



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, OCTOBER 22, 2012, THROUGH FRIDAY, OCTOBER 26, 2012**

MONDAY, OCTOBER 22, 2012

<u>MONDAY, OCTOBER 22, 2012</u>	<u>TIME</u>	<u>LOCATION</u>
Pre-Building Standards Commission	9:30 a.m.	Pre-Council Chamber
Building Standards Commission	10:00 a.m.	Council Chamber

TUESDAY, OCTOBER 23, 2012

Special Meeting of the Fort Worth City Council - Executive Session	8:30 a.m.	Pre-Council Chamber
Pre-Council Meeting	<i>Immediately Following the Special Meeting of the Fort Worth City Council – Executive Session</i>	Pre-Council Chamber
City Council Meeting	10:00 a.m.	Council Chamber
Alliance Airport Authority, Inc.	<i>Immediately Following the City Council Meeting</i>	Pre-Council Chamber
Firefighters' And Police Officers' Civil Service Commission	5:30 p.m.	Police and Fire Training Center 1000 Calvert, Auditorium
Human Relations Commission	5:30 p.m.	Hazel Harvey Peace Center for Neighborhoods 818 Missouri Avenue

WEDNESDAY, OCTOBER 24, 2012

City Plan Commission Work Session	12:30 p.m.	Pre-Council Chamber
City Plan Commission Public Hearing	1:30 p.m.	Council Chamber
Capital Improvements Advisory Committee for Transportation Impact Fees	<i>Immediately Following the City Plan Commission</i>	Council Chamber
North Central Texas Council of Governments (NCTCOG) Regional Transportation Council	2:30 p.m.	NCTCOG 616 Six Flags Drive Arlington, Texas 76011

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on October 18, 2012, and may not include all meetings to be conducted during the week of October 22, 2012 through October 26, 2012. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, OCTOBER 22, 2012, THROUGH FRIDAY, OCTOBER 26, 2012**

Fort Worth Advisory Commission on Ending Homelessness	4:00 p.m.	Pre-Council Chamber
Parks and Community Services Advisory Board Meeting	4:00 p.m.	Southwest Community Center 3600 Welch Avenue

THURSDAY, OCTOBER 25, 2012

Urban Design Commission	9:00 a.m.	Water Administration City Hall, Second Floor, Conference Room
Aviation Advisory Board	4:00 p.m.	Meacham International Airport 4201 North Main Street, Suite 200 Conference Room

FRIDAY, OCTOBER 26, 2012

No Meetings

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on October 18, 2012, and may not include all meetings to be conducted during the week of October 22, 2012 through October 26, 2012. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.

NOTICE OF SPECIAL MEETING

Notice is hereby given that the City Council of the City of Fort Worth will hold a special meeting in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas, on Tuesday, October 23, 2012, at 8:30 a.m. to consider the items on the agenda listed below.

I. CALL TO ORDER

II. EXECUTIVE SESSION

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

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

- a. *City of Fort Worth v. Cleopatra Investments, Ltd., et al.*, Cause No. 2011-006217-2, Tarrant County Court at Law #2;
- b. *Schorn v. City of Fort Worth*, Cause No. 48-245325-10; and
- c. Legal issues concerning any item listed on today's City Council meeting agendas;

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

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

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

III. ADJOURN

**SPECIAL MEETING OF THE FORT WORTH CITY COUNCIL
EXECUTIVE SESSION
TUESDAY, OCTOBER 23, 2012
8:30 A.M.
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

**ALLIANCE AIRPORT AUTHORITY, INC.
TUESDAY, OCTOBER 23, 2012
(IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING)
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

**PRE-COUNCIL MEETING
TUESDAY, OCTOBER 23, 2012
(IMMEDIATELY FOLLOWING THE 8:30 A.M. SPECIAL MEETING OF
THE FORT WORTH CITY COUNCIL EXECUTIVE SESSION)
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

1. Report of the City Manager - **Tom Higgins, City Manager**
 - a. Changes to the City Council Agenda
 - b. Upcoming and Recent Events
 - c. Organizational Updates and Employee Recognition(s)
 - d. Informal Reports
 - [IR 9520](#): Proposed Changes to City Code Regarding Hotel Occupancy Tax Submission
2. Current Agenda Items - **City Council Members**
3. Responses to Items Continued from a Previous Week
 - a. [M&C L-15444](#) - Authorize Direct Sale of a Tax-Foreclosed Property Located at 1312 Carson Street to the Garden of Eden Neighborhood Association in the Amount of \$30,091.55, in Accordance with Section 34.05 of the Texas Tax Code for Use as a Community Garden (COUNCIL DISTRICT 4) **(Continued from October 9, 2012 by Council Member Scarth)**
 - b. [M&C C-25926](#) - Authorize Execution of a Construction Contract with 2L Construction L.L.C., in the Amount of \$267,996.83 for Trailhead and Trail Improvements at Trail Drivers Park (COUNCIL DISTRICT 2) **(Continued from October 16, 2012 by Council Member Espino)**
 - c. [ZC-12-100](#) - All Storage G. B., LP, 6900 & 7000 Granbury Road; from: "F" General Commercial to: "PD/F" Planned Development for all uses in "F" General Commercial plus mini-warehouse; site plan included. (COUNCIL DISTRICT 6) **(Recommended for Approval**

**by the Zoning Commission) (Continued from October 9, 2012
by Council Member Jordan)**

4. Briefing on Proposed Changes to the Employees' Retirement Fund Ordinance - **Susan Alanis, City Manager's Office**
5. City Council Requests for Future Agenda Items and/or Reports
6. Executive Session (PRE-COUNCIL CHAMBER) - **SEE ATTACHMENT A Attachment(s):**
[Executive Session Agenda - Attachment A.pdf](#)

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, October 23, 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. *City of Fort Worth v. Cleopatra Investments, Ltd., et al.*, Cause No. 2011-006217-2, Tarrant County Court at Law #2;
 - b. *Schorn v. City of Fort Worth*, Cause No. 48-245325-10; and
 - c. Legal issues concerning any item listed on today's City Council meeting agendas;
2. Deliberate the purchase, 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, OCTOBER 23, 2012
CITY COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

I. CALL TO ORDER

II. INVOCATION - Pastor Darius Johnson - Christ Church

III. PLEDGE OF ALLEGIANCE

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF OCTOBER 16, 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-17708](#) - Authorize Temporary Closure of a Portion of Main Street Between Third Street and Fourth Street from November 12, 2012, Until January 4, 2013, to Accommodate the Downtown Fort Worth Inc., Annual Christmas Tree Display (COUNCIL DISTRICT 9)
2. [M&C G-17709](#) - Authorize Acceptance of a Grant from PetSmart Charities in the Amount of \$26,630.00 to Support the Mega Pet Adoption Event on September 15, 2012 and September 16, 2012, Waive Indirect Costs, Authorize Use of Anticipated Interest in the Amount of \$500.00 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
3. [M&C G-17710](#) - Authorize Acceptance of an Additional Amount of \$38,272.89 for the Fiscal Year 2012 Emergency Management Preparedness Grant Award from the Texas Division of Emergency Management and Execution of the Grant Contract for the Total Amount of the Award and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
4. [M&C G-17711](#) - Adopt Ordinance to Appoint Substitute Municipal Judges for the Unexpired Portion of a One-Year Term Commencing October 23, 2012 and Ending March 31, 2013 (ALL COUNCIL DISTRICTS)

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

1. [M&C P-11448](#) - Authorize Purchase Agreement with Cellco Partnership d/b/a Verizon Wireless and its Related Entities for Broadband Access Services and Hardware, Using a Cooperative Contract in the Amount of \$420,000.00 (ALL COUNCIL DISTRICTS)
2. [M&C P-11449](#) - Authorize Purchase Agreement with AT&T Mobility National Accounts LLC, for Voice and Data Wireless Services, Using a Cooperative Contract, for the Information Technology

C. Land - Consent Items

1. [M&C L-15448](#) - Authorize Execution of a Three-Month Temporary Access Permit Agreement with Texas Midstream Gas Services, L.L.C., in the Amount of \$3,000.00 for the City Owned Property Described as Block 14, Lot 4A of the Sycamore Heights Addition, Located Near 1750 Beach Street, West of Gateway Park (COUNCIL DISTRICT 8)
2. [M&C L-15449](#) - Authorize Partial Conditional Assignment of Option Contract from Centreport Venture, L.P., to CRP Oakmont Grand Prairie, LLC, Authorize Conveyance of 28.55 Acres of Land Located in the CentrePort Area to CRP Oakmont Grand Prairie, LLC, and Accept and Record Avigation Easement and Release from CRP Oakmont Grand Prairie, LLC (COUNCIL DISTRICT 5)
3. [M&C L-15450](#) - Authorize Sale of Surplus Right-of-Way in the 1900 Block of West Rosedale Between Rosedale and Cooper and the Surplus Right-of-Way in the 1900 Block of Cooper Between Cooper and the Railway Running Parallel to Interstate Highway 30 to Columbia Plaza Medical Center of Fort Worth Subsidiary, L.P., and Authorize Purchase from Columbia Plaza Medical Center of Fort Worth Subsidiary, L.P., by the City of Fort Worth of 1.97 Acres Between Pennsylvania Avenue and Thirteenth Avenue (COUNCIL DISTRICT 9)
4. [M&C L-15451](#) - Authorize Sale of Thirty-Seven Tax-Foreclosed Properties, in Accordance with Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Property Tax Code in the Amount of \$194,389.00 (COUNCIL DISTRICTS 2, 3, 4, 5, 6, 7, 8 and 9)
5. [M&C L-15452](#) - Authorize Acquisition from Billy Joe Ferrell of a Fee Simple Interest in 0.055 Acres of Land Located at 8659 Old Decatur Road for Right-of-Way on the Old Decatur Road Widening Project from Bailey-Boswell Road to W J Boaz Road, Authorize Payment in the Amount of \$26,894.00 and Payment of the Estimated Closing Costs of \$2,500.00 (COUNCIL DISTRICT 7)
6. [M&C L-15453](#) - Authorize Acquisition from Seventeen Lakes Homeowners Association, Inc., of a Fee Simple Interest in 0.031 Acres of Land with Improvements for Right-of-Way and an Easement Interest in 0.065 Acres of Land for Drainage and an Easement Interest in 0.089 Acres of Land for Temporary Construction, All Located on the Southwest and Southeast Corners of the Litsey Road and Seventeen Lakes Boulevard Intersection, for the Widening of Litsey Road, Authorize Payment in the Amount of \$2,221.00 and Payment of Estimated Closing Costs in the Amount of \$1,500.00 (ETJ NEAR COUNCIL DISTRICT 2)
7. [M&C L-15454](#) - Authorize Acquisition from Chadwick Holdings, Ltd., of a Fee Simple Interest in 2.597 Acres of Land for Right-of-

Way and an Easement Interest in 0.1180 Acres of Land for Drainage and an Easement Interest in 4.129 Acres of Land for Temporary Construction, All Located Northeast of the Litsey Road and Cleveland-Gibbs Intersection for the Widening of Litsey Road, Authorize Payment in the Amount of \$55,817.00 and Payment of Estimated Closing Costs in the Amount of \$2,500.00 (ETJ NEAR COUNCIL DISTRICT 2)

D. Planning & Zoning - Consent Items - None

E. Award of Contract - Consent Items

1. [M&C C-25929](#) - Authorize Execution of a Professional Services Agreement with Corley Pipes Consulting, LLC, in the Amount of \$170,000.00 for Consultation and Representation of the City of Fort Worth on Federal Legislative Issues Before Members of the United States Congress, Officials of Federal Administrative Agencies and the White House Administration (ALL COUNCIL DISTRICTS)
2. [M&C C-25930](#) - Authorize Execution of a Professional Services Agreement with Walter Fisher and Associates in the Amount of \$57,000.00 for Professional Legislative Consulting Services and Representation of the City of Fort Worth on State Issues Before the Texas State Legislature, State Agencies, State Boards and Commissions and the Office of the Governor (ALL COUNCIL DISTRICTS)
3. [M&C C-25931](#) - Authorize Execution of a Professional Services Agreement with Focused Advocacy, LLC, in the Amount of \$57,000.00 for Consultation and Representation on State Issues Before the Texas State Legislature, State Agencies, State Boards and Commissions and the Office of the Governor (ALL COUNCIL DISTRICTS)
4. [M&C C-25932](#) - Authorize Execution of a Professional Services Agreement with HillCo Partners, LLC, in the Amount of \$61,000.00 for Consultation and Representation on State Issues Before the Texas State Legislature, State Agencies, State Boards and Commissions and the Office of the Governor (ALL COUNCIL DISTRICTS)
5. [M&C C-25933](#) - Authorize Execution of a Professional Services Agreement with Lawrence Collins in the Amount of \$55,000.00 for Consultation and Representation on State Issues Before the Texas State Legislature, State Agencies, State Boards and Commissions and the Office of the Governor (ALL COUNCIL DISTRICTS)
6. [M&C C-25934](#) - Authorize Execution of a Professional Services Agreement with Patrick A. Svacina d/b/a PAS Communications, in the Amount of \$59,616.00, for Consultation and Representation on State and Federal Legislative Issues and to Advise the City of Fort Worth's Communications Office and Staff on Developing a Strategic Communications Plan (ALL COUNCIL DISTRICTS)
7. [M&C C-25935](#) - Authorize Execution of a Contract with United Way of

Tarrant County in the Amount of \$210,750.00 to Fund Various Organizations and Coordinate Area Agencies and Social Service Programs for the Benefit of the Entire Fort Worth Community for Fiscal Year 2013 (ALL COUNCIL DISTRICTS)

8. [M&C C-25936](#) - Authorize Execution of a License Agreement with Autobahn Imports, L.P., for 2,024 Square Feet of Space at 2802 Cullen to be Used by the Police Department for Office Space (COUNCIL DISTRICT 9)
9. [M&C C-25937](#) - Authorize Execution of an Engineering Services Agreement with Teague Nall and Perkins, Inc., in the Amount of \$563,730.92 for the Design of Chapel Creek Bridge Over Interstate Highway 30 (COUNCIL DISTRICT 3)
10. [M&C C-25938](#) - Authorize Execution of an Interlocal Agreement and Authorization Letter with the North Central Texas Council of Governments for the Regional Storm Water Management Program and Authorize Payment of Costs in the Amount of \$20,427.00 (ALL COUNCIL DISTRICTS)
11. [M&C C-25939](#) - Authorize Increase in the Amount of \$641.26 for Final Payment Under City Secretary Contract No. 42917 with Texas Industrial Security, Inc., for a Total Contract in the Amount of \$210,641.26 for Guard Services for Fort Worth Prisoners Admitted to Local Hospitals (ALL COUNCIL DISTRICTS)
12. [M&C C-25940](#) - Adopt Resolution Authorizing an Increase in the Amount of \$30,000.00 to the Maximum Amount to be Paid to Dwight A. Shupe and the Law Firm of Shupe, Ventura, Lindelow & Olson, PLLC, as Outside Counsel in the Alliance Airport Runway Extension Project, Thereby Increasing the Maximum Amount to \$60,000.00 (COUNCIL DISTRICT 2)
13. [M&C C-25941](#) - Authorize Execution of Amendment No. 2 to City Secretary Contract No. 42807, a Ground Lease Agreement with Mandatory Improvements with FWS Realty, Ltd., for an Extension of Lease Site NW-3 Located at Spinks Airport (COUNCIL DISTRICT 8)
14. [M&C C-25942](#) - Authorize Execution of an Engineering Agreement with Kimley-Horn and Associates, Inc., in the Amount of \$698,700.00 for Design Oversight and Project Management Services on North Tarrant Express Segment 3A, Interstate 35W from Interstate 820 to Interstate 30 (COUNCIL DISTRICTS 2, 8 and 9)
15. [M&C C-25943](#) - Authorize Execution of a Contract with William J. Schultz, Inc., d/b/a Circle "C" Construction Company in the Amount of \$533,753.55 for Sanitary Sewer Rehabilitation Contract 56, Part 3, on Portions of Presidio Street and Lake Street and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 8 and 9)
16. [M&C C-25944](#) - Authorize Execution of an Engineering Agreement with BDS Technologies, Inc., in the Amount of \$131,637.00 for Sanitary Sewer Rehabilitation Contract 88 on Dove Drive, Morrison Drive and Around the Stonegate Mobile Home

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1867 - Notice of Claims for Alleged Damages and/or Injuries

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events
2. Recognition of Citizens
3. Approval of Ceremonial Travel

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

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

1. Capital Improvements Advisory Committee for Transportation Impact Fees
2. Capital Improvements Plan Advisory Committee

XIII. REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-17712](#) - Adopt Ordinance Repealing Article VI, "Retirement" of Chapter 2, "Administration" of the Code of Fort Worth and Creating a New Chapter 2.5 "Retirement" to Govern the City of Fort Worth Retirement System and Modify the Pension Benefits for Police Officers and General Employees (ALL COUNCIL DISTRICTS)
2. [M&C G-17713](#) - Amend Mayor and Council Communication G-17652 to Change References from the Street Improvements 2004 Overrun Fund to the Information Systems 2004 Overrun Fund and Correct the Associated Fund Account Center Information and Adopt Ordinance Amending Ordinance 20336-08-2012 to Correct Fund Name (ALL COUNCIL DISTRICTS)

C. Purchase of Equipment, Materials, and Services

1. [M&C P-11450](#) - Authorize Amendments to Multiple Purchase Agreements with Anixter, Inc., AT&T Corporation, Avaya, Inc., FutureCom, LTD, as a Reseller for Juniper Networks US, Inc., and Graybar Electric Company, Inc., in the Combined Amount of \$1,300,000.00 for Network and Communication Equipment, Parts, Maintenance and Related Services for the Information Technology Solutions Department, Increasing the Total Purchase Agreement Amount to \$2,000,000.00 (ALL COUNCIL DISTRICTS)

D. Land

1. [M&C L-15444](#) - Authorize Direct Sale of a Tax-Foreclosed Property Located at 1312 Carson Street to the Garden of Eden

Neighborhood Association in the Amount of \$30,091.55, in Accordance with Section 34.05 of the Texas Tax Code for Use as a Community Garden (COUNCIL DISTRICT 4) **(Continued from a Previous Meeting)**

2. [M&C L-15455](#) - Authorize Condemnation by Eminent Domain for a 0.3477 Acre of Land for a Permanent Drainage Easement and a 1.1355 Acre Temporary Construction Easement, Located on the Woodhaven Country Club Golf Course, Owned by WCC Partners, LP, for the Oakwood Trail Storm Drain Extension, 5500 Randol Mill Road (COUNCIL DISTRICT 4)
3. [M&C L-15456](#) - Conduct Public Hearing and Authorize Use of a Portion of Hall-Tandy Triangle Park for the Dedication of Public Road Rights-of-Way and Related Public Improvements (COUNCIL DISTRICT 8) **(PUBLIC HEARING)**
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action
4. [M&C L-15457](#) - Conduct Public Hearing and Authorize Use of a Portion of Oakland Lake Park for the Purpose of Installing Storm Drainage Improvements (COUNCIL DISTRICT 8) **(PUBLIC HEARING)**
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action
5. [M&C L-15458](#) - Conduct Public Hearing and Authorize Use of a Portion of Sycamore Park for the Dedication of Public Road Rights-of-Way and Related Public Improvements (COUNCIL DISTRICT 8) **(PUBLIC HEARING)**
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action
6. [M&C L-15459](#) - Conduct Public Hearing and Authorize Use of a Portion of West Park for Construction of Equestrian Facilities for the Fort Worth Police Department Mounted Patrol Unit (COUNCIL DISTRICT 7) **(PUBLIC HEARING)**
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action

E. Planning & Zoning

1. [M&C PZ-2998](#) - Adopt Ordinance Changing the Name of a Portion of Keller Hicks Road to Metroport Way from Timberland Boulevard to its Terminus Southeast of the Intersection of Timberland Boulevard and Interstate Highway 35W North (COUNCIL DISTRICT 2)

2. [M&C PZ-2999](#) - Adopt Ordinance Changing the Name of a Portion of Town Center Drive to Charities Way from West Thornhill Drive to West Seminary Drive (COUNCIL DISTRICT 9)

F. Award of Contract

1. [M&C C-25926](#) - Authorize Execution of a Construction Contract with 2L Construction L.L.C., in the Amount of \$267,996.83 for Trailhead and Trail Improvements at Trail Drivers Park (COUNCIL DISTRICT 2) **(Continued from a Previous Meeting)**
2. [M&C C-25945](#) - Authorize Execution of a Service Agreement with Onco Electric Delivery Company, LLC, in the Amount of \$94,806.50 for Construction Fees Associated with the Relocation of Electrical Power Lines as Part of the Crooked Lane Drainage Improvements Project (COUNCIL DISTRICT 5)

XIV. ZONING HEARING

1. [ZC-12-100](#) - (CD 6) - All Storage G. B., LP, 6900 & 7000 Granbury Road; from: "F" General Commercial to: "PD/F" Planned Development for all uses in "F" General Commercial plus mini-warehouse; site plan included. **(Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)**

XV. CITIZEN PRESENTATIONS

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

XVII. ADJOURNMENT

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

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ATTACHMENT B
EXECUTIVE SESSION
(Pre-Council Chamber)
Tuesday, October 23, 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. *City of Fort Worth v. Cleopatra Investments, Ltd., et al.*, Cause No. 2011-006217-2, Tarrant County Court at Law #2;
 - b. *Schorn v. City of Fort Worth*, Cause No. 48-245325-10; and
 - c. Legal issues concerning any item listed on today's City Council meeting agendas;
2. Deliberate the purchase, 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.

NOTICE OF AGENDA

A Meeting of

ALLIANCEAIRPORT AUTHORITY, INC.

will be held on

Tuesday, October 23, 2012

*Immediately Following the City of Fort Worth
City Council Meeting Scheduled
to Begin At 10:00 A.M.*

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

Board of Directors

Jungus Jordan, President
Salvador Espino, Vice President
Joel Burns, Director

Kelly Allen Gray, Director
Frank Moss, Director
Betsy Price, Director

Dennis Shingleton, Director
Danny Scarth, Director
Zim Zimmerman, Director

-
- I. Call to Order
 - II. Approve Minutes of August 7, 2012 Meeting
 - III. Executive Session – The Board of Directors of AllianceAirport Authority, Inc. will conduct a closed meeting to:
 - A. Seek the advice of its attorneys concerning *In re AMR Corporation*, et al., United States Bankruptcy Court for the Southern District of New York, Case Number 11-15463, which is 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;
 - B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
 - C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.
 - IV. Adjourn

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

**CITY OF FORT WORTH, TEXAS
ALLIANCEAIRPORT AUTHORITY, INC.
AUGUST 7, 2012**

Present:

President Jungus Jordan
Director Betsy Price
Director Danny Scarth
Director W.B. "Zim" Zimmerman
Director Frank Moss
Director Dennis Shingleton
Director Kelly Allen Gray

Absent:

Vice President Salvador Espino
Director Joel Burns

City Staff:

Fernando Costa, Assistant City Manager
Peter Vaky, Deputy City Attorney
Mary J. Kayser, City Secretary
Tom Higgins, City Manager
Sarah Fullenwider, City Attorney
Gerald Pruitt, Deputy City Attorney
Chris Mosely, Sr. Assistant City Attorney
Bill Welstead, Aviation Director

I. Call to Order

With a quorum of the directors present, President Jordan called the meeting to order for the Board of Directors of the AllianceAirport Authority, Inc., at 2:00 p.m. on Tuesday, August 7, 2012, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas, with Directors Burns and Espino absent.

II. Approve Minutes of June 12, 2012 Meeting

President Jordan opened the floor for a motion on the approval of the minutes.

Motion was made by Director Price and seconded by Director Scarth, to approve the minutes of the June 12, 2012, AllianceAirport Authority, Inc., meeting. Motion carried unanimously 7-0 (Directors Burns and Espino absent).

III. Executive Session

In accordance with Chapter 551 of the Texas Government Code, President Jordan and the Directors of the AllianceAirport Authority, Inc., convened into Executive Session at 2:01 p.m. on

Tuesday, August 7, 2012, in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, in order to:

- A. Seek the advice of its attorneys concerning *In re AMR Corporation*, et al., United States Bankruptcy Court for the Southern District of New York, Case Number 11-15463, which is 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;
- C. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
- D. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

President Jordan adjourned the Executive Session at 2:34 p.m., on Tuesday, August 7, 2012.

President Jordan reconvened the regular session of the AllianceAirport Authority, Inc., at 2:34 p.m., on Tuesday, August 7, 2012.

IV. Adopt Resolution Increasing the Amount to be Paid to Peter C. Lewis and the Law Firm of Scheef & Stone, L.L.P. as Outside Legal Counsel to Represent AllianceAirport Authority, Inc. in Matters Related to *In re AMR Corporation, et al.*, United States Bankruptcy Court for the Southern District of New York, Case Number 11-15463.

Motion was made by Director Price and seconded by Director Zimmerman, to approve the adoption of Resolution AAA-2012-03 Increasing the Amount to be Paid to Peter C. Lewis and the Law Firm of Scheef & Stone, L.L.P. as Outside Legal Counsel to Represent AllianceAirport Authority, Inc. in Matters Related to *In re AMR Corporation, et al.*, United States Bankruptcy Court for the Southern District of New York, Case Number 11-15463. Motion carried unanimously 7-0 (Directors Burns and Espino absent).

V. Adopt Resolution Authorizing Payment to Jeff Leuschel and the Law Firm of McCall, Parkhurst & Horton L.L.P as Outside Legal Counsel to Represent AllianceAirport Authority, Inc. in Matters Related to *In re AMR Corporation, et al.*, United States Bankruptcy Court for the Southern District of New York, Case Number 11-15463.

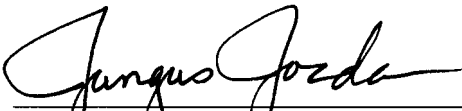
Motion was made by Director Shingleton and seconded by Director Moss, to approve the adoption of Resolution AAA-2012-04 Authorizing Payment to Jeff Leuschel and the Law Firm of McCall, Parkhurst & Horton L.L.P as Outside Legal Counsel to Represent AllianceAirport Authority, Inc. in Matters Related to *In re AMR Corporation, et al.*, United States Bankruptcy Court for the Southern District of New York, Case Number 11-15463. Motion carried unanimously 7-0 (Directors Burns and Espino absent).

VI. Adjourn

With no further business before the Corporation Board, President Jordan adjourned the meeting of the AllianceAirport Authority, Inc., at 2:36 p.m. on Tuesday, August 7, 2012.

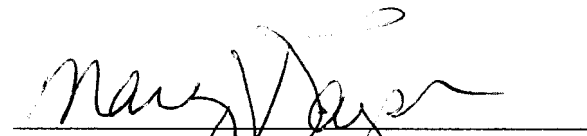
These minutes approved by the AllianceAirport Authority, Inc., on the 25th day of September, 2012.

APPROVED:



Jungus Jordan, Chairman

Minutes Prepared by and Attest:



Mary J. Kayser, City Secretary



Updated October 18, 2012

City of Fort Worth
City Council Pre-Council Agenda Calendar

October 23, 2012

***8:30 a.m. Executive Session of the Fort Worth City Council
Pre-Council Meeting
(Immediately Following Executive Session of the Fort Worth City Council)
Alliance Airport Authority, Inc.
(Immediately following the 10:00 a.m. City Council Meeting)***

Continued Items:

- **M&C L-15444** - Authorize Direct Sale of a Tax-Foreclosed Property Located at 1312 Carson Street to the Garden of Eden Neighborhood Association in the Amount of \$30,091.55, in Accordance with Section 34.05 of the Texas Tax Code for Use as a Community Garden (COUNCIL DISTRICT 4) **(Continued from October 9, 2012 by Council Member Scarth)**
 - **M&C C-25926** - Authorize Execution of a Construction Contract with 2L Construction L.L.C., in the Amount of \$267,996.83 for Trailhead and Trail Improvements at Trail Drivers Park (COUNCIL DISTRICT 2) **(Continued from October 16, 2012 by Council Member Espino)**
 - **ZC-12-100** - All Storage G. B., LP, 6900 & 7000 Granbury Road; from: "F" General Commercial to: "PD/F" Planned Development for all uses in "F" General Commercial plus mini-warehouse; site plan included. **(Recommended for Approval by the Zoning Commission)** **(Continued from October 9, 2012 by Council Member Jordan)**
- o Briefing on Pension Fund *[Susan Alanis, City Manager's Office]*

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 (cancelled)



Updated October 18, 2012

City of Fort Worth
City Council Pre-Council Agenda Calendar

October 30, 2012

8:30 a.m. Pre-Council Meeting (cancelled)
1:30 p.m. Village Creek Wastewater Tour

November 6, 2012

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

- o Proposed 2013 State Legislative Program [*T.J. Patterson, Governmental Relations*]
- o Briefing on Stormwater Utility [*Greg Simmons, Transportation and Public Works*]
- o Presentation on Feasibility of Proposed Jail Operations [*Abdul Pridgen, Police and Karl Becker and Bob Lauder, CNA Analysis & Solutions*]

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**)



Updated October 18, 2012

City of Fort Worth
City Council Pre-Council Agenda Calendar

November 12, 2012 (continued)

- **ZC-12-097** - Elton M. Hyder, Jr. Charitable & Education Fund, 501 Old Highway 1187; from: "CR" Low Density Multifamily to: "CF" Community Facilities (Recommended for Approval by the Zoning Commission) (**Continued from October 9, 2012 by Council Member Allen Gray**)
- o Overview of Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
- o Dallas/Fort Worth Airport Commercial Development Land Use Plan Update [*John Terrell, D/FW Airport*]
- o Review of City Council Calendar for January – December 2013 [*Mary Kayser, City Secretary*]
- o Briefing on the Proposed Changes to the Code of Ethics [*Sarah Fullenwider and Peter Vaky, Law Department*]

November 15, 2012 (Thursday)

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

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)



Updated October 18, 2012

City of Fort Worth
City Council Pre-Council Agenda Calendar

December 4, 2012

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

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

3:00 p.m. Pre-Council Meeting

- o Discussion of Federal Legislative Agenda [*Shirley Little and T.J. Patterson, Governmental Relations and Scott Corley and Kasey Pipes, Corley Pipes*]
- o AllianceTexas Update [*Mike Berry, Hillwood Development Corporation*]

December 5, 2012 (*Wednesday*)

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

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

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 Presentation on MedStar Update [*Chief Rudy Jackson, Fire Department, Doug Hooten and Matt Zavadsky, MedStar*]

December 18, 2012

1:00 p.m. – 2:00 p.m. Joint City Council/Employees' Retirement Fund Board Meeting (Tentative – Details to Follow)

8:30 a.m. Pre-Council Meeting

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
OCTOBER 16, 2012**

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:

Susan Alanis, Assistant City Manager
Sarah Fullenwider, City Attorney
Mary J. Kayser, City Secretary

Mayor Price announced that the Crowley High School Choir had performed in the Council Chamber prior to calling the meeting to order. She asked that the Choir perform one additional song prior to calling the meeting to order and expressed appreciation to the students and Choir Director Kendra Fisher for the joyous musical selection.

I. CALL TO ORDER

With a quorum of the City Council Members present, Mayor Price called the regular session of the Fort Worth City Council to order at 10:06 a.m., on Tuesday, October 16, 2012, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

II. [INVOCATION - Pastor Todd Hearnberger, Bethesda Community Church](#)

The invocation was provided by Pastor Todd Hearnberger, Bethesda Community Church.

III. [PLEDGE OF ALLEGIANCE](#)

The Pledge of Allegiance was recited.

IV. [CONSIDERATION OF MINUTES OF REGULAR MEETING OF OCTOBER 9, 2012](#)

Motion: Council Member Shingleton made a motion, seconded by Council Member Moss, that the Minutes of the Regular Meeting of October 9, 2012, be approved. The motion carried unanimously 9 ayes to 0 nays.

V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

Assistant City Manager Alanis requested that Mayor and Council Communication Nos. C-25917 and C-25926 be withdrawn from the Consent Agenda for individual consideration.

VI. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

Assistant City Manager Alanis requested that Mayor and Council Communication No. P-11444 be withdrawn from consideration and replaced with Mayor and Council Communication No. P-11444 (Revised).

VII. CONSENT AGENDA

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, 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-17703 - Authorize Payments to Tarrant County Elections Administration for the Remaining Cost of Election Services for the May 12, 2012, District 8 Special Election in the Amount of \$29,310.75 and for Payment of the Total and Final Cost for the June 22, 2012, District 8 Run-Off Election in the Amount of \$136,428.26 for a Total Amount Due of \$165,739.01 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize payments to Tarrant County Elections Administration for the remaining balance for election services for the Special Election for City Council District 8 held on May 12, 2012 in the amount of \$29,310.75 and for the full and final payment for election services for the Run-Off Election for City Council District 8 held on June 23, 2012, in the amount of \$136,428.26, for a total amount of \$165,739.01.

2. **M&C G-17704 - Authorize Amendment of the City of Fort Worth's Homebuyer Assistance Program to Allow Maximum Loan Amounts Based on Household Income Levels (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize an amendment to the City of Fort Worth's Homebuyer Assistance Program to provide for maximum loan amounts ranging from \$14,999.00 for households earning 35 percent or less of Area Median Income to \$9,999.00 for households earning 80 percent or less of Area Median Income.

3. **M&C G-17705 - Approve Findings of Ground Transportation Coordinator Regarding Application of Advance Transportation Solutions, LLC, to Operate Three Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Consider and adopt the following findings of the Ground Transportation Coordinator: That the public necessity and convenience require the operation of three (3) limousines upon the streets, alleys and thoroughfares in the City of Fort Worth; Advance Transportation Solutions, LLC, is qualified and financially able to conduct a limousine service within the City; Advance Transportation Solutions, LLC, has complied with the requirements of Chapter 34 of the City Code; Advance Transportation Solutions, LLC, presented facts in support of compelling demand and necessity for three (3) limousines; and the general welfare of the citizens of the City will best be served by the addition of three (3) limousines upon City streets, alleys and thoroughfares; and adopt Ordinance No. 20457-10-2012 granting the privilege of operating authority to Advance Transportation Solutions, LLC, for the use of the streets, alleys and public thoroughfares of the city in the conduct of its limousine business, which shall consist of the operation of three (3) limousines for a one (1) year period beginning on the effective date, subject to and conditioned on Advance Transportation Solutions, LLC, complying with all requirements of Chapter 34, Article VI of the Code of the City of Fort Worth (1986), as amended.

4. **M&C G-17706 - Adopt Capital Improvements Plan Citizen Advisory Committee's Semi-Annual Progress Report for Water and Wastewater Impact Fees (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Adopt the Capital Improvements Plan Citizen Advisory Committee's semi-annual progress report for Water and Wastewater impact fees.

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

1. **M&C P-11445 - Authorize Purchase of Both Aircraft and Airport Liability Insurance from Key & Piskuran Insurance Agency, a Higginbotham Company, for a Combined Total Premium in the Amount of \$86,600.00 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize purchase of aircraft liability insurance coverage from Key & Piskuran Insurance Agency, a Higginbotham Company, for the policy period of October 1, 2012, to September 30, 2013, for the annual premium in the amount of \$57,600.00; and authorize purchase of airport liability insurance coverage from Key & Piskuran Insurance Agency, a Higginbotham Company, for the policy period of October 1, 2012, to September 30, 201, for the annual premium in the amount of \$29,000.00.

2. **M&C P-11446 - Authorize Non-Exclusive Purchase Agreements with North Texas Hydromulching & Services, L.L.C., and King Ranch Turfgrass in the Amount of \$500,000.00 for Grass Seed and Sod for City Departments (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize non-exclusive purchase agreements with North Texas Hydromulching & Services, L.L.C., and King Ranch Turfgrass in the amount of \$500,000.00 for grass seed and sod for all City departments.

3. **M&C P-11447 - Authorize Purchase Agreement with DLT Solutions, LLC, in the Amount of \$63,751.00 for Autodesk Buzzsaw Application Hosting Services for Integrated Program Management for the Transportation and Public Works Department (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize a purchase agreement for Autodesk Buzzsaw Application Hosting Services for Integrated Program Management with DLT Solutions, LLC, in the amount of \$63,751.00 for the Transportation and Public Works Department.

C. **Land - Consent Items - None**

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

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

1. **M&C C-25916 - Authorize Execution of a Contract with the Arts Council of Fort Worth and Tarrant County, Inc., in the Amount of \$799,690.00 from the General Fund to Promote Artistic and Cultural Activities for Fiscal Year 2013 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize execution of a contract with the Arts Council of Fort Worth and Tarrant County, Inc., in the amount of \$799,690.00 from the General Fund to promote artistic and cultural activities for Fiscal Year 2013.

3. **M&C C-25918 - Authorize Entering into an Artwork Commission Contract in the Amount of \$45,300.00 with Montage 48/61, a General Partnership Between Charlotte Lindsey and Larry Enge, for Public Art Within the Berry/Riverside Urban Village on the Northeast and Southwest Corners of the Intersection of East Berry Street and Riverside Drive (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize entering into an artwork commission contract in an amount of \$45,300.00 with Montage 48/61, a general partnership between Charlotte Lindsey and Larry Enge, for fabrication, transportation and installation of public art within the Berry/Riverside Urban Village on the northeast and southwest corners of the intersection of East Berry Street and Riverside Drive.

4. **M&C C-25919 - Authorize Execution of Change Order No. 5 to City Secretary Contract No. 29110-A7 with Johnson Controls, Inc., Deducting the Amount of \$65,119.00 for a Revised Total Contract in the Amount of \$3,332,830.00 for the Energy Savings Performance Contract at Selected City Owned Facilities (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the execution of Change Order No. 5 to City Secretary Contract No. 29110-A7 with Johnson Controls, Inc., deducting the amount of \$65,119.00 for a revised total contract in the amount of \$3,332,830.00, for the energy savings performance contract at selected City owned facilities.

5. **M&C C-25920 - Authorize Transfer from the Specially Funded Capital Projects Fund to the General Fund in the Amount of \$483,978.00 for Management of the Fort Worth Public Art Program and Maintenance of the Public Art Collection and Authorize Execution of a Professional Management Services Agreement with the Arts Council of Fort Worth and Tarrant County, Inc., in the Amount of \$438,978.00 for Fiscal Year 2013 Management of the Public Art Program and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the transfer in the amount of \$483,978.00 from the Specially Funded Capital Projects Fund to the General Fund for management of the Fort Worth Public Art Program and maintenance of the public art collection; adopt Supplemental Appropriation Ordinance No. 20458-10-2012 increasing the estimated receipts and appropriations in the General Fund, from available funds, for the purpose of funding the Fiscal Year 2013 management of public art program; and authorize a renewal of a professional management services agreement with the Arts Council of Fort Worth and Tarrant County, Inc., in the amount of \$438,978.00 for management of the Fiscal Year 2013 Fort Worth Public Art Program for a period of one (1) year.

6. **M&C C-25921 - Authorize Rejection of All Bids for the Tony's Creek Detention Basin Rehabilitation Project and Re-Advertisement of the Project for Bids (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize rejection of all bids received for Tony's Creek Detention Basin Rehabilitation Project; and authorize the re-advertising of the project for bids at the earliest time possible.

7. M&C C-25922 - Authorize Execution of an Interlocal Agreement with Tarrant County to Install High Water Warning Signs and Flashers on Oak Grove Road at Deer Creek (COUNCIL DISTRICT 8)

The City Council approved the following recommendation: Authorize the execution of an interlocal agreement with Tarrant County to install high water warning signs and flashers on Oak Grove Road at Deer Creek.

8. M&C C-25923 - Authorize Execution of a License Agreement to Allow the Texas Coalition for Animal Protection to Use the Chuck Silcox Animal Care and Control Facility for the Purpose of Offering Low Cost Vaccinations to Privately Owned Animals (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Authorize the execution of a license agreement with the Texas Coalition for Animal Protection, with a term of one (1) year and two (2) one (1) year options to renew, for the after-hours use of the Chuck Silcox Animal Care and Control Center for the purpose of offering low-cost vaccinations to privately owned animals.

9. M&C C-25924 - Authorize Execution of an Engineering Agreement with RJN Group, Inc., in the Amount of \$349,740.00 for Village Creek Parallel Interceptor, M-503/M-244 Improvements on Quail Road, Ramey Avenue, Pioneer Parkway and Handley Drive and Adopt Appropriation Ordinances (COUNCIL DISTRICT 5)

The City Council approved the following recommendation: Authorize the transfer of \$399,740.00 from the Water and Sewer Operating Fund in the amount of \$175,827.00 to the Water Capital Projects Fund and \$223,913.00 to the Sewer Capital Projects Fund; adopt Appropriation Ordinance No. 20459-10-2012 increasing the estimated receipts and appropriations in the Water Capital Projects Fund, from available funds, for the purpose of executing a contract with RJN Group, Inc., for Village Creek Parallel Interceptor (M-503/M-244) improvements on Quail Road, Ramey Avenue, Pioneer Parkway and Handley Drive; and adopt Appropriation Ordinance No. 20460-10-2012 increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund, from available funds, for the purpose of executing the contract for the improvements on the streets named above; and authorize the execution of a contract with RJN Group, Inc., in the amount of \$349,740.00 for Village Creek Parallel Interceptor, M-503/M-244 Improvements.

10. M&C C-25925 - Authorize Execution of an Engineering Agreement with Dunaway Associates, Inc., in the Amount of \$347,180.00 for Westside III and IV Water Main Connections (COUNCIL DISTRICT 3)

The City Council approved the following recommendation: Authorize the execution of a contract with Dunaway Associates, Inc., in the amount of \$347,180.00 for Westside III and IV Water Main Connections.

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. **OCS - 1866 - Notice of Claims for Alleged Damages and/or Injuries**
- E. **Award of Contract - Consent Items- Removed from Consent Agenda for Individual Consideration**
2. **M&C C-25917 - Authorize Execution of a Communications Systems Agreement with the City of Crowley for Participation in the City of Fort Worth's Two-Way Public Safety Radio System at No Cost to the City of Fort Worth (ALL COUNCIL DISTRICTS)**

It was recommended that the City Council authorize the execution of a communications systems agreement with the City of Crowley for participation in the City of Fort Worth's Two-Way Public Safety Radio System in which the City of Crowley will reimburse its share of operations and maintenance to ensure no cost to the City of Fort Worth and for an annual reimbursement estimated to be approximately in the amount of \$48,720.00.

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

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. C-25917 be approved. The motion carried 8 ayes to 0 nays, with 1 abstention by Council Member Jordan.

11. **M&C C-25926 - Authorize Execution of a Construction Contract with 2L Construction L.L.C., in the Amount of \$267,996.83 for Trailhead and Trail Improvements at Trail Drivers Park (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the execution of a construction contract with 2L Construction, L.L.C., in the amount of \$267,996.83 for trailhead and trail improvements at Trail Drivers Park.

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. C-25926 be continued until the October 23, 2012, Council meeting. The motion carried unanimously 9 ayes to 0 nays.

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Recognition of USA Track and Field Coach Jon Drummond

Mayor Price presented Certificates of Recognition of USA Track and Field Coach Jon Drummond and to Darvis Patton, silver medalist of the Team USA Track Team. She stated that Mr. Drummond was a TCU graduate and a former Olympic winner and was being recognized as the Coach of the USA Track and Field relay team. She pointed out that Mr. Drummond's team brought home several medals from this year's Olympics. She stated that Mr. Drummond was accompanied by Bert Williams, Vice President, USA Track and Field Association, members of the Alumni Association of the United States Olympic Committee and other former Olympians.

Both Mr. Drummond and Mr. Patton expressed appreciation to the Mayor and Council for the recognition and stated it was an honor to represent Team USA.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Mayor Pro tem Zimmerman expressed appreciation to everyone who attended the White Cane event for the blind on October 15, 2012, and stated that the Police Department provided excellent service to the public at the event.

Council Member Jordan expressed appreciation to the South Division of the Police Department and the Citizens on Patrol from District 6 who patrolled the North Crowley Homecoming Game on October 12, 2012. He also pointed out that Neighborhood Patrol Office Michael Vargas's daughter was the Homecoming Queen.

Council Member Burns requested the Council meeting be adjourned in memory of Linda Clark, a longtime District 9 resident and activist, who recently passed away.

Council Member Moss expressed appreciation to Council Members Shingleton and Burns for attending and speaking at the groundbreaking ceremony on October 15, 2012, for Bell Helicopter Global Headquarters and stated the City was excited to have this wonderful facility.

Council Member Scarth expressed appreciation to the Economic Development and Planning Departments for their assistance at the Northeast Fort Worth Economic Development Summit that was held on October 12, 2012. He stated that the next meeting would be held on October 26, 2012, and to contact the District 4 Office for more information. He also requested the Council meeting be adjourned in memory of Fort Worth native Dario Lorenzetti, a member of the State Department, who was killed by a Taliban suicide bomber on October 13, 2012, in Afghanistan.

Mayor Price announced that a Spooky Bike Ride would be held on October 26, 2012, and encouraged everyone to dress up in a Halloween costume and attend the event. She also requested the Council meeting be adjourned in memory of Parks and Community Services Director Richard Zavala's son, Preston Zavala, who passed away on October 7, 2012.

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](#)

Council Member Scarth recommended the following appointments and reappointments on behalf of the Legislative and Intergovernmental Affairs Committee:

Appointments:

- Mr. Jason Lamers to Place 6 (Municipal Office representatives) on the Animal Shelter Advisory Committee, with a term expiring October 1, 2014.
- Mr. Andrew Blake to Place 2 (Real Estate representative) on the Downtown Design Review Board, with a term expiring October 1, 2014.

Reappointments:

- Mr. Tom Malone to Place 4 (Design Professional/Architect representative) on the Downtown Design Review Board, with a term expiring October 1, 2014.
- Mr. Kirk Millican to Place 6 (Design Professional/Architect representative) on the Downtown Design Review Board, with a term expiring October 1, 2014.
- Ms. Sandra Espinoza to Alternate Position Place 8 (Design Professional/Architect representative) on the Downtown Design Review Board, with a term expiring October 1, 2014.

Motion: Council Member Scarth made a motion, seconded by Council Member Moss, that the individuals listed above be appointed or reappointed to the various boards and commissions, effective October 16, 2012, with terms expiring as reflected. The motion carried unanimously 9 ayes to 0 nays.

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

1. Report by the Aviation Advisory Board

Mr. Bill Wilstead, Director, Aviation Department, introduced Mr. Dick Fahy, Chair of the Aviation Advisory Board.

Mr. Fahy provided a brief summary of the Aviation Advisory Board's mission activities over the past year, including future goals, projects and challenges.

XIII. RESOLUTIONS

1. A Resolution Appointing Members to Serve on the Fort Worth Art Commission

It was recommended that the City Council adopt a Resolution appointing the individuals listed below to serve on the Fort Worth Art Commission, with a term expiring as indicated:

- Ms. Robyne Kelly, Community Representative, Place 1, with a term expiring on September 30, 2013.
- Ms. Terri Thornton, Arts Professional (Curator), Place 2, with a term expiring on September 30, 2014.
- Mr. Gregory Ibanez, Art Professional, (Design Professional), Place 4, with a term expiring on September 30, 2014.
- Mr. Arthur Weinman, Art Professional (Design Professional), Place 5, with a term expiring on September 30, 2013.
- Mr. Steven C. Kline, Art Professional (Arts Administrator), Place 9, with a term expiring on September 30, 2013.

Motion: Council Member Scarth made a motion, seconded by Council Member Burns, that Resolution No. 4139-10-2012 be adopted. The motion carried unanimously 9 ayes to 0 nays.

XIV. REPORT OF THE CITY MANAGER

Council Member Burns requested that Mayor and Council Communication No. L-15447 be moved up the Agenda and considered at this time.

2. **M&C L-15447 - Authorize Acceptance of a 4.5 Acre Land Donation from XTO Energy Inc., for the Purpose of Developing the Proposed South Central Community Center and Dedicate the Property as Parkland (COUNCIL DISTRICT 9)**

It was recommended that the City Council authorize the acceptance of a 4.5 acre land donation located at the northeast corner of Hemphill Street and Biddison Street, described as part of the Block Q, Porter's Heights, an addition to the City of Fort Worth, Tarrant County Texas, from XTO Energy Inc., for the purpose of developing the proposed South Central Community Center; and dedicate the property as parkland.

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

Council Member Burns expressed appreciation to everyone at XTO Energy, Inc, for the generous donation of land for the Community Center on the south side and stated it would be enjoyed by everyone in and around the community.

Mr. Bob Manthei, 810 Houston Street, appeared before Council in support of Mayor and Council Communication No. L-15447.

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. L-15447 be approved, with appreciation. The motion carried 8 ayes to 0 nays, with 1 abstention by Council Member Scarth.

(Council Member Burns left his place at the dais and did not return to the meeting.)

A. **Benefit Hearing - None**

B. **General**

1. **M&C G-17707 - Authorize Reimbursement of the General Fund in the Amount of \$571,864.42 for Expenses Associated with the Leasing of City Owned Minerals in Fiscal Year 2012 from Royalties and Bonuses Received and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)**

It was recommended that the City Council adopt an Appropriation Ordinance increasing the estimated receipts and appropriations in the Airports Gas Lease Project Fund in the amount of \$118,114.96, Aviation Endowment Gas Lease Fund in the amount of \$118,062.45, Capital Projects Reserve Fund in the amount of \$84,138.71, General Endowment Gas Lease Fund in the

amount of \$83,713.07, Park Gas Lease Project Fund in the amount of \$55,006.57, Park System Endowment Gas Lease Fund in the amount of \$13,361.48, Golf Gas Lease Capital Project Fund in the amount of \$25,237.06, Lake Worth Gas Lease Capital Improvement Fund in the amount of \$59,752.22, Water and Sewer Gas Lease Capital Projects Fund in the amount of \$8,141.38 and Water and Sewer Endowment Gas Lease Fund in the amount of \$2,704.74 in the total amount of \$571,864.42, from Gas Lease Revenues, for the purpose of reimbursing administrative cost of mineral leasing associated with City-owned properties in Fiscal Year 2012; and authorize the transfer in the amount of \$571,864.42 to the General Fund in Fiscal Year 2012 to cover administrative costs of mineral leasing associated with City-owned properties.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. G-17707 be approved and Appropriation Ordinance No. 20461-10-2012 be adopted. The motion carried unanimously 8 ayes to 0 nays, with Council Member Burns absent.

C. Purchase of Equipment, Materials, and Services

1. [M&C P-11444 - Authorize Agreement with Allied Waste Services of Fort Worth, LLC d/b/a Allied Waste/Republic Services of Fort Worth for Garbage and Waste Disposal Services and Recycling Collection for City Facilities in the Amount of \\$1,557,000.00 \(ALL COUNCIL DISTRICTS\) \(Continued from a Previous Meeting\)](#)

It was the consensus of the City Council that Mayor and Council Communication No. P-11444 be withdrawn from consideration.

2. [M&C P-11444 - \(Revised\) Authorize Agreement with Allied Waste Services of Fort Worth, LLC d/b/a Allied Waste Services of Fort Worth/Republic Services of Fort Worth for Garbage and Waste Disposal Services and Recycling Collection for City Facilities in the Amount of \\$1,557,000.00 \(ALL COUNCIL DISTRICTS\)](#)

It was recommended that the City Council authorize the execution of an agreement with Allied Waste Services of Fort Worth, LLC, d/b/a Allied Waste Services of Fort Worth/Republic Services of Fort Worth, for regular garbage and waste disposal services and recycling collection for City facilities in the amount of \$1,557,000.00.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. P-11444 (Revised) be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Burns absent.

D. Land

1. M&C L-15446 - Authorize Condemnation by Eminent Domain of a Fee Simple Interest in 0.956 Acres of Land for Right-of-Way and an Easement Interest in 0.005 Acres of Land for Permanent Pedestrian Access and 0.526 Acres for Temporary Construction Located West of the Shiver Road and North Beach Street Intersection in Abstract 1611, Tract 1, Charles C. Whyte Survey, Owned by JDI Investors, L.P., for the Widening of North Beach Street from Vista Meadows Drive to Shiver Road (COUNCIL DISTRICT 2)

It was recommended that the City Council declare that negotiations between the City and the landowner were unsuccessful due to the inability to agree on a purchase price to acquire a fee simple interest in 0.956 acre of land for right-of-way, easement interest in 0.005 acre of land for permanent pedestrian access and 0.526 acre for temporary construction located in Abstract 1611, Tract 1, Charles C. Whyte Survey, owned by JDI Investors, L.P., for the widening of North Beach Street from Vista Meadows Drive to Shiver Road located west of the Shiver Road and North Beach Street intersection; declare the necessity to acquire a fee simple and easement interests in the subject property by means of condemnation by eminent domain for the widening of North Beach Street; authorize the City Attorney to institute condemnation by eminent domain proceedings to acquire a fee simple and easement interests in the property; and authorize a payment pursuant to an award of commissioners and/or upon negotiated settlement in lieu of condemnation by eminent domain.

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Zimmerman that Mayor and Council Communication No. L-15446 be approved and that the Fort Worth City Council authorize the use of the power of eminent domain to acquire a 0.956 acre tract of land for right of way acquisition, easement interest in 0.005 acre of land for permanent pedestrian access and 0.526 acre for temporary construction, located west of the Shiver Road and North Beach Street intersection in Abstract 1611, Tract 1, Charles C. Whyte Survey, owned by JDI Investors, L.P. The purchase of the right-of-way and easement interests are needed for the widening of North Beach Street from a two (2) lane undivided to a four (4) lane divided road, from Vista Meadows Drive to Shiver Road, to provide increased capacity for traffic flow in North Fort Worth. The fee simple right-of-way and the easement interests are described by metes and bounds and depicted by survey plats attached to this Mayor and Council Communication. The motion carried unanimously 8 ayes to 0 nays, with Council Member Burns absent.

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)

It was recommended that the City Council institute and consider the adoption of an Ordinance declaring certain findings; providing for the extension of certain boundary limits of the City of Fort Worth; providing for the annexation of an approximately 3.3 acre tract of land situated in the G. S. Rall Survey, Abstract Number 1801, also known as Lot 22, Block 6 of the Haslet Heights Addition, situated about 15.3 miles north 18 degrees west of the courthouse, Tarrant County, Texas (Case No. AX-11-008) which said territory lies adjacent to and adjoins the present corporate boundary limits of Fort Worth, Texas; providing that the territory annexed shall bear its pro rata part of taxes; providing that the inhabitants thereof shall have all the privileges of all the citizens of Fort Worth, Texas.

Zoning Docket No. ZC-11-043 was moved up the Agenda to be considered with its companion case Mayor and Council Communication No. PZ-2597.

XV. ZONING HEARING

Mayor Price opened the public 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)

The City Council at its Regular Meeting on September 25, 2012, continued Zoning Docket No. ZC-11-043.

Mr. Jeff Davis, 550 Bailey Avenue, Suite 400, appeared before Council in support of Mayor and Council Communication No. PZ-2957 and Zoning Docket No. ZC-11-043.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that the Zoning Hearing be closed and that Mayor and Council Communication No. PZ-2597 and Zoning Docket No. ZC-11-043 be approved and Ordinance No. 20462-10-2012 and Zoning Ordinance No. 20463-10-2012 be adopted. The motion carried unanimously 8 ayes to 0 nays, with Council Member Burns absent.

F. Award of Contract

- 1. M&C C-25927 - Authorize Execution of a Contract with Stabile & Winn, Inc., in the Amount of \$1,509,998.35 for Pavement Reconstruction and Water Main Replacement on Portions of Beddell Street, Bewick Street, Flint Street, Wayside Avenue and Willing Avenue Utilizing the Amount of \$1,403,965.35 from the Street Improvements 2008 Fund and the Amount of \$441,638.00 from the Water and Sewer Capital Projects Funds to Provide for Construction Contract Costs, Contingencies and Construction Services for a Project Total in the Amount of \$1,845,603.35 and Adopt Appropriation Ordinance (COUNCIL DISTRICT 9)**

It was recommended that the City Council authorize a transfer in the amount of \$441,638.00 from the Water and Sewer Fund to the Water Capital Projects Fund; adopt an Appropriation Ordinance increasing the estimated receipts and appropriations in the Water Capital Projects Fund, from available funds, for the purpose of pavement reconstruction and water main replacement for the streets listed below; and authorize the execution of a contract with Stabile & Winn, Inc., in the amount of \$1,509,998.35 for pavement reconstruction and water main replacement for Beddell Street, from Sixth Avenue to James Avenue; Bewick Street, from College Avenue to Henderson Street; Flint Street, from Wayside Avenue to McCart Avenue; Wayside Avenue, from Bolt Street to Flint Street; Willing Avenue, from Dickson Street to Bolt Street.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Allen Gray, that Mayor and Council Communication No. C-25927 be approved and Appropriation Ordinance No. 20464-10-2012 be adopted. The motion carried unanimously 8 ayes to 0 nays, with Council Member Burns absent.

- 2. M&C C-25928 - Conduct a Public Hearing, Ratify Application for and Authorize Acceptance of a Grant from the Fiscal Year 2012 Edward Byrne Memorial Justice Assistance Grant Formula Program from the United States Department of Justice, Office of Justice Programs and Bureau of Justice Assistance in the Amount of \$561,566.00, Authorize Execution of a Grant Agreement with the United States Department of Justice and Related Memoranda of Understanding with Tarrant County and Cities Located in Tarrant County, Authorize Use of Anticipated Interest in the Amount of \$10,000.00 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS) (PUBLIC HEARING)**

It was recommended that the City Council conduct a public hearing; ratify the application for and authorize acceptance of a grant from the Fiscal Year 2012 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program from the United States Department of Justice, Office of Justice Programs and Bureau of Justice Assistance in an amount not to exceed \$561,566.00;

authorize the execution of a grant agreement with the United States Department of Justice and Memoranda of Understanding with Tarrant County and other cities located within Tarrant County to designate the City of Fort Worth as the cognizant fiscal agency for the purpose of administrating this grant and the manner in which the grant money will be disbursed and utilized; authorize the use of anticipated interest in the amount of \$10,000.00 in accordance with the grant; and adopt an Appropriation Ordinance increasing the estimated receipts and appropriations in the Grants Fund, subject to receipt of the grant, for the purpose of funding activities to prevent crime and to improve the criminal justice system.

a. Report of City Staff

Ms. Sasha Kane, Senior Contract Compliance Specialist, Police Department, appeared before Council and provided a staff report.

b. Citizen Presentations

There were no citizen presentations.

c. Council Action

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that the public hearing be closed and that Mayor and Council Communication No. C-25928 be approved and Appropriation Ordinance No. 20465-10-2012 be adopted. The motion carried unanimously 8 ayes to 0 nays, with Council Member Burns absent.

XVI. CITIZEN PRESENTATIONS

There were no citizen presentations.

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

XVIII. ADJOURNMENT

There being no further business, Mayor Price adjourned the Regular Meeting at 10:49 a.m., in memory of Dario Lorenzetti, Preston Zavala, and Linda Clark, members of the community who passed away recently and will be missed by family and friends.

No Documents for this Section

To the Mayor and Members of the City Council**October 23, 2012**

Page 1 of 1

**SUBJECT: PROPOSED CHANGES TO CITY CODE REGARDING HOTEL OCCUPANCY TAX SUBMISSION**

The purpose of this Informal Report is to brief the City Council about recommended amendments to the City Code related to the collection of Hotel Occupancy Tax (HOT). The proposed changes will cause the City's requirements to better align with the State's to benefit both the hotel operators and the City. They will also mirror provisions allowed under state law, and implemented in other cities, that enhance cost recovery for delinquencies and collections.

Under state and local law, hotel operators within the City are required to collect City and State HOT from guests. Currently, the hotels are required to file a report and submit the collected taxes on a quarterly basis to the City and on a monthly basis to the State. Attempting to comply with two different sets of submission and reporting requirements has caused hotel operators to experience issues ranging from simple confusion to actual errors and delinquencies that result in the assessment of penalties. Revising the City Code so that operators are subject to a single, consistent set of deadlines would help eliminate many such issues for the hotels, as well as provide a more consistent flow of revenue for the City.

In addition to revising the reporting and remittance schedule, staff recommends changes related to deadlines, penalties, collections, and interest to provide clarity for the hotel operators and additional cost-recovery mechanisms for the City.

The language in the current ordinance is somewhat ambiguous with respect to when reports and remittances become delinquent and subject to a lateness penalty. In addition, the current ordinance does not take full advantage of cost-recovery mechanisms such as interest, collections penalties, and tax-recovery suits, all of which are allowed under state law and generally used by other Texas cities. Staff recommends revising the City Code to provide a definitive delinquency date at which point late penalties will attach, to impose a collection penalty for older cases that require judicial collection efforts, and to require payment of interests for taxes that are not timely remitted. Staff believes that making these changes will reduce the likelihood of delinquencies occurring and will allow the City to come closer to recovering the costs that arise when operators are delinquent in meeting their legal responsibilities and remitting the taxes that they have collected on the City's behalf.

Staff plans to bring forward an M&C at the November 6 meeting for the City Council to consider adoption of an ordinance to make the described changes to the City Code.

If you have any questions, please call James Mauldin, Acting Assistant Director of Financial Management Services, at 817-392-2438.

**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, October 23, 2012

LOG NAME:

REFERENCE NO.: **OCS-1867

SUBJECT:

Notices of Claims for Alleged Damages and/or Injuries

RECOMMENDATION:

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

DISCUSSION:

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

The attached list is a summary of the notices of claims against the City of Fort Worth received in the City Secretary's Office as of 5:00 p.m., Wednesday, October 17, 2012.

Attachment

Submitted for City Secretary's Office by:

Mary J. Kayser (6152)

Originating Department Head:

Mary J. Kayser (6152)

Additional Information Contact:

Lena Ellis (8517)

Nancy McKenzie (7744)

CITY COUNCIL MEETING

Tuesday, October 23, 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
Blake Headley	10/11/2012	10/1/2012	5520 Bryce Canyon Dr	Property Damage	Damage to property due to street construction.	TPW	No	No
Jacqueline Clark	10/11/2012	8/15/2012	4416 Chesapeake Bay Dr	Property Damage	Driveway replaced by City, concrete doesn't match.	Water	No	No
Lashun R. Farris	10/11/2012	9/24/2012	1600 East Maddox	Auto Damage	Collision with City vehicle.	Police	No	Yes
Juan Escamilla Jr.	10/15/2012	10/8/2012	3608 N. Houston St.	Property Damage	Water main break in front of home, rocks damaged roof.	Water	No	No
Paul Kirlew	10/15/2012	10/13/2012	3000 South Freeway	Property Damage	Property damage from sewage backup.	Water	No	No
Brain Lee Deberry	10/15/2012	9/27/2012	6308 Trail Lake Drive	Bodily Injury	Excessive force during arrest.	Police	No	Yes
John Oliver	10/15/2012	10/14/2012	5709 Minnow Drive	Property Damage	Tree fell on fence.	TPW	No	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Irene Thomas	10/15/2012	8/23/2012	5540 Eisenhower Drive	Property Damage	Crew damaged fence with equipment.	Water	No	No
Stephanie Flores	10/15/2012	10/13/2012	100 E. Third Street & E. Fourth	Bodily Injury	Sign fell off pole and hit claimant.	TPW	No	Yes
Mitchell Thornton	10/15/2012	9/27/2012	Hwy 121	Auto Damage	Rocks off City vehicle struck Citizen vehicle.	TPW	Yes	No
David Joseph Puente	10/5/2012	9/16/2012	North Fwy & Clinton Avenue	Auto Damage	CFW vehicle struck claimants car.	Fire	Yes	No
Jerry W. McBride	10/16/2012	10/13/2012	6829 Green Lee	Auto Damage	Tree struck and damaged vehicle.	PACS	Yes	No
Bobby Naillon	10/16/2012	10/15/2012	Lancaster Avenue	Auto Damage	CFW vehicle struck claimants car.	Fire	Yes	No
Eleanor L. Hutson	10/17/2012		6900 Van Natta Lane	Property Damage	City crew damaged roots of tree & it fell on fence.	Water	Yes	No

No Documents for this Section

No Documents for this Section

No Documents for this Section



MEMORANDUM

Date: October 18, 2012

To: The Honorable Mayor and Members of the City Council

From: Tom Higgins, City Manager
Sarah J. Fullenwider, City Attorney

Subject: Retirement Ordinance

Enclosed in today's packet you will find the proposed amendments to the Retirement Ordinance (M&C G-17712). The M&C summarizes the proposed changes that are included in the ordinance.

The majority of the ordinance is a restatement of the previous ordinance with new Section numbers. However, in order to make the ordinance more user-friendly, the decision was made to reorganize it by separating it into employee groups. This has made a redline of the document impossible. To facilitate your review, please note that the benefit changes for police officers and general employee can be found in the following Sections:

- Section 2.5-2 – states how general employees and police officers who terminate and return to service will be treated;
- Section 2.5-3 – states that City contributions will still be made on overtime for existing General Employees and Police Officers
- Section 2.5-5 – states how unused major medical and sick leave will be treated
- Section 2.5- 8 – Cost of living changes for existing general employees and police officers
- The following sections change the definition of earnings to remove overtime:
 - Section 2.5-21 (for future service accrual by existing Police Officers)
 - Section 2.5-31 (for Police Officers hired on or after January 1, 2013)
 - Section 2.5-41 (for future service accrual by Pre- July 1, 2011 General Employees)
 - Section 2.5-51 (for future service accrual for Post-July 1, 2011 General Employees)

- The following sections change the compensation base to High 5 years:
 - Section 2.5-23 (for future service accrual by existing Police Officers)
 - Section 2.5-33 (for Police Officers hired on or after January 1, 2013)
 - Section 2.5-43 (for future service accrual by Pre-July 1, 2011 General Employees)

- The following sections change the multiplier for early retirement:
 - Section 2.5-24 (for future service accrual by existing Police Officers)
 - Section 2.5-34 (for Police Officers hired on or after January 1, 2013)
 - Section 2.5-44 (for future service accrual by Pre-July 1, 2011 General Employees)

- The following sections change the multiplier for normal retirement:
 - Section 2.5-25 (for future service accrual by existing Police Officers)
 - Section 2.5-35 (for Police Officers hired on or after January 1, 2013)
 - Section 2.5-45 (for future service accrual by Pre-July 1, 2011 General Employees)

- The following sections change the multiplier for Disability Pension:
 - Section 2.5-26 (for future service accrual by existing Police Officers)
 - Section 2.5-36 (for Police Officers hired on or after January 1, 2013)
 - Section 2.5-46 (for future service accrual by Pre- July 1, 2011 General Employees)

- The following sections change the multiplier for Death Benefit:
 - Section 2.5-27 (for future service accrual by existing Police Officers)
 - Section 2.5-37 (for Police Officers hired on or after January 1, 2013)
 - Section 2.5-47 (for future service accrual by Pre- July 1, 2011 General Employees)
 - Section 2.5-57 (for General Employees hired on or after July 1, 2011)

- Section 2.5-53(d) freezes the Cash Balance Account for overtime for General Employees hired on or after July 1, 2011

There are no substantive changes made to Division 6 (the Firefighter Division), Article II, and Article III.

City Staff has been in discussions with the staff of the Retirement Fund on the time and effort required to implement the benefit changes in both the City's and the Fund's financial and payroll systems. Staff will discuss any necessary revisions to effective dates that may need to be made during the Pre-Council presentation on Tuesday.