



**SUMMARY OF MEETINGS AND ACTIVITIES  
MONDAY, SEPTEMBER 24, 2012, THROUGH FRIDAY, SEPTEMBER 28, 2012**

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**MONDAY, SEPTEMBER 24, 2012**

	<b><u>TIME</u></b>	<b><u>LOCATION</u></b>
Pre-Building Standards Commission	9:30 a.m.	Pre-Council Chamber
Building Standards Commission	10:00 a.m.	Council Chamber
Fort Worth Transportation Authority Board	4:00 p.m.	Fort Worth Transportation Authority 1600 East Lancaster Avenue 2 <sup>nd</sup> Floor Board Room

**TUESDAY, SEPTEMBER 25, 2012**

Pre-Council Meeting	8:30 a.m.	Pre-Council Chamber
Council Meeting	10:00 a.m.	Council Chamber

**WEDNESDAY, SEPTEMBER 26, 2012**

City Plan Commission Work Session	1:00 p.m.	Pre-Council Chamber
City Plan Commission Public Hearing	1:30 p.m.	Council Chamber
Capital Improvements Advisory Committee for Transportation Impact Fees	Immediately Following the City Plan Commission	Council Chamber
Parks and Community Services Advisory Board Meeting	4:00 p.m.	Deborah Beggs Moncrief Garden Center Fort Worth Botanic Garden 3220 Botanic Garden Boulevard

**THURSDAY, SEPTEMBER 27, 2012**

Appeals Board Pre-Meeting	8:30 a.m.	Pre-Council Chamber
Appeals Board	9:30 a.m.	Council Chamber
Tax Increment Finance Zone 12 (E. Berry Renaissance) Board of Directors	1:00 p.m.	City Hall, City Manager's Office Large Conference Room No. 380

**FRIDAY, SEPTEMBER 28, 2012**

No Meetings

<p>This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on September 20, 2012, and may not include all meetings to be conducted during the week of September 24, 2012 through September 28, 2012. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.</p>
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**PRE-COUNCIL MEETING**  
**TUESDAY, SEPTEMBER 25, 2012**  
**8:30 A.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 9514](#): July 2012 - Sales Tax Update
  
    - [IR 9515](#): City-Initiated Full-Purpose Annexation of Two Enclaves in Far North and Far Northwest Fort Worth
  
    - [IR 9516](#): Proposed Funding for Street Lights in the Ryan Place Neighborhood
2. Current Agenda Items - **City Council Members**
3. Responses to Items Continued from a Previous Week
  - a. [M&C PZ-2957](#) - Consider Institution of the Annexation and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 3.3 Acres of Land Located North of Avondale-Haslet Road and East of US 287, AX-11-008, 2484 Avondale-Haslet Road (COUNCIL DISTRICT 7) **(Continued from August 21, 2012 by Staff)**
  - b. [ZC-11-043](#) - M & H Food Mart, 2484 Avondale-Haslet Road; from: Unzoned to: "E" Neighborhood Commercial (COUNCIL DISTRICT 7) **(Recommended for Approval by the Zoning Commission)** **(Continued from August 21, 2012 by Council Member Shingleton)**
4. Presentation on Vision North Texas - **Mike Eastland, North Central Texas Council of Governments**
5. Briefing on Fort Worth Public Art Fiscal Year 2013 Annual Work Plan - **Martha Peters, Arts Council of Fort Worth and Tarrant County and Steven C. Kline, Fort Worth Art Commission**
6. Presentation on Tax Abatement Agreement with ATC Logistics & Electronics - **Robert Sturns, Housing and Economic Development**
7. City Council Requests for Future Agenda Items and/or Reports
8. Executive Session (PRE-COUNCIL CHAMBER) - See Attachment A Attachment(s):  
[Executive Session - Attachment A.pdf](#)

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

**ATTACHMENT A**  
**EXECUTIVE SESSION**  
**(Pre-Council Chamber)**  
**Tuesday, September 25, 2012**

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

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code:
  - a. Legal issues related to assets held by the City from the state and federal government; and
  - b. Legal issues concerning any item listed on today's City Council meeting agendas;
2. Deliberate the purchase, sale, lease or value of real property, in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party;
3. Deliberate concerning economic development negotiations, as authorized by Section 551.087 of the Texas Government Code; and
4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

**CITY COUNCIL AGENDA  
FOR THE MEETING AT 10:00 A.M. TUESDAY, SEPTEMBER 25, 2012  
CITY COUNCIL CHAMBER, CITY HALL  
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

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- I. CALL TO ORDER**
- II. INVOCATION** - Pastor Robert Sample, Holy Tabernacle Church of God in Christ
- III. PLEDGE OF ALLEGIANCE**
- IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF SEPTEMBER 18, 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-17682](#) - Approve Settlement of Claims in City of Fort Worth v. Crawford Farms Investors, Ltd., et al., and Settlement of Other Claims with Burnsco Construction, Inc. Regarding Prematurely Failed Streets (COUNCIL DISTRICTS 2 and 6)
- 2. [M&C G-17683](#) - Adopt Ordinance Granting Sprint Communications Company, L.P., a License to Use Public Rights-of-Way for the Relocation of its Fiber Optic Long Distance Telecommunication System (COUNCIL DISTRICTS 8 and 9)
- 3. [M&C G-17684](#) - Adopt Supplemental Appropriation Ordinance and Transfer \$281,979.26 to Various Designated Funds for Subrogation Recovery and Self-Funded Property Losses (ALL COUNCIL DISTRICTS)
- 4. [M&C G-17685](#) - Authorize an Additional \$50,000.00 Payment to the 2012 Retired Employees' Group Death Benefit Fund for Payments of Retiree Death Benefits Under Section 2-229 of the City Code (ALL COUNCIL DISTRICTS)
- 5. [M&C G-17686](#) - Authorize Payment in the Amount of \$225,000.00 to the Retired Employees' Group Death Benefit Fund for Payments of Retiree Death Benefits Under Section 2-229 of the City Code (ALL COUNCIL DISTRICTS)
- 6. [M&C G-17687](#) - Authorize Execution of an Equipment Donation Agreement with the National Insurance Crime Bureau for the Acceptance of Two Forty-Foot Shipping Containers to Store Equipment in Preparation for the New Training/Administration Facility (ALL COUNCIL DISTRICTS)
- 7. [M&C G-17688](#) - Approve Extension of Injury Leave-of-Absence Pay Benefits in the Amount of \$31,139.68 for Police Officer Daniel St. Clair (ALL COUNCIL DISTRICTS)

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

1. [M&C P-11429](#) - Authorize Rejection of All Proposals Received in Response to the Consolidated Video Security System Request for Proposal No. 12-0022 (ALL COUNCIL DISTRICTS)
2. [M&C P-11430](#) - Authorize Execution of an Annual Agreement with Holophane Lighting for Washington-Style Lanterns and Posts for the Transportation and Public Works Department in the Amount Up to \$227,000.00 (ALL COUNCIL DISTRICTS)
3. [M&C P-11431](#) - Authorize Purchase of a Rotary Mower from Professional Turf Products, L.P., Using a Cooperative Contract for the Parks and Community Services Department for a Total in the Amount of \$76,464.00 (ALL COUNCIL DISTRICTS)
4. [M&C P-11432](#) - Authorize Purchase of Four Police Interceptor Sedans from Baby Jack II Automotive LTD d/b/a Caldwell Country Chevrolet, Using a Cooperative Contract for the Police Department in the Amount of \$106,748.00 (ALL COUNCIL DISTRICTS)

**C. Land - Consent Items**

1. [M&C L-15439](#) - Authorize Execution of a Lease with Alliance for Children, Inc., for Approximately 5,036 Square Feet of Office Space Located at 908 Southland Road for the Police Department for Total Rent in the Amount of \$30,000.00 (COUNCIL DISTRICT 9)
2. [M&C L-15440](#) - Authorize Acquisition of a Fee Simple Interest in 0.029 Acres of Land for Right-of-Way and 0.191 Acres for Temporary Construction Easements Owned by Monolith Limited Partnership and James D. Finley Located at 4009 East 1st Street, 4033 East 1st Street, 4105 East 1st Street and 4229 East 1st Street for Widening East 1st Street from Beach Street to Oakland Boulevard for a Purchase Price in the Amount of \$3,264.00 Estimated Closing Costs in the Amount Not to Exceed \$1,000.00 (COUNCIL DISTRICT 4)
3. [M&C L-15441](#) - Authorize Condemnation by Eminent Domain of Fee Simple Interest in 0.483 Acres of Vacant Land Located in the 7400 Block of Randol Mill Road, Owned by West Fork Partners, L.P, for the Randol Mill Drainage Culvert Improvement Project (COUNCIL DISTRICT 4)
4. [M&C L-15442](#) - Authorize Acquisition of a Fee Simple Interest in 1.611 Acres of Land for Right-of-Way, an Easement Interest in 1.436 Acres of Land for a Permanent Slope, 0.087 Acres of Land for Permanent Drainage and 0.003 Acres of Land for Public Open Space for the Widening of North Beach Street from Vista Meadows Drive to Shiver Road, Located Near the Southwest Corner of North Beach Street and Heritage Trace Parkway, from Heritage Glen Retail Joint Venture, in the Amount of \$617,778.00 and Pay Estimated Closing Costs in the Amount Up to \$5,000.00 (COUNCIL DISTRICT 2)

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

1. [M&C PZ-2993](#) - Authorize Adoption of an Ordinance Vacating a Portion of Travis Avenue and Two Alleys Between West Magnolia Avenue and West Morphy Street (COUNCIL DISTRICT 9)

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

1. [M&C C-25861](#) - Authorize Execution of a Fair Housing Assistance Program Cooperative Agreement Through the Fort Worth Human Relations Commission with the United States Department of Housing and Urban Development for Fiscal Year 2013, Authorize Acceptance of Funds in the Amount Up to \$760,000.00 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
2. [M&C C-25862](#) - Authorize Execution of a Sole Source Agreement with Skire, Inc., for Continued Unifier Software Hosting, Maintenance and Support Services for the City's Capital Projects Management System for the Annual Amount of \$191,172.93 (ALL COUNCIL DISTRICTS)
3. [M&C C-25863](#) - Authorize Execution of a Storm Water Facility Maintenance Agreement with FW Mason Heights, LP, for Property Located East of Mitchell Boulevard in the Masonic Home and School Addition, Lot 1, Block 1 (COUNCIL DISTRICT 8)
4. [M&C C-25864](#) - Authorize Execution of Amendment No. 2 in the Amount of \$375,000.00 to the Contract with Standard Parking Corporation for the Management and Operation of the Will Rogers Memorial Center and Fort Worth Convention Center Parking Facilities to Increase the Reimbursement Amount for Fiscal Year 2012 for a Total Reimbursement in the Amount of \$1,653,999.00 (COUNCIL DISTRICTS 7 and 9)
5. [M&C C-25865](#) - Authorize Execution of a Contract with Conatser Construction TX, LP in the Amount of \$874,315.00 for the Kings Oak Circle and Haltom Road Drainage Improvement Project (COUNCIL DISTRICT 4)
6. [M&C C-25866](#) - Authorize Execution of an Interlocal Agreement with Tarrant County in the Amount of \$375,000.00 for the County's Participation in the Construction of Streetscape Improvements Along East Rosedale Street from Nashville Avenue to Collard Street and Adopt Appropriation Ordinance (COUNCIL DISTRICT 8)
7. [M&C C-25867](#) - Authorize Execution of the Agreement Between the United States Department of Justice, Drug Enforcement Administration and the City of Fort Worth for Payment of Overtime in the Amount Up to \$86,011.25 for Participation in the North Texas High Intensity Drug Trafficking Area Task Force Group 2 for Fiscal Year 2013 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
8. [M&C C-25868](#) - Ratify Application for and Authorize Acceptance of, if Awarded, the State Criminal Justice Programs Grant in the

Amount of \$37,288.17 from the State of Texas, Office of the Governor, Criminal Justice Division, Adopt Related Resolution and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

9. [M&C C-25869](#) - Authorize Execution of a Task Force Agreement with the United States Department of Justice, Drug Enforcement Administration to Continue Operation of the Drug Enforcement Administration, Fort Worth Multi-Agency Task Force, Authorize Reimbursement of Costs Associated with Participation in the Amount Up to \$121,870.45 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
10. [M&C C-25870](#) - Authorize Execution of a Contract with the Boys and Girls Clubs of Greater Fort Worth in the Amount of \$307,015.00 to Continue Operation of the Safe Haven Youth Program-Martin Located at 3123 Avenue G (COUNCIL DISTRICT 8)
11. [M&C C-25871](#) - Authorize Execution of a Contract with Lena Pope Home, Inc., for Fiscal Year 2013 Community-Based Program Funding from the Crime Control and Prevention District Fund in the Amount of \$50,000.00 to Operate a Second Opportunity for Success Program (ALL COUNCIL DISTRICTS)
12. [M&C C-25872](#) - Authorize Acceptance in the Amount of \$42,000.00 in Grant Funds from the Victim Coordinator and Liaison Grant Program, Authorize Execution of a Contract with the Office of the Attorney General, Adopt Resolution in Order to Make Assurances Required by the Attorney General of Texas's Crime Victim Services and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
13. [M&C C-25873](#) - Authorize Execution of an Agreement with the Safe City Commission, Inc., in the Amount of \$300,000.00 to Operate One Safe Place as a Family Advocacy Center for Tarrant County (ALL COUNCIL DISTRICTS)
14. [M&C C-25874](#) - Ratify Application for and Authorize Acceptance in the Amount of \$61,500.00 in Grant Funds from the Texas School Safety Center at Texas State University-San Marcos, Authorize Execution of Related Agreement with Texas State University-San Marcos for Operations to Discourage the Sale of Tobacco Products to Minors and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
15. [M&C C-25875](#) - Ratify Interlocal Agreement for AMBUS Services Between the Area Metropolitan Ambulance Authority d/b/a Medstar and the City of Fort Worth (ALL COUNCIL DISTRICTS)
16. [M&C C-25876](#) - Authorize Execution of a Written Consent to Deed of Trust Lien and Estoppel Certificate by Cliff Millican in Favor of The American National Bank of Texas for Lease Site E-12 at Fort Worth Spinks Airport (COUNCIL DISTRICT 8)
17. [M&C C-25877](#) - Authorize Execution of an Engineering Agreement with Parsons Water & Infrastructure, Inc., in the Amount of \$391,453.00 for Little Fossil Creek Interceptor Improvements at Various Locations Within the Little Fossil Creek Drainage Basin and Adopt Appropriation Ordinance

(COUNCIL DISTRICTS 2 and 4)

18. [M&C C-25878](#) - Authorize Execution of an Agreement with Bibliotheca ITG, LLC, to Provide a Radio Frequency Identification Solution for Multiple Library Locations Throughout the City in the Amount of \$353,200.00 for the First Year (ALL COUNCIL DISTRICTS)

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

1. OCS- 1863- Notice of Claims for Alleged Damages and/or Injuries

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

1. Certificate of Recognition of Hispanic Heritage Month

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

1. Upcoming and Recent Events
2. Recognition of Citizens

**XI. PRESENTATIONS BY THE CITY COUNCIL**

1. Changes in Membership on Boards and Commissions

**XII. ELECTION OF MAYOR PRO TEMPORE**

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

**XIV. REPORT OF THE CITY MANAGER**

**A. Benefit Hearing - None**

**B. General**

1. [M&C G-17689](#) - Authorize Adoption of Ordinances Adjusting Certain Planning and Development Department Fees Related to the Building, Residential, Mechanical, Plumbing, Electrical and Sign Codes and Zoning and Platting Applications (ALL COUNCIL DISTRICTS)
2. [M&C G-17690](#) - Authorize Execution of a Full and Final Settlement Agreement in Cause No. 153-237052-09, Dallas/Fort Worth International Airport Board, et al. v. Chesapeake Exploration, L.L.C. and Adopt a Resolution Authorizing an Amendment to the Mineral Lease Between Dallas/Fort Worth International Airport Board, City of Fort Worth, City of Dallas and Chesapeake Exploration, L.L.C. (ALL COUNCIL DISTRICTS)
3. [M&C G-17691](#) - Authorize Acceptance of a Monetary Donation from XTO Energy Inc., in the Amount of \$4,220.00 for the Purchase of Minor Equipment for Fire Safety Education and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
4. [M&C G-17692](#) - Adopt Ordinances Appropriating Impact Fee Revenues in the Amount of \$6,623,000.00 in the Water Capital Projects Fund and in the Amount of \$4,016,663.00 in the Sewer Capital Projects Fund and Authorize the Transfer in the Total Amount of \$10,639,663.00 to the Water and Sewer Fund for the Purpose of Paying Debt Associated with Impact Fee Eligible Projects (ALL COUNCIL DISTRICTS)

5. [M&C G-17693](#) - Authorize Acceptance of a Donation from Mr. Robert Williams of a Longhorn Sculpture Valued in the Amount of \$48,000.00 for Buck Sansom Park, Authorize Acceptance of a Monetary Donation from Mr. Robert Williams in the Amount of \$8,260.00 for Installation of the Longhorn Sculpture in Buck Sansom Park and Adopt Appropriation Ordinance (COUNCIL DISTRICT 2)

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

1. [M&C P-11433](#) - Authorize Execution of Professional Services Agreement with Crowe Horwath LLP, in the Amount Up to \$1,300,000.00 for the Financial Management Services Department for Completion of the Fiscal Year 2012 Comprehensive Annual Financial Report (ALL COUNCIL DISTRICTS)
2. [M&C P-11434](#) - Authorize Purchase Agreement with CDW Government LLC, for Rugged Mobile Devices, Configuration, Installation, and Related Equipment and Services for the Information Technology Solutions Department in the Amount Up to \$4,000,000.00 (ALL COUNCIL DISTRICTS)
3. [M&C P-11435](#) - Authorize Purchase Agreement with Texas Highway Products, LTD, for Advanced Traffic Controllers for the Transportation and Public Works Department in the Amount Up to \$1,459,917.00 for the First Year (ALL COUNCIL DISTRICTS)
4. [M&C P-11436](#) - Authorize Purchase Agreement with Motorola Solutions, Inc., for Radio Parts, Equipment and Related Services Using a Cooperative Contract for the Information Technology Solutions Department in the Amount Up to \$1,535,000.00 (ALL COUNCIL DISTRICTS)

### **D. Land**

1. [M&C L-15443](#) - Authorize Execution of an Agreement Granting Texas Midstream Gas Services, L.L.C., a License to Construct and Operate an Eight-Inch Natural Gas Pipeline Across City-Owned Property Located at 9849 Watercross Drive for a One-Time License Fee in the Amount of \$45,592.80 (COUNCIL DISTRICT 7)

### **E. Planning & Zoning**

1. [M&C PZ-2957](#) - Consider Institution of the Annexation and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 3.3 Acres of Land Located North of Avondale-Haslet Road and East of US 287, AX-11-008, 2484 Avondale-Haslet Road (COUNCIL DISTRICT 7) **(Continued from a Previous Meeting)**

### **F. Award of Contract**

1. [M&C C-25879](#) - Adopt Resolution Authorizing Execution of a Local Project Advanced Funding Agreement with the Texas Department of Transportation and a Funding Agreement with Walsh

- Ranches, L.P., in the Amount of \$12,654,000.00 for Construction of the Walsh Ranch Parkway Interchange at Interstate Highway 30 at a Total Estimated Cost of \$13,913,187.00 (COUNCIL DISTRICT 3)
2. [M&C C-25880](#) - Adopt Resolution Authorizing the Execution of a Funding Agreement with the Texas Department of Transportation in the Amount of \$17,940,200.00 for Participation in the Reconstruction of East Rosedale Street from West of Miller Avenue to Stalcup Road (COUNCIL DISTRICT 5)
  3. [M&C C-25881](#) - Authorize Execution of an Interlocal Agreement with Tarrant County in the Amount of \$7,994,000.00 for the County's Participation in the Reconstruction of East Rosedale Street from U.S. 287 to West of Miller Avenue and Adopt Appropriation Ordinance (COUNCIL DISTRICT 8)
  4. [M&C C-25882](#) - Adopt Resolution Authorizing the Execution of a Funding Agreement with the Texas Department of Transportation in the Amount of \$5,000,000.00 for Design and Construction of East Rosedale Streetscape Improvements from Interstate 35W to U.S. 287 and Adopt Appropriation Ordinance (COUNCIL DISTRICT 8)
  5. [M&C C-25883](#) - Authorize Execution of a Contract with JLB Contracting, LLC, in the Amount of \$1,650,178.20 for Hot Mix Asphaltic Concrete Surface Overlay 2012-19 at Multiple Locations and Adopt Appropriation Ordinances (COUNCIL DISTRICTS 3, 5 and 9)
  6. [M&C C-25884](#) - Ratify Contract with Mario Sinacola & Sons Excavation, Inc., City Secretary No. 42443 in the Amount of \$129,246.22 for the Remediation of Potential Health and Safety Hazards Caused by Improper Dumping Associated with the 2004 Capital Improvement Program Project Robin-Denver Storm Drain Reconstruction (COUNCIL DISTRICT 2)
  7. [M&C C-25885](#) - Authorize Extension and Amendment to City Secretary Contract No. 36003, as Previously Amended, with the Fort Worth Convention and Visitors Bureau to Extend the Term Until September 30, 2013 and Amend Allocation of Funds for a Total Amount of \$8,419,921.00 for Fiscal Year 2013 (ALL COUNCIL DISTRICTS)
  8. [M&C C-25886](#) - Authorize Execution of After-School Program Agreements with Fort Worth Independent School District, Keller Independent School District, Crowley Independent School District and White Settlement Independent School District in the Total Program Amount of \$1,600,000.00 for Fiscal Year 2013 (ALL COUNCIL DISTRICTS)
  9. [M&C C-25887](#) - Authorize Execution of a Contract in the Amount of \$16,268,000.00 with Pepper-Lawson Construction, LP, for the Village Creek Water Reclamation Facility Deep Filters 1-20 Modifications (COUNCIL DISTRICT 5)
  10. [M&C C-25888](#) - Authorize Acceptance of a Texas Parks and Wildlife Urban Outdoor Recreation Grant in the Amount of \$1,000,000.00,

Authorize Use of the Value of a Portion of Northwest Community Park in the Amount of \$1,000,000.00 as the Local, In-Kind Match for the Grant, Authorize Execution of an Engineering Agreement with Gary Paul Kutilek d/b/a The Landscape Alliance for the Design and Engineering of Park Improvements for Northwest Community Park in the Amount of \$188,790.00 and Adopt Appropriation Ordinances (COUNCIL DISTRICT 7)

**XV. ZONING HEARING**

1. [ZC-11-043](#) - (CD 7) - M & H Food Mart, 2484 Avondale-Haslet Road; from: Unzoned to: "E" Neighborhood Commercial (**Recommended for Approval by the Zoning Commission**) (Continued from a Previous Meeting)

**XVI. CITIZEN PRESENTATIONS**

**XVII. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER) - SEE ATTACHMENT B**

**XVIII. 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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**ATTACHMENT B**  
**EXECUTIVE SESSION**  
**(Pre-Council Chamber)**  
**Tuesday, September 25, 2012**

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

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code:
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3. Deliberate concerning economic development negotiations, as authorized by Section 551.087 of the Texas Government Code; and
4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

**No Documents for this Section**



Updated September 20, 2012

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

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September 25, 2012

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

**Continued Items:**

- **M&C PZ-2957** - Consider Institution of the Annexation and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 3.3 Acres of Land Located North of Avondale-Haslet Road and East of US 287, AX-11-008, 2484 Avondale-Haslet Road (COUNCIL DISTRICT 7 – Dennis Shingleton) **(Continued from August 21, 2012 by Staff)**
- **ZC-11-043** - M & H Food Mart, 2484 Avondale-Haslet Road; from: Unzoned to: "E" Neighborhood Commercial **(Recommended for Approval by the Zoning Commission)** **(Continued from August 21, 2012 by Council Member Shingleton)**
- o Presentation on Vision North Texas *[Mike Eastland, North Central Texas Council of Governments]*
- o Briefing on Fort Worth Public Art Fiscal Year 2013 Annual Work Plan *[Martha Peters, Arts Council of Fort Worth and Tarrant County and Steven C. Kline, Fort Worth Art Commission]*
- o Presentation on Tax Abatement Agreement with ATC Logistics & Electronics *[Robert Sturns, Housing and Economic Development]*

October 2, 2012

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

**(Meeting moved to morning for National Night Out)**

**Alliance Airport Authority, Inc.**

**(Immediately following the 10:00 a.m. City Council Meeting)**

**Housing and Economic Development Committee**

**(Immediately following the AAA Meeting)**

**Housing Finance Corporation**

**(Immediately following the HED)**

**Local Development Corporation**

**(Immediately following the HFC)**



Updated September 20, 2012

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

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**October 9, 2012**    **Monthly Zoning Meeting**

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

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

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

- o Overview of Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
- o Briefing on Neighborhood Traffic Management [*Douglas Wiersig, Transportation and Public Works*]

**October 16, 2012**

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

**October 23, 2012**

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

**October 24, 2012**    *(Wednesday)*

*5:30 p.m. Joint Meeting of Fort Worth City Council/ Fort Worth Independent School Board of Trustees*

*(Jean McClung Middle School (Cafeteria) 3000 Forest Avenue)*

**October 25, 2012**    *(Thursday)*

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

**October 30, 2012**

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

*1:30 p.m. Village Creek Wastewater Tour*



Updated September 20, 2012

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

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**November 6, 2012**

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

- o Dallas/Fort Worth Airport Commercial Development Land Use Plan Update [*John Terrell, D/FW Airport*]

**November 12, 2012**      **Monthly Zoning Meeting**

**(Note: Meetings Changed to Monday)**  
**11:00 a.m. Legislative and Intergovernmental Affairs Committee**  
**1:00 p.m. Infrastructure & Transportation Committee**  
**3:00 p.m. Pre-Council Meeting**

**Continued Items:**

- **M&C G-17645** - Adopt Ordinance Amending Chapter 6 of the City Code to Enact a Program for the Management of Feral Cats to Allow for the Implementation of a Trap-Neuter-Return Program in Fort Worth (ALL COUNCIL DISTRICTS) (**Continued from September 11, 2012 by Staff**)
- o Overview of Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]

**November 15, 2012**      **(Thursday)**

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



Updated September 20, 2012

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

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**November 20, 2012**

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

**November 22, 2012**     *(Thursday)*

*City Hall Closed – Thanksgiving Holiday*

**November 23, 2012**     *(Friday)*

*City Hall Closed – Thanksgiving Holiday*

**November 27, 2012**

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

**December 4, 2012**

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

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

- o Discussion of Federal Legislative Agenda [*Shirley Little and T.J. Patterson, Governmental Relations and Scott Corley and Kasey Pipes, Corley Pipes*]



Updated September 20, 2012

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

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**December 11, 2012**      **Monthly Zoning Meeting**

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

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

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

- o Overview of Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]

**December 18, 2012**

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

**December 25, 2012**

*City Hall Closed – Christmas Holiday*

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

**No Documents for this Section**

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
SEPTEMBER 18, 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 Kelly Allen Gray, 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 10:02 a.m., on Tuesday, September 18, 2012, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

**II. INVOCATION - Reverend Gena Anderson, First United Methodist Church**

The invocation was provided by Reverend Gena Anderson, First United Methodist Church.

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF SEPTEMBER 11, 2012**

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that the Minutes of the Regular Meeting of September 11, 2012, be approved. The motion carried unanimously 9 ayes to 0 nays.

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

City Manager Higgins requested that Mayor and Council Communication No. PZ-2992 be withdrawn from the Consent Agenda. Council Member Jordan requested that Mayor and Council Communication No. G-17672 be withdrawn from the Consent Agenda and considered with the rate and budget Mayor and Council Communications. There was no objection.

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

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

**VII. CONSENT AGENDA**

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

**A. General - Consent Items**

- 1. M&C G-17663 - Authorization to Accept and Execute an Agreement with Texas Department of Transportation for a Green Ribbon Landscaping Planting Program Grant in the Amount of \$68,000.00 for Landscaping Improvements, an Irrigation System and Landscape Maintenance Costs in the Historic Handley Urban Village Streetscape Project and Adopt Appropriation Ordinance. (COUNCIL DISTRICT 5)**

The City Council approved the following recommendation: Authorize the acceptance of a Green Ribbon Landscaping Planting Program grant in the amount of \$68,000.00 from the Texas Department of Transportation (TxDOT) to fund landscaping improvements, an irrigation system and landscape maintenance costs in the Historic Handley Urban Village streetscape project; authorize the City Manager to execute a grant agreement with TxDOT to fund the improvements; and adopt Appropriation Ordinance No. 20386-09-2012 increasing the estimated receipts and appropriations in the Grants Fund subject to receipt of the grant, for the purpose of funding the improvements.

- 2. M&C G-17664 - Authorize Contracts with G.A. Miller Enterprises, Inc., and H2O Plumbing LLC, for the Priority Repair Program. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the City Manager or his designee to execute one (1) year contracts with G.A. Miller Enterprises, Inc., and H2O Plumbing LLC, for the Priority Repair Program; and authorize the City Manager or his designee to amend the contracts, if necessary, to achieve project goals provided that the amendment is within the scope of the project and in compliance with City policies and applicable laws and regulations governing the use of federal funds.

3. **M&C G-17665 - Authorize Temporary Closure of Twelfth Street from Calhoun Street to Jones Street in Order to Make Drainage, Sanitary Sewer, and Paving Improvements. (COUNCIL DISTRICT 9)**

The City Council approved the following recommendation: Authorize the temporary road closure of Twelfth Street from Calhoun Street to Jones Street from September 19, 2012, to December 17, 2012, in order to make drainage, sanitary sewer, and paving improvements.

4. **M&C G-17666 - Approve Findings of Ground Transportation Coordinator Regarding Application of Limo In DFW to Operate One Limousine 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 one (1) limousine upon the streets, alleys and thoroughfares in the City of Fort Worth (City); Limo In DFW is qualified and financially able to conduct a limousine service within the City; Limo In DFW has complied with the requirements of Chapter 34 of the City Code; Limo In DFW presented facts in support of compelling demand and necessity for one (1) limousine; and the general welfare of the citizens of the City will best be served by the addition of one (1) limousine upon City streets, alleys and thoroughfares; adopt Ordinance No. 20387-09-2012 granting the privilege of operating authority to Limo In DFW, for the use of the streets, alleys and public thoroughfares of the City in the conduct of its limousine business, which shall consist of the operation of one (1) limousine for a one (1) year period beginning on the effective date, providing for written acceptance by Limo In DFW, subject to and conditioned on Limo In DFW 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-17667 - Authorize Execution of a Memorandum of Agreement with the Texas Commission on Environmental Quality for Enforcement of Motor Vehicle Idling Restrictions Within Fort Worth. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of a memorandum of agreement with the Texas Commission on Environmental Quality (TCEQ) for the local enforcement of motor vehicle idling restrictions within Fort Worth for the current year and subsequent years upon the mutual agreement of the City and TCEQ.

6. **M&C G-17668 - Authorize Acceptance of a Monetary Donation from the Texas Health Harris Methodist Foundation in the Amount of \$6,780.00 to Cover the Cost of Three Drug Take Back Boxes, Drug Transport Services and Drug Destruction and Adopt Appropriation Ordinance. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the acceptance of a monetary donation from the Texas Health Harris Methodist Foundation in the amount of \$6,780.00 to cover the cost of three (3) drug take back boxes, drug transport services and drug destruction; and adopt Appropriation Ordinance No. 20388-09-2012 increasing the estimated receipts and appropriations in the Special Trust Fund, subject to receipt of the monetary donation, for the purpose of funding the purchase for the Safe Communities Drug Overdose Task Force.

7. **M&C G-17669 - Authorize Acceptance of an Anonymous Donation in the Amount of \$12,500.00 for the Purchase of Equipment for Various Fire Stations, Authorize Transfer in the Amount of \$12,500.00 from the Special Gifts Fund to the General Fund and Adopt Appropriation Ordinances. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the acceptance of a monetary donation in the amount of \$12,500.00 from an anonymous donor; adopt Appropriation Ordinance No. 20389-09-2012 increasing the estimated receipts and appropriations in the Special Gifts Fund, subject to receipt of the donation, for the purpose of transferring said funds to the General Fund for the purchase of equipment for various Fire Stations; authorize the transfer in the amount of \$12,500.00 from the Special Gifts Fund to the General Fund; adopt Appropriation Ordinance No. 20390-09-2012 increasing the estimated receipts and appropriations in the General Fund, from available funds, subject to receipt of the donation for the purpose of the equipment; and authorize the purchase in accordance with City regulations and state laws.

8. **M&C G-17670 - Authorize Office of Emergency Management to Apply for the Fiscal Year 2013 Emergency Management Performance Grant, and if Awarded, Authorize Execution of a Related Grant Contract with the Texas Division of Emergency Management in the Estimated Amount of \$144,426.00, Authorize Transfer in the Amount of \$144,426.00, as Required, for the City's Fifty Percent Match from the General Fund to the Grants Fund, Authorize Interfund Loan for Fiscal Year 2013 Expenditures, Authorize Transfer of Certain Funds and Eligible Grant Costs and Adopt Appropriation Ordinance. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the Office of Emergency Management to apply for the Fiscal Year 2013 Emergency Management Performance Grant from the Texas Division of Emergency Management in the approximate amount of \$144,426.00 to reimburse expenditures from the City's Emergency Management program; if awarded the grant: authorize the acceptance of and execution of a grant contract with the Texas Division of Emergency Management for the amount of the award; authorize a non-interest bearing interfund loan from the General Fund to the Grants Fund for interim financing to secure continuation of the Emergency Management program from one (1) grant funding period to the next; authorize the transfer of the Office of Emergency Management funds from the General Fund to the Grants Fund in the amount of \$144,426.00 as the City's match for the grant; authorize the transfer of eligible grant costs from General Fund to Grants Fund; and adopt Appropriation Ordinance No.

20391-09-2012 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$288,852.00, subject to receipt of the grant, for the purpose of reimbursing expenditures from the City's Emergency Management program.

**9. M&C G-17671 - Adopt Appropriation Ordinance and Authorize Transfer of Funds from the Special Trust Fund, Municipal Court Building Security Project in the Amount of \$330,554.94 to Reimburse the General Fund for Fiscal Year 2011-2012 Building Security and Enhancement Costs. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Adopt Appropriation Ordinance No. 20392-09-2012 increasing the estimated receipts and appropriations in the Special Trust Fund, Municipal Court Building Security Project, in the amount of \$330,554.94, from available funds, for the purpose of reimbursing the General Fund for Fiscal Year 2011-2012 building security and enhancement costs; and authorize the transfer from the Special Trust Fund, Municipal Court Building Security Project to the General Fund.

**B. Purchase of Equipment, Materials, and Services - Consent Items - None**

**C. Land - Consent Items**

**1. M&C L-15435 - Authorize Acquisition of a Fee Simple Interest in 0.608 Acres of Land for Right-of-Way and Easement Interest in 0.573 Acres of Land for Drainage, 0.619 Acres of Land for Slope and 0.738 Acres of Land for Temporary Construction Owned by Lhoist North America of Texas Located at 3110 Precinct Line Road for the Widening of Precinct Line Road from State Highway 10 to Concho Trail for a Purchase Price of \$650,000.00 and Estimated Closing Costs Not to Exceed \$5,000.00. (COUNCIL DISTRICT 5)**

The City Council approved the following recommendation: Authorize the acquisition of a fee simple interest in 0.608 acre of land for right-of-way and easement interest in 0.573 acre of land for drainage, 0.619 acre of land for slope and 0.738 acre of land for temporary construction owned by Lhoist North America of Texas, formerly known as Chemical Lime, LTD, described as Block 2, Lot 1B, Texas Industries Addition, near the northeast corner of Precinct Line Road and Trinity Boulevard, also known as 3110 Precinct Line Road, for the widening of Precinct Line Road from State Highway 10 to Concho Trail, in the City of Fort Worth, Texas, for the negotiated amount of \$650,000.00 and pay estimated closing costs in the amount up to \$5,000.00; and authorize the acceptance of the conveyances, record the appropriate instruments and pay the purchase price and the estimated closing costs.

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

**1. M&C C-25831 - Authorize Execution of an Agreement with McGriff, Seibels & Williams of Texas, Inc., in the Amount of \$62,500.00 for the First Year, for Workers' Compensation Excess-Insurance Broker and Consulting Services. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the City Manager to execute an agreement with McGriff, Seibels & Williams of Texas, Inc., for workers' compensation excess-insurance broker and consulting services effective December 1, 2012, with an initial three (3) year term and two (2) one (1) year renewal options, at a cost in the amount of \$62,500.00 for the first year.

2. **M&C C-25832 - Authorize Direct Sale of a Tax-Foreclosed Property Located at 3513 Lebow Street to the City of Fort Worth in the Amount of \$8,300.00 and Authorize Purchase of the Tax-Foreclosed Property by the City of Fort Worth in the Amount of \$8,300.00, Plus Closing Costs and the Amount of \$289.73 in Post Judgment Taxes for the Lebow Channel Stormwater Management Project. (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the direct sale of a tax-foreclosed property located at 3513 Lebow Street, described as Lot 12, Block 16, Dixie Wagon Mfg. Co. Addition, in the amount of \$8,300.00, in accordance with Section 34.05 of the Texas Tax Code to the City of Fort Worth; authorize the purchase of 3513 Lebow Street by the City of Fort Worth in the amount of \$8,300.00, plus closing costs and the amount of \$289.73 in post judgment taxes for the Lebow Channel storm water management project; and authorize the execution and recording of the appropriate instruments conveying the property to complete the sale and purchase.

3. **M&C C-25833 - Authorize Execution of Change Order No. 2 to City Secretary Contract No. 42079 with JLB Contracting, LLC, in the Amount of \$58,455.40 for Hot Mix Asphaltic Concrete Surface Overlay 2011-12 at Various Locations, Thereby Increasing the Total Contract Amount to \$976,984.90. (COUNCIL DISTRICT 6)**

The City Council approved the following recommendation: Authorize the execution of Change Order No. 2 to City Secretary Contract No. 42079 with JLB Contracting, LLC, in the amount of \$58,455.40 for Hot Mix Asphaltic Concrete Surface Overlay 2011-12 at various locations, thereby increasing the total contract amount to \$976,984.90.

4. **M&C C-25834 - Authorize Execution of Change Order No. 1 to City Secretary Contract No. 42472 with Peachtree Construction, Ltd., in the Amount of \$185,506.80 for Hot Mix Asphaltic Concrete Surface Overlay 2011-18 at Multiple Locations, Thereby Increasing the Total Contract Amount to \$1,157,169.80 and Adopt Appropriation Ordinances. (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the transfer in the amount of \$74,202.72 from the Water and Sewer Operating Fund to the Water Capital Projects Fund in the amount of \$44,521.63 and the Sewer Capital Project Fund in the amount of \$29,681.09; adopt Appropriation Ordinance No. 20393-09-2012 increasing the estimated receipts and

appropriations in the Water Capital Projects Fund, from available funds, for the purpose of hot mix asphaltic concrete on Goldenrod Avenue and Highcrest Avenue; adopt Appropriation Ordinance No. 20394-09-2012 increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund, from available funds, for the same purpose; and authorize the execution of Change Order No. 1 to City Secretary Contract No. 42472 with Peachtree Construction, Ltd., in the amount of \$185,506.80 for Hot Mix Asphaltic Concrete Surface Overlay 2011-18 at multiple locations, thereby increasing the total contract in the amount of \$1,157,169.80.

5. **M&C C-25835 - Authorize Execution of Change Order No. 2 to City Secretary Contract No. 41968 with JLB Contracting, LLC, in the Amount of \$63,932.76 for Hot Mix Asphaltic Concrete Surface Overlay 2011-7 at Multiple Locations, Thereby Increasing the Total Contract Amount to \$841,876.41. (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the execution of Change Order No. 2 to City Secretary Contract No. 41968 with JLB Contracting, LLC, in the amount of \$63,932.76 for Hot Mix Asphaltic Concrete Surface Overlay 2011-7 on S. Chandler Drive, from E. 4th Street to Galvez Avenue, thereby increasing the total contract amount to \$841,876.41.

6. **M&C C-25836 - Authorize Execution of Amendment No. 3 to City Secretary Contract No. 39764, with Graham Associates, Inc., in the Amount of \$49,125.00 for Additional Engineering Services for Hulen Street from McPherson Boulevard to West Cleburne Road Resulting in a Total Contract Amount of \$305,163.00. (COUNCIL DISTRICT 6)**

The City Council approved the following recommendation: Authorize the execution of Amendment No. 3 to City Secretary Contract No. 39764 with Graham Associates, Inc., in the amount of \$49,125.00, for additional engineering services for Hulen Street, from McPherson Boulevard to West Cleburne Road, adding to the scope of work for an increase in fee, thereby revising the original contract amount to \$305,163.00.

7. **M&C C-25837 - Authorize Execution of Change Order No. 2 to City Secretary Contract No. 41730 with McClendon Construction Company, Inc., in the Amount of \$3,000.00 for Pavement and Drainage Improvements for McAlister Road from Union Pacific Railroad to Interstate Highway 35W for a Total Contract Cost in the Amount of \$1,187,551.31. (COUNCIL DISTRICT 6)**

The City Council approved the following recommendation: Authorize the execution of Change Order No. 2 to City Secretary Contract No. 41730 with McClendon Construction Company, Inc., in the amount of \$3,000.00, for pavement and drainage improvements for McAlister Road, from Interstate Highway 35W southbound frontage road to west of the Union Pacific Railroad, thereby, revising the total contract cost to \$1,187,551.31.

8. **M&C C-25838 - Authorize Execution of a Contract with Jackson Construction, Ltd., in the Amount of \$398,720.00 for the Lochwood Court Drainage Improvements Project. (COUNCIL DISTRICT 7)**

The City Council approved the following recommendation: Authorize execution of a contract with Jackson Construction, Ltd., in the amount of \$398,720.00 for construction of the Lochwood Court Drainage Improvements project.

9. **M&C C-25839 - Authorize Execution of a Contract with Humphrey & Morton Construction Company, Inc., in the Amount of \$515,584.31 for the Sarita Channel Drainage Improvements and Adopt Appropriation Ordinance. (COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Authorize the transfer of \$36,939.31 from the Water and Sewer Operating Fund to the Stormwater Capital Projects Fund; adopt Appropriation Ordinance No. 20395-09-2012 increasing the estimated receipts and appropriations in the Stormwater Capital Projects Fund, from available funds, for the purpose of construction of the Sarita Channel Drainage Improvements Project; and authorize the execution of a contract with Humphrey & Morton Construction Company, Inc., in the amount of \$515,584.31 for construction of the project.

10. **M&C C-25840 - Authorize Execution of an Agreement with Brown & Gay Engineers, Inc., in the Amount of \$650,000.00 for Development and Implementation of a Stormwater Master Plan. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of an agreement with Brown & Gay Engineers, Inc., in the amount of \$650,000.00 for assistance with the development and implementation of a Stormwater Master Plan, including three (3) optional renewals, subject to available funds.

11. **M&C C-25841 - Authorize Execution of a Contract with Woody Contractors, Inc., in the Amount of \$881,289.00 for the Rolling Hills Drainage Improvement Project. (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the execution of a contract with Woody Contractors, Inc., in the amount of \$881,289.00 for the Rolling Hills Drainage Improvement Project.

12. **M&C C-25842 - Authorize Amendment to Police Department Towing Contracts to Extend the Term for One Year with Compliant Wrecker Companies for Police Initiated Towing Services. (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize an amendment to Police Department towing contracts to extend the term for one (1) year with compliant wrecker companies for police initiated towing services.

13. **M&C C-25843 - Adopt Resolution Authorizing an Increase in the Amount of \$200,000.00 to the Maximum Amount to be Paid to S.G. Johndroe, III and the Law Firm Cantey Hanger, LLP, as Outside Counsel for Legal Matters Related to the Alliance Airport Runway Extension Project for a Total Amount of \$900,000.00. (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Adopt Resolution No. 4128-09-2012 to increase the amount to be paid to S.G. Johndroe, III and the law firm of Cantey Hanger, LLP, as outside legal counsel for the Alliance Airport Runway Extension Project in the amount of \$200,000.00, not to exceed \$900,000.00.

14. **M&C C-25844 - Authorize Execution of a Hangar and Ground Lease Agreement with Texas Jet, Inc., for Lease Site 1N at Fort Worth Meacham International Airport. (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the execution of a hangar and ground lease agreement with Texas Jet, Inc., for lease site 1N at Fort Worth Meacham International Airport.

15. **M&C C-25845 - Authorize Execution of a Hangar and Ground Lease Agreement with Texas Jet, Inc., for Lease Sites 25S and 26S at Fort Worth Meacham International Airport. (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the execution of a hangar and ground lease agreement with Texas Jet, Inc., for lease sites 25S and 26S at Fort Worth Meacham International Airport.

16. **M&C C-25846 - Authorize Execution of an Engineering Agreement with CDM Smith, Inc., in the Amount of \$930,141.00 for Process Studies and Conceptual Design of The Peak Flow Management Facilities at Village Creek Water Reclamation Facility. (COUNCIL DISTRICT 5)**

The City Council approved the following recommendation: Authorize execution of an engineering agreement with CDM Smith, Inc., in the amount of \$930,141.00 for process studies and conceptual design of the peak flow management facilities at Village Creek Water Reclamation Facility.

17. **M&C C-25847 - Authorize Execution of an Engineering Agreement with Teague Nall & Perkins, Inc., in the Amount of \$410,620.00 for Southeast Water Main Extensions Including a Twenty-Four Inch Water Main Extension Along Anglin Drive, Timberview Drive and Shelby Road to Fossil Hill Drive and a Similar Extension Along Joel East Road and Wichita Street. (COUNCIL DISTRICT 5)**

The City Council approved the following recommendation: Authorize the execution of a contract with Teague Nall & Perkins, Inc., in the amount of \$410,620.00 for southeast water main extensions including a 24-inch water main extension along Anglin Drive, Timberview Drive and Shelby Road to Fossil Hill Drive and a similar extension along Joel East Road and Wichita Street.

- 18. M&C C-25848 - Authorize Execution of an Engineering Agreement in the Amount of \$193,110.00 with EJES Incorporated, for Sanitary Sewer Replacement Contract 91 in an Area Bounded by South Hills Avenue, South Ridge Terrace, West Fuller Avenue, Merida Avenue, Cockrell Avenue and Trail Lake Drive and Adopt Appropriation Ordinance. (COUNCIL DISTRICT 3)**

The City Council approved the following recommendation: Authorize the transfer of \$203,110.00 from the Water and Sewer Fund to the Sewer Capital Projects Fund; adopt Appropriation Ordinance No. 20396-09-2012 increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund, from available funds, for the purpose of Sanitary Sewer Rehabilitation Contract 91 in an area bounded by South Hills Avenue, South Ridge Terrace, West Fuller Avenue, Merida Avenue, Cockrell Avenue and Trail Lake Drive; and authorize the City Manager to execute a contract in the amount of \$193,110.00 with EJES, Incorporated for the project.

- 19. M&C C-25849 - Authorize Acceptance of a WaterSMART Title XVI Grant from the U.S. Department of the Interior Bureau of Reclamation in the Amount of \$150,000.00, Authorize Acceptance of a Contribution from the Tarrant Regional Water District in the Amount of \$32,000.00, Authorize Execution of a Professional Services Agreement with Alan Plummer Associates, Inc., to Perform a Feasibility Study for the Central Fort Worth Reclaimed Water Delivery System in the Amount Not to Exceed \$288,520.00 and Adopt Appropriation Ordinance. (COUNCIL DISTRICTS 4, 5 and 8)**

The City Council approved the following recommendation: Authorize the acceptance of WaterSMART Title XVI Grant from the U.S. Department of the Interior Bureau of Reclamation in the amount of \$150,000.00 for a feasibility study for the Central Fort Worth Reclaimed Water Delivery System; authorize the acceptance from the Tarrant Regional Water District of a \$32,000.00 non-grant contribution for a feasibility study for the Central Fort Worth Reclaimed Water Delivery System; approve the transfer from the Water and Sewer Fund in the amount of \$106,520.00 to the Grants Fund to count towards the City's match; authorize the amount of \$15,497.00 from the Water and Sewer Fund as in-kind matching funds for this grant; adopt the Appropriation Ordinance No. 20397-09-2012 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$304,017.00, \$150,000.00 is subject to receipt of the grant, remaining from available funds, for the purpose of the study; and authorize the execution of a professional services agreement with Alan Plummer Associates, Inc., in the amount not to exceed \$288,520.00 to perform the study.

20. **M&C C-25850 - Authorize the Execution of an Engineering Agreement with Halff Associates, Inc., in the Amount of \$535,543.00 for Engineering Services Needed to Obtain FEMA Levee Certification for the Village Creek Water Reclamation Facility Main Plant Site Levee and the Sludge Only Landfill Levee, Sludge De-Watering Facility Site. (COUNCIL DISTRICT 5)**

The City Council approved the following recommendation: Authorize the execution of an engineering agreement with Halff Associates, Inc., in the amount of \$535,543.00, for engineering services needed to obtain FEMA levee certification for the Village Creek Water Reclamation Facility main plant site levee and the Sludge Only Landfill levee, Sludge de-watering facility site.

21. **M&C C-25851 - Authorize Execution of Change Order No. 7 to City Secretary Contract No. 38806 with McCarthy Building Companies, Inc., in the Amount of \$145,343.00 for Construction of the Westside Water Treatment Plant Located at 12200 Old Weatherford Road, Thereby Increasing the Contract Amount to \$47,455,478.67. (COUNCIL DISTRICT 7)**

The City Council approved the following recommendation: Authorize the execution of Change Order No. 7 to City Secretary Contract No. 38806 with McCarthy Building Companies, Inc., in the amount of \$145,343.00 for construction of the Westside Water Treatment Plant, located at 12200 Old Weatherford Road, thereby increasing the contract amount to \$47,455,478.67.

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

1. **OCS - 1862 - Notice of Claims for Alleged Damages and/or Injuries**

End of Consent Agenda.

- D. **Planning & Zoning - Removed from the Consent Agenda for Individual Consideration**

- 1. M&C PZ-2992 - Adopt Ordinance Changing the Name of Bell Spur Road to Bell Helicopter Boulevard from Hurst Boulevard to Trinity Boulevard (COUNCIL DISTRICT 5)**

Mr. Brian Chase, 600 East Hurst Boulevard, completed a speaker card in support of Mayor and Council Communication No. PZ-2992, but did not wish to address the Council.

It was recommended that the City Council adopt an Ordinance changing the name of Bell Spur Road to "Bell Helicopter Boulevard" from Hurst Boulevard to Trinity Boulevard.

Motion: Council Member Moss made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. PZ-2992 be approved and Ordinance No. 20398-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

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

**1. Presentation of Proclamation for National Night Out in Texas**

Mayor Price presented the Proclamation for National Night Out in Texas to Chief Jeff Halstead, Police Department. She stated that the National Association of Town Watch (NATW) in conjunction with the City of Fort Worth was sponsoring a unique, nationwide crime, drug and violence prevention program on October 2, 2012, entitled "National Night Out in Texas" where police-community partnerships, neighborhood safety, awareness and cooperation were important themes. She called upon all citizens of Fort Worth to join the Fort Worth Police Department and the National Association of Town Watch in supporting the "28th Annual National Night Out in Texas."

Chief Halstead expressed appreciation for the Proclamation and encouraged everyone to meet and visit with their Neighborhood Police Officers on October 2, 2012.

**2. Presentation of Proclamation for the "Texting & Driving - It Can Wait" Program**

Mayor Pro tem Zimmerman presented the Proclamation for the "Texting & Driving - It Can Wait" Program to Chief Jeff Halstead, Police Department and Mr. David D. Parker, Vice President, AT&T External Affairs. He stated that the National Highway Traffic Safety Administration and the Virginia Tech Transportation Institute estimated that nearly 80 percent of crashes and 65 percent of near crashes involved some form of driver inattention. He further stated that the American Media Association called text messaging while driving "a public health risk," citing a study that found text messaging while driving caused a 400 percent increase in time spent with eyes off the road. He encouraged all citizens to commit to refraining from texting while driving as public safety, including the reduction of fatalities and injuries resulting from motor vehicle accidents were some of the highest priorities of the City of Fort Worth.

Mr. Parker expressed appreciation for the Proclamation and encouraged everyone to refrain from texting while driving as a matter of public safety.

**3. Presentation of the 1st Annual Cowtown Battle of the Bands**

Ms. Melinda Hamilton, President, Carver Heights East NA/East Fort Worth Neighborhood Coalition made the presentation for the first annual Cowtown "Battle of the Bands". She stated that the event would be held on September 29, 2012, at Herman Clarke Stadium. She further stated that there would be a special performance by Texas Southern University Drumline "Ocean of Soul and advised that Carter Riverside, Dunbar, Eastern Hills, Lancaster, Northside, OD Wyatt, Poly, and Southwest high schools would all be participating. She invited everyone to attend the event and provided the Council Members with complimentary tickets to the event.

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

**1. Upcoming and Recent Events**

Mayor Pro tem Zimmerman announced that the Fort Worth Music Festival would be held September 28-29, 2012, at Will Rogers Memorial Center. He stated for more information to contact [www.fwfest.com](http://www.fwfest.com).

Council Member Espino announced that Hispanic Heritage Month began on September 15, 2012, and would go through October 15, 2012. He expressed appreciation to All Saints Catholic Church for the recent celebrations and encouraged everyone to attend the various parades and other activities that would occur over the next month.

Council Member Scarth announced that he attended the Code Blue Luncheon and Seminar and the Cruisin for a Cure Car Show last weekend. He expressed appreciation to everyone involved in both activities.

Mayor Price announced that she attended a Hispanic Heritage event at La Gran Plaza last weekend and pointed out that over 30,000 people attended the event. She also stated that she along with Council Member Shingleton were chairing a new program called Fit Worth which focused on youth health and physical fitness. She pointed out that 100 schools were already signed up to participate in the program.

**2. Recognition of Citizens**

There were no citizens recognized at this time.

**XI. PRESENTATIONS BY THE CITY COUNCIL**

**1. Changes in Membership on Boards and Commissions**

Motion: Mayor Price made a motion, seconded by Council Member Shingleton, that Council Member Kelly Allen Gray be appointed to the Court Committee. The motion carried unanimously 9 ayes to 0 nays.

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

There were no presentations and/or communications from boards, commissions and/or City Council committees.

Secretary Kayser advised that items, “XIII. BUDGET HEARING”; “XIV. ORDINANCES” number 1 through 3; and “XV. RESOLUTIONS” number 1 would be moved down the Agenda and considered after all of the items under “XVI. REPORT OF THE CITY MANAGER”.

**XV. RESOLUTIONS**

**2. A Resolution Amending the City Council’s Rules of Procedure to Establish a Standing Date to Hold the Election for the Office of Mayor Pro Tem**

It was recommended that the City Council adopt a Resolution amending the City Council’s Rules of Procedure to establish a standing day to hold the election for the office of Mayor Pro tem.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that the rules be suspended so that action could be taken on this Resolution tonight. The motion carried unanimously 9 ayes to 0 nays.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that Resolution No. 4129-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**3. A Resolution Establishing an Energy Conservation Goal in Compliance with State of Texas Legislative Action**

It was recommended that the City Council adopt a Resolution establishing an energy conservation goal in compliance with State of Texas Legislative Action.

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton, that Resolution No. 4130-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**XVI. REPORT OF THE CITY MANAGER**

**A. Benefit Hearing - None**

**B. General**

**1. M&C G-17673 - Authorize Acceptance of a Monetary Gift from the Friends of the Fort Worth Nature Center & Refuge, Inc., in the Amount of \$45,000.00 to Fund Architectural and Engineering Design Plans for Restoration of the Broadview Park Picnic Area at the Fort Worth Nature Center & Refuge and Adopt Supplemental Appropriation Ordinance. (COUNCIL DISTRICT 7)**

It was recommended that the City Council authorize the acceptance of a monetary gift from the Friends of the Fort Worth Nature Center & Refuge, Inc., in the amount of \$45,000.00 for the purpose of funding architectural and engineering design plans for the restoration of the Broadview Park Picnic Area at the Fort Worth Nature Center & Refuge; and adopt a Supplemental Appropriation Ordinance increasing the estimated receipts and appropriations in the General Fund, subject to receipt of the monetary gift, for the purpose of funding the project.

Mr. Rick Shepherd, President, Friends of the Fort Worth Nature Center, appeared before Council in support of Mayor and Council Communication No. G-17673.

Council Member Shingleton expressed appreciation to the Friends of the Fort Worth Nature Center for the generous donation.

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. G-17673 be approved and Supplemental Appropriation Ordinance No. 20399-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**2. M&C G-17674 - Conduct a Public Hearing and Approve a Mid-Year Fiscal Year 2012 Crime Control and Prevention District Budget Amendment in the Amount of \$16,000,000.00 to Fund the Amount of \$10,000,000.00 for the Police Training Academy and the Amount of \$6,000,000.00 for Mobile Data Computer Replacements, Authorize Transfer to the Public Safety Training Facility Fund and Adopt Supplemental Appropriation Ordinances. (ALL COUNCIL DISTRICTS) (PUBLIC HEARING)**

It was recommended that the City Council conduct a public hearing, as required by law, regarding a Mid-Year Fiscal Year 2012 Crime Control and Prevention District Budget Amendment in the total amount of \$16,000,000; approve the Mid-Year Fiscal Year 2012 Crime Control and Prevention District Budget Amendment; adopt a Supplemental Appropriation Ordinance increasing the estimated receipts and appropriations in the Crime Control and Prevention District (CCPD) Fund in the amount of \$16,000,000.00 and decreasing the assigned fund balance by the same amount, for the purpose of transferring \$10,000,000.00 of said funds to the Public Safety Training Facility Fund for the Police Training Academy and using \$6,000,000.00 for the mobile data computer replacements; authorize the transfer from the CCPD Fund to the Public Safety Training Facility Fund; and adopt Supplemental Appropriation Ordinance increasing the estimated receipts and appropriations in the Public Safety Training Facility Fund, from available funds, for the purpose of funding the Police Training Academy.

Mayor Price opened the public hearing.

**a. Report of City Staff**

Ms. Shallah L. Graham, Senior Administrative Services Manager, Police Department, appeared before Council and provided a staff report.

**b. Citizen Presentations**

Mr. Stephen Hall, 904 Collier, submitted a comment card in support of Mayor and Council Communication No. G-17674.

**c. Council Action**

Motion: Council Member Scarth made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. G-17674 be approved and Supplemental Appropriation Ordinance Nos. 20400-09-2012 and 20401-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**3. M&C G-17675 - Adopt Ordinance Amending Section 15-51 Gas Well Fees of Article III of Chapter 15 of the City Code to Increase the Annual Fee Per Well from the Amount of \$500.00 to the Amount of \$600.00 Per Well. (ALL COUNCIL DISTRICTS)**

It was recommended that the City Council adopt an Ordinance amending the Code of Ordinances of the City of Fort Worth (1986), as amended, by amending Section 15-51 "Gas Well Fees" of Article III of Chapter 15, "Gas", entitled, "Gas Drilling and Production Fees" to increase the annual fees per well; adding the provision "Per Well" where necessary to increase the annual fee per well from the amount of \$500.00 to the amount of \$600.00 per well.

Mr. Gary Hogan, 2117 Rolling Creek Run, submitted a comment card in opposition to Mayor and Council Communication No. G-17675.

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. G-17675 be approved and Ordinance No. 20402-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**4. M&C G-17676 - Authorize Amendment of Schedule of Rates and Charges for the Municipal Parking System at the Will Rogers Memorial Center. (COUNCIL DISTRICT 7)**

It was recommended that the City Council authorize the implementation of a variable rate fee schedule and maximum rates for special events and monthly parking at the Will Rogers Memorial Center Parking System.

Mr. Carlo Capua, 1204 West Oleander Street, completed a speaker card in support of Mayor and Council Communication No. G-17676 and was recognized by Mayor Price, but was not present in the Council Chamber.

Council Member Scarth reminded staff that accommodations must be made for handicapped individuals who needed to use the automated parking meters.

Council Member Shingleton pointed out that this parking change would better facilitate parking needs across the City.

Motion: Council Member Shingleton made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. G-17676 be approved. The motion carried unanimously 9 ayes to 0 nays.

**5. M&C G-17677 - Adopt Fiscal Year 2012-2013 Schedule of Rates and Charges for the City of Fort Worth Airports. (COUNCIL DISTRICTS 2 and 8)**

It was recommended that the City Council adopt the Fiscal Year 2012-2013 Schedule of Rates and Charges for the City of Fort Worth Airports.

Motion: Council Member Shingleton made a motion, seconded by Council Member Allen Gray, that Mayor and Council Communication No. G-17677 be approved. The motion carried unanimously 9 ayes to 0 nays.

**6. M&C G-17678 - Establish an Annual Fee for Backflow Tester Registration, a Fee for Submittal of Backflow Prevention Assembly Test Sheets and Amending the Existing Fee Associated with Inspection and Testing of Backflow Prevention Assemblies in Chapter 12.5 and Chapter 26 of the City Code Effective January 1, 2013 and Amending Sections 12.5-548 and 12.5-549 and Adding Section 12.5-550. (ALL COUNCIL DISTRICTS)**

It was recommended that the City Council adopt an Ordinance amending the Code of the City of Fort Worth (1986), as amended, Chapter 12.5 "Environmental Protection and Compliance", Article V, "Public Drinking Water, Division III, "Cross Connection Control", Subdivision "Backflow Prevention Assembly Testers", amending Sections 12.5-548 and 12.5-549 and adding Section 12.5-550; reserving Sections 12.5-551 through 12.5-554; amending Table 106.6.2(1) of Chapter 26, "Plumbing Code" and revising the fees for testing and inspecting backflow prevention assemblies.

Council Member Scarth requested clarification from staff relative to when the inspections would take place and to whom they would apply.

Mr. Frank Crumb, Director, Water Department, clarified that the inspections would be performed on new developments that were putting in backflow devices on high hazard water uses initially when the device was installed and then a third party inspector would be performing the inspections. He stated that these fees would generally not apply to residential consumers.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. G-17678 be approved and Ordinance No. 20403-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

The following Mayor and Council Communication No. G-17672 was removed from the Consent Agenda for individual consideration.

**A. General - Removed from Consent Agenda for Individual Consideration**

**10. M&C G-17672 - Authorize Transfer from the Fiscal Year 2012 Water and Sewer Fund to the Specially Funded Capital Projects Fund in the Amount of \$973,483.58 and Adopt Appropriation Ordinance to Support the Fort Worth Public Art Program. (ALL COUNCIL DISTRICTS)**

It was recommended that the City Council authorize the transfer in the amount of \$973,483.58 from the Fiscal Year 2012 Water and Sewer Fund to the Specially Funded Capital Projects Fund; adopt an Appropriation Ordinance increasing the estimated receipts and appropriations in the Specially Funded Capital Projects Fund, from available funds, for the purpose of program administration, conservation and maintenance of the Fort Worth Public Art collection for new public art projects and initiatives.

Council Member Jordan requested clarification from staff relative to which fund the money would be transferred from.

Mr. Fernando Costa, Assistant City Manager, clarified that the transfer would come from the Operating Fund.

Motion: Council Member Espino made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. G-17672 be approved and Ordinance No. 20404-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

Council continued with the regular order of the Agenda.

**7. M&C G-17679 - Adopt Ordinance Revising Retail Water and Wastewater Rates and Charges for Volume Usage and Amending Sections 35-56 (b), (c) and (d), Article III Charges of Chapter 35 Water and Sewers of the City Code Effective January 1, 2013. (ALL COUNCIL DISTRICTS)**

It was recommended that the City Council adopt an Ordinance amending Section 35-56(b), (c) and (d) Article III of Chapter 35, "Water and Sewers", of the Code of the City of Fort Worth (1986), as amended, by revising and adding certain volume rates and charges, effective January 1, 2013.

Council Member Jordan requested clarification from Mr. Crumb regarding whether the staff recommendation was to raise both retail water and wastewater rates.

Mr. Crumb clarified that the staff recommendation was to raise both retail water and wastewater rates. He also pointed out that funds were also budgeted for 2014.

Discussion ensued amongst the Council Members regarding revising the retail water and wastewater rates as well as usage and conservation.

Mr. Horatio Porter, Budget Manager, City Manager's Office, advised that denying this item would affect the budget in the amount of \$400,000.00.

Motion: Council Member Burns made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-17679 be approved. The motion failed 4 ayes to 5 nays, with Mayor Price and Council Members Jordan, Moss, Scarth and Allen Gray casting the dissenting votes..

**[8. M&C G-17680 - Adopt Ordinance Amending Chapter 35 of the City Code, Water and Sewers, Article III, Charges and Revising the Land Use Assumptions, Capital Improvements Plan and Impact Fee Schedules for Water and Wastewater Facilities \(ALL COUNCIL DISTRICTS\)](#)**

It was recommended that the City Council adopt an Ordinance amending Chapter 35, "Water and Sewers", of the Code of the City of Fort Worth (1986) as amended, by amending Article III "Charges", Division 2 "Water and Wastewater Impact Fees", Exhibit A, incorporated by reference into Section 35-70.2(a); furthermore, by amending Exhibit B, incorporated by reference into Section 35-70.2(b); further, by amending Schedule 1, incorporated by reference into sections 35-70.3(a), 35-73(a) and 35-78(a); further, by amending Schedule 2, incorporated by reference into Section 35-70.3(b), 35-73(b) and 35-78(b); further, by amending Exhibit C, incorporated by reference into Section 35-71(a); further, by amending Exhibit D, incorporated by reference into Section 35-72(a); further, by amending Exhibit E, incorporated by reference into Section 35-76(a); further, by amending Exhibit F, incorporated by reference into Section 35-77(a).

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. G-17680 be approved and Ordinance No. 20406-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

Mr. Crumb requested that the Council consider splitting Mayor and Council Communication No. G-17679 and approve revising the wastewater rates but deny revising the retail water rates.

**7. M&C G-17679 - Adopt Ordinance Revising Retail Water and Wastewater Rates and Charges for Volume Usage and Amending Sections 35-56 (b), (c) and (d), Article III Charges of Chapter 35 Water and Sewers of the City Code Effective January 1, 2013. (ALL COUNCIL DISTRICTS)**

It was recommended that the City Council adopt an Ordinance amending Section 35-56(b), (c) and (d) Article III of Chapter 35, "Water and Sewers", of the Code of the City of Fort Worth (1986), as amended, by revising and adding certain volume rates and charges, effective January 1, 2013.

City Attorney Fullenwider advised of the proper procedure to reconsider the item.

Motion: Council Member Moss made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. G-17679 be reconsidered. The motion carried 8 ayes to 1 nay, with Council Member Jordan casting the dissenting vote.

Motion: Council Member Espino made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. G-17679 be approved, with the amendment to delete paragraph number 3 of the Discussion section in Mayor and Council Communication No. G-17679 relating to a 3.26 percent increase for retail water service for all customer classes and approving the wastewater rate increase of 2.60 percent system-wide and varies by established cost of service by customer class and Ordinance No. 20405-09-2012 be adopted as amended. The motion carried 8 ayes to 1 nay, with Council Member Jordan casting the dissenting vote.

**9. M&C G-17681 - Adopt Ordinance Revising Wholesale Water, Wastewater and Raw Water Service Rates and Amending Chapter 35 Water and Sewers, Article III Charges, Sections 35-56 (g) and (h) of the City Code. (ALL COUNCIL DISTRICTS)**

It was recommended that the City Council adopt an Ordinance amending the Code of the City of Fort Worth (1986), as amended, Chapter 35 "Water and Sewers", Article III, "Charges", Section 35-56, "Water and Sewer Rates within the City" by amending Subsections (g) through (h), revising wholesale and raw water rates for water and wastewater.

Motion: Council Member Shingleton made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. G-17681 be approved and Ordinance No. 20407-09-2012 be adopted. The motion carried 8 ayes to 1 nay, with Council Member Jordan casting the dissenting vote.

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

**1. M&C P-11428 - Authorize Amendment to Extend the Existing Specialty Assets Investment Account Agreement with JP Morgan Chase Bank, N.A., for an Additional Amount Up to \$60,000.00 for Oil and Gas Mineral Banking Services. (ALL COUNCIL DISTRICTS)**

It was recommended that the City Council authorize an amendment to extend the existing specialty assets investment account agreement with JP Morgan Chase Bank, N.A., for oil and gas mineral banking services for an additional amount of \$60,000.00 for a total agreement in the amount up to \$540,000.00 and to extend the term of the agreement until a contract for banking and trust services can be awarded, finalized and executed or until April 13, 2013, whichever is soonest.

Mayor Pro tem Zimmerman and Council Members Espino, Burns, Allen Gray, Jordan and Scarth stated that they had a normal banking relationship with JP Morgan Chase Bank, N.A.

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. P-11428 be approved. The motion carried unanimously 9 ayes to 0 nays.

**D. Land**

**1. M&C L-15436 - Authorize Execution of a License Agreement Granting Texas Midstream Gas Services, L.L.C., a License to Construct and Operate an Eight-Inch Natural Gas Pipeline and Valve Station at the Village Creek Wastewater Treatment Plant, 4500 Wilma Lane, for a One-Time License Fee in the Amount of \$192,341.60. (COUNCIL DISTRICT 5)**

It was recommended that the City Council authorize execution of a license agreement with Texas Midstream Gas Services, L.L.C., for a one (1) time license fee in the amount of \$192,341.60 and granting a license to construct and operate an eight (8) inch natural gas pipeline and valve station at City-owned property known as the Village Creek Wastewater Treatment Plant, located at 4500 Wilma Lane, for a term of 20 years.

Motion: Council Member Moss made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. L-15436 be approved. The motion carried unanimously 9 ayes to 0 nays.

**2. M&C L-15437 - Approve Acceptance of Lease Agreement with Vantage Fort Worth Energy LLC, in the Amount of \$42,429.50 for Natural Gas Drilling Under 8.4859 Acres of Martin Luther King Park and Community Center Located at 5565 Truman Drive. (COUNCIL DISTRICT 5)**

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
SEPTEMBER 18, 2012  
Page 22 of 33**

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It was recommended that the City Council approve the acceptance of a lease agreement in the amount of \$42,429.50 for natural gas drilling under 8.4859 acres more or less of City-owned property known as Martin Luther King Park and Community Center to Vantage Fort Worth Energy, LLC, for a two (2) year primary term.

Mr. Grayson Harper, 3605 Bellaire Drive South, appeared before Council in opposition to Mayor and Council Communication No. L-15437.

Mr. Michael Appleman, 2600 block of Highview Terrace, submitted a comment card in opposition to Mayor and Council Communication No. L-15437.

Council Member Moss clarified that the drilling to harvest the minerals under the park would occur offsite.

Motion: Council Member Moss made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. L-15437 be approved. The motion carried unanimously 9 ayes to 0 nays.

**3. M&C L-15438 - Authorize Condemnation by Eminent Domain of a Fee Simple Interest in 0.3620 Acres of Vacant Land Located Southeast of the Intersection of Old Denton Road and Golden Triangle Boulevard Owned by David, Jonathan and Catherine Riddel for the Old Denton Road Widening Project from Golden Triangle Boulevard to Heritage Trace Parkway. (COUNCIL DISTRICT 2)**

It was recommended that the City Council declare that negotiations between the City and the landowner to acquire a fee simple interest in 0.3620 acre of vacant land, owned by David, Jonathan and Catherine Riddel, and known as 10700 Old Denton Road, Abstract No. 999, Tract 12D01, of the William McCowen Survey, City of Fort Worth, Tarrant County, Texas, were unsuccessful because of the inability to reach an agreement to purchase; declare the necessity to acquire the fee simple interest in the subject property for the widening of Old Denton Road from Golden Triangle Boulevard to Heritage Trace Parkway; authorize the City Attorney to institute condemnation by eminent domain proceedings for a fee simple interest in 0.3620 acre of vacant land to be used for right-of-way; authorize the payment pursuant to an award of commissioners and/or upon negotiated settlement in lieu of condemnation by eminent domain; and authorize the acceptance and recording of appropriate instruments.

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton that Mayor and Council Communication No. L-15438 and that the Fort Worth City Council authorize the use of the power of eminent domain to acquire 0.3620 acre for a fee simple right-of-way taking needed for the Old Denton Road widening project from the tract of land known as Abstract No. 999, Tract 12D01, William McCowen Survey, Tarrant County, Texas, also known as 10700 Old Denton Road located Southeast of the corner of Old Denton Road and Golden Triangle

Boulevard. The land rights will be used to widen Old Denton Road to a four (4) lane divided arterial from Golden Triangle Boulevard to Heritage Trace Parkway. The right-of-way necessary is described by metes and bounds and depicted by survey plats attached to Mayor and Council Communication No. L-15438 be approved. The motion carried unanimously 9 ayes to 0 nays.

**E. Planning & Zoning**

**1. M&C PZ-2983 - Consider the Adoption of an Ordinance Vacating a Portion of Right-of-Way Along Oakhurst Scenic Drive Adjacent to 2031 West Lotus Avenue. (COUNCIL DISTRICT 2) (Continued from a Previous Meeting)**

It was recommended that the City Council adopt an Ordinance vacating and extinguishing a portion of Oakhurst Scenic Drive adjacent to Lots 12, 13, and part of 14, Block 1, West Oakhurst Addition, an Addition to the City of Fort Worth, Tarrant County, Texas, containing approximately 6,074 square feet or 0.139 acre of land; providing for the reversion of fee in said land, and the retainment of existing utility easement; and remand this case to the City Plan Commission for further review.

The following individuals appeared before Council in opposition to Mayor and Council Communication No. PZ-2983.

Ms. Libby Willis, 2300 Primrose Avenue (provided handout and displayed photographs)  
Mr. Steve Epstein, Vice President, Fort Worth League of Neighborhoods, 1617 Steinburg Lane  
Ms. Ginger Bason, 1600 Oakhurst Scenic Drive (provided handout)  
Ms. Sharon K. Buse, 1413 and 1805 Bluebonnet Drive

Mr. Charles Dreyfus, 2416 Park Place, completed a speaker card in opposition to Mayor and Council Communication No. PZ-2983, but did not wish to address the Council.

The following individuals submitted speaker cards in opposition to Mayor and Council Communication No. PZ-2983.

Aaron and Amanda Vorwek, 2112 Morning Glory Avenue  
Mr. Joseph Kutilek, 1413 Bluebonnet Drive  
Ms. Freda Calabrese, 1800 Wisteria Court

(Council Member Burns left his place at the dais.)

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. PZ-2983 be remanded to the City Plan Commission. The motion carried unanimously 8 ayes to 0 nays, with Council Member Burns absent.

(Council Member Burns returned to his place at the dais.)

**F. Award of Contract**

**1. M&C C-25657 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, L.L.C., a License to Construct and Operate an Eight Inch Natural Gas Gathering Pipeline Across South Haynes Avenue, Arch Street, South Chicago Avenue, South Newark Avenue, South Sargent Avenue, Miller Avenue, Bradley Avenue, Griggs Street, South Hughes Avenue, Lloyd Avenue and South Edgewood Terrace, GST11-0035. (COUNCIL DISTRICTS 5 and 8) (Continued from a Previous Meeting)**

It was recommended that the City Council authorize the execution of a public right-of-way use agreement with Texas Midstream Gas Services, L.L.C., for a one (1) time license fee in the amount of \$31,605.20 and granting a license to construct and operate an eight (8) inch natural gas gathering pipeline in the following 11 public rights-of-way: (i) across South Haynes Avenue, north of East Rosedale Street, (ii) across Arch Street, north of Rosedale, (iii) across South Chicago Avenue, north of Rosedale, (iv) across South Newark Avenue, north of Rosedale, (v) across South Sargent Avenue, north of Rosedale, (vi) across Miller Avenue, north of Rosedale, (vii) across Bradley Avenue, south of Windomere Street, (viii) across Griggs Street, south of Windomere Street, (ix) across South Hughes Avenue, south of Windomere Street, (x) across Lloyd Avenue, north of Rosedale, and (xi) Across South Edgewood Terrace, north of Rosedale.

Ms. Leah King, representing Texas Midstream Gas Services, 301 Commerce Street, Suite 1200, appeared before Council in support of Mayor and Council Communication No. C-25657. (provided a PowerPoint presentation)

The following individuals completed speaker cards in support of Mayor and Council Communication No. C-25657, but did not wish to address the Council.

Ms. Meosha Paige, 301 Commerce Street  
Mr. Mike Smith, 301 Commerce Street

The following individuals appeared before Council in opposition to Mayor and Council Communication No. C-25657.

Mr. Grayson Harper, 3605 Bellaire Drive South  
Mr. Henry Thomas, 4150 East Rosedale

The following individuals submitted comment cards in opposition to Mayor and Council Communication No. C-25657.

Mr. Gary Hogan, 2117 Rolling Creek Run  
Mr. Johnny Lewis, 953 Terrell

Motion: Council Member Moss made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-25657 be approved. The motion carried 7 ayes to 2 nays, with Council Members Jordan and Allen Gray casting the dissenting votes.

**2. M&C C-25852 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Barnett Gathering, LLC, a License to Construct and Operate an Eight-Inch Natural Gas Gathering Pipeline Across Edwards Ranch Road. (COUNCIL DISTRICT 3)**

It was recommended that the City Council authorize the execution of a public right-of-way use agreement with Barnett Gathering, LLC, granting a license to construct and operate a natural gas gathering pipeline across Edwards Ranch Road, east of Bryant Irvin Road, for a one (1) time license fee in the amount of \$8,228.00.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. C-25852 be approved. The motion carried unanimously 9 ayes to 0 nays.

**3. M&C C-25853 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, L.L.C., a License to Construct and Operate an Eight-Inch Natural Gas Gathering Pipeline Across Trinity Park Drive, Forest Park Boulevard North and Petersmith Street West, GP11-00029. (COUNCIL DISTRICT 9)**

It was recommended that the City Council authorize the City Manager to execute a public right-of-way use agreement with Texas Midstream Gas Services, L.L.C., for a one (1) time license fee in the amount of \$19,892.40 and granting a license to construct and operate a natural gas gathering pipeline across Trinity Park Drive, east of Foch Street, across Forest Park Boulevard North, north of Parkview Drive, across Petersmith Street West, east of Forest Park Boulevard North and across Petersmith Street West, west of 15th Street.

Mr. Jerry Lobdill, 6336 Darwood Avenue, completed a speaker card in opposition to Mayor and Council Communication No. C-25853, but did not wish to address the Council.

Mr. Michael Appleman, 2600 block Highview Terrace, submitted a comment card in opposition to Mayor and Council Communication No. C-25853.

Motion: Council Member Burns made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-25853 be approved. The motion carried unanimously 9 ayes to 0 nays.

**4. M&C C-25854 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, L.L.C., a License to Construct and Operate an Eight-Inch Natural Gas Gathering Pipeline Across Ridgmar Boulevard, Aden Road and Green Oaks Road for a One-Time License Fee in the Amount of \$10,502.80. (COUNCIL DISTRICTS 3 and 7)**

It was recommended that the City Council authorize the City Manager to execute a public right-of-way use agreement with Texas Midstream Gas Services, L.L.C., granting a license to construct and operate an eight (8) inch natural gas gathering pipeline across Ridgmar Boulevard, Aden Road and Green Oaks Road for a one (1) time license fee in the amount of \$10,502.80.

Mr. Jerry Lobdill, 6336 Darwood Avenue, appeared before Council in opposition to Mayor and Council Communication No. C-25854.

Ms. Leah King, representing Texas Midstream Gas Services, 301 Commerce Street, Suite 1200, submitted a comment card in support of Mayor and Council Communication No. C-25854.

Motion: Council Member Shingleton made a motion, seconded by Council Member Moss that Mayor and Council Communication No. C-25854 be approved. The motion carried unanimously 9 ayes to 0 nays.

**5. M&C C-25855 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, L.L.C., a License to Construct and Operate an Eight-Inch Natural Gas Gathering Pipeline Across Greenbelt Road, West of Trammel David Road, for a One-Time License Fee in the Amount of \$12,535.60. (COUNCIL DISTRICT 5)**

It was recommended that the City Council authorize the City Manager to execute a public right-of-way use agreement with Texas Midstream Gas Services, L.L.C., granting a license to construct and operate an eight (8) inch natural gas gathering pipeline across Greenbelt Road, west of Trammel Davis Road, for a one (1) time license fee in the amount of \$12,535.60. (The record reflects that the correct exhibit was provided to the Council.)

Motion: Council Member Moss made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. C-25855 be approved. The motion carried unanimously 9 ayes to 0 nays.

Ms. Leah King, representing Texas Midstream Gas Services, 301 Commerce Street, Suite 1200, submitted a comment card in support of Mayor and Council Communication No. C-25855.

**6. M&C C-25856 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, L.L.C., a License to Construct and Operate a Ten-Inch Natural Gas Gathering Pipeline Across Pipeline Road, Trinity Boulevard and Mosier Valley Road. (COUNCIL DISTRICT 5)**

It was recommended that the City Council authorize the City Manager to execute a public right-of-way use agreement with Texas Midstream Gas Services, L.L.C., for a one (1) time license fee in the amount of \$16,649.60 and granting a license to construct and operate a natural gas gathering pipeline across Pipeline Road, east of Liston Lane, across Trinity Boulevard, east of the intersection of Mosier Valley Road and Trinity Boulevard and across Mosier Valley Road, east of Jimison Lane.

Motion: Council Member Moss made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. C-25856 be approved. The motion carried unanimously 9 ayes to 0 nays.

**7. M&C C-25857 - Adopt Resolution Authorizing Execution of a Funding Agreement with the North Central Texas Council of Governments and the Texas Department of Transportation with Local Participation by Tarrant County for the Texas Wesleyan University Streetscape Sustainable Development Project, Accept Sustainable Development Grant in the Amount of \$1,500,000.00, Authorize Execution of a Sustainable Development Agreement with Texas Wesleyan University and Adopt Appropriation Ordinance. (COUNCIL DISTRICT 8)**

It was recommended that the City Council adopt a Resolution authorizing the execution of a funding agreement with the North Central Texas Council of Governments (NCTCOG) and the Texas Department of Transportation (TxDOT) in the amount of \$1,875,000.00 which includes Tarrant County participation in the amount of \$375,000.00, for the design and construction of the Texas Wesleyan University (TWU) Streetscape Sustainable Development Infrastructure Project between Nashville Avenue and Collard Street, which is part of a larger East Rosedale Phase 1 Improvements Project that extends from Highway 287 to just west of Miller Avenue; authorize the acceptance of a reimbursement grant in the amount of \$1,500,000.00 from NCTCOG and TxDOT to the Grants Fund; authorize the execution of a sustainable development agreement with TWU for the vertical construction component of the Sustainable Development project; and adopt an Appropriation Ordinance increasing the estimated receipts and appropriations in the Grant Capital Projects Fund in the amount of \$1,500,000.00, from available funds, for the purpose of funding the construction project.

Motion: Council Member Allen Gray made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. C-25857 be approved and Resolution No. 4131-09-2012 and Appropriation Ordinance No. 20408-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**8. M&C C-25858 - Authorize Execution of a Service Agreement and Payment to Oncor Electric Delivery Company, LLC, in the Amount of \$212,630.22 for the Relocation of 37 Existing Wood Poles and Approximately 3500 Feet of Overhead Wire That Are Located Along Robertson Road and Are in Conflict with the Construction of Robertson Road. (COUNCIL DISTRICT 7)**

It was recommended that the City Council authorize the execution of a service agreement and payment to Oncor Electric Delivery Company, LLC, in the amount of \$212,630.22 for the relocation of 37 existing wood poles and approximately 3,500 feet of overhead wire that are located along Robertson Road.

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

Motion: Council Member Shingleton made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-25858 be approved. The motion carried 8 ayes to 0 nays, with 1 abstention by Council Member Scarth.

**9. M&C C-25859 - Authorize Application for and Acceptance of a Grant, if Awarded, from the Federal Aviation Administration in the Amount of \$20,000,000.00 for the Runway Extension Project at Fort Worth Alliance Airport and Adopt Appropriation Ordinance. (COUNCIL DISTRICT 2)**

It was recommended that the City Council authorize application for and acceptance of a grant, if awarded, from the Federal Aviation Administration in the amount of \$20,000,000.00 for the Runway Extension Project at Fort Worth Alliance Airport; authorize the use of land credits in the amount of \$2,222,222.22 for the City of Fort Worth's in-kind local match of 10 percent of the project cost; and adopt an Appropriation Ordinance increasing the estimated receipts and appropriations in the Airports Grant Fund in the amount of \$22,222,222.22, subject to receipt of the grant, for the purpose of funding the project.

Motion: Council Member Espino made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-25859 be approved and Appropriation Ordinance No. 20409-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**10. M&C C-25860 - Authorize Execution of a Contract with Conatser Construction, TX, LP, in the Amount of \$1,943,328.75 for Water and Sanitary Sewer Rehabilitation Contract 53 on Fairfield Drive, Hervie Street, Kilpatrick Avenue and Seven Alleys and Adopt Appropriation Ordinance. (COUNCIL DISTRICTS 3 and 7)**

It was recommended that the City Council authorize the transfer of \$107,122.00 from the Water and Sewer Operating Fund to the Sewer Capital Projects Fund; adopt an Appropriation Ordinance increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund, from available funds, for the purpose of Sanitary Sewer Rehabilitation Contract 53; and authorize the execution of a contract with Conatser Construction, TX, LP, in the amount of \$1,943,328.75.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. C-25860 be approved and Appropriation Ordinance No. 20410-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

### **XIII. BUDGET HEARING**

#### **1. Hearing on Proposed Fiscal Year 2012-2013 Appropriation Ordinance, Debt Service Ordinance and Ad Valorem Tax Levy Ordinance**

Mayor Price opened the budget hearing.

##### **a. Report of City Staff**

Mr. Horatio Porter, Budget Officer, City Manager's Office, appeared before Council and provided a staff report.

##### **b. Citizen Comments**

The following individuals appeared before Council in opposition to the proposed Fiscal Year 2012-2013 Appropriation Ordinance, Debt Service Ordinance and Ad Valorem Tax Levy Ordinance, pertaining to the reduction in funding for Arts programs and the Directions Home Program.

Mr. Bill Hart, 408 Green River Trail  
Mr. Darren Woods, 1300 Gendy Street  
Ms. Deborah Jung, 2340 Mistletoe Boulevard  
Mr. Zak Reynolds, 4401 Calmont Street  
Mr. Travis Baugh, 3909 Hulen (provided handout)  
Mr. James Tapscott, 2630 B Merrick Street  
Mr. Greg Clifton, 4408 Hildring Drive East  
Ms. Vicki Nejtek, 5800 River Meadows Place  
Mr. Robert Snoke, 3820 6th Avenue

Mr. Greg Hutson, 3611 West 6th Avenue, completed a speaker card in opposition to the proposed Fiscal Year 2012-2013 Appropriation Ordinance, Debt Service Ordinance and Ad Valorem Tax Levy Ordinance, but did not wish to address the Council.

Ms. Annette Deatherage, 2540 Ridgmar Boulevard, No. 4048, completed a speaker card in opposition to the proposed Fiscal Year 2012-2013 Appropriation Ordinance, Debt Service Ordinance and Ad Valorem Tax Levy Ordinance and was recognized by Mayor Price, but was not present in the Council Chamber.

The following individuals submitted comment cards in opposition to the proposed Fiscal Year 2012-2013 Appropriation Ordinance, Debt Service Ordinance and Ad Valorem Tax Levy Ordinance, pertaining to the reduction in funding for Arts programs.

Ms. Kate Lovelady, 704 Lake Louis Road  
Mr. Chad Jung, 4101 Crestview Drive  
Ms. Emma Lea Wall, 3733 Kelvin Avenue  
Mr. Steve Kintigh, 3800 Walton Avenue  
Ms. Kellie Miller, 333 Chateau Drive  
Mr. Francis McClure, 1900 Ben Hall Court  
Mr. Wall Lauren, 3733 Kelvin Avenue  
Ms. Leslie Hunt, 2004 Warner Road  
Ms. Sarah Nadar, 2211 Weatherbee Street  
Mr. Carrie Todd, 2201 Tremont Avenue  
Ms. Bari Henderson, 1238 B Abelia Court  
Ms. Rebecca Low, 3112 Softwind Trail

The following individuals completed “undecided” speaker cards and appeared before Council relative to the proposed Fiscal Year 2012-2013 Appropriation Ordinance, Debt Service Ordinance and Ad Valorem Tax Levy Ordinance, pertaining to the reduction in funding for Arts programs.

Ms. Cindy Crain, 284 Gail Drive  
Ms. Jody Ulich, 3320 Camp Bowie, No. 2202  
Ms. Ernestine Rose, 4000 Fox Trot Drive

Discussion ensued amongst Council Members regarding the City Manager’s proposed Fiscal Year 2012-2013 Appropriation Ordinance.

**c. Council Action**

Motion: Council Member Shingleton made a motion, seconded by Council Member Burns, that the public hearing be closed. The motion carried unanimously 9 ayes to 0 nays.

**XIV. ORDINANCES**

- 1. An Ordinance Setting Forth an Itemized Estimate of the Expense of Conducting Each Department, Division and Office of the Municipal Government of the City of Fort Worth for the Ensuing Fiscal Year Beginning October 1, 2012, and Ending September 30, 2013, and Appropriating Money for the Various Funds and Purposes of Such Estimate; Providing for Public Hearings Upon This Ordinance Before the Entire City Council Sitting as a Committee of the Whole; and Providing a Severability Clause; and Providing a Savings Clause for the Repeal of All Ordinances and Appropriations in Conflict with the Provisions of this Ordinance; and Providing for the Publication and Final Passage Thereof.**

It was recommended that the City Council adopt an Ordinance setting forth an itemized estimate of the expense of conducting each department, division and office of the Municipal Government of the City of Fort Worth for the ensuing Fiscal Year beginning October 1, 2012, and ending September 30, 2013, and appropriating money for the various funds and purposes of such estimate; and providing for public hearings upon this Ordinance before the entire City Council sitting as a committee of the whole.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that excluding the allocation for the Crime Control and Prevention District, the proposed FY 2013 Budget be approved and Appropriation Ordinance No. 20411-09-2012 be adopted with the following amendments: reduce Water and Sewer Fund Revenue estimate to \$372,222,342; reduce General Fund transfers to \$41,772,487; and increase use of Fund Balance to \$40,792,257. The motion carried 8 ayes to 1 nay, with Council Member Burns casting the dissenting vote.

Council Member Allen Gray recused from voting on the following item.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that the proposed FY 2013 Budget allocation for the Crime Control and Prevention District in the amount of \$54,711,925 be approved. The motion carried 8 ayes to 0 nays, with Council Member Allen Gray recused.

**2. An Ordinance Setting Forth an Estimate of the Expense of the General Debt Service Fund of the Municipal Government of the City of Fort Worth for the Ensuing Fiscal Year Beginning October 1, 2012, and Ending September 30, 2013, and Appropriating Money for the General Debt Service Fund and Purpose of Such Estimate; Appropriating Money to Pay Interest and Principal Sinking Fund Requirement on All Outstanding General Indebtedness; Providing for Public Hearings Upon This Ordinance Before the Entire City Council Sitting as a Committee of the Whole; and Providing a Severability Clause; and Providing a Savings Clause for the Repeal of All Ordinances and Appropriations in Conflict with the Provisions of This Ordinance; and Providing for the Publication and Final Passage Thereof.**

It was recommended that the City Council adopt an Ordinance setting forth an estimate of the expense of the General Debt Service Fund of the Municipal Government of the City of Fort Worth for the ensuing Fiscal Year beginning October 1, 2012, and ending September 30, 2013, and appropriating money for the General Debt Service Fund and purpose of such estimate; appropriating money to pay interest and principal Sinking Fund requirement on all outstanding general indebtedness; and providing for public hearings upon this Ordinance before the entire City Council sitting as a committee of the whole.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Ordinance No. 20412-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**3. An Ordinance Providing for the Levy and Collection of an Annual Ad Valorem Tax on All Property, Real, Personal and Mixed, Situated Within the Territorial Limits of the City of Fort Worth, Texas, and All Personal Property Owned in said City of Fort Worth, Texas, on the First Day of January, A.D. 2012, Except Such Property as May be Exempt from Taxation by the Constitution and Laws of the State of Texas; and Providing for a Penalty; and Providing a Severability Clause; and Providing a Savings Clause for the Repeal of All Ordinances in Conflict with the Provisions of This Ordinance; and Providing for the Publication and Final Passage Thereof.**

It was recommended that the City Council adopt an Ordinance providing for the levy and collection of an annual ad valorem tax on all property, real, personal, and mixed, situated within the territorial limits of the City of Fort Worth, Texas, and all personal property owned in said City of Fort Worth, Texas, on the 1st day of January, A.D., 2012, except such property as may be exempt from taxation by the Constitution and laws of the State of Texas.

City Secretary Kayser advised that the passage of this Ordinance established a Debt Service tax rate of .1691/\$100 of assessed value and maintains the current tax rate of .855/\$100 of assessed value.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Shingleton, that Ordinance No. 20413-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**XV. RESOLUTIONS**

**1. A Resolution of the City Council of the City of Fort Worth, Texas, Ratifying the Property Tax Revenue Increase Reflected in the Fiscal Year 2013 Budget, in Accordance with Section 102.007(c) of the Texas Local Government Code.**

It was recommended that the City Council adopt a Resolution ratifying the property tax revenue increase reflected in the Fiscal Year 2013 Budget, in accordance with Section 102.007(c) of the Texas Local Government Code.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Shingleton, that Resolution No. 4132-09-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

**XVII. CITIZEN PRESENTATIONS**

Mr. Joe Waller, 2533 Castle Circle, appeared before Council relative to the future of Lake Worth.

Ms. Phyllis Nicholas, 4600 Parkview Lane, appeared before Council relative to a healthy workplace and requested an anti-bullying Proclamation. (provided handout)

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

**XIX. ADJOURNMENT**

There being no further business, Mayor Price adjourned the Regular Meeting at 1:28 p.m.



TO: The Honorable Mayor and Fort Worth City Council

FROM: Council Member Kelly Allen Gray, District 8

DATE: September 25, 2012

SUBJECT: Reappointments to Boards and Commissions

**Request your consideration to reappoint the following:**

Richard L. Burnett, Appeals Board , Expiration date: September 30, 2014

Ericka Calton, Aviation Advisory Board, Expiration Date: October 1, 2014

Shirley Bryant, Board of Adjustment – Residential, Expiration Date: October 1, 2014

Susan De Los Santos, Building and Standards Commission, Expiration Date: September 30, 2014

Donald Richard Boren, City Plan Commission and Capital Improvements Advisory Committee for Transportation Impact Fees, Expiration Date: October 1, 2014

Wanda Conlin, Zoning Commission and Fort Worth Alliance Airport Zoning Commission, Expiration Date: October 1, 2014

Sandra Toombs, Fort Worth Commission for Women, Expiration Date: October 1, 2014

Janet Saltsgiver, Fort Worth Transportation Authority Executive Committee, Expiration Date: September 30, 2014

Erma Bonner-Platte, Historic and Cultural Landmarks Commission, Expiration Date: October 1, 2014

Ruth Tunstle, Parks and Community Services Advisory Board, Expiration Date: October 1, 2014

Robert “Bob” Kelly, Urban Design Commission, Expiration Date: October 1, 2014

**We would also like to make the following new appointments:**

Mr. Lee Echols, Jr., Board of Adjustment – Commercial, Expiration Date: October 1, 2014. Mr. Echols will replace Mrs. Johanna McCully-Bonner whose term limits have expired.

Jerome Carlos Johnson, Community Development Council, Expiration Date: October 14, 2014. Mr. Johnson will replace Juna Allen-Harris.

This memorandum and a copy of the resume were sent to each council member electronically. The original documents will be maintained in the City Secretary’s Office.



1964 • 1993 • 2011

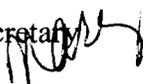
**KELLY ALLEN GRAY**  
COUNCILMEMBER – DISTRICT 8

CITY OF FORT WORTH • 1000 THROCKMORTON STREET • FORT WORTH, TEXAS 76102  
817-392-6118 • Fax 817-392-6187

Printed on recycled paper



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

**FROM:** Mary J. Kayser, City Secretary 

**DATE:** September 25, 2012

**SUBJECT:** **Appointments to the Fort Worth Human Relations Commission**

Per action taken by the Legislative and Intergovernmental Affairs Committee at their September 11, 2012, meeting, Chairman Scarth is bringing forward the following new appointments for your consideration to the Fort Worth Human Relations Commission:

Ms. Barbara M. James, Place 6  
(Replacing Nell Cass)

Term Expires: October 1, 2014

Mr. Robert A. Dellamura, Place 8  
(To fill vacant position)

Term Expires: October 1, 2014

The applications and accompanying documentation were provided to you by separate communication. If you have any questions, please contact me at (817) 392-6161.

**City Secretary's Office**

City of Fort Worth ★ 1000 Throckmorton Street ★ Fort Worth, Texas 76102  
(817) 392-6150 ★ FAX (817) 392-6196

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

**September 25, 2012**

Page 1 of 2



**SUBJECT: JULY 2012 – SALES TAX UPDATE**

Sales tax revenue represents approximately 19% of the City’s General Fund budget. Staff is committed to providing you regular updates on this important and sometimes volatile revenue source. The Texas Comptroller’s Office posted monthly results on September 12th. The results are dependent upon the timeliness and accuracy of sales tax payers’ returns. This payment from the State represents taxes collected on sales that occurred primarily in the month of July. In this report, you will see Fort Worth’s sales tax collection compared to last year and the impact the results are having on the current year’s budget.

**MONTHLY NET SALES TAX COLLECTIONS FOR JULY**

**CITY OF FORT WORTH**

July FY2012	\$9,057,284	<u>DOLLAR VARIANCE</u>	↑	<u>% VARIANCE</u>	↑
July FY2011	\$8,331,018	\$726,266		8.7%	



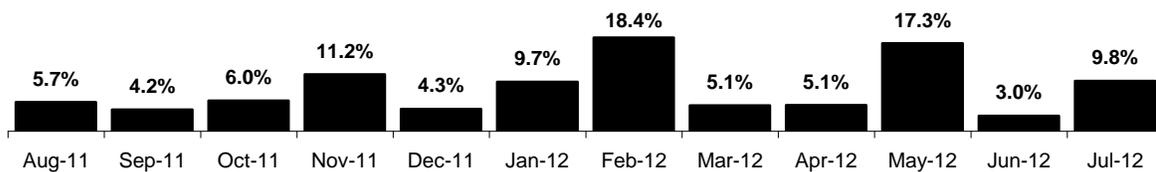
**Note:** July 2012 is the best July on record. The City’s net payment for sales tax collection is up \$726,266 or 8.7% compared to this month last year. Current period collections increased 9.8% over last year as depicted below. This signals a continued improvement in pure economic activity.

**CITY OF FORT WORTH COLLECTION DETAIL**

**COLLECTION DETAIL FOR CITY SALES TAX**

	July 2011	July 2012	CHANGE	CHANGE	
<b>Current Period Collections:</b>	<b>\$7,944,753</b>	<b>\$8,726,450</b>	<b>\$781,697</b>	<b>9.8%</b>	↑
Other Collections:	\$377,589	\$591,877	\$214,287	56.8%	
Audit Collections:	\$62,680	(\$88,446)	(\$151,126)	241.1%	
Service Fee:	(\$167,700)	(\$184,598)	(\$16,897)	10.1%	
Retainage:	\$113,697	\$12,001	(\$101,696)	-89.4%	
<b>Net Payment</b>	<b>\$8,331,018</b>	<b>\$9,057,284</b>	<b>\$726,266</b>	<b>8.7%</b>	↑

**Current Period Collections**



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

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

**September 25, 2012**

Page 2 of 2



**SUBJECT: JULY 2012 – SALES TAX UPDATE**

**CITY OF FORT WORTH BUDGET COMPARISON - FY2012**

	<b>ADOPTED BUDGET</b>	<b>BUDGET RE-ESTIMATE</b>	<b>YR END VARIANCE</b>	
CITY OF FORT WORTH	\$ 102,259,196	\$ 109,488,480	7.1%	↑
CRIME CONTROL AND PREVENTION DIST.	\$ 46,304,344	\$ 49,510,865	6.9%	↑
MASS TRANSIT AUTHORITY - THE "T"	\$ 47,647,392	\$ 53,337,360	11.9%	↑

**Note:** Current projections indicate the City will collect **\$7,229,284** or 7.1% more than the FY2012 adopted budget. As depicted above, you will also see how the positive results are affecting our partner agencies. While these results are encouraging, Staff recommends maintaining a conservative forecast for FY2012 as we continue to experience uncertainty with the national economy and potential audit adjustments.

**CITY OF FORT WORTH**

**CITY COMPARISONS - FY 2012 v. FY 2011**

<b>CITY</b>	<b>QTR 1</b>	<b>QTR 2</b>	<b>QTR 3</b>	<b>July</b>	<b>YTD</b>
SOUTHLAKE	4.0%	6.5%	7.3%	22.5%	7.4%
GRAPEVINE	-4.7%	3.9%	11.9%	17.1%	4.6%
EULESS	8.7%	14.3%	19.6%	15.0%	14.4%
GRAND PRAIRIE	19.4%	14.9%	4.5%	10.2%	12.3%
BEDFORD	2.5%	3.1%	5.4%	9.0%	4.1%
KELLER	9.4%	5.6%	4.0%	8.9%	7.8%
<b>FORT WORTH</b>	<b>2.2%</b>	<b>13.9%</b>	<b>-0.8%</b>	<b>8.7%</b>	<b>5.1%</b>
DALLAS	5.7%	4.9%	7.1%	8.6%	6.2%
WATAUGA	7.3%	5.3%	9.6%	7.3%	7.4%
HURST	-1.7%	3.9%	4.0%	6.7%	2.2%
BURLESON	17.9%	35.5%	-1.6%	3.7%	14.5%
NORTH RICHLAND HILLS	8.5%	-4.3%	0.7%	2.0%	1.9%
ARLINGTON	3.3%	3.4%	7.8%	-7.6%	3.5%
STATE	12.4%	13.5%	7.3%	9.0%	12.0%

**Note:** YTD collections for Fort Worth are up **5.1%** compared to last year.

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

**Tom Higgins  
City Manager**

**ISSUED BY THE CITY MANAGER**

**FORT WORTH, TEXAS**

**To the Mayor and Members of the City Council****September 25, 2012**

Page 1 of 1

**Subject: CITY-INITIATED FULL-PURPOSE ANNEXATION OF TWO ENCLAVES  
IN FAR NORTH AND FAR NORTHWEST FORT WORTH**

The October 2 City Council agenda will contain two M&Cs to initiate the annexation and zoning process for two enclaves. The 2012-2016 annexation program, adopted with the 2012 Comprehensive Plan, recommends these areas be considered for full-purpose annexation in 2013. The City Council delayed annexation in 2010 and 2011. Both areas would be additions to Council District 7. 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 9, east of Willow Springs Road and south of Avondale-Haslet Road, contains approximately 147.4 acres with large-lot residential uses, several non-residential uses, and vacant land. Annexation of Area 9 would create a negative impact of \$13,965.00 on the General Fund for the first year only and would require future capital roadway improvements for Avondale-Haslet Road.
- Area 29-1, an enclave south of W.J. Boaz Road and west of Old Decatur Road, consists of 104.2 acres of single-family uses on large-lots, one commercial use, and an apartment complex. Annexation of the area is expected to have a positive impact of \$257,574.00 on the General Fund and will require capital improvements to upgrade Old Decatur and W.J. Boaz Roads.

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

The property owners for both areas have been contacted by mail to reiterate the annexation process and zoning discussed in 2010. 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 early January 2013.

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

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

Attachment

## 2013 Implementation of Annexation Program



Prepared for the  
City Council

By the  
Planning and Development Department

September 25, 2012

### Purpose

**Review** the following items:

- ✓ Annexation **criteria**
- ✓ **Fiscal impact methodology**;
- ✓ Areas proposed for **full-purpose annexation** in January 2013.

## 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

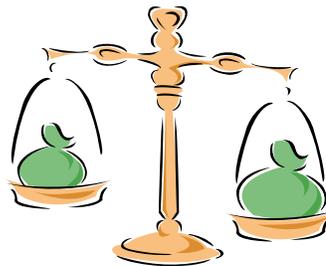
### D. Per Capita Data Sources

### 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 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.

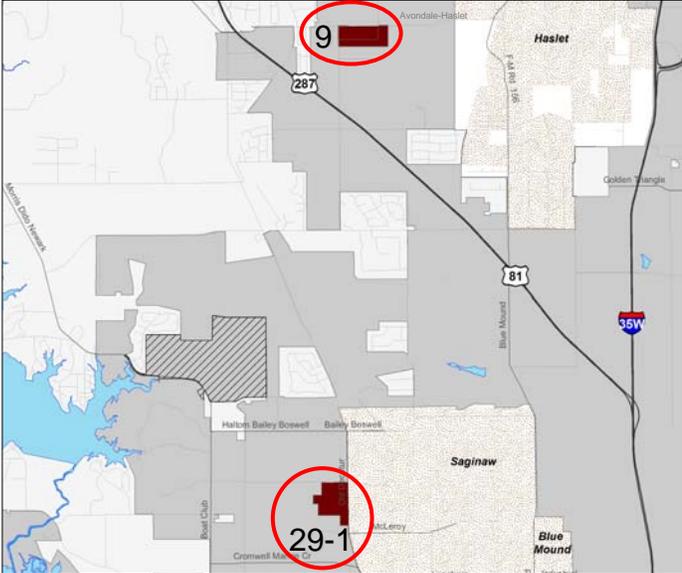
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## Expenditures

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

**Where are the areas proposed for full-purpose annexation at this time?**



**Area #9  
(AX-12-006)**

## Analysis Basis

- Existing single family, three non-residential uses, and vacant land
- 147.4 acres
- Eight agricultural exemptions
- Suburban residential and neighborhood commercial future land use
- No concept plan or preliminary plat on file
- Limited short term growth
- Property tax revenues
  - 9 – \$65,130 yearly



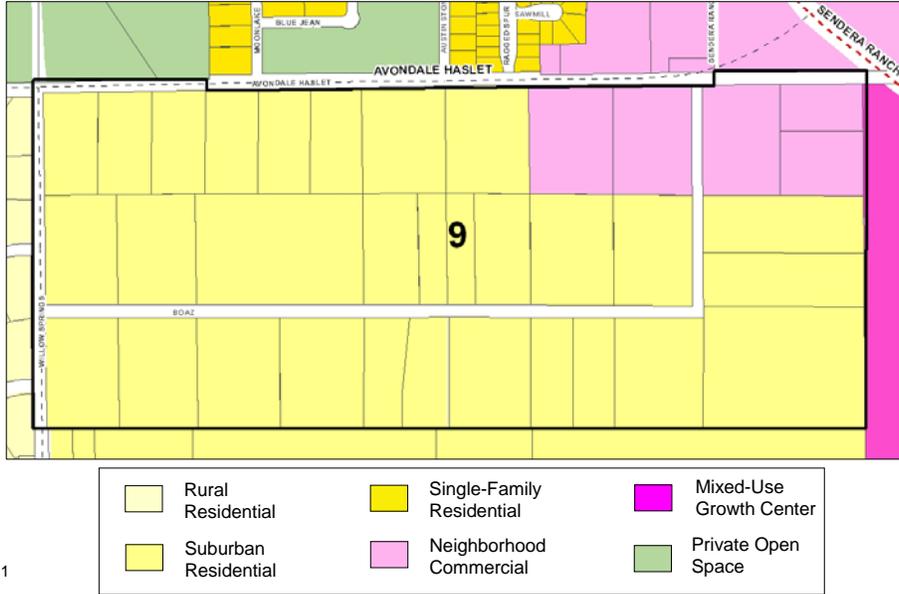
## Analysis Results

- Initial Costs
  - TPW - \$70,000 start up services and \$6,750 routine maintenance costs for existing roadways
  - Fire Department - \$0
  - Police Department - \$1,802
  - Code Compliance - \$10,574
- Future capital improvements necessary to improve Avondale-Haslet Road
- Negative result to the General Fund only for the first year



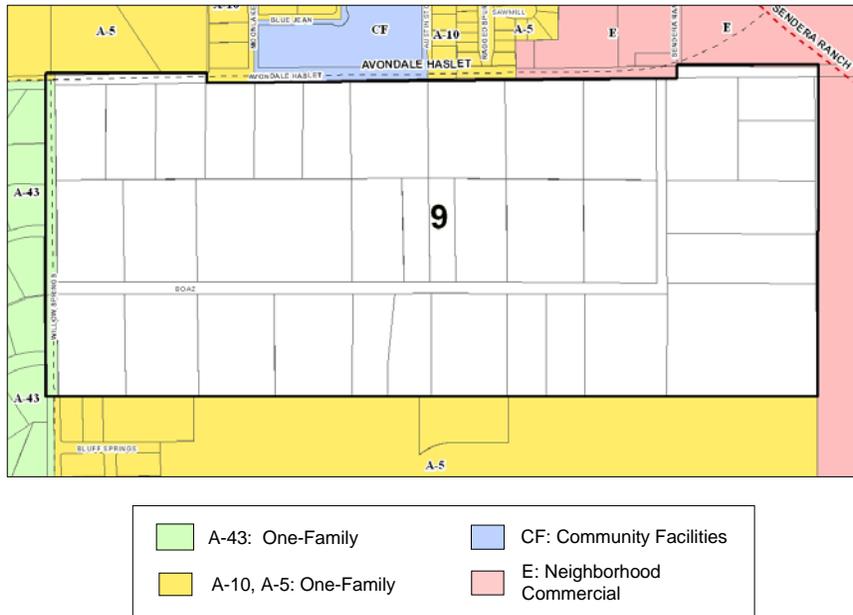
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## What future land use is designated in the 2012 Comprehensive Plan?



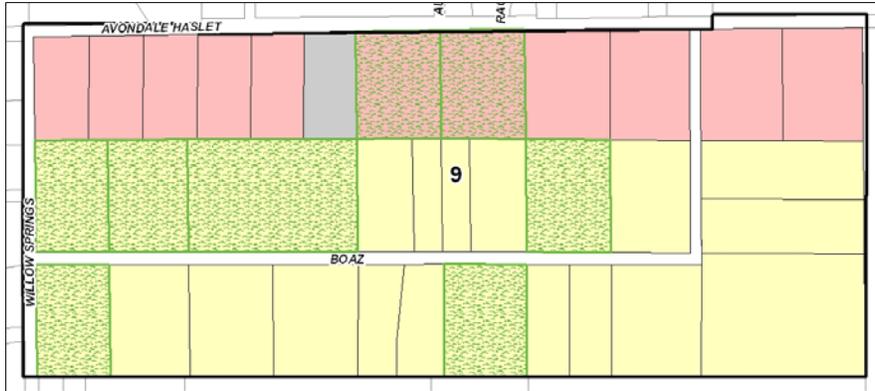
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## What is the surrounding zoning?



12

### What zoning is proposed for AX-12-006?



 A-43: One Family	 PD: Planned Development
 E: Neighborhood Commercial	 Agricultural Exemption

13

Rezoning area consists of a total of **35** parcels.

### Area #29-1 (AX-12-007)

14

## Analysis Basis

- Existing residential, multifamily, car wash/storage facility, and vacant land
- 104.2 acres
- Two agricultural exemptions
- Suburban residential, single family residential, and medium density multifamily future land uses
- No preliminary and final plats on file
- Limited future growth
- Property tax revenues
  - \$122,062 yearly



15

## Analysis Results

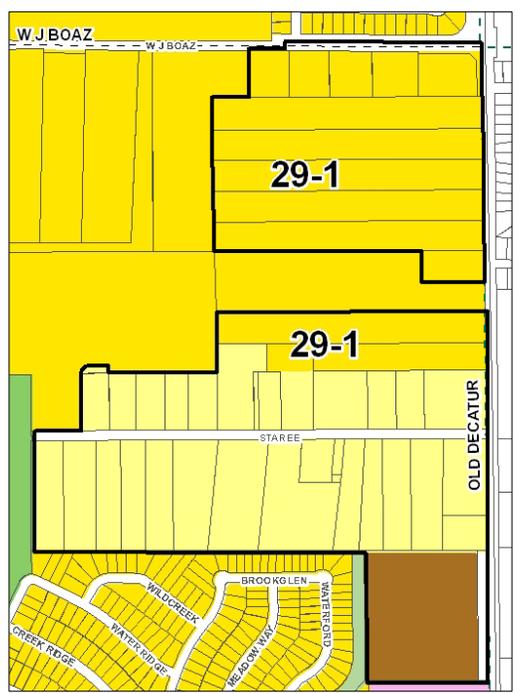
- Initial Costs
  - TPW - \$1,000 start up services and \$4,200 routine maintenance costs for existing roadways
  - Police Department - \$11,815
  - Fire Department - \$0
  - Code Compliance - \$10,574
- Future capital improvements necessary for Old Decatur Road and W.J. Boaz Road
- Net positive result to the General Fund



16

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

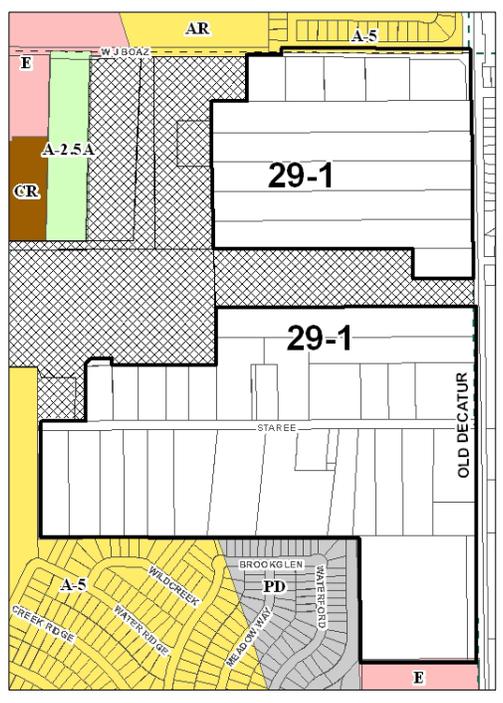
-  Suburban Residential
-  Single-Family Residential
-  Medium Density Residential
-  Public Open Space
-  Private Open Space



17

**What is the surrounding zoning?**

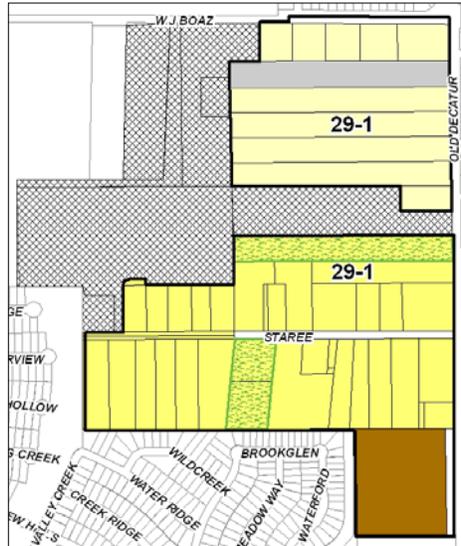
-  A-2.5A: One-Family
-  A-5, AR: One-Family
-  CR: Low Density Multifamily
-  E: Neighborhood Commercial
-  PD: Planned Development
-  Signed Development Agreement



18

## What zoning is proposed for AX-12-007?

	A-43: One-Family
	A-21: One-Family
	C: Medium Density Multifamily
	PD/SU: Planned Development for car-wash and mini-warehouse
	Agricultural Exemption
	Signed Development Agreement



Rezoning area consists of a total of **51** parcels.

19

## What is the proposed annexation and zoning schedule for areas 9 and 29-1?

<u>Date</u>	<u>Action</u>
Aug. 31, 2012	Notification letters mailed to property owners; <b>development agreements</b> offered to property owners with agricultural exemptions.
Oct. 2	City Council adopts <b>annexation timetable</b> ; approves <b>M&amp;C to initiate zoning</b> .
Nov. 14	Zoning Commission recommends <b>zoning</b> .
Dec. 4	City Council conducts <b>first public hearing</b> .
Dec. 11	City Council conducts <b>second public hearing</b> .
Jan. 8, 2013	City Council considers and institutes <b>approval of annexation and zoning</b> .

20

**To the Mayor and Members of the City Council****September 25, 2012**

Page 1 of 1

**SUBJECT: PROPOSED FUNDING FOR STREET LIGHTS IN THE RYAN PLACE NEIGHBORHOOD**

In 2000, the CandleLight Christmas in Ryan Place (CCRP), a neighborhood group, approached the City regarding the installation of 209 street lights in the Ryan Place neighborhood bounded by Berry Street, Cleburne Road, 8<sup>th</sup> Avenue, Jessamine, Hemphill and the railroad tracks. At that time, it was agreed that CCRP would pay for the materials and the City, through the Transportation and Public Works Department, would pay for the installation. Since then, CCRP has raised a total of \$350,314.80 to donate towards the purchase of 209 lights in the whole neighborhood leaving a balance of \$64,024.29 to complete the project. CCRP has requested that the City fund the remainder of the lights.

Staff has reviewed the request and because private funding is being provided, the project qualifies for \$64,024.29 of Urban Development Action Grant (UDAG) Program Income funds.

UDAG Program Income funds are generated from lease payments of the now Hilton Parking Garage downtown that was funded under the original federal grant. Federal rules require that program income be used on CDBG eligible projects in a CDBG eligible area. In addition, in order to use the funds, private funds must be contributed to the project. The area of Ryan Place in which lights purchased with the UDAG funds will be installed is CDBG eligible. The Transportation and Public Works Department will fund the design and labor for the installation of the remaining lights at a total estimated cost of \$209,000 from savings on projects completed prior to 2006 and from 2004 streetlight bond funds approved for District 9.

Staff recommends placing an M&C on the October 2nd City Council Meeting agenda recommending that \$64,024.29 of UDAG Program Income be used to purchase the remaining lights and to accept the donation of funds from CCRP.

If you have any questions, please call Jay Chapa, Director of Housing and Economic Development, at 817-392-5804.

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

**No Documents for this Section**

**No Documents for this Section**

**No Documents for this Section**

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

**DATE:** Tuesday, September 25, 2012

**LOG NAME:**

**REFERENCE NO.:** \*\*OCS-1863

**SUBJECT:**

Notices of Claims for Alleged Damages and/or Injuries

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**RECOMMENDATION:**

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

**DISCUSSION:**

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

The attached list is a summary of the notices of claims against the City of Fort Worth received in the City Secretary's Office as of 5:00 p.m., Wednesday, September 19, 2012.

**Attachment**

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

Mary J. Kayser (6152)

**Originating Department Head:**

Mary J. Kayser (6152)

**Additional Information Contact:**

Lena Ellis (8517)  
Nancy McKenzie (7744)

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# CITY COUNCIL MEETING

Tuesday, September 25, 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
Cindi McCaskey	9/13/2012	9/1/2012	Van Cliburn Way & Lancaster	Bodily Injury	Tripped over metal bar in construction area.	TPW	No	Yes
Ronald R Langley	9/14/2012	8/1/2012	7601 Portman Avenue	Property Damage	Mailbox damaged by CFW Contractor.	TPW	No	No
Peachtree Construction	9/14/2012	8/1/2012	5801 Park Vista Circle	Property Damage	Sprinkler system damaged.	TPW	No	No
Alicia Ryan	9/17/2012	9/11/2012	Sycamore School Rd & McCart	Property Damage	City vehicle backed into citizen vehicle.	Water	Yes	No
David Spates Jr.	9/14/2012	8/31/2012	South Brook Street	Auto Damage	Vehicle damage due to road condition.	TPW	No	No
ATMOS Energy	9/14/2012	6/21/2012	3800 W. 5th Street	Property Damage	City crew damaged gas main.	TPW	Yes	No
Tom Franklin	9/13/2012	1/8/2010	5633 Oak Grove Rd.	Property Damage	Alleged harassment & discrimination by Code officers.	Code	No	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Elaine Edwards	9/17/2012	8/19/2012	7108 Skylake Drive	Auto Damage	Struck pipe across driveway, damaged vehicle.	Water	Yes	No
Krystal Thomas	9/18/2012	9/9/2012	10999 Old Weatherford Road	Auto Damage	Struck potholes, damaged vehicle.	TPW	Yes	No
Shirley Kundrat	9/19/2012	8/1/2012	Bryce Canyon & Lake Arrowhead	Property Damage	Damage to house due to construction in area.	TPW	No	No
minor child of Stephanie Avitia	9/20/2012	9/18/2012	Orange Ave - George Clark Elem	Bodily Injury	Child tripped on remains of sign post, cut his leg.	TPW	No	Yes
Peter Diep Nguyen	9/19/2012	9/3/2012	7532 Lake Arrowhead Drive	Property Damage	Cracks in foundation due to area construction.	TPW	No	No
Marcos C. Lopez	9/19/2012	9/11/2012	119 Brushy Trail Way	Auto Damage	Vehicle hit while parked.	Police	Yes	No

**No Documents for this Section**

**No Documents for this Section**

Zoning Docket items are linked on the Council Meeting Agenda.

**No Documents for this Section**