchased by Corporation in January 2009 pursuant to a resolution approved by the Corporation’s Board of Trustees on December 16, 2008;

**WHEREAS**, the Corporation purchased the property in order to promote revitalization of the area with commercial and residential developments in order to benefit the citizens of Fort Worth; and

**WHEREAS**, the City of Fort Worth (“Purchaser”) desires to acquire the Property for renovation and expansion of the water system infrastructure, which will serve commercial and residential developments in the area.

**NOW, THEREFORE, BE IT RESOLVED** that Corporation is hereby authorized to sell the Property to Purchaser for the amount of \$34,848.00;

**FURTHER RESOLVED**, that Purchaser shall pay all closing costs relating to the conveyance of the Property;

**FURTHER RESOLVED**, that Corporation shall except and reserve from the conveyance of the Property all remaining oil, gas, and other minerals in and under and that may be produced from the Property;

**FURTHER RESOLVED**, that the President or Vice President is authorized to execute all necessary instruments and documentation to effect the sale of the Property; and

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

Adopted this 5<sup>th</sup> day of June, 2012.

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

# **FORT WORTH LOCAL DEVELOPMENT CORPORATION**

## **RESOLUTION OF THE BOARD OF TRUSTEES**

**WHEREAS**, the City of Fort Worth ("City") is the owner of a parking garage located between Houston Street on the east, Throckmorton Street on the west, 11<sup>th</sup> Street on the North and 12<sup>th</sup> Street on the South (the "Parking Garage");

**WHEREAS**, the street level of the Parking Garage has a total of 23,700 square feet of space for retail or restaurant tenants on Houston Street and Throckmorton Street ("Retail Space") and the Retail Space is currently vacant and generating no income for the City;

**WHEREAS**, the Board of Trustees previously authorized the execution by the Corporation of a lease of the Retail Space pursuant to a resolution approved by the Board of Trustees on April 3, 2012, and the Corporation now desires to purchase the Retail Space from the City;

**WHEREAS**, two condominium units must be created for the Parking Garage, one unit for the parking portion of the Parking Garage (the "Garage Unit") and one unit for the Retail Space (the "Retail Unit"), and the Board of Trustees has previously authorized, also on April 3, 2012, the engagement of outside legal counsel to assist in the creation of the condominium regime;

**WHEREAS**, the City desires for the Fort Worth Local Development Corporation ("Corporation") to purchase the Retail Unit from the City for fair market value on the terms and conditions set forth herein below; and

**WHEREAS**, Corporation, consistent with the economic development objectives of the Corporation, agrees to purchase the Retail Space from the City for fair market value.

**NOW, THEREFORE, BE IT RESOLVED** that the Corporation is hereby authorized to purchase the Retail Space on the following terms and conditions:

- (1) The sales price is \$1,900,000.00;
- (2) Corporation will pay the City ten percent of the sales price, or \$190,000 upon closing;
- (3) The balance of the sales price will be paid to the City over ten years at five percent interest in annual installments;
- (4) All costs to convert the Parking Garage to condominium units will be paid by the Corporation, pursuant to the appropriate authorization for expenditure of funds by the Board of Trustees; and
- (5) All costs of the closing will be paid by the Corporation, in an amount not to exceed \$20,000.00; and

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

Adopted this 5<sup>th</sup> day of May, 2012.

By: \_\_\_\_\_  
Dennis Shingleton  
Secretary

**FORT WORTH LOCAL DEVELOPMENT CORPORATION**

**RESOLUTION  
OF THE BOARD OF TRUSTEES**

**Authorizing the Assignment of All Agreements Related to the  
Lancaster Corridor Project to Lancaster Corridor Redevelopment, LLC**

**WHEREAS**, the Fort Worth Local Development Corporation (“Corporation”) has been involved in the development of a proposed mixed use project located along Lancaster Avenue between Throckmorton Street and Jennings Street, and between Jennings Street and Monroe Street in order to promote revitalization of the area and to benefit the citizens of Fort Worth by creating affordable housing, retail, jobs and commercial opportunities in an area in need of revitalization (“Project”);

**WHEREAS**, the Lancaster Corridor Redevelopment, LLC (“LLC”) a sole purpose entity created to facilitate the development of the Project and which is the owner of the Project;

**WHEREAS**, pursuant to the development of the Project, the Corporation has entered into or authorized entering into certain agreements for the Project, including the agreement with the City of Fort Worth (“City”) for the loan of HOME Investment Partnerships Program grant funds from the United States Department of Housing and Urban Development, approved by the Board of Trustees on June 7, 2011 (“HOME Agreement”);

**WHEREAS**, various other agreements have been assigned by the Corporation to the LLC, including (1) an agreement with L2L-Lancaster, a Texas limited liability company, who is a consultant for development and construction management services and related activities for the Project, as approved by the Board of Trustees on March 6, 2012, and (2) the option agreement for the purchase of the property along Lancaster Avenue from the City of Fort Worth, as approved by the Board of Trustees on March 6, 2012; and

**WHEREAS**, the Corporation desires to assign the HOME Agreement and any other contracts related to the Project that it has entered into, or it may enter into in the future, pursuant to appropriate Board of Trustee authorizations.

**NOW, THEREFORE, BE IT RESOLVED** that the Corporation is hereby authorized to assign the HOME Agreement and any other agreements related to the Project to the Lancaster Corridor Redevelopment, LLC; and

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

Adopted this 5<sup>th</sup> day of June, 2012.

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

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

WHEREAS, Fort Worth Local Development Corporation ("Corporation") is the owner of real property located at 911 E. Rosedale, Fort Worth, Texas ("Property"), which Property is unimproved ("Premises");

WHEREAS, Citizens Concerned with Human Dignity, a Texas non-profit, ("CCHD") desires to use the Premises on a short-term, temporary basis for the purpose of picnic-type activities; and

WHEREAS, Corporation desires to license the Premises to CCHD under the terms set forth herein below.

**NOW, THEREFORE, BE IT RESOLVED** that the Corporation hereby authorizes an exclusive license with CCHD that provides the following:

- (1) A term of 4 days, effective as of June 16, 2012, and ending on June 19, 2012;
- (2) Consideration will be paid by CCHD in the amount of \$40.00;
- (3) CCHD shall be responsible for keeping the Premises in good condition and by the end of the term shall return the Premises to as comparably close to the original condition of the Premises at the beginning of the term as possible; and
- (4) CCHD shall obtain insurance through the City of Fort Worth's Outdoor Events Ordinance Program.

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

Adopted this 5<sup>th</sup> day of June, 2012.

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

# **FORT WORTH HOUSING FINANCE CORPORATION**

## **AGENDA**

**Tuesday, June 5, 2012**

***Immediately Following the Fort Worth  
Local Development Corporation Meeting  
Scheduled to Begin Immediately Following the  
City of Fort Worth City Council Housing and  
Economic Development Committee Meeting  
Scheduled to Begin at 1:00 P.M.***

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

### Board of Directors

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

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

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

Staff Liaison: Fernando Costa, Assistant City Manager

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1. **Call to Order** – Kathleen Hicks, President
2. **Approval of Minutes from the Meeting Held on May 1, 2012** – Kathleen Hicks, President
3. **Written Reports** – Jay Chapa, Assistant General Manager
  - a. Financial Report through April 30, 2012
4. **Executive Session:** The Fort Worth Housing Finance Corporation will conduct a closed meeting to:
  - a. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (i) legal issues concerning any current agenda item; and
  - b. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
  - c. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

5. **Consider and Adopt Resolution to Redeem Fort Worth Housing Finance Corporation Series 2002 Single Family Mortgage Revenue Bonds** – Coy Gray, Senior Administrative Services Manager
6. **Consider and Adopt Resolution to Purchase and Rehabilitate 1820 S. Cravens Road for Infill Housing Development** – Robin Bentley, Community Development Manager
7. **Consider and Adopt Resolution to Approve a Master Lease Guaranty for the Lancaster Mixed-Use Project** - Jay Chapa, Assistant General Manager
8. **Requests for Future Agenda Items** – Kathleen Hicks, President
9. **Adjourn** – Kathleen Hicks, President

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

**CITY OF FORT WORTH, TEXAS  
FORT WORTH HOUSING FINANCE CORPORATION  
CALLED – SPECIAL SESSION  
TUESDAY, MAY 1, 2012**

**Present:**

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

**Absent:**

Director Salvador Espino

**City staff:**

Fernando Costa, Assistant City Manager  
Vicki Ganske, Senior Assistant City Attorney  
Ronald P. Gonzales, Assistant City Secretary  
Charletra Hurt, Development Program Coordinator  
Avis Chaisson, Development Program Coordinator

**Other staff:**

Tom Higgins, City Manager  
Jay Chapa, Assistant General Manager  
Cynthia Garcia, Administrator  
Robert Sturns, Economic Development Manager, Housing & Economic Development Dept.  
LeAnn Guzman, Senior Assistant City Attorney

**1. Call to Order.**

With a quorum present, President Hicks called the meeting to order for the Board of Directors of the Fort Worth Housing Finance Corporation (Corporation) at \_\_\_\_ p.m. on Tuesday, May 1, 2012, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas, with Director Espino absent.

**2. Approval of Minutes of the February 7, 2012, Meeting.**

President Hicks opened the floor for a motion on the approval of the minutes of the Tuesday, February 7, 2012, meeting.



**MOTION:** Upon a motion made by Director Burns and seconded by Director Price, the Board of Directors voted unanimously 8 “ayes” and 0 “nays”, with Director Espino absent, to approve the Tuesday, February 7, 2012, minutes of the Corporation as presented. The motion carried.

**NOTE:** *Written Reports, 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.*

**3a. Written Reports: Fort Worth Housing Finance Corporation Financial Report through March 31, 2012.**

President Hicks referenced the Financial Report through March 31, 2012, and opened the floor for discussion on the report. There was no discussion on this agenda item.

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

**4. Consider and Adopt Resolution Appointing an Assistant Treasurer and Assistant Secretary for the Fort Worth Housing Finance Corporation Board.**

President Hicks referred to the resolution and opened for the floor for discussion on this issue. There being no discussion, President Hicks opened the floor for a motion.

**MOTION:** Upon a motion made by Director Shingleton and seconded by Director Burns, the Board voted unanimously 8 “ayes” and 0 “nays”, with Director Espino absent, to approve Resolution No. FWHFC-2012-04 appointing Susan Alanis as Assistant Treasurer, Mary J. Kayser as Assistant Secretary, and confirming the appointments of Ronald P. Gonzales and Nicole M. Seidel as Assistant Secretaries of the Corporation. The motion carried.

**5. Consider and Adopt Resolution Authorizing an Architect Agreement with RPGA for Single Family Home Designs for the Terrell Heights Infill Project for \$97,800.00.**

Ms. Charletra Hurt, Development Project Coordinator, Housing and Economic Development Department, addressed the Corporation regarding the proposed resolution.

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

Director Shingleton asked what occurred if the homes were built and did not sell—if construction of the homes stopped. Ms. Hurt responded affirmatively and advised that two (2) to three (3) homes would be built initially. She added that if the homes did not sell within a 60-day period, construction would stop and the few homes built would become rental property.

Director Price asked what was the average price and square footage of the homes. Ms. Hurt stated that the average cost was approximately \$100,000.00 and the square footage was between 1,400 and 1,700 square feet.

Vice President Scarth referred to the architectural contract and asked how many plans were going to be drawn. Ms. Hurt stated that there would be four (4) floor plans and each had three (3) elevations.

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

**MOTION:** Upon a motion made by Director Moss and seconded by Director Price, the Board voted unanimously 8 “ayes” and 0 “nays”, with Director Espino absent, to approve Resolution No. FWHFC-2012-05. The motion carried.

**6. Update on Race Street Lofts and Terrell Homes Low Income Housing Tax Credit Projects.**

Ms. Avis Chaisson, Community Development Coordinator, Housing and Economic Development Department, addressed the Corporation regarding these projects.

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

Director Shingleton asked what the number of total units was. Ms. Chaisson advised that there were a total of 36 units for Race Street and 54 single-family homes for Terrell Homes.

Vice President Scarth referred to the original three (3) houses that were previously built and asked if they were a part of this project or a separate issue. Ms. Cynthia Garcia, Administrator, responded that those homes were separate from this project. Mr. Jay Chapa, Assistant General Manager, advised that all three (3) homes had been sold.

Secretary Moss referred to the properties on Race Street and asked if part of the first floor would be retail space. Ms. Hurt stated that there was no retail space on the first floor; rather it would have a leasing center and space available for a fitness center and ESL classes.

President Hicks stated that she was very excited about both projects and added that the lots had been vacant for a long time and therefore it would be great to get them back on the tax rolls. She commended staff for their work on this project.

The update was provided to the Board as a matter of information. There was no formal action taken by the Board.

**7. Executive Session.**

President Hicks stated that she had been advised that an Executive Session was not necessary 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 concerning any current agenda item;
- B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
- C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

This agenda item was passed over.

**6. Requests for Future Agenda Items.**

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

**7. Adjourn.**

With no further discussion, President Hicks adjourned the called – special session of the Fort Worth Housing Finance Corporation Board at 2:25 p.m. on Tuesday, May 1, 2012.

These minutes approved by the Fort Worth Housing Finance Corporation Board of Directors on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

APPROVED:

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Kathleen Hicks  
President

**CITY OF FORT WORTH, TEXAS  
FORT WORTH HOUSING FINANCE CORPORATION  
CALLED – SPECIAL SESSION  
TUESDAY, MAY 1, 2012  
PAGE 5**

ATTEST:

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Frank Moss  
Secretary

Prepared and respectfully submitted by:

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Ronald P. Gonzales, TRMC/CMC  
Assistant City Secretary

**FORT WORTH HOUSING FINANCE CORPORATION**  
**BALANCE SHEET AS ON APRIL 30, 2012**  
**(UNAUDITED)**

**ASSETS**

Cash, Cash Equivalents and Investments

Cash & Investments	\$	4,902,972	
Cash and cash equivalents (HTF General Fund)		1,473,632	
Cash at Bank- JP Morgan Chase - Infill		2,071	
			6,378,675

Restricted Assets

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

Other Assets

Loans receivable		20,784	
Loans receivable - Wind River		314,465	
Interest Receivable		24,172	
Investments in Villas of East Wood LLC		615,000	
Advances to Villas of East Wood LLC		638,979	
Properties held for sale or construction by FWHFC (at cost or FMV)		697,012	(1)
			2,310,411

**Total Assets**

**\$ 13,975,867**

**LIABILITIES & FUND BALANCE**

Liabilities

Accounts payable	\$	246	
Escrow for loans		738	
Accrual - Payroll		10,484	
Deferred revenue		20,784	
Payable to CFW - Carter Metro assigned liability		94,129	(4)
Payable to CFW - Mitchell Blvd. assigned properties		21,047	(4)
Payable to CFW - Appropriation from Rental Rehab Rev.(for VOE)		615,000	
			762,428

**Total Liabilities**

**\$ 762,428**

Fund Balances

Restricted for corpus		5,286,781	
Represented by HTF General Fund		1,788,097	
Represented by advance & cost of sale - VOE		427,990	(3)
Terrell Heights - Professional Fees		96,000	
Represented by investments/loans		638,979	
Represented by land & properties		697,012	
Represented by 2012 Budget		312,725	
Legal services		52,187	
Restricted for land banking		328,117	
Restricted for Infill Dev.		1,334,153	
Unrestricted		2,251,400	(2)

**Total Fund Balance**

**13,213,440**

**Total Liabilities & Fund Balance**

**\$ 13,975,867**

Notes:

- (1) Cost of properties includes certain properties received as gift for which fair market value as on date of gift was included as cost. It also includes properties assigned to HFC.
- (2) Grants/endowments/gifts and other appropriations received and used to acquire properties or for operating expenditure forms part of the unrestricted equity balance along with surplus / loss from operations and interest income from investments.
- (3) FWHFC Board has approved a reserve fund of \$650,000.00 to VOE. Payment of \$322,010.00 were made from R109 and the balance of the reserved fund is \$327,990.00
- (4) Properties assigned to HFC in note (1) were acquired with grant funds, and the proceeds less taxes and constr. exp. incurred by HFC to be returned to CFW as program income.

OTHER NOTES:

- A. CFW authorized grants of \$3,372,075 from HOME funds and \$1,711,112.36 from CDBG funds for Housing Trust Fund and out of these Grant funds \$1,034,481.11 have been expended as on date and \$2,944,811.55 is allocated to new projects.
- B. Home warranty expenses and tax abatement refund dues are accounted on cash basis. The liability for unexpired warranties and tax abatement refunds have not been quantified and not provided for.
- C. HFC is the parent organization and sole member of the The Villas of East Wood Terrace, LLC. Accounts of this subsidiaries are not included or consolidated for this statements. Also no provision has been made for liabilities of the subsidiary.

**FORT WORTH HOUSING FINANCE CORPORATION**  
**REVENUES AND EXPENDITURES FOR PERIOD (7 MONTHS) ENDING APRIL 30, 2012**  
**(UNAUDITED)**

**Revenues**

Interest earned on investments	\$ 80,030
Interest on loans	1,926
Revenue Land/Home sales	150
Program Income Prin. Loan	1,354
Contribution from HUD - HTF	-
Gas lease bonus	3,848
Gas lease royalties	1,921
Gas Well Shut In Payments	5,000
Repayment of Loan - Windriver	400,535
Misc. revenue	343,601

**Total Revenues** \$ 838,365

**Expenditures**

Salary expenses	\$ 145,514
Postage	439
Misc. & other operations	-
Appraisal fees	-
Conference and seminars	-
Travel Expenses	837
Inside printing	-
Graphics	-
Liability insurance	-
Electricity	610
Water & waste disposal	32
Dues and membership	2,600
Contractual services	45,870
Other Professional Services	4,000
Contractual services - HAP Match	-
Loss on asset	263,079
Bank Charges	235
Land purchase	-
Other expenses to be paid	-

**Total Expenditures** \$ 463,216

Excess of Revenues over (under) Expenditures 375,149

**Other Financing Sources (Uses)**

Transfers in HFC	-
Transfers in infill	-
Total Other Financing Sources (Uses)	-

Excess of Revenues over (under) Expenditures  
and Other Financing sources 375,149

Fund Balances (Deficit), beginning of the period 12,000,023

Fund Balances (Deficit), at the end of the period 12,375,172

**Reconciliation of fund balance to Balance sheet**

ADD: Loans receivable from Villas Of Eastwood	638,979
Wind River loan	314,465
Less: Liability to CFW - Assigned properties	(115,176)
	-
<b>Fund balance per balance sheet</b>	<b>\$ 838,267</b>
	<b>\$ 13,213,440</b>

# FORT WORTH HOUSING FINANCE CORPORATION

## Details of Loan Receivables & Escrow Accounts for period ending April 30, 2012

### Loan Receivables

<u>Name</u>	<u>Date of Note</u>	<u>Amount</u>	<u>Status</u>
Willie Roberson	08/21/98	20,784	Active
Eastland		-	
Wind River		314,465	
<b>Total</b>		<u>\$ 335,249</u>	

### Deferred revenue

Willie Roberson	20,784
	<u>20,784</u>

### Escrows

Willie Roberson	08/21/98	738	Active
<b>Total</b>		<u>\$ 738</u>	

### Details of Classification of Fund Balance

#### Represented by Investments & Loans

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

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

Assigned from Cartermetro	
1118 E. Tucker	1,500.00
1139 Cannon St	1,500.00
2912 Walker St	92,800.00
4521 Trueland - sold	-
4525 Trueland	-
802 E. Magnolia	1,500.00
Cash assigned to HFC	-
<b>Total</b>	<u><b>97,300.00</b></u>
Less Taxes paid when assigned	<u>3,170.77</u>
<b>Total liability</b>	<u><b>94,129.23</b></u>
Assigned from TCDC (Formerly Mitchell Blvd. Dev. Corp.)	
2511 Mitchell Blvd	39,220.00
3220 Thrall St	0.00
<b>Total</b>	<u><b>39,220.00</b></u>
Less Taxes paid when assigned	<u>18,172.76</u>
<b>Total liability</b>	<u><b>21,047.24</b></u>
<b>G. Total Liability</b>	<b>115,176.47</b>

**THE VILLAS OF EASTWOOD TERRACE, LLC**  
**BALANCE SHEET AS ON APRIL 30, 2012\***  
**(UNAUDITED)**

**ASSETS**

Cash and other assets:

Cash	\$ 59,321	
Accounts receivable	1,445	
Prepaid expenses	62,899	
Total cash and other assets		123,665

Restricted deposits:

Cash - tenant security deposits held in trust	24,883	
Escrow deposits held by mortgagee	50,450	
Replacement reserve held by mortgagee	166,943	
Other reserves held by mortgagee	-	
Total restricted deposits		242,276

Fixed Assets:

Land	216,561	
Building and Improvements	9,515,977	
Furniture and Equipments	72,333	
Motor vehicles	7,849	
Total	9,812,720	
Accumulated depreciation	(3,317,286) (1)	
Net		6,495,434

**Total Assets**

\$ 6,861,375

**LIABILITIES & NET ASSETS (DEFICIT)**

Mortgage payable, collateralized by apartment property	\$ 9,042,378
Owner loan (HFC)	615,000
Advances from owner (HFC)	638,979
Misc current liabilities	-
Accounts payable - operations	11,710
Accrued mortgage interest	47,221
Accrued wages and taxes	3,224
Prepaid revenue	1,121
Tenant security deposits	24,524

**Total liabilities**

10,384,157

**Net assets (deficit)**

(3,522,782)

**Total liabilities and net assets (deficit)**

\$ 6,861,375

\*Source, Quest Asset Management, Inc.

Note:

(1) No depreciation expense has been booked by QUEST ASSET Management for this period but an estimated depreciation expense of \$116,194.00 has been booked by CFW staff for this statement.



**THE VILLAS OF EASTWOOD TERRACE, LLC**  
**REVENUES AND EXPENDITURE FOR PERIOD (4 MONTHS) ENDING APRIL 30, 2012\***  
**(UNAUDITED)**

**Revenues:**

Rental income - apartments	\$ 408,098
Other income from teneants	13,280
Interest income	-

<b>Total Revenues</b>	421,378
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**Expenses:**

Administrative	53,659
Utilities	23,903
Operating and maintenance	44,210
Taxes and insurance	18,005
Mortgage interest	189,133
Mortgage insurance	24,144
Depreciation	116,194 (1)

<b>Total Expenses</b>	469,249
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<b>Change in net assets</b>	(47,871)
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<b>Net assets (Deficit) at beginning of period</b>	(3,474,911)
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<b>Net assets (Deficit) at end of period</b>	\$ (3,522,782)
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\*Source, Quest Asset Management, Inc.

Note:

(1) No depreciation expense has been booked by QUEST ASSET Management for this period but an estimated depreciation expense of \$116,194.00 has been booked by CFW staff for this statement.

**RESOLUTION NO. FWHFC-2012-**

**FORT WORTH HOUSING FINANCE CORPORATION**

**A RESOLUTION  
TO REDEEM FORT WORTH HOUSING FINANCE CORPORATION SERIES  
2002 SINGLE FAMILY MORTGAGE REVENUE BONDS**

**WHEREAS**, the City Council of the City of Fort Worth (the “City”) created the Fort Worth Housing Finance Corporation (the “Corporation”) in 1979 pursuant to the Texas Housing Finance Corporation Act to increase home ownership and to facilitate the development of quality, accessible, affordable housing for low and moderate income City residents through lending and construction activities;

**WHEREAS**, in 2002, the Corporation was able to secure \$11,000,000.00 in statute-authorized, single family mortgage revenue bonds (the “Bonds”) and use the tax-exempt proceeds from the sale of the Bonds to finance a First Time Homebuyers Program that assisted approximately 100 homebuyers with Federal Housing Administration-insured loans for their home purchase at below-market interest rates;

**WHEREAS**, the 2002 Bonds are revenue bonds and not obligations of the City and are secured by the underlying mortgage loans which were pooled into Government National Mortgage Association or GNMA securities;

**WHEREAS**, over 90% of the Bonds have paid down as borrowers have made principal payments which were used to redeem the Bonds, leaving about \$1,000,000.00 of the Bonds outstanding as of May 2012;

**WHEREAS**, the Bonds are now subject to redemption at the Corporation’s option, and the Corporation may realize approximately \$50,000.00 in excess funds if it does redeem the Bonds at this time;

**WHEREAS**, the premium is currently very high historically for seasoned GNMA securities so redeeming the Bonds at this time will provide the greatest cash benefit to the Corporation;

**WHEREAS**, the Bonds will otherwise remain outstanding until 2034 if not redeemed and any future redemption will be based on a smaller amount since the Bonds and underlying mortgages continue to pay down every month; and

**WHEREAS**, the Board finds that it is in the Corporation’s best interest to redeem the Bonds and release any surplus funds.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FORT WORTH HOUSING FINANCE CORPORATION (THE “BOARD”):**

1. THAT the Board approves the redemption of the Fort Worth Housing Finance Corporation’s 2002 Single Family Mortgage Revenue Bonds (the “Bonds”) to the extent that an economic advantage exists to the Corporation after the payment of reasonable and customary costs.
2. THAT the Board approves the payment of all reasonable and customary fees and costs as well as all related activities necessary to redeem the Bonds.
3. THAT Tom Higgins, General Manager of the Corporation, or Jesus J. Chapa, Assistant General Manager of the Corporation, are authorized to execute and deliver all documents necessary to redeem to the Bonds.
4. THAT this Resolution takes effect on the date of its adoption.

**AND IT IS SO RESOLVED.**

Adopted June 5, 2012.

**FORT WORTH HOUSING FINANCE CORPORATION**

By:

\_\_\_\_\_  
Kathleen Hicks, President

**RESOLUTION NO. FWHFC-2012-**

**FORT WORTH HOUSING FINANCE CORPORATION**

**A RESOLUTION  
TO PURCHASE AND REHABILITATE 1820 S. CRAVENS ROAD FOR INFILL  
HOUSING DEVELOPMENT**

**WHEREAS**, the Fort Worth Housing Finance Corporation (the "Corporation") seeks to foster the development of reasonably priced quality housing and promote homeownership and neighborhood revitalization throughout the City of Fort Worth ("City") and is additionally an eligible housing development entity which assists persons of low and moderate income in acquiring and owning quality affordable accessible housing;

**WHEREAS**, the Corporation established an Infill Housing Development program in 1996 and has constructed single family houses on individual lots and developed subdivisions throughout the City, especially in targeted neighborhoods, as part of its neighborhood revitalization efforts;

**WHEREAS**, the Corporation wishes to acquire the property commonly known as 1820 S. Cravens Road, a City tax-foreclosed property, and rehabilitate the existing structure for resale to determine the market in the Stop Six area before undertaking future single family development in the area with federal funds ; and

**WHEREAS**, the Board finds that, as part of its Infill Housing Development Program, it is necessary to purchase the real property commonly known as 1820 S. Cravens Road for housing development.

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

1. THAT the Board approves the purchase of the real property commonly known as 1820 S. Cravens Road, Fort Worth, Texas from the City of Fort Worth for the tax judgment amount of \$27,355.15, plus the payment of up to \$8,000.00 for all post judgment taxes and interest as well as any reasonable and customary closing costs.
2. THAT the Board approves the execution and delivery of the sale and purchase contract for the acquisition of the property, the acceptance of the deed, and the execution and delivery of the closing statement and any other related documents necessary to complete the purchase the property.
3. THAT the Board approves the expenditure of up to \$75,000.00 for rehabilitating and repairing the property, and approves all other actions necessary to resell the property.

4. THAT Tom Higgins, General Manager of the Corporation, or Jesus J. Chapa, Assistant General Manager of the Corporation, are authorized to execute and deliver the sale and purchase contract for the acquisition of the property, accept delivery of the deed and execute the closing statement for and on behalf of the Corporation along with any other documents necessary to complete the purchase of the property and to rehabilitate and repair the existing structure located thereon.
4. THAT this Resolution takes effect on the date of its adoption.

**AND IT IS SO RESOLVED.**

Adopted June 5, 2012.

**FORT WORTH HOUSING FINANCE CORPORATION**

By: \_\_\_\_\_  
Kathleen Hicks, President

**RESOLUTION NO. FWHFC-2012-**

**FORT WORTH HOUSING FINANCE CORPORATION**

**A RESOLUTION  
TO APPROVE A MASTER LEASE GUARANTY FOR THE LANCASTER  
MIXED USE PROJECT**

**WHEREAS**, the City Council of the City of Fort Worth (the “City”) created the Fort Worth Housing Finance Corporation (the “Corporation”) in 1979 pursuant to the Texas Housing Finance Corporation Act to increase home ownership and to facilitate the development of quality, accessible, affordable housing for low and moderate income City residents through lending and construction activities;

**WHEREAS**, the City wishes to redevelop the Lancaster Avenue corridor between Throckmorton Street and Monroe Street in downtown Fort Worth with a mixed-use development of mid-level buildings consistent with the goals of the City’s 2011 Comprehensive Plan, Ordinance No. 19569-03-2011, to achieve a multiple growth center development pattern by encouraging higher density residential and commercial uses (the “Lancaster Mixed-Use Project”);

**WHEREAS**, the Fort Worth Local Development Corporation (“LDC”) is a Texas non-profit corporation organized by the City specifically to provide assistance to the City in encouraging, fostering and promoting the renovation, construction, rehabilitation and establishment of economic development facilities within the City;

**WHEREAS**, the LDC is involved in the development of the Lancaster Mixed-Use Project in order to benefit City citizens by creating affordable housing, retail, job and commercial opportunities in an area in need of revitalization in accordance with the goals of the City’s Comprehensive Plan;

**WHEREAS**, the LDC formed the Lancaster Corridor Redevelopment, LLC (“LLC”), a sole purpose entity, to facilitate the development of the Lancaster Mixed Use Project; including owning and operating a mixed use multifamily rental project containing both market rate and affordable units as well as ground floor retail space known as the Lancaster Place Apartments;

**WHEREAS**, the LLC is seeking a development loan from Southwest Bank in the amount of \$25,150,851 to finance the development costs for the project, excluding the parking garage, for a fixed interest rate of five percent (5%) or less and a term of five (5) years, with repayment of interest only for thirty (30) months (the “Loan”);

**WHEREAS**, the LDC has agreed to guaranty the Loan and to escrow \$500,000.00 to pay the interest payments on the Loan attributed to the retail portion of the project in the event the retail space does lease up;

**WHEREAS**, Southwest Bank has requested that the Corporation enter into a Master Lease Guaranty to guarantee the apartment rental income until lease-up of the residential units;

**WHEREAS**, the Master Lease Guaranty will aid in the financing of the project by allowing the LLC to obtain a lower interest rate for the Loan, and additionally it will ensure that the affordable housing portion of the project is maintained until lease-up; and

**WHEREAS**, the Board finds that it is in the Corporation's best interest, as part of its role in facilitating affordable housing, to enter into a Master Lease Guarantee as part of the financing of the Lancaster Mixed-Use Project.

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

1. THAT the Board approves the execution and delivery of a Master Lease Guaranty (the "Guaranty") for the benefit of Southwest Bank and the loan it is making to the Lancaster Corridor Redevelopment, LLC, for the development of the Lancaster Mixed-Use Project.
2. THAT the Board approves all related activities necessary to facilitate the financing and development of the Lancaster Mixed-Use Project.
3. THAT Tom Higgins, General Manager of the Corporation, or Jesus J. Chapa, Assistant General Manager of the Corporation, are authorized to execute and deliver the Guaranty and all related documents necessary to accomplish the purposes of this Resolution.
4. THAT this Resolution takes effect on the date of its adoption.

**AND IT IS SO RESOLVED.**

Adopted June 5, 2012.

**FORT WORTH HOUSING FINANCE CORPORATION**

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

Kathleen Hicks, President



Updated May 31, 2012

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

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**June 5, 2012**      **Monthly Zoning Meeting**

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

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

***Fort Worth Local Development Corporation***

***(Immediately following HED)***

***Housing Finance Corporation (Immediately following the LDC)***

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

**Continued Items:**

- **M&C G-17585** - Adopt Ordinance Amending Chapter 12.5, Environmental Protection and Compliance of the City Code By Adding Article X, Grading Permit, Sections 12.5-874 through 12.5-882 in Order to Regulate Land Disturbance and Grading and Establish a Fee in the Amount of \$50.00 for a Grading Permit (ALL COUNCIL DISTRICTS) (**Continued from May 15, 2012 by Staff**)
- o Overview of Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
- o Briefing on Proposed Redistricting Plan [*Dana Burghdoff, Planning and Development*]
- o Briefing on Healthcare Administration Contract [*Susan Alanis, City Manager's Office*]
- o Briefing on Models for Management and Delivery of Capital Projects [*Douglas Wiersig, Transportation and Public Works*]

**June 7, 2012** (***Thursday***)

***1:00 p.m. – 4:30 p.m. Capital Planning Work Session (Pre-Council Chamber)***

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





Updated May 31, 2012

*City of Fort Worth*  
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**June 12, 2012**

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

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

***Alliance Airport Authority, Inc. (Immediately following City Council Executive Session to begin Following the Pre-Council Meeting)***

**Continued Items:**

- **M&C C-25622** - Authorize Execution of an Engineering Services Agreement with Jacobs Engineering Group, Inc., in the Amount of \$2,410,478.00 for Staff Extension Services Over a Twenty Four Month Time Period for Accelerating Delivery of Transportation Capital Improvement Projects (ALL COUNCIL DISTRICTS) (**Continued from May 15, 2012 by Council Member Jordan**)
- o Update on Trinity River Vision Project [*Mark Rauscher, Planning and Development and J.D. Granger, Trinity River Vision Authority*]
- o Briefing on Impact of Foreclosed Properties [*Jeff Law, Tarrant County Appraisal District*]
- o Update on Proposed Pension Changes [*Susan Alanis, City Manager's Office*]

**June 19, 2012**

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

**June 26, 2012**

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

**June 28, 2012 (Thursday)**

***2:45 p.m. Canvassing Authority (Pre-Council Chamber)***

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



*Updated May 31, 2012*

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**July 3, 2012**

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

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

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

**July 4, 2012      *(Wednesday)***

***City Hall Closed – Fourth of July Holiday***

**July 10, 2012      *Monthly Zoning Meeting***

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

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

***6:45 p.m. Fort Worth City Council Called – Special Meeting (Council Chamber)***

- o Overview of Significant Zoning Cases *[Dana Burghdoff, Planning and Development]*
- o Presentation on Recycle Program *[Brandon Bennett, Code Compliance]*
- o Briefing on Outdoor Events Ordinance *[Kirk Slaughter, Public Events]*

**July 17, 2012**

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

- o Update on the Other Post Employment Benefits (OPEB) Trust *[Susan Alanis, City Manager's Office]*

**July 24, 2012**

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



*Updated May 31, 2012*

*City of Fort Worth  
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**July 26, 2012**    *(Thursday)*

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

**July 31, 2012**

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

**City Council Meeting of May 15, 2012**  
**Staff Action Tracking**

Item #1	City Revenues
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Due Date: June 5, 2012

Council District: All

Staff Action: 1) Staff to schedule a briefing provided by Jeff Law of the Tarrant Appraisal District on the impact of foreclosed properties.

2) Staff to provide a detail report on the year over year sales tax growth for February and March.

**Responsibility:** Horatio Porter (Budget Office)

## Item #2 Outsourcing Capital Projects

Due Date: June 5, 2012

Council District: 6

Staff Action: Advise Council at the June 5<sup>th</sup> Pre-Council meeting on outsourcing appropriate capital projects either through a public/private partnership or through design build contracts.

Responsibility: Douglas Wiersig (Transportation and Public Works)

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
MAY 15, 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  
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 10:06 a.m., on Tuesday, May 15, 2012, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

Mayor Price advised that the All City Children's Choir from Fort Worth Independent School District (FWISD) was performing for the audience in the Council Chamber. She expressed appreciation to the Choir and Choir Director Robert King for their music selections.

**II.     INVOCATION - Reverend Jennifer Innis, First Jefferson Unitarian Universalist Church**

The invocation was provided by Reverend Jennifer Innis, First Jefferson Unitarian Universalist Church.

**III.    PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF MAY 8, 2012**

Motion: Council Member Moss made a motion, seconded by Council Member Scarth, that the Minutes of the regular meeting of May 8, 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 Nos. G-17591, L-15364, L-15368, PZ-2976 and C-25615 be withdrawn from the Consent Agenda.

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

City Manager Higgins requested that Mayor and Council Communication No. G-17585 be continued until the June 5, 2012, Council meeting and Mayor and Council Communication Nos. L-15369 and PZ-2976 be withdrawn from consideration.

**VII. CONSENT AGENDA**

Motion: Council Member Shingleton 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**

2. **M&C G-17592 - Authorize Payment for Repairs in the Amount of \$243,200.00 and \$175,702.00 for Hail Damage at the Fort Worth Zoo, Occurring May 24, 2011 and Adopt Appropriation Ordinance for Commercial Insurance Recovery in the Amount of \$168,902.00. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the payment for repairs to Eubanks Roofing in the amount of \$243,200.00; authorize the payment for repairs to TDI Mechanical in the amount of \$175,702.00; and adopt Appropriation Ordinance No. 20203-05-2012 increasing the estimated receipts and appropriations in the Risk Management Fund in the amount of \$168,902.00, from available funds, for the purpose of commercial insurance recovery pertaining to the primate building at the Fort Worth Zoo being damaged during a hail storm on May 24, 2011.

3. **M&C G-17593 - Adopt Resolution Approving Revised Fiscal Year 2011-2012 Budget and Service Plan for Public Improvement District No.12, Chapel Hill Public Improvement Districts. (COUNCIL DISTRICT 7)**

The City Council approved the following recommendation: Adopt Resolution No. 4088-05-2012 approving an amended budget for Fort Worth Public Improvement District No. 12 (Chapel Hill PID) for Fiscal Year 2011-2012.

**4. M&C G-17594 - Approve Findings of the Ground Transportation Coordinator Regarding Application of Limo 10, Inc., d/b/a 360 Limo, Inc., to Operate Eight Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Consider and adopt the following findings of the Ground Transportation Coordinator: the public necessity and convenience require the operation of eight (8) limousines upon the City streets, alleys and thoroughfares; Limo 10, Inc., d/b/a 360 Limo, Inc., is qualified and financially able to conduct a limousine service within the City; Limo 10, Inc., d/b/a 360 Limo, Inc., has complied with the requirements of Chapter 34 of the City Code; Limo 10, Inc., d/b/a 360 Limo, Inc., presented facts in support of compelling demand and necessity for eight (8) limousines; the general welfare of the citizens of the City of Fort Worth will best be served by the addition of eight (8) limousines upon City streets, alleys and thoroughfares; and adopt Ordinance No. 20204-05-2012 granting the privilege of operating authority to Limo 10, Inc., d/b/a 360 Limo, Inc., for the use of the streets, alleys and public thoroughfares of the City in the conduct of its limousine business, which shall consist of the operation of eight (8) limousines for a one (1) year period beginning on the effective date; providing for written acceptance by Limo 10, Inc. d/b/a 360 Limo, Inc., subject to and conditioned on Limo 10, Inc., d/b/a 360 Limo, Inc., complying with all requirements of Chapter 34, Article VI of the Code of the City of Fort Worth (1986), as amended.

**5. M&C G-17595 - Approve Findings of Ground Transportation Coordinator Regarding Renewal Application of X-Quizit Transportation, LLC, to Operate Eight Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Consider and adopt the following findings of the Ground Transportation Coordinator: the public necessity and convenience require the operation of eight (8) limousines upon the City streets, alleys and thoroughfares; X-Quizit Transportation, LLC, is qualified and financially able to conduct a limousine service within the City; X-Quizit Transportation, LLC, has complied with the requirements of Chapter 34 of the City Code; X-Quizit Transportation, LLC, presented facts in support of compelling demand and necessity for eight (8) limousines; the general welfare of the citizens of the City of Fort Worth will best be served by the addition of eight (8) limousines upon City streets, alleys and thoroughfares; and adopt Ordinance No. 20205-05-2012 granting the privilege of operating authority to X-Quizit Transportation, LLC, for the use of the streets, alleys and public thoroughfares of the City in the conduct of its limousine business, which shall consist of the operation of eight (8) limousines for a one (1) year period beginning on the effective date;

providing for written acceptance by X-Quizit Transportation, LLC, subject to and conditioned on X-Quizit Transportation, LLC, complying with all requirements of Chapter 34, Article VI of the Code of the City of Fort Worth (1986), as amended.

**6. M&C G-17596 - Adopt Ordinance to Appoint Municipal Judges for a Two Year Term Commencing April 1, 2012 and Ending March 31, 2014 and Designate the Chief Judge and Deputy Chief Judge. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Adopt Ordinance No. 20206-05-2012 appointing Stephanie J. Beamer, Andrew T. Bradshaw, Simon C. Gonzalez, Benita Falls Harper, Ninfa L. Mares, Claudia A. Martinez, Robert Neel McDonald, Sharon Newman-Stanfield, Jo Ann Reyes, James D. Rodgers and Nancy E. Strickland as Municipal Judges for a two (2) year term commencing April 1, 2012, and ending March 31, 2014, or until a successor is qualified and appointed, in accordance with state law; designate Ninfa L. Mares as Chief Judge and James D. Rodgers as Deputy Chief Judge.

**7. M&C G-17597 - Adopt Ordinance to Appoint Substitute Municipal Judges for a One Year Term Commencing April 1, 2012 and Ending March 31, 2013. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Adopt the Ordinance No. 20207-05-2012 appointing Kim Marie Catalano, Ann Y. Collins, Faye R. Harden, Kathryn T. Hoang, Carla G. Kelman, Nancy A. Magee, Patricia L. Summers and Edward B. Valverde as Substitute Municipal Judges for a one (1) year term commencing April 1, 2012, and ending March 31, 2013, or until a successor is qualified and appointed, in accordance with state law.

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

**1. M&C P-11382 - Authorize Purchase Agreement with 3M Company for Sign Sheeting Material for the Transportation and Public Works Department in an Amount Up to \$160,000.00. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize a purchase agreement with 3M Company for sign sheeting material for the Transportation and Public Works Department in an amount up to \$160,000.00 for the first year.

**2. M&C P-11383 - Authorize Execution of an Agreement with Gallagher Benefit Services, Inc., for Actuarial and Consulting Services in an Amount Up to \$100,000.00 Annually. (ALL COUNCIL DISTRICTS)**



The City Council approved the following recommendation: Authorize the City Manager to execute an agreement with Gallagher Benefit Services, Inc., for actuarial and consulting services on a fee for service basis in an amount up to \$100,000.00 annually.

**C. Land - Consent Items**

**1. M&C L-15362 - Authorize Execution of a Quit Claim Deed to Focus 2000, LTD, for a Portion of Old Handley-Ederville Road Located in Tract 2E of the James F. Redding Survey, Abstract 1302. (COUNCIL DISTRICT 4)**

The City Council approved the following recommendation: Authorize the City Manager to execute a Quit Claim Deed to Focus 2000, Ltd, for the portion of Old Handley-Ederville Road located in Tract 2E of the James F. Redding Survey, Abstract 1302, City of Fort Worth.

**2. M&C L-15363 - Authorize Direct Sale of a Fee Simple Property Owned by the City of Fort Worth Located at 801 West Vickery Boulevard to JJE Properties, Ltd., in the Amount of \$236,000.00 in Accordance with Section 272.001(b)(6) of the Texas Local Government Code. (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the direct sale of a fee simple property owned by the City of Fort Worth located at 801 West Vickery Boulevard, described as Lots 1 and 6B, Block 3, Jennings South Addition to JJE Properties, Ltd., in the amount of \$236,000.00 in accordance with Section 272.001(b)(6) of the Texas Local Government Code; and authorize execution and recording of the appropriate instruments conveying the property to complete the sale.

**4. M&C L-15365 - Authorize Direct Sale of Seventeen Tax Foreclosed Properties to Tarrant County Housing Partnership, Inc., in the Amount of \$112,410.62. (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the direct sale of 17 tax foreclosed properties to Tarrant County Housing Partnership, Inc., in accordance with Section 34.05 of the Texas Tax Code in the amount of \$112,410.62; and authorize the execution and recording of the appropriate instruments conveying the property to complete the sale.

**5. M&C L-15366 - Authorize Acquisition of a Fee Simple Interest in 0.1239 Acres of an Improved Lot for the Lebow Channel Drainage Improvements Project, Located at 3465 Lebow Street, from Manuel and Adriana Estrada in the Amount of \$91,000.00, Pay the Estimated Closing Costs Up to \$4,000.00 for a Total Cost of \$95,000.00 and Authorize Payment of Relocation Assistance in the Amount of \$1,200.00. (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the acquisition of a fee simple interest in a 0.1239 acre improved lot located at 3465 Lebow Street, described as Lot 9, Block 17, Dixie Wagon Manufacturing Co. Survey, Fort Worth, Texas, from Manuel and Adriana Estrada; find that the total purchase price in the amount of \$91,000.00 is just compensation; authorize acceptance of the conveyance, the recording of the appropriate instruments and payment of the estimated closing costs up to \$4,000.00; and authorize the payment of relocation assistance in the amount of \$1,200.00.

6. **M&C L-15367 - Authorize Acquisition of Fee Simple Interest in 6.746 Acres of Land for Right-of-Way and Acquisition of Easement Interests in 2.467 Acres of Land for Nine Permanent Slope Easements, Six Permanent Drainage Easements, a Sight Visibility Easement and a Temporary Construction Easement for the Summer Creek Drive Improvements Project, Located Along Old Granbury Road and McPherson Boulevard, from SLF IV/ Legacy Capital. L.P., Grant a Transportation Impact Fee Credit to the Developer in an Amount Not to Exceed \$302,663.44 for the Summer Creek Drive Right-of-Way and Pay Estimated Closing Costs of \$10,000.00. (COUNCIL DISTRICT 6)**

The City Council approved the following recommendation: Authorize acquisition of fee simple interest in 6.746 acres of land for right-of-way, and easement interest in 2.467 acres of land for nine (9) permanent slope easements, six (6) permanent drainage easements, a sight visibility easement and a temporary construction easement for the Summer Creek Drive Improvements Project, located along Old Granbury Road and McPherson Boulevard, from SLF IV/ Legacy Capital. L.P., grant a Transportation Impact Fee credit to the developer in an amount not to exceed \$302,663.44 for the Summer Creek Drive right-of-way; and authorize the City Manager or his designee to accept the conveyances, record the appropriate instruments and to pay the estimated closing costs up to \$10,000.00.

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

1. **M&C PZ-2974 - Adopt Ordinance Vacating Three Portions of an Emergency Access Easement and Eight 20 Foot by 20 Foot Public Open Space Easements Within Block 1R, United Services Center Addition, at the Intersection of NE 28th Street and IH-35W North Freeway. (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Adopt Ordinance No. 20208-05-2012 vacating and extinguishing three (3) portions of an emergency access easement and eight (8) 20-foot by 20-foot public open space easements at the intersection of NE 28th Street and IH-35W North Freeway situated in Block 1R, United Services Center Addition, an Addition to the City of Fort Worth, Tarrant County, Texas; and waive any and all purchase fee value of the vacated land in accordance with City Policy (M&C G-15624).

2. **M&C PZ-2975 - Adopt Ordinance Vacating a Portion of Excess Right-of-Way Along Throckmorton Street Near the Intersection of Throckmorton Street and West Fifteenth Street. (COUNCIL DISTRICT 9)**

The City Council approved the following recommendation: Adopt Ordinance No. 20209-05-2012 vacating and extinguishing a portion of excess right-of-way along the intersection of Throckmorton Street and West Fifteenth Street and situated in the John Childress Survey, Abstract No. 250 in the City of Fort Worth, Tarrant County, Texas; and waive any and all purchase fee value of the vacated land in accordance with Council Action (M&C L-13935) approved on October 19, 2004.

4. **M&C PZ-2977 - Adopt Ordinance Vacating a Portion of an Alley Located Between Currie Street and Norwood Street. (COUNCIL DISTRICT 9)**

The City Council approved the following recommendation: Adopt Ordinance No. 20210-05-2012 vacating and extinguishing a portion of a 16-foot wide alley right-of-way, lying between Lots 1, 2, 3 and 4; and Lots 17, 18, 19 and 20, Block 20, K.M. VanZandt's 2nd Addition, an Addition to the City of Fort Worth, Tarrant County, Texas, containing approximately 3,200 square feet of land more or less; and waive any and all purchase fee value of the vacated land in accordance with City Policy (M&C G-15624).

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

1. **M&C C-25608 - Authorize Execution of an Agreement for Software License and Maintenance with Allen Systems Group, Inc., Using a Cooperative Purchasing Agreement, for the Information Technology Solutions Department for an Annual Amount of \$103,000.00. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of an agreement for software license and maintenance with Allen Systems Group, Inc., for the Information Technology Solutions Department, using General Services Administration Contract No. GS-35F-00456M at an annual amount of \$103,000.00.

2. **M&C C-25609 - Authorize Execution of a Professional Services Agreement with RPGA Design Group, Inc., in the Amount of \$97,800.00 for Architectural Services for Infill Housing in the Stop Six Sunrise Edition Model Block Area. (COUNCIL DISTRICT 5)**

The City Council approved the following recommendation: Authorize the City Manager or his designee to execute a Professional Services Agreement with RPGA Design Group, Inc., in the amount of \$97,800.00 for architectural services for infill housing in the Stop Six Sunrise Edition Model Block area.

3. **M&C C-25610 - Amend M&C C-25366 Authorizing Execution of an Economic Development Program Agreement with Wal-Mart Stores Texas, LLC, to Extend the Completion Deadline for the Proposed Wal-Mart Store to be Located at Avondale-Haslet Road. (COUNCIL DISTRICT 7)**

The City Council approved the following recommendation: Amend M&C C-25366 authorizing the execution of an Economic Development Program Agreement with Wal-Mart Stores Texas, LLC, to extend the completion deadline for the proposed Wal-Mart store to be located on Avondale-Haslet Road.

4. **M&C C-25611 - Authorize Execution of an Engineering Services Agreement with URS Corporation in the Amount of \$485,932.58 for the Design of Garden Acres Drive Bridge Phase II Over Interstate Highway 35W, Utilize Funds from the 2008 Bond Program to Provide for Design Services, City Project Management and Design Review for a Project Total in the Amount of \$619,932.58. (COUNCIL DISTRICTS 6 and 8)**

The City Council approved the following recommendation: Authorize the execution of an agreement with URS Corporation in the amount of \$485,932.58 for engineering services to design the second phase of the Garden Acres Drive Bridge Project, Garden Acres Bridge Phase II Improvements. This phase provides for the addition of a second parallel bridge over Interstate Highway 35W, Utilize Funds from the 2008 Bond Program to provide for design services, city project management and design review for a project total in the amount of \$619,932.58.

5. **M&C C-25612 - Authorize Execution of a Contract with JLB Contracting, LLC, in the Amount of \$539,506.86 for Hot Mix Asphaltic Concrete Surface Overlay at Various Locations. (COUNCIL DISTRICTS 2, 4, 7, 8 and 9)**

The City Council approved the following recommendation: Authorize the execution of a contract with JLB Contracting, LLC, in the amount of \$539,506.86 for 90 calendar days for hot mix asphaltic concrete surface overlay 2012-6 on Market Avenue, Denver Avenue, NE 23rd Street, Virginia Place, W. Presido Street, N. Retta Street, Gilmore Street, Chenault Street, Lake Como Drive, Thomas Place and Tidwell Drive.

6. **M&C C-25613 - Authorize Execution of a Contract with Advanced Paving Acquisition, Ltd., in the Amount of \$842,858.45 for Hot Mix Asphaltic Concrete Surface Overlay 2012-3 at Five Locations and Adopt Appropriation Ordinance. (COUNCIL DISTRICTS 6 and 9)**

The City Council approved the following recommendation: Authorize the transfer of \$444,072.22 from the Water and Sewer Fund in the amounts of \$266,443.34 to the Water Capital Projects Fund and \$177,628.88 to the Sewer Capital Projects Fund; adopt Appropriation

Ordinance No. 20211-05-2012 increasing the estimated receipts and appropriations in the Water Capital Projects Fund and the Sewer Capital Projects Fund, from available funds, for the purpose of funding hot mix asphaltic concrete surface overlay 2012-3 on Landers Street, from West Vickery Boulevard to Rutledge Street; Lovell Avenue, from Pulido Street to Kimzey Street; West Risinger Road, from South Freeway SR SB to Crowley Road; Rutledge Street, from Kimzey Street to Landers Street; and Rutledge Street, from Landers Street to West Vickery Boulevard; and authorize the execution of a contract with Advanced Paving Acquisition Ltd., in the amount of \$842,858.45 for 90 calendar days for the hot mix asphaltic concrete surface overlay 2012-3.

7. **M&C C-25614 - Authorize Amendment No. 1 to City Secretary Contract No. 38952 with Professional Service Industries, Inc., for Geotechnical and Construction Material Testing in the Amount of \$180,000.00 for a Total Contract Amount of \$380,000.00. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of Amendment No. 1 to City Secretary Contract No. 38952 with Professional Service Industries, Inc, in the amount of \$180,000.00 for geotechnical and construction material testing related to City infrastructure projects resulting in a total contract amount of \$380,000.00 and to extend the term of the agreement to July 21, 2013.

9. **M&C C-25616 - Authorize Execution of a Memorandum of Understanding to Conduct Human Trafficking Investigations through Participation in the Fiscal Year 2011 Enhanced Collaborative Model to Combat Human Trafficking Grant, Authorize Acceptance in the Amount of \$60,000.00 in Grant Funds from the Department of Justice through the City of Arlington, Authorize Matching Funds in an Amount Up to \$147,680.00 and Adopt Appropriation Ordinance. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of a Memorandum of Understanding with the Cities of Arlington and Dallas to participate in the North Texas Anti-Trafficking Team; accept an estimated \$60,000.00 from the Fiscal Year 2011 Enhanced Collaborative Model to Combat Human Trafficking Grant; authorize the City to provide an in-kind match of \$147,680.00 associated with an officer's salary for two (2) years; and adopt Appropriation Ordinance No. 20212-05-2012 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$207,680.00, \$60,000.00 subject to the receipt of the grant and the remaining from available funds, for the purpose of participating in the North Texas Anti-Trafficking Team.

10. **M&C C-25617 - Authorize Acceptance of an Additional Award in the Amount of \$37,633.19 in Fiscal Year 2009 Homeland Security Grant Program Funds from the Texas Department of Public Safety, Authorize Execution of Related Documents and Adopt Appropriation Ordinance. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the acceptance of an additional award in the amount of \$37,633.19 from the Texas Department of Public Safety to the City of Fort Worth under the Fiscal Year 2009 Homeland Security Grant Program Urban Area Security Initiative Grant, CFDA No. 97.067 and execution of any related documents and agreements; and adopt Appropriation Ordinance No. 20213-05-2012 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$37,633.19, subject to receipt of the additional grant award, for the purpose of funding planning activity and purchasing additional emergency shelter readiness supplies.

**11. M&C C-25618 - Adopt Supplemental Appropriation Ordinance Increasing Estimated Receipts and Appropriations in the Amount of \$2,000,000.00 for Payments to Linebarger Goggan Blair & Sampson, LLP, Under City Secretary Contract No. 39231 for Collection of Delinquent Parking and Criminal Citations. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Adopt Supplemental Appropriation Ordinance No. 20214-05-2012 increasing the estimated receipts and appropriations in the General Fund in the amount of \$2,000,000.00, from available funds, for the Municipal Court Services Department, for the purpose of reflecting an accounting change for payments to Linebarger Goggan Blair & Sampson, LLP, under City Secretary Contract No. 39231 for collection of delinquent parking and criminal citations.

**12. M&C C-25619 - Authorize Acceptance of Additional Grant Funds from the Texas Department of Housing and Community Affairs in the Amount of \$26,723.00 for the 2012 Community Services Block Grant Program, Adopt Appropriation Ordinance and Apply Indirect Costs. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize acceptance of additional grant funds from the Texas Department of Housing and Community Affairs in the amount of \$26,723.00 for the 2012 Community Services Block Grant program; adopt Appropriation Ordinance No. 20215-05-2012 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$26,723.00, subject to receipt of the grant, for the purpose of funding the program; and apply indirect costs to the Grant Funds at a rate of 19.18 percent, which is the most recently approved rate for this department, and apply the new approved rate when available.

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

**1. OCS - 1852 - Notice of Claims for Alleged Damages and/or Injuries**

End of Consent Agenda.

**A. General - Consent Items – Removed from Consent Agenda**

**1. [M&C G-17591 - Authorize Transfer in the Amount of \\$281,902.00 in Gas Lease Revenues from the Capital Projects Reserve Fund and in the Amount of \\$281,902.00 from the General Endowment Gas Lease Fund to AllianceAirport Authority, Inc. and Adopt Appropriation Ordinances. \(ALL COUNCIL DISTRICTS\)](#)**

The recommendation was that the City Council adopt an Appropriation increasing the estimated receipts and appropriations in the Capital Projects Reserve Fund in the amount of \$281,902.00 and in the General Endowment Gas Lease Fund in the amount of \$281,902.00, from available funds, for the purpose of all revenues received from the Authority's mineral lease be transferred from the above mentioned funds to the Authority so the board of directors can review and take action, as it deems necessary; authorize the transfer of funds from the Capital Projects Reserve Fund and from the General Endowment Gas Lease Fund to AllianceAirport Authority, Inc.; and adopt a Supplemental Appropriation Ordinance increasing the estimated receipts and appropriations in the AllianceAirport Authority Gas Revenue Fund in the amount of \$563,804.00, from available funds, for the purpose of all revenues received from the Authority's mineral lease be reviewed by the Authority's Board of Directors can review to take action, as it deems necessary.

Mr. Grayson Harper, 3605 Bellaire Drive, appeared before Council in opposition to Mayor and Council Communication No. G-17591.

Motion: Council Member Scarth made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. G-17591 be approved and Appropriation Ordinance No. 20216-05-2012 and Supplemental Appropriation Ordinance No. 20217-05-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**C. Land - Consent Items – Removed from Consent Agenda**

**3. [M&C L-15364 - Authorize Sale of Twenty Two Tax Foreclosed Properties in Accordance with Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Property Tax Code for a Total Amount of \\$341,410.38. \(COUNCIL DISTRICTS 2, 3, 4, 5, 6, 8 and 9\)](#)**

The recommendation was that the City Council authorize the sale of 22 tax foreclosed properties in accordance with Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Tax Property Code for a total amount of \$341,410.38; and authorize the execution and recording of the appropriate instruments conveying the properties to complete the sale.

Motion: Council Member Moss made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. L-15364 be amended to remove the parcel at 1820 Cravens Road and that Mayor and Council Communication No. L-15364 be approved as amended. The motion carried unanimously 9 ayes to 0 nays.

**7. M&C L-15368 - Authorize Acquisition of a Fee Simple Interest in 0.034 Acres of Land for Right-of-Way and an Easement Interest in 0.206 Acres of Land for a Permanent Slope Easement, for the Summer Creek Drive Improvements Project, at the Intersection of Old Granbury Road and West Risinger Road, from Apple Nine Ventures Ownership, Inc., for \$2,200.00 and Pay the Estimated Closing Costs of \$1,000.00 for a Total Amount of \$3,200.00. (COUNCIL DISTRICT 6)**

The recommendation was that the City Council authorize acquisition of a fee simple interest in 0.034 acre of land for right-of-way and an easement interest in 0.206 acre of land for a permanent slope easement, described as Abstract No. 4, Tract 5G, Juan Jose Albirado Survey, for the Summer Creek Drive Improvements Project, at the Intersection of Old Granbury Road and West Risinger Road, from Apple Nine Ventures Ownership, Inc.; find that the total purchase price of \$2,200.00 is just compensation; and authorize the City Manager or his designee to accept the conveyances, record the appropriate instruments and to pay the estimated closing costs up to \$1,000.00.

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

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. L-15364 be approved. The motion carried unanimously 8 ayes to 0 nays, with one abstention by Council Member Jordan.

**D. Planning & Zoning - Consent Items – Removed from Consent Agenda**

**3. M&C PZ-2976 - Adopt Ordinance Vacating a Portion of an Alley Located Between Penn Street and Summit Avenue. (COUNCIL DISTRICT 9)**

It was the consensus of the City Council that Mayor and Council Communication No. PZ-2976 be withdrawn from consideration.



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

**8. M&C C-25615 - Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the Culture and Tourism Fund in the Amount of \$1,316,000.00 and Decreasing the Assigned Fund Balance by the Same Amount and Authorize Execution of a Contract with Jeff Eubank Roofing Company, Inc., in the Amount of \$1,182,491.00 for Roof Repairs for the Amon Carter Exhibit Hall and Administration Building at the Will Rogers Memorial Center. (COUNCIL DISTRICT 7)**

The recommendation was that the City Council adopt a Supplemental Appropriation Ordinance increasing the estimated receipts and appropriations in the Culture and Tourism Fund in the amount of \$1,316,000.00 and decreasing the assigned fund balance by the same amount, for the purpose of executing a contract with Jeff Eubank Roofing Company, Inc. for roof repairs for the Amon Carter Exhibit Hall and Administration Building at the Will Rogers Memorial Center; and authorize the execution of a contract with Jeff Eubank Roofing Company, Inc., in the amount of \$1,182,491.00 plus \$133,509.00 in contingency and staff costs for the roof repairs.

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-25615 be approved.

City Attorney Fullenwider advised that before Council took the vote the Ordinance would need to be amended to reflect that the appropriation is for the "Assigned Fund Balance".

Council Member Shingleton advised that he would amend his motion to include that the Ordinance be amended to read "decreasing the Assigned Fund Balance" instead of "decreasing the Unassigned Fund Balance".

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-25615 be approved and Supplemental Appropriation Ordinance No. 20218-05-2012 be adopted with the following amendment to read "decreasing the Assigned Fund Balance". The motion carried unanimously 9 ayes to 0 nays.

(Council Member Shingleton left his place at the dais and did not return.)

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

**1. Presentation of the Walter Dansby Tower Achievement Award to Fort Worth Independent School District Students**

Mr. Ernie Horn, Executive Director, Score A Goal in the Classroom and Mr. Barry Smith, Director, FWISD Truancy Intervention Program, made the presentation relative to the Walter Dansby Tower Achievement Award.

Mr. Smith stated that the Walter Dansby Tower Achievement Award recognized high school students who had truancy issues and had overcome them to become successful students. He further stated that the award is named in honor of Mr. Walter Dansby, a former coach, teacher, principal and FWISD Superintendent. He advised that 13 FWISD high school students were selected as the most improved and were candidates for the prestigious award, which would be presented on May 22, 2012, at the FWISD School Board Meeting.

Mayor Price presented each student or the student's representative with a medallion and Molly pin.

**2. Certificate of Recognition of C. Donald Babers, Regional Administrator of the U.S. Department of Housing and Urban Development**

Mayor Price presented Certificate of Recognition to C. Donald Babers, Regional Administrator of the U.S. Department of Housing and Urban Development. She stated that City recognized Mr. Babers for his more than 40 years of dedicated service to the U.S. Department of Housing and Urban Development (HUD).

Mr. Babers expressed appreciation to the Mayor and Council Members for the Certificate of Recognition.

**3. Certificate of Recognition of 56th Infantry Brigade Combat Team**

Council Member Jordan presented a Certificate of Recognition to Lt. Colonel Ken White, Executive Officer/Officer in Charge, 56th Infantry Brigade Combat Team and to Major Jason T. Hart.

He stated that the City recognized the 56th Infantry Brigade for their devotion to the safety of our nation and selfless service to our great country. He pointed out that the 56th Infantry Brigade Combat Team had strong ties to both the City and the State and throughout their distinguished history had answered the call and fought bravely and honorably every time.

Lt. Colonel White and Major Hart presented Mayor Price with a framed Texas flag that was flown in Iraq.

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

**1. Upcoming and Recent Events**

Council Member Burns announced that the Arts Goggle event would be held on May 19, 2012, from 4:00 p.m. to 10:00 p.m. He stated for more information to contact the Council District 9 Office at 817-392-8809 or to access the Fort Worth South website. He also announced that the first annual Taste of Ryan Place would be held on May 26, 2012, from 5:00 p.m. to 9:00 p.m.

Mayor Pro tem Zimmerman announced that the Crowne Plaza Invitational Golf Tournament and events would be held May 21, 2012, through May 27, 2012, and encouraged everyone to attend one or all of the events. He also advised that flags would be flown at half-staff in honor of Police and Fire Memorial Week. He stated a special ceremony would be held at the Police and Fire Memorial on May 23, 2012, located at 2201 West Seventh Street.

Mayor Price expressed appreciation to the Naval Air Station/Joint Reserve Base for hosting the bike tour of the base. She announced that May 18, 2012, was National Bike to Work Day and encouraged everyone to participate. She announced that the Mayor's Southside Bike Ride would take place on May 19, 2012, and stated registration would begin at 8:30 a.m. She also announced that Commissioner Gary Fickes was hosting Second Chance Life Gift Run for organ donation awareness on May 19, 2012, at 7:00 a.m. at Merrimac Circle.

**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 for the following appointments:

- Reverend Ralph Emerson, Place 3 – Ethics Review Committee, with a term expiring on October 1, 2013.
- Mr. Chris Garcia, Place 5 – Ethics Review Committee, with a term expiring on October 1, 2013.

Motion: Council Member Jordan made a motion, seconded by Council Member Moss, that the individuals reflected above be appointed to the Ethics Review Committee, effective May 1, 2012, with terms expiring October 1, 2013. The motion carried unanimously 8 ayes to 0 nays, with Council Member Shingleton absent.

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

**1. Report by the Urban Design Commission**

Ms. Dana Burghdoff, Deputy Director, Planning and Development Department, appeared before Council and introduced Mr. Bob Kelly, Chair, Urban Design Commission, and also expressed appreciation to City staff who provided administrative support to the board.

Mr. Kelly provided an overview of the mission and a brief summary of the projects, challenges and future goals for the Urban Design Commission.

**XIII. RESOLUTION**

**1. A Resolution Authorizing the City Manager to Enter Into a Community Partnership Agreement with the U.S. Department of Energy for Their Better Buildings Challenge**

The recommendation was that the City Council adopt a Resolution authorizing the City Manager to enter into a Community Partnership Agreement with the U.S Department of Energy for their Better Buildings Challenge.

Motion: Council Member Moss made a motion, seconded by Council Member Jordan, that Resolution No. 4089-05-2012 be adopted. The motion carried unanimously 8 ayes to 0 nays, with Council Member Shingleton absent.

**XIV. REPORT OF THE CITY MANAGER**

**A. Benefit Hearing - None**

**B. General**

**1. M&C G-17585 - Adopt Ordinance Amending Chapter 12.5, Environmental Protection and Compliance of the City Code By Adding Article X, Grading Permit, Sections 12.5-874 through 12.5-882 in Order to Regulate Land Disturbance and Grading and Establish a Fee in the Amount of \$50.00 for a Grading Permit. (ALL COUNCIL DISTRICTS) (Continued from a Previous Meeting)**

It was the consensus of the City Council that Mayor and Council Communication No.G-17585 be continued until the June 5, 2012, Council meeting.

**2. M&C G-17598 - Adopt Amendments to the City's Policy for the Installation of Community Facilities so as to Authorize Administrative Approval of Community Facilities Agreements with City Participation. (ALL COUNCIL DISTRICTS)**

The recommendation was that the City Council adopt amendments to the City's policy for the Installation of Community Facilities Policy, clarifying and allowing for expanded administrative approval of Community Facilities Agreements with City participation and change orders to those contracts when the amount is equal to or less than the City Manager's contracting authority under Section 2-9 of the City Code.

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. G-17598 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Shingleton absent.

**3. M&C G-17599 - Adopt Ordinance Denying Rate Increase Proposed by Atmos Energy Corporation, Mid-Tex Division, and Ordering Continued Effectiveness of Existing Rates. (ALL COUNCIL DISTRICTS) (PUBLIC HEARING)**

The recommendation was that the City Council adopt an Ordinance denying the rates and charges proposed by Atmos Energy Corporation, Mid-Tex Division, as reflected in the "Statement of Intent to Increase Gas Utility Rates" filed by Atmos Energy Corporation, Mid-Tex Division on January 31, 2012; confirming the maximum permitted rates and charges that Atmos Energy Corporation, Mid-Tex Division, may continue to assess customers in the City of Fort Worth; approving as reasonable costs incurred thus far by the Atmos Cities Steering Committee and directing that Atmos Energy Corporation, Mid-Tex Division, reimburse the City for all past and future reasonable expenses.

**a. Report of City Staff**

Ms. Bridgette Garrett, Utility Manager, Legal Department appeared before Council and provided a staff report.

**b. Citizen Presentations**

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

**c. Council Action**

Motion: Council Member Jordan made a motion, seconded by Council Member Burns, that the public hearing be closed and that Mayor and Council Communication No. G-17599 be approved and Ordinance No. 20219-05-2012 be adopted. The motion carried unanimously 8 ayes to 0 nays, with Council Member Shingleton absent.

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

**1. M&C P-11384 - Authorize Purchase of Renovations at Sycamore Creek Golf Course with Landscapes Unlimited, LLC, Using a Texas Association of School Boards BuyBoard Contract for the Parks and Community Services Department in an Amount Up to \$184,268.00. (COUNCIL DISTRICT 8)**

The recommendation was that the City Council authorize a purchase of surface renovations with Landscapes Unlimited, LLC, using a Texas Association of School Boards BuyBoard Contract Number 391-12 for the Parks and Community Services Department in an amount up to \$184,268.00.

Council Member Moss questioned if the golf course would be closed from June through September.

Ms. Nancy Bunton, Assistant Director, Parks and Community Services Department, advised that the course would be closed on approximately June 4, 2012, or June 11, 2012, during the peak growing season and may stay closed as long as 90 days but on average would be closed approximately 75 to 80 days.

Council Member Moss stated that he was concerned about the golf courses being closed during peak times due to low revenue. He stated that the low revenue could potentially be used as a basis for dialogue relative to closing the course during budget discussions.

Motion: Council Member Hicks made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. P-11384 be approved with the following amendment to the recommendation section to add “and execution of related contracts” after “Texas Association of School Boards BuyBoard Contract Number 391-12”. The motion carried unanimously 8 ayes to 0 nays, with Council Member Shingleton absent.

**D. Land**

**1. M&C L-15369 - Authorize Execution of a Subsurface Wellbore License Agreement with Chesapeake Exploration, LLC in the Amount of \$7,211.60 for One Subsurface Wellbore Across City Owned Property Known as Ederville Park. (COUNCIL DISTRICT 4)**

It was the consensus of the City Council that Mayor and Council Communication No. L-15369 be withdrawn from consideration.

E. Planning & Zoning - None

F. Award of Contract

1. M&C C-25620 - Authorize Execution of a Public Right-of-Way Use Agreement with Quicksilver Resources, Inc., in the Amount of \$2,904.00 Granting a License to Construct and Operate a Four Inch Water Pipeline Across Elizabeth Road, East of Cravens Road to Serve a Proposed Frac Pond. (COUNCIL DISTRICT 5)

The recommendation was that the City Council authorize the execution of a public right-of-way use agreement with Quicksilver Resources, Inc., granting a license to construct and operate a four (4) inch water pipeline across Elizabeth Road, east of Cravens Road to serve a proposed frac pond, for a one (1) time license fee of \$2,904.00.

Mr. Michael Appleman, 2600-block Highway Terrace, submitted a comment card in opposition to Mayor and Council Communication No. C-25620.

Motion: Council Member Moss made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. C-25620 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Shingleton absent.

2. M&C C-25621 - Authorize Execution of Amendment No. 1 to Community Facilities Agreement City Contract No. 42814 with Crowley Independent School District and Authorize City Participation in the Amount of \$8,615.88 for the Construction of a Twelve Inch Sewer Main to Serve Crowley ISD Intermediate School No. 13, a Development Located in Fort Worth. (COUNCIL DISTRICT 6)

The recommendation was that the City Council authorize the City Manager to execute Amendment No. 1 to City Secretary Contract No. 42814, a Community Facilities Agreement with Crowley ISD to add City participation in the amount of \$8,615.88 for the construction of a 12-inch sewer main to serve Crowley ISD Intermediate School No. 13.

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 Burns made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-25621 be approved. The motion carried 7 ayes to 0 nays, with 1 abstention by Council Member Jordan and Council Member Shingleton absent.

**3. M&C C-25622 - Authorize Execution of an Engineering Services Agreement with Jacobs Engineering Group, Inc., in the Amount of \$2,410,478.00 for Staff Extension Services Over a Twenty Four Month Time Period for Accelerating Delivery of Transportation Capital Improvement Projects. (ALL COUNCIL DISTRICTS)**

The recommendation was that the City Council authorize the execution of an Engineering Services Agreement with Jacobs Engineering Group, Inc., in the amount of \$2,410,478.00 for staff extension services for a 24 month time period for accelerating delivery of transportation capital improvement projects.

Council Member Jordan advised that a Special Capital Improvements Projects meeting would be held on June 7, 2012. He further advised that he would make a motion to continue this item until the June 12, 2012, Council meeting with the understanding that the Council would discuss this item as well as outsourcing various aspects of other capital projects at the June 7, 2012, special meeting.

Motion: Council Member Jordan made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. C-25622 be continued until the June 12, 2012, Council meeting. The motion carried unanimously 8 ayes to 0 nays, with Council Member Shingleton absent.

**XV. ZONING HEARING**

The Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the *Fort Worth Star-Telegram*, the official newspaper of the City of Fort Worth, on April 25, 2012.

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

**1. ZC-10-040 - (CD 9) - American Bank of Texas, 275 University Drive; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus indoor storage of automobiles; site plan waiver requested. (Recommended for Approval by the Zoning Commission)**

(By direction of the Law Department Zoning Docket No. ZC-10-040 should have been reflected as Zoning Docket No. ZC-12-040.)



Motion: Council Member Burns made a motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-12-040 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Shingleton absent.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining to Zoning Ordinance No. 13896 for the above listed case, Council Member Burns made a motion, seconded by Council Member Scarth, that the hearing be closed and that Ordinance No. 20220-05-2012 be adopted. The motion carried 8 ayes to 0 nays, with Council Member Shingleton absent.

**XVI. CITIZEN PRESENTATIONS**

Ms. Bobbie Hargrove, 1000 East Jessamine Street, appeared before Council relative to receiving parking tickets when cars were parked in her driveway.

Ms. Hargrove was referred to Mr. Scott Hanlan, Assistant Director, Code Compliance Department and Mr. Charles Daniels, Assistant City Manager, City Manager's Office.

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

**XVIII. ADJOURNMENT**

There being no further business, Mayor Price adjourned the regular meeting at 10:56 a.m.

**CITY OF FORT WORTH, TEXAS  
CALLED SPECIAL CITY COUNCIL MEETING  
MAY 17, 2012**

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**Present:**

Mayor Betsy Price  
Council Member Salvador Espino, District 2  
Council Member Daniel Scarth, District 4  
Council Member Frank Moss, District 5  
Council Member Jungus Jordan, District 6  
Council Member Dennis Shingleton, District 7

**Absent:**

Mayor Pro tem W.B. "Zim" Zimmerman, District 3  
Council Member Kathleen Hicks, District 8  
Council Member Joel Burns, District 9

**Staff Present:**

Tom Higgins, City Manager  
Sarah Fullenwider, City Attorney  
Ronald P. Gonzales, Assistant City Secretary  
Nicole M. Seidel, Assistant to the City Secretary

**1. Call to Order.**

With a quorum of the City Council Members present, Mayor Price called the Called Special Session of the Fort Worth City Council to order at 6:56 p.m., on Tuesday, May 17, 2012, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, with Mayor Pro tem Zimmerman and Council Members Hicks and Burns absent.

**2. Certification of Official Returns by the City Secretary.**

Assistant to the City Secretary Nicole Seidel advised the Council that before them was the certification and tabulations of the official election returns from Tarrant County of the Special Election held on Saturday, May 12, 2012, for the purpose of electing the Council Member for Single Member District 8 of the City of Fort Worth, Texas. She stated that the certified returns for such election reported were as follows:

Ramon Romero, Jr.	896 votes
Kelly Allen Gray	650 votes
Marshall Hobbs	445 votes

She further stated that the certified cumulative results showed that no candidate received a majority of the total number of votes received by all candidates for the Office of City Council Member District 8; therefore, no candidate could be declared elected to that place. She added that in accordance with Chapter IV, Section 2, of the City of Fort Worth Home Rule Charter, a Runoff Election was hereby declared necessary for City Council Member District 8 and the Runoff Election would be ordered by separate action of the City Council. She advised that a motion was necessary to acknowledge the receipt of the certification of official election returns and that they be filed of record in the City's election register.

Motion: Council Member Shingleton made a motion, seconded by Council Member Espino, acknowledging the receipt of the Certification of Official Election Returns. The motion carried unanimously 6 "ayes" to 0 "nays", with Mayor Pro tem Zimmerman and Council Members Hicks and Burns absent.

**3.A Resolution Canvassing the Returns and Declaring the Results of the Special Election 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.**

Motion: Council Member Scarth made a motion, seconded by Council Member Moss, that Resolution No. 4090-05-2012 be adopted. The motion carried unanimously 6 "ayes" to 0 "nays", with Mayor Pro tem Zimmerman and Council Members Hicks and Burns absent.

**4.An Ordinance Ordering a Run-off Election by the Qualified Voters of Council District 8 of the City of Fort Worth, Texas, on Saturday, the 23rd day of June, 2012, for the Purpose of Electing a Council Member for City Council District 8 to Serve the Remainder of an Unexpired Term.**

Motion: Council Member Shingleton made a motion, seconded by Council Member Moss, that Ordinance No. 20221-05-2012 be adopted. The motion carried unanimously 6 "ayes" to 0 "nays", with Mayor Pro tem Zimmerman and Council Members Hicks and Burns absent.

**5.Executive Session.**

No Executive Session was held.

**6.Adjourn**

There being no further business, the meeting was adjourned at 6:59 p.m.

**No Documents for this Section**

**To the Mayor and Members of the City Council****June 5, 2012**

Page 1 of 1

**Subject: OWNER-INITIATED FULL-PURPOSE ANNEXATION OF BNSF  
PROPERTY ON JOHN DAY ROAD**

The June 12 City Council agenda will contain an M&C to approve the owner-initiated annexation of BNSF property, located in Denton County on John Day Road (AX-12-003). This site, immediately west of the existing BNSF intermodal facility, would have been a newly created enclave, due to the City's realignment of John Day Road. This annexation action will incorporate the BNSF property and the new John Day Road right-of-way, avoiding the creation of a new enclave.

The annexation of this area would be an addition to Council District 2. Attached is a PowerPoint for reference. The fiscal impact analysis is posted on the Planning and Development Department's website at <http://fortworthtexas.gov/planninganddevelopment/design.aspx?id=8660>.

The annexation area is north of Intermodal Parkway and west of FM 156, and contains 129.2 acres of land anticipated to be developed as a railroad facility. Annexation of this site is expected to have a slight negative impact of \$484.00 on the General Fund.

The City is able to provide municipal services upon annexation in accordance with State law, without negatively impacting service provision within the city. Annexation of this site is consistent with the City's annexation policy to consider full-purpose annexation for areas experiencing urban development. The annexation final approval is anticipated to occur on June 12, 2012. Staff is working with BNSF to have a recommended zoning designation for the property of K Heavy Industrial. This action will follow the annexation with a scheduled City Council adoption of recommended zoning in September.

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

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

Attachment

## Owner-Initiated Annexation



Prepared for the  
City Council

By the  
Planning and Development Department

June 5, 2012

1

## Purpose

**Review** the following items:

- ✓ Annexation **criteria**;
- ✓ **Fiscal impact methodology**; and
- ✓ Area requested for **full-purpose annexation**.

2

## Annexation Criteria

### A. Full-Purpose Annexation

Area must meet one or more of the following conditions:

#### 1. Enclave

- a. Enclave within City's ETJ
- b. Ability to provide municipal services

#### 2. Urban Development

- a. Development activity of an urban nature
- b. Ability to provide municipal services
- c. Positive fiscal impact analysis

#### 3. Growth Center

- a. Designated growth center
- b. Ability to provide municipal services
- c. Positive fiscal impact analysis

#### 4. Adverse Impact

- a. Adverse impact on City if not annexed
- b. Ability to provide municipal services

#### 5. Option to Expand

- a. Detriment to City's orderly growth if not annexed
- b. Ability to provide municipal services

3

## Preparation of Fiscal Impact Analysis

### A. Revenues

### B. Expenditures

### C. Analysis Timeframe

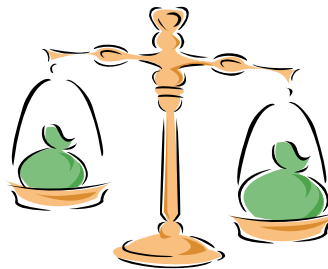
### D. Per Capita Data Sources

### E. Population Estimate

### F. Methodology

- 1. Areas with Existing or Proposed Development
- 2. Other Areas

### G. Timing for Preparation of Fiscal Impact Analysis



4

## Revenues

### General Fund

1. **Property taxes** to be generated by **existing land uses**, based on Denton Appraisal District assessed values and the City's current property tax rate.
2. **Property taxes** to be generated by **proposed land uses**, based on anticipated assessed values and the City's current property tax rate.
3. **Other General Fund revenues** including: Other Local Taxes, Licenses and Permits, Fines and Forfeitures, Use of Money and Property, Service Charges, and Other Revenue, based on a per capita estimate.

5

## Expenditures

1. One-time **transitional** costs, including street signs and markings, and emergency response set up
2. Required **capital improvements** for fire service, roadways and drainage, and water and wastewater infrastructure

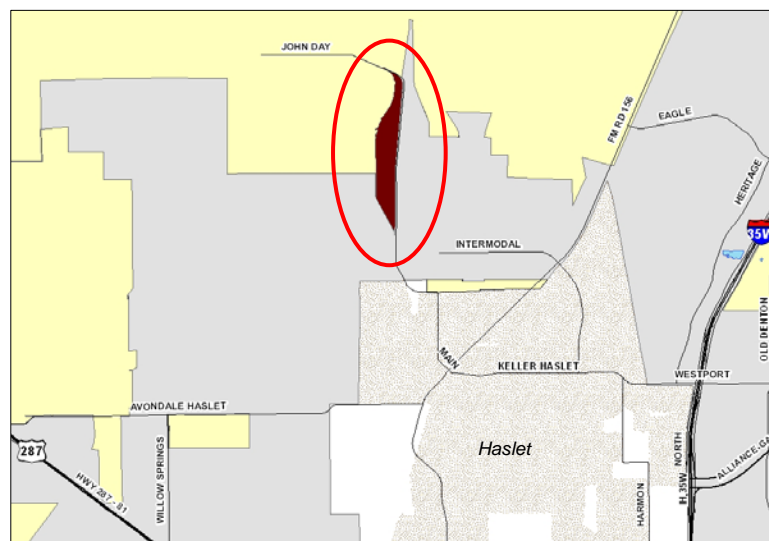
6




## John Day Road (AX-12-003)


7

### Where is the area of the annexation request?



 Proposed  
Annexation Area

 City Limits

 Fort Worth ETJ

8

## Analysis Basis

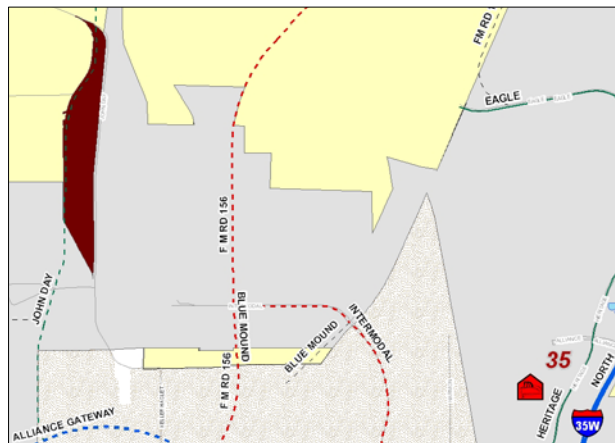
- 129.2 acres
- Current railroad exemption
- Vacant land
- No preliminary plat submitted
- Anticipated short term growth for railroad activities
- Property tax revenues
  - \$0 yearly



9

## Analysis Results

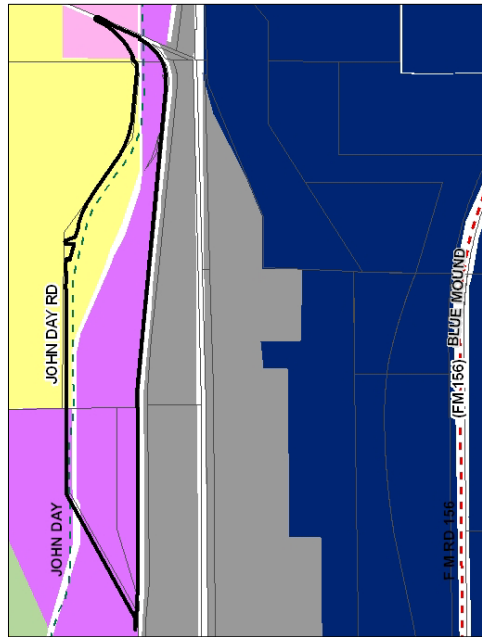
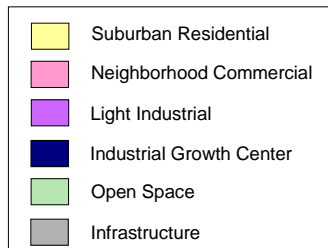
- Initial Costs
  - Code Compliance = \$0
  - Fire Dept. = \$484
  - Police Dept. = \$0
- Slight negative result to the General Fund
- Fire Station 35 responding



10

### What future land use is designated in the 2012 Comprehensive Plan?

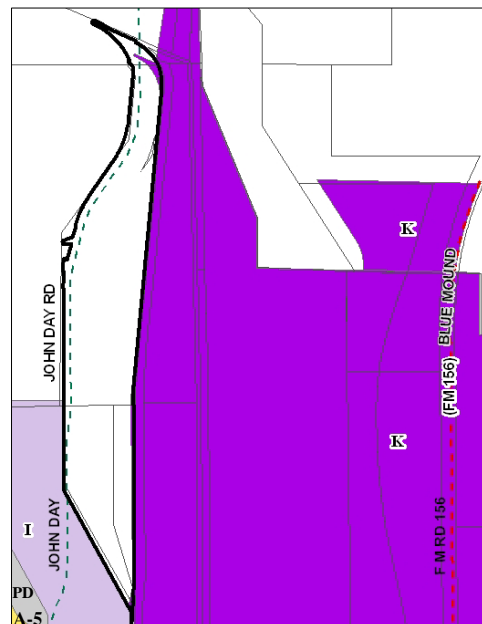
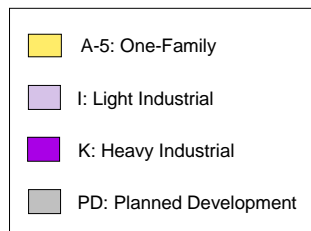
- Existing Use
  - Vacant Land
- Future Land Use
  - Suburban residential, Neighborhood Commercial, and Light Industrial



11

### What is the surrounding zoning?

Recommended for "K"  
Heavy Industrial by the  
City Plan Commission



12

**What is the proposed annexation schedule for the owner-initiated annexation?**

<u>Date</u>	<u>Action</u>
April 20	Owners submit <b>annexation application</b> for <b>AX-12-003</b> .
June 5	<b>City Council</b> receives <b>Informal Report</b> .
June 12	City Council considers and institutes <b>approval of annexation</b> .

**To the Mayor and Members of the City Council****June 5, 2012**

Page 1 of 1

**Subject: FULL- PURPOSE ANNEXATION OF TWO AREAS IN FAR NORTH FORT WORTH**

The June 12 City Council agenda will contain an M&C to initiate the zoning process for one enclave and to initiate the annexation and zoning process for another enclave. The 2012-2016 annexation program, adopted with the 2012 Comprehensive Plan, recommends these areas be considered for full-purpose annexation in 2012. Both areas would be an addition to Council District 2. Attached is a PowerPoint for reference. The fiscal impact analyses are posted on the Planning and Development Department's website at <http://fortworthtexas.gov/planninganddevelopment/design.aspx?id=8660>.

The two annexations are described below:

- Area 73-1, west of Old FM 156 and north of Intermodal Parkway, contains approximately 299.7 acres with right-of-way and vacant land. The land is currently owned by the City of Fort Worth for the expansion of the Alliance Airport runway and is requested to be annexed as an owner-initiated annexation. Annexation of Area 73-1 would create a very slight negative impact of \$968.00 on the General Fund and would require no future capital roadway improvements.
- Area 74, an enclave on and north of Litsey Road and east of Elizabethtown Cemetery Road, consists of 0.6 acre of vacant land and right-of-way. The enclave was found to have been inadvertently excluded from the surrounding annexations. Annexation of the area is expected to have a very slight negative impact of \$968.00 on the General Fund and will require capital improvements to upgrade Litsey Road.

Staff has determined the City will be able to provide full municipal services upon annexation.

City Staff has submitted a request to begin the annexation process for Area 73-1. The property owner for Area 74 has been contacted by mail to explain the annexation process and to discuss appropriate zoning. Staff has also proposed zoning districts based on land use policies and future land use in the Comprehensive Plan, and on proposed land uses. The annexation and zoning of these areas would run concurrently, with final approvals anticipated to occur in August 2012.

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

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

Attachment

## 2012 Implementation of Annexation Program



Prepared for the  
City Council

By the  
Planning and Development Department

June 5, 2012

### Purpose

**Review** the following items:

- ✓ Annexation **criteria**
- ✓ **Fiscal impact methodology**;
- ✓ Area proposed for **full-purpose annexation** in 2012.

## Annexation Criteria

### A. Full-Purpose Annexation

Areas must meet one or more of the following conditions:

1. **Enclave**

- a. Enclave within City's ETJ
- b. Ability to provide municipal services

2. **Urban Development**

- a. Development activity of an urban nature
- b. Ability to provide municipal services
- c. Positive fiscal impact analysis

3. **Growth Center**

- a. Designated growth center
- b. Ability to provide municipal services
- c. Positive fiscal impact analysis

4. **Adverse Impact**

- a. Adverse impact on City if not annexed
- b. Ability to provide municipal services

5. **Option to Expand**

- a. Detriment to City's orderly growth if not annexed
- b. Ability to provide municipal services

3

## Preparation of Fiscal Impact Analysis

### A. Revenues

### B. Expenditures

### C. Analysis Timeframe

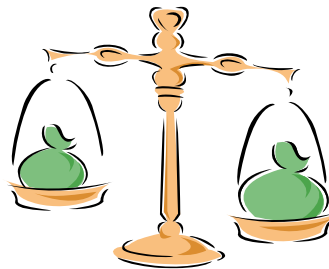
### D. Per Capita Data Sources

### E. Population Estimate

### F. Methodology

- 1. Areas with Existing or Proposed Development
- 2. Other Areas

### G. Timing for Preparation of Fiscal Impact Analysis



4

## Revenues

### General Fund

1. **Property taxes** to be generated by **existing land uses**, based on Tarrant Appraisal District assessed values and the City's current property tax rate.
2. **Property taxes** to be generated by **proposed land uses**, based on anticipated assessed values and the City's current property tax rate.
3. **Other General Fund revenues** including: Other Local Taxes, Licenses and Permits, Fines and Forfeitures, Use of Money and Property, Service Charges, and Other Revenue, based on a per capita estimate.

5

## Expenditures

1. One-time **transitional** costs, including street signs and markings, and emergency response set up
2. Required **capital improvements** for fire service, roadways and drainage, and water and wastewater infrastructure

6

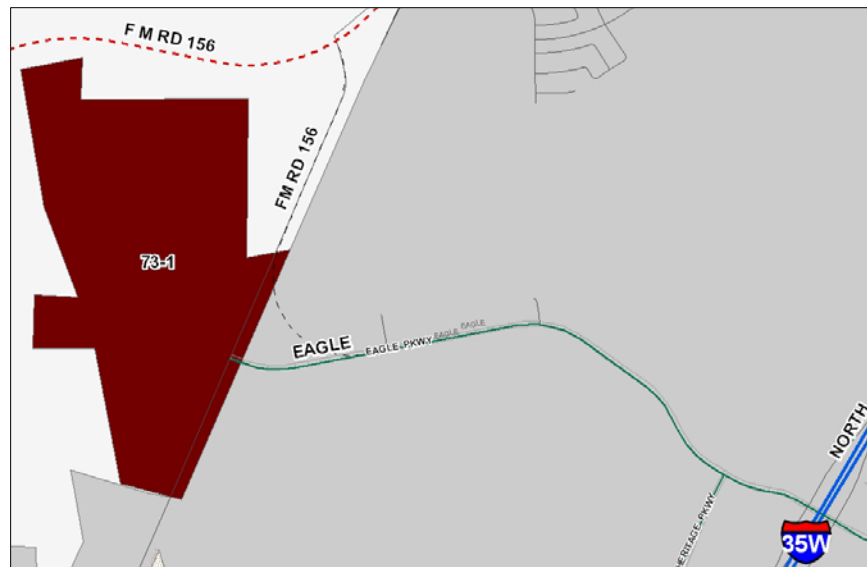


# AX-12-004

(Area 73-1)

7

**Where is the area proposed for full-purpose annexation at this time?**



## Analysis Basis

- Existing right-of-way and vacant land
- 299.7 acres
- Governmental tax exemptions
- Industrial growth center future land use
- No preliminary plat or final plat on file
- Property tax revenues (current)
  - \$0 yearly



9

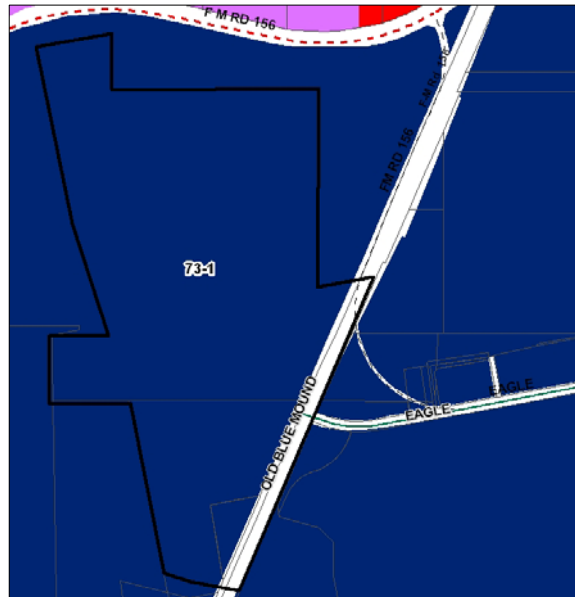
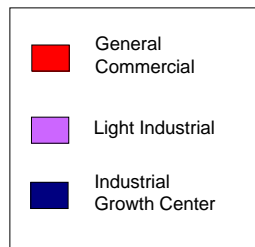
## Analysis Results

- Initial Costs
  - TPW - \$0 start up services
  - Police Department - \$0
  - Fire Department - \$484
  - Code Compliance - \$0
- No future capital improvements
- Slightly negative result to the General Fund



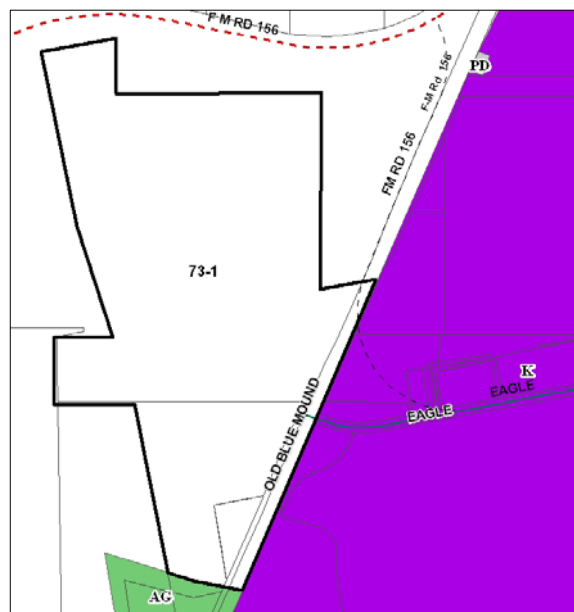
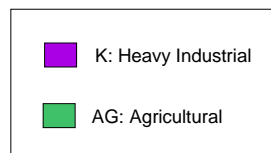
10

What future land use is designated in the 2012 Comprehensive Plan?




11

What is the surrounding zoning?

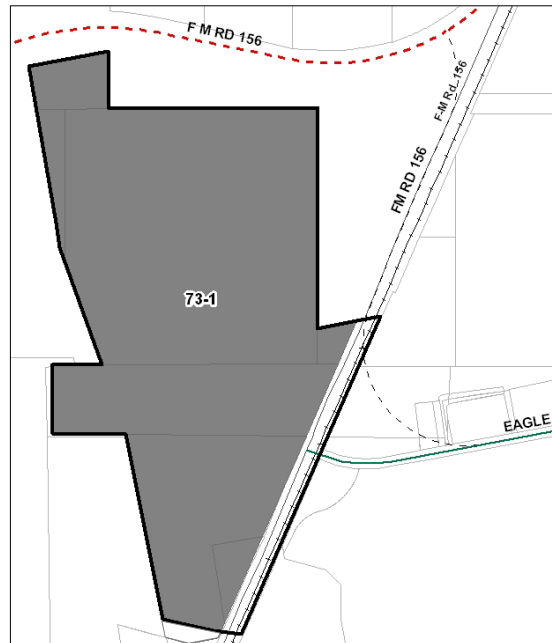


12

## What zoning is proposed for AX-12-004?

 PD: Planned Development for "I" uses plus aviation-related uses, excluding some uses

Rezoning area consists of a total of 8 parcels.



13

## What is the proposed annexation and zoning schedule for area 73-1?

<u>Date</u>	<u>Action</u>
May 1, 2012	<b>Annexation application</b> letter received from property owner.
June 5	City Council receives <b>Informal Report</b> .
June 12	City Council approves <b>M&amp;C to initiate zoning</b> .
July 11	Zoning Commission recommends <b>zoning</b> .
Aug. 14	City Council considers and institutes <b>adoption of annexation</b> .
Aug. 14	City Council considers <b>zoning</b> .

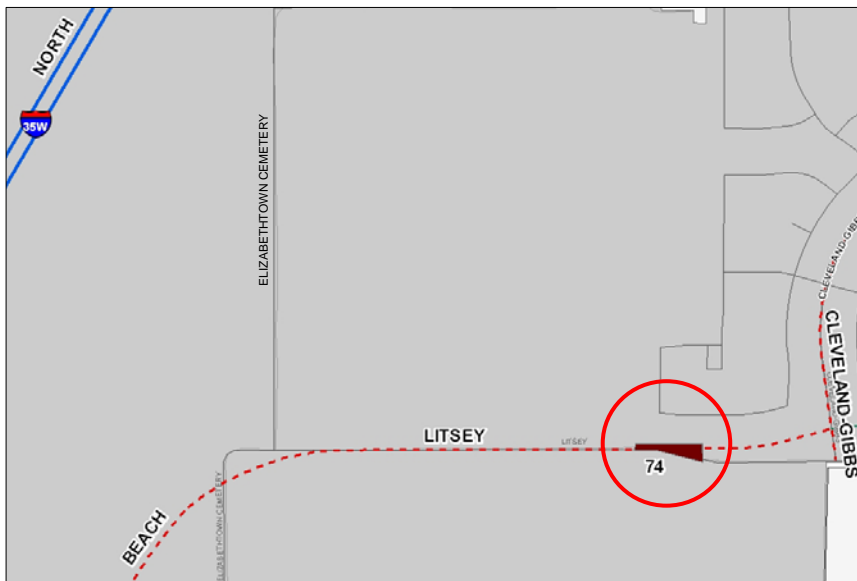
14

# AX-12-005

(Area 74)

15

**Where is the area proposed for full-purpose annexation at this time?**



16

## Analysis Basis

- Existing right-of-way and vacant land
- 0.6 acre
- No tax exemptions
- Private open space future land use
- No preliminary plat or final plat on file
- Property tax revenues (current)
  - \$89 yearly



17

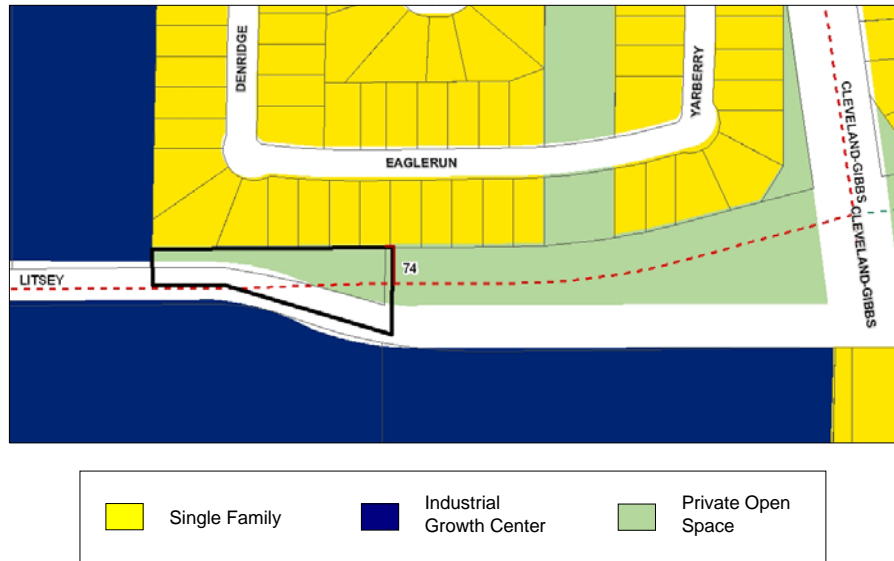
## Analysis Results

- Initial Costs
  - TPW - \$0 start up services
  - Police Department - \$0
  - Fire Department - \$484
  - Code Compliance - \$0
- Future capital improvements to Litsey Road
- Slightly negative result to the General Fund



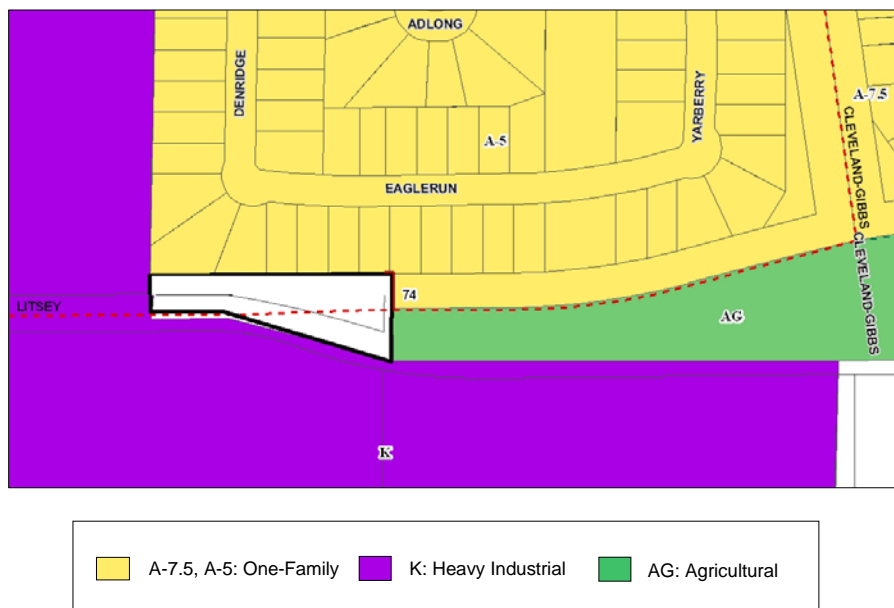
18

**What future land use is designated in the 2012 Comprehensive Plan?**



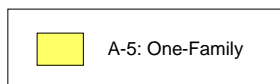
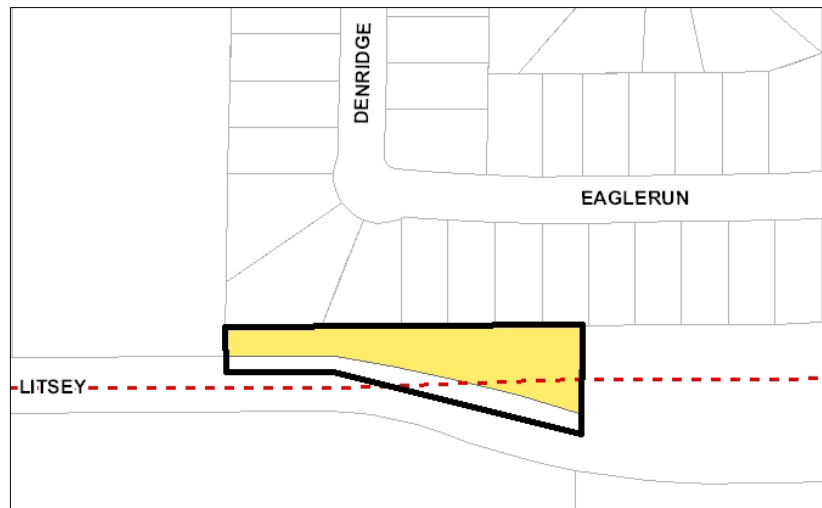
19

**What is the surrounding zoning?**



20

### What zoning is proposed for AX-12-005?



Rezoning area consists of a total of 1 parcel.

21

### What is the proposed annexation and zoning schedule for area 74?

<u>Date</u>	<u>Action</u>
May 11, 2012	<b>Notification</b> letter mailed to property owner.
June 12	City Council adopts <b>annexation timetable</b> ; approves <b>M&amp;C to initiate zoning</b> .
July 11	Zoning Commission recommends <b>zoning</b> .
July 17	City Council conducts <b>first public hearing</b> .
July 24	City Council conducts <b>second public hearing</b> .
Aug. 14	City Council considers and institutes <b>adoption of annexation</b> .
Aug. 14	City Council considers <b>zoning</b> .

22





To the Mayor and Members of the City Council

June 5, 2012

Page 1 of 2

**SUBJECT: UPDATE ON ENTERPRISE RESOURCE PLANNING (ERP)  
PROJECT - PHASE II**

The purpose of this Informal Report is to provide an update on the status of the Enterprise Resource Planning (ERP) Phase II and advise the City Council of upcoming M&Cs.

**ERP Phase II Project Details:**

**Background:** On February 9, 2010 (M&C C-24088), the City Council authorized an interfund loan to fund the purchase of Oracle PeopleSoft Software and Oracle Hyperion Budget Planning Software for ERP Phase II. Shortly after, on October 5, 2010, the City Council authorized the issuance of Combination Tax and Revenue Certificates of Obligation (CO), Series 2010A, in part to fund a portion of the implementation cost as well as repay the aforementioned interfund loan (M&C G-17074). This \$31.3 million CO obligation formalized the City's commitment to replace its antiquated financial systems and to proceed with ERP Phase II. The General Fund began paying debt service on the obligation in FY2011; and therefore, there will be no new incremental impact on the FY2013 budget.

The ERP Phase II Project is the second part of a City-wide effort to replace aging systems that lack functionality, sufficient integration, and appropriate internal controls. Staff is reliant on out-of-date technology that has contributed to material weaknesses and other deficiencies, which have been noted by the City's independent auditor (Deloitte) over the last few years. In addition, the auditors have also determined through their testing that they cannot rely sufficiently on system-related controls and thus have to "test around the system," which leads to a more expensive audit. While manual processes have been established to address weaknesses, these are temporary solutions.

**Recent Updates:** In March 2012, a status update was provided to the Audit and Finance Advisory Committee. At that time, staff advised that, according to other municipalities as well as its consultants, the procurement module is reported to be one of the most stressful undertakings during an implementation. Consequently, the lack of success during an implementation is often attributed to the replacement of procurement systems.

Due to the risk level of replacing the procurement system and immediate need to replace core financial systems, staff suggested delaying the procurement implementation, which has an estimated cost of \$4.8 million in Phase IIA. This strategy, which was endorsed by the Committee, will help to increase the likelihood of a successful core financial implementation while deferring the cost.

**Upcoming ERP Phase II M&Cs (June 12, 2012):** City Council action is needed to engage in 1) implementation services with CIBER Inc., 2) training services with Oracle University for project



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

**June 5, 2012**

Page 2 of 2

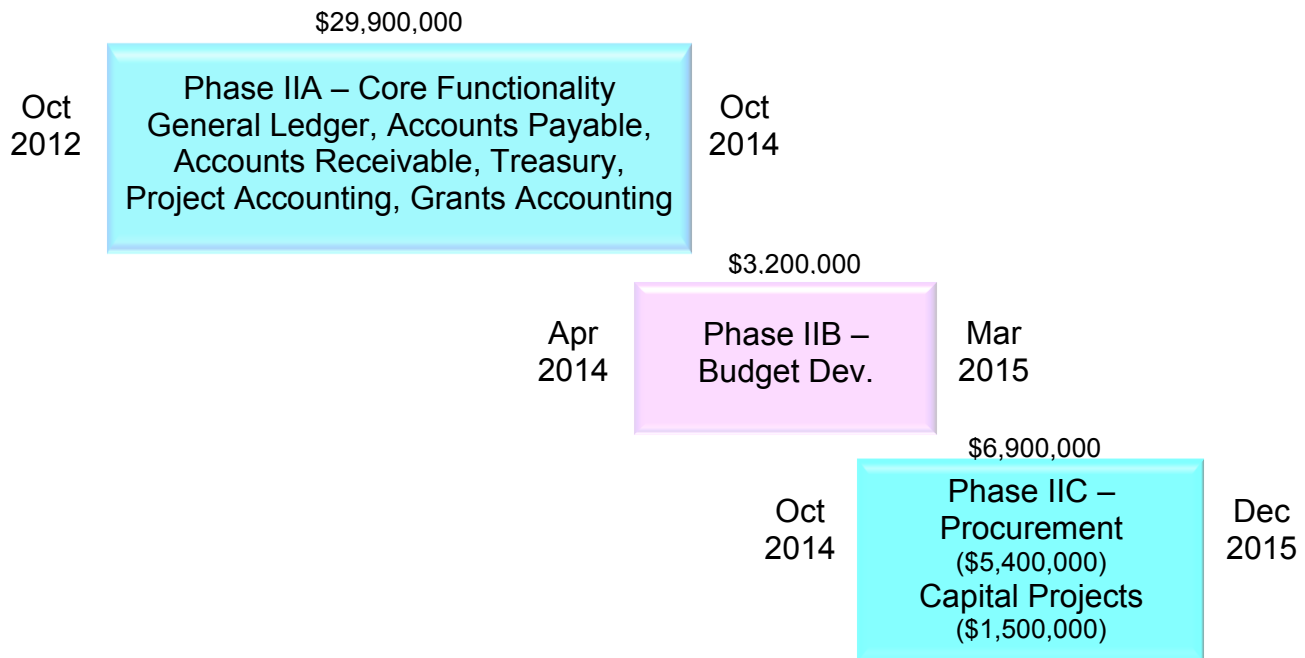
**SUBJECT: UPDATE ON ENTERPRISE RESOURCE PLANNING (ERP)  
PROJECT - PHASE II**

team members, 3) consulting and advisory services with STA, 4) interface development with Periscope Holdings, Inc., and 5) to appropriate transfers from various funds to the project.

**ERP Phase II Timeline**

Phase II is divided into three distinct sub-phases to minimize organizational disruption, maintain continuity of service delivery, and increase the likelihood of a successful organization.

An illustration of the phase-by-function approach is outlined below.



By shifting the Procurement component from Phase IIA to IIC and further budget analysis, the cost to replace core financials was reduced by \$4.8 million. These costs appear later in Phase IIC and increase scope to include a comprehensive study to evaluate the effectiveness of the PeopleSoft/Buyspeed interface. The current estimate for these services is \$5.4 million; however, staff is continuing to seek efficiencies to reduce total project cost.

For questions or further information, please contact Greg Jordan, Financial Management Services Assistant Director at 817-392-8843.

**Tom Higgins  
City Manager**

**No Documents for this Section**

# A Resolution

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

## APPOINTING A MEMBER TO SERVE ON THE FORT WORTH ART COMMISSION

**WHEREAS**, the City Council of the City of Fort Worth (the “City Council”) created an Art Commission to act as an advisory board to the City Council relating to all questions involving public art and the Fort Worth Public Art Program; and

**WHEREAS**, the Art Commission shall advise and make recommendations to the City Council regarding the Public Art Program concerning administration of the public art program, policies, procedures, artist selection, commission, and placement of artworks, maintenance, and removal of artworks, and preparation of the recommendations for the annual public art plan; and

**WHEREAS**, pursuant to Ordinance No. 14794, each Art Commission member shall be appointed by a majority vote of the City Council; and

**WHEREAS**, the Art Commission is comprised of nine (9) individuals: five (5) art professionals—which must include at least one (1) practicing artist, at least one (1) a curator, and two (2) design professionals—and four (4) community representatives; and

**WHEREAS**, Place 2 on the Art Commission is vacant due a resignation.

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

The City Council hereby appoints the person listed below to the Art Commission to serve at the pleasure of the City of Fort Worth as a member of the Art Commission in the place listed adjacent to his or her name for a term expiring as indicated below:

<u>NAME</u>	<u>TYPE</u>	<u>PLACE</u>	<u>EXPIRATION OF TERM</u>
Terri Thornton	Art Professional (Curator)	Place 2	September 30, 2012

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

ATTEST:

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

Mary J. Kayser, City Secretary



# A Resolution

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

## **SUPPORTING THE ENVIRONMENTAL CLEARANCE AND COMMENCEMENT OF IMPROVEMENTS TO THE IH-35W CORRIDOR**

**WHEREAS**, the Texas Department of Transportation (“TxDOT”) is seeking support and comments from the City for the proposed improvements to Interstate Highway 35W (“IH-35W”) in Fort Worth; and

**WHEREAS**, IH-35W a/k/a the “NAFTA Superhighway,” is an important international trade and commerce route and has been designated by the U.S. Congress as a National High Priority Corridor; and

**WHEREAS**, IH-35W through Tarrant and Denton Counties has become significantly congested, resulting in increased transportation time and costs jeopardizing the region’s ability to expand existing economic development programs and compete nationally and globally for new businesses and jobs; and

**WHEREAS**, Denton County is advancing schematic designs for improvements to IH-35W from the Denton Central Business District south to the Denton/Tarrant County Line; and

**WHEREAS**, TxDOT is advancing schematic designs for improvements to IH-35W from United States Highway 287 (“US 287”) north to the Denton/Tarrant County Line, the “IH-35W 3C Project”; and

**WHEREAS**, the City of Fort Worth supported the creation of the I-35 Coalition, a broad based community and business organization created to advance transportation and mobility improvements to the IH-35W corridor; and

**WHEREAS**, the City of Fort Worth has adopted aesthetic corridor and land use guidelines to steer future development along the project; and

**WHEREAS**, the City of Fort Worth supports TxDOT’s efforts to identify funding to advance the construction of IH-35W from the Interstate Highway 820/IH-35W Interchange (“IH-820 Interchange”) to US 287, the “IH-35W 3B Project”; and

**WHEREAS**, the City of Fort Worth supports TxDOT’s efforts to secure Transportation Infrastructure Finance and Innovation Act (“TIFIA”) funding for the IH-35W improvements from Fort Worth’s Central Business District to, and including, the IH-820 Interchange, the “IH-35W 3A Project”; and



**WHEREAS**, the City of Fort Worth understands the vital need to protect adjacent communities and cultural assets from the impacts of the proposed improvements along the IH-35W corridor; and

**WHEREAS**, the City of Fort Worth understands that the IH-35W 3A Project's schematic design details the ultimate improvements to be made in the corridor; and

**WHEREAS**, the City of Fort Worth understands that funding for the ultimate improvements is not currently available and the project will be constructed in phases; and

**WHEREAS**, the City of Fort Worth understands that TxDOT has entered into a long term Comprehensive Development Agreement with a private entity, NTE Mobility Partners, LLC ("NTEMP"), for the construction, funding, and maintenance of the project; and

**WHEREAS**, TxDOT and NTEMP will agree on the scope of the first phase of construction known as the Mandatory Scope of Work for the IH-35W 3A Project.

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

The City of Fort Worth supports the environmental clearance and the commencement of construction of the IH-35W 3A and 3B projects as soon as possible with the following provisions:

- TxDOT continues the prompt advancement of the design of the IH-35W 3C Project and identification of funding support;
- TxDOT continues to plan appropriate and prudent mitigations to the historical and noise issues raised by the Oakhurst Neighborhood Association on the IH-35W 3A Project;
- TxDOT continues to plan appropriate and prudent mitigations of the IH-35W 3A Project's increased footprint across the Trinity Trail at the Trinity River Crossings to include limited construction related trail closures, installation of under bridge lighting, and clear spans of the Trinity River as practical;
- TxDOT continues its appropriate and meaningful engagement of City staff in the development and implementation of the local access elements based on the Mandatory Scope of Work including aesthetic treatments in the entire corridor;
- TxDOT maintains its appropriate and meaningful engagement with the City and NTEMP, through design and construction, of the IH-35W 3A Project to ensure the least disruption to the community, the City's arterial network, and the City's Water, Sewer and Storm Water utilities.



Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

ATTEST:

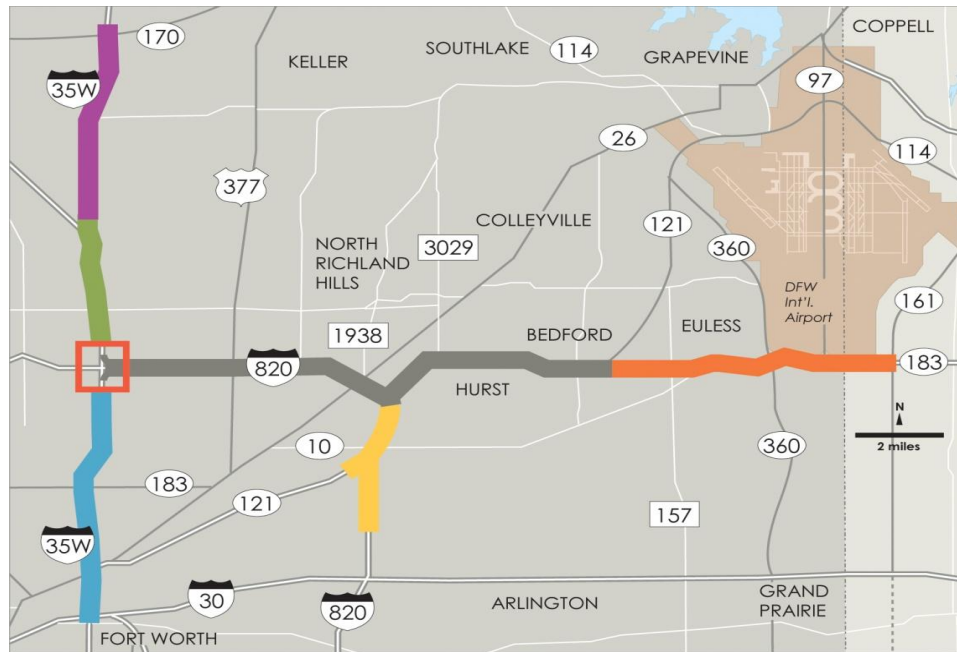
By: \_\_\_\_\_

Mary J. Kayser, City Secretary







Attachment



# IH-35 Location Map Segments 3A, 3B, & 3C



## Master Development Plan (Segments 2-4)

- |  |  |
|--|--|
|  Segment 2E |  Segment 4                              |
|  Segment 3A |  I-35W/I-820 interchange reconstruction |
|  Segment 3B |  |
|  Segment 3C |  |

## Concession CDA

- |   |
|---|
|  Segments 1 & 2W |
|---|



**No Documents for this Section**

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

**DATE:** Tuesday, June 5, 2012

**LOG NAME:**

**REFERENCE NO.:** \*\*OCS-1853

**SUBJECT:**

Notices of Claims for Alleged Damages and/or Injuries

---

**RECOMMENDATION:**

It is recommended that the City Council refer the notices of claims for alleged damaged and/or injuries to the Finance Department/Risk Management for evaluation and investigation.

**DISCUSSION:**

The procedure for filing of claims of alleged damages and/or injuries is prescribed in Chapter XXVII, Section 25 of the Charter of the City of Fort Worth, Texas.

The attached list is a summary of the notices of claims against the City of Fort Worth received in the City Secretary's Office as of 5:00 p.m., Wednesday, May 30, 2012.

**Attachment**

---

**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, June 05, 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
Ricky & Juli Caughron	5/10/2012	4/17/2012	Animal Shelter	Reimbursement	Incurred veterinarian bills for newly adopted dog.	Code	Yes	No
Elizabeth Kralick a/n/f	5/10/2012	4/10/2012	Kingswood Park	Bodily Injury	Fell from swing causing injury	PACS	No	Yes
Twana Watson	5/10/2012	5/7/2012	Mark IV Pkwy & Western Center Blvd	Property Damage	Employee working on street light. It fell on car below.	TPW	No	No
Tamensia R. Nealy	5/11/2012	4/28/2012	Sycamore Park	Auto Damage	Side-swiped by City truck	TPW	No	No
Veronica Vermillion	5/11/2012	4/27/2012	Nolan & Moberly	Bodily Injury	Injured in auto accident	Water	No	Yes
Robert Hammett	5/11/2012	4/18/2012	2000 Alta Mesa	Property Damage	Tire damaged when wind blew construction sign down	TPW	Yes	No
June Richardson	5/11/2012	5/1/2012	287 Service Road & Riverside Drive	Auto Damage	City vehicle backed into car causing damage	Code	No	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Terrance Seals	5/14/2012	4/5/2012	Poynter St.	Property Damage	City vehicle rearended citizen vehicle.	Police	Yes	Yes
Manuel Criado	5/14/2012	12/3/2009	3400 Schwartz Ave.	Bodily Injury	Excessive Force	Police	No	Yes
William & Laurie McClurg	5/15/2012	4/15/2012	Various roads in Fort Worth	Property Damage	Damage to vehicle due to road conditions.	TPW	Yes	No
Jorge Flores	5/15/2012	4/15/2012	100 Jones St.	Property Damage	Involved in accident with City vehicle.	Police	No	No
Mark Reeder	5/15/2012	5/7/2012	1415 E. Lancaster	Property Damage	Alleges PD responsible for vandalism to vehicle.	Police	No	No
Waverly Haney	5/15/2012	4/19/2012	Alsburry & Ridgeview	Property Damage	Rearended by City vehicle.	Police	Yes	No
AT&T	5/16/2012	1/31/2012	1029 Williams Rd.	Property Damage	City crew digging, cut phone cable.	Water	No	No
Seneca White	5/16/2012	5/13/2012	3500 Renzel Blvd	Property Damage	Police broke key off in bike lock during investigation.	Police	No	No
Sheree Region	5/17/2012	3/27/2012	FW Botanic Gardens	Bodily Injury	Fell into water feature at Butterflies in the Garden.	PACS	No	Yes

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
AT&T	5/17/2012	3/10/2012	2425 Camden Dr.	Property Damage	City crew cut phone cable.	Water	Yes	No
Patrick T. Friend	5/18/2012	4/17/2012	4400 Bryant Irvin Rd.	Property Damage	PD etched incorrect VIN # on vehicle windows.	Police	Yes	No
Marcene Wadsworth	5/21/2012	5/8/2012	3420 N. Elm	Property Damage	Limb from dead tree on City-owned lot fell, damaged fence.	PACS	Yes	No
Matthew McGee	5/21/2012	5/5/2012	West Fwy frontage at Alameda	Property Damage	Officer backed into stopped vehicle.	Police	No	No
Dr. Jacquin Matthews	5/21/2012	8/15/2011	851 W. Terrell Ave.	Property Damage	Landscaping damaged during road construction.	TPW	Yes	No
Lawrence M. Smith	5/22/2012	5/8/2012	FWPD Impound	Property Damage	Car damaged when towed.	Police	No	No
Deborah Cuffee	5/23/2012	2/24/2012		EEOC	EEOC charge filed for employment discrimination	HR	No	No
Flame Safe	5/24/2012	5/5/2012	2653 Warfield Street	Property Damage	Window broken during police action	Police	Yes	No
Susan E. Arvin	5/24/2012	4/15/2012	3583 Dryden Road	Property Damage	Sprinkler system damaged by contractor	TPW	No	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Latonya N. Mason	5/24/2012	5/17/2012	519 Watson Street	Property Damage	Recycling truck pulled utility lines loose from house	Code	No	No
Jo Ann Law	5/24/2012	4/19/2012	6741 Brants Lane	Property Damage	Leak in City water line caused damage to property	Water	No	No
Sandra Villanueva	5/25/2012	5/15/2012	1289 Hemphill Street	Auto Damage	City driver opened car door into parked vehicle.	Police	No	No
Kevin Miller	5/25/2012		4429 Sahara Place	Property Damage	Damage to sprinkler system	TPW	No	No
Montrell Lacy & Jessica Fields	5/29/2012	2/27/2012	5120 E. Berry	Bodily Injury	Alleged civil rights violations when arrested.	Police	No	Yes
Joseph Boyle	5/29/2012	4/21/2012	9852 Tehama Ridge	Property Damage	PD broke in door when neighbor called in disturbance.	Police	Yes	No
Brian Zwick	5/29/2012	5/9/2012	819 N. Main St.	Property Damage	Renovation charges incurred, requesting reimbursement due to City error.	Plan	Yes	No
Gloria Benner	5/29/2012	4/24/2012	5612 Morley Ave.	Property Damage	Crew struck brick wall when turning around in driveway.	TPW	Yes	No
Jimmy Trevino	5/30/2012	10/3/2011	Fort Worth, TX	EEOC	Alleged discrimination in termination.	IT	No	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Jaime Pantoja	5/30/2012	4/30/2012	2800 Forest Park	Property Damage	Parked vehicle struck by City vehicle.	Plan	No	No
Keith Kidwell	5/30/2012	12/21/2011	Fort Worth	Property Damage	Breach of contract for failure to transfer deed to tax foreclosed properties.	Econ Dev	No	No

**No Documents for this Section**



**No Documents for this Section**

Zoning Docket items are linked on the Council Meeting Agenda.



## CENTRAL BUSINESS DISTRICT STREET ACTIVITY

*New items printed in red.*

- **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 **end of July 2012**.
- **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 **October 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

**Northbound free right turn at Vickery removed and outside lane becomes thru/right turn**

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 **June 2012**  
Weatherford (from Cherry to Burnett) Parking lane and Sidewalk closures through **June 2012**  
Weatherford (from Cherry to Burnett) various lanes closed from 9am to 4pm through **June 2012**  
Cherry (from Belknap to Weatherford) Northbound direction closed and sidewalk closures through **June 2012**  
Southbound Burnett (from Belknap to Weatherford) closed and sidewalk closures through **June 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 7<sup>th</sup>

- DOWNTOWN OUTDOOR EVENTS DISTRICT (DOED)

**Stars Under the Stars Outdoor Movie Night**

Sundance Square Gateway Parking Lot 8 pm – 10:30 p.m.  
June 7, June 14, June 21, June 28

**Fort Worth Police Department Centennial Badge Ceremony**

June 9 8 am - 9:30 am  
Street Closures: Begin at 1 am and end at noon  
Weatherford from Houston to Commerce  
Main St from Weatherford to 1<sup>st</sup> St

**St. Patrick's Feast of Corpus Christi Procession**

June 20 1:30 p.m.  
Throckmorton in front of Church, to 10<sup>th</sup>, to Jennings, to Texas

- NEAR SOUTHSIDE OUTDOOR EVENTS DISTRICT (NSOED)

**Friday on the Green**

Magnolia Green Park June 8 7 pm – 9 pm

**Juneteenth Celebration Festival, Parade and Fun Run**

June 16 3 pm – 11 pm

**Festival:** Private property adjacent to the Juneteenth Museum, 903 E. Rosedale

**Fun Run:** 5 p.m.

Starts on Evans just north of Rosedale, to Terrell, To Kentucky, to E Hattie, to New York, to E Rosedale

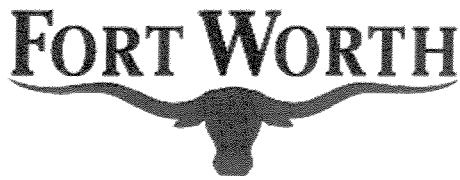
**Parade:** 6 p.m.

Starts at Evans and Berry ends at Mt. Zion Church parking lot


- STOCKYARDS OUTDOOR EVENTS DISTRICT (SOED)

- OTHER

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



## MEMORANDUM

**DATE:** May 24, 2012  
**TO:** The Honorable Mayor and City Council Members  
**FROM:** Sarah J. Fullenwider, City Attorney   
**SUBJECT:** Dallas/Fort Worth International Airport  
Public Finance Improvement Corporation

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The Dallas/Fort Worth International Airport Board has requested that the owner cities approve actions related to the existing Dallas/Fort Worth International Airport's rental car facility and a proposed limited service hotel. City Council action on this request is scheduled for June 12, 2012.

The first action involves the transfer of assets, obligations, and responsibilities that relate to the rental car facility from the Facility Improvement Corporation to the Public Facility Improvement Corporation. The second action involves construction and operation of a proposed limited service hotel to be located in the Southgate development near the rental car facility.

Attached is a memorandum from Chris Poinatte, Chief Financial Officer, Dallas/Fort Worth International Airport, providing background information on the two actions. Additionally, Mr. Poinatte will be available to answer questions during the June 5, 2012, Pre-Council meeting.

Should you have any questions regarding this matter prior to the June 5, 2012, Pre-Council Meeting, please contact Chris Poinatte at 972.973.5210.

### OFFICE OF THE CITY ATTORNEY

The City of Fort Worth ★ 1000 Throckmorton Street ★ Fort Worth, Texas 76102  
817-392-7600 ★ Fax 817-392-8359




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CHRISTOPHER A. POINSATTE, EXECUTIVE VICE PRESIDENT  
& CHIEF FINANCIAL OFFICER

**Date:** May 23, 2012

**To:** The Honorable Mayor and City Council Members

**From:** Chris Poinsatte   
Chief Financial Officer, Dallas/Fort Worth International Airport

**Subject:** Approval of two actions by the Fort Worth City Council related to Dallas/Fort Worth International Airport's rental car facility and a proposed limited service hotel

By way of background, the Cities of Fort Worth and Dallas formed two separate corporations to facilitate the operations of DFW Airport. The Facility Improvement Corporation (the "FIC") was created in 1990 to be a conduit financing entity. In 1998 and 1999, the FIC issued \$160 million of Rent-A-Car Revenue Bonds to finance the construction of the consolidated rental car facility (the "RAC") at DFW. To fund repayment of this debt, the FIC levied a Customer Facility Charge collected by the RAC companies. In 2008, at the request of the RAC companies, the FIC levied a Customer Transportation Charge to pay for bus maintenance and operations to move rental car passengers from the terminals to the RAC.

The Public Facility Improvement Corporation (the "PFIC") was created in 2001 for the purpose of financing, planning, constructing, equipping, owning, renovating, repairing, improving, maintaining and/or operating one or more facilities within the boundaries of DFW Airport. The PFIC Articles of Incorporation state that the DFW Board and the Owner Cities must approve any projects undertaken by the PFIC (called "Approved Airport Projects"). To date, the only Approved Airport Project authorized by the Cities is the DFW Grand Hyatt Hotel.

DFW would like to transfer the assets, obligations, and responsibilities of the FIC that relate to the RAC facility and bus fleet into the PFIC primarily because it prefers that the FIC be used exclusively as a conduit financing corporation (as originally intended); and DFW prefers to manage these investments within one operating entity (i.e., the PFIC). This requires the Cities to authorize these RAC activities as an Approved Airport Project.

The second portion of this action relates to the requested authorization of a third Approved Airport Project. DFW is proposing to construct and operate a Hyatt Place Hotel

in the Southgate development near the rental car facility. Although the Airport will own the hotel, it will be operated by Hyatt Corporation (similar to the Grand Hyatt). This project is estimated to cost between \$20 million and \$23 million and have positive cash flows of approximately \$1.3 million in the early years of operation. DFW currently expects to fund the design and construction of the Hyatt Place with cash flows from the PFIC. Fort Worth is projected to receive approximately \$70,333 in annual sales, hotel, and property taxes from this hotel. The proposed 137 room hotel is estimated to open in October 2014.

Should you have any questions, do not hesitate to contact me at 972/973-5210 or at [capoinsatte@dfwairport.com](mailto:capoinsatte@dfwairport.com).