



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, FEBRUARY 11, 2013, THROUGH SATURDAY, FEBRUARY 16, 2013**

MONDAY, FEBRUARY 11, 2013

	<u>TIME</u>	<u>LOCATION</u>
Disciplinary Appeals Board	9:00 a.m.	City Hall Annex Building 908 Monroe, Conference Room 602
Historic and Cultural Landmarks Commission Work Session	12:30 p.m.	Pre-Council Chamber
Historic and Cultural Landmarks Commission Public Hearing	2:00 p.m.	Council Chamber
Commission for Women	4:00 p.m.	Fort Worth Business Assistance Center 1150 South Freeway
Disciplinary Appeals Board	4:00 p.m.	City Hall Annex Building 908 Monroe, Conference Room 602
Art Commission	5:30 p.m.	Fort Worth Community Arts Center 1300 Gendy Street

TUESDAY, FEBRUARY 12, 2013

Infrastructure and Transportation Committee	2:00 p.m.	Pre-Council Chamber
Pre-Council Meeting	4:00 p.m.	Pre-Council Chamber
City Council Meeting	7:00 p.m.	Council Chamber

WEDNESDAY, FEBRUARY 13, 2013

Zoning Commission Work Session	9:00 a.m.	Pre-Council Chamber
Zoning Commission Public Hearing	10:00 a.m.	Council Chamber
TIF 7 Board of Directors (North Tarrant Parkway)	3:30 p.m.	City Hall, Development Conference Room Lower Level
Golf Advisory Committee	4:00 p.m.	Parks and Community Services 4200 South Freeway, Conference Room 2

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on February 7, 2013, and may not include all meetings to be conducted during the week of February 11, 2013 through February 16, 2013. 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, FEBRUARY 11, 2013, THROUGH SATURDAY, FEBRUARY 16, 2013

Firefighters' and Police Officers' Civil Service Commission	5:30 p.m.	Police and Fire Training Center 1000 Calvert, Police Conference Room
Community Development Council	6:15 p.m.	Pre-Council Chamber

THURSDAY, FEBRUARY 14, 2013

Construction and Fire Prevention Board of Appeals	2:00 p.m.	City Hall, Development Conference Room Lower Level
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FRIDAY, FEBRUARY 15, 2013

No Meetings

SATURDAY, FEBRUARY 16, 2013

Library Advisory Board Meeting	8:30 a.m.	Southwest Christian Preparatory School 7001 Benbrook Lake Drive
Library Advisory Board Annual Retreat	9:15 a.m.	Southwest Christian Preparatory School 7001 Benbrook Lake Drive

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 p.m. on February 7, 2013, and may not include all meetings to be conducted during the week of February 11, 2013 through February 16, 2013. It is a summary listing only. See individual agendas which are posted in compliance with the Texas Open Meetings Act for detailed information.

INFRASTRUCTURE AND TRANSPORTATION COMMITTEE MEETING
TUESDAY, FEBRUARY 12, 2013
2:00 P.M.
PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS

PRE-COUNCIL MEETING
TUESDAY, FEBRUARY 12, 2013
4:00 P.M.

NOTE TIME CHANGE

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 9545](#): December 2012 - Sales Tax Update
 - [IR 9546](#): Proposed Amendments to the Historic Preservation Ordinance
 - [IR 9547](#): Fee Waivers for Relocation of Airbase Services Inc. (Project Phoenix)
2. Current Agenda Items - **City Council Members**
3. Responses to Items Continued from a Previous Week
4. Briefing on DFW International Airport Capital Improvements Program - **Jeff Fegan and Chris Poinette, Dallas/Fort Worth International Airport**
5. Update on Capital Projects for Bond Program - **Horatio Porter, Chief Financial Officer**
6. Legislative Update - **Charles Daniels, City Manager's Office**
7. City Council Requests for Future Agenda Items and/or Reports
8. 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, CITY HALL)
Tuesday, February 12, 2013

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 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 7:00 P.M. TUESDAY, FEBRUARY 12, 2013
CITY COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

- I. CALL TO ORDER**
- II. INVOCATION** - Candace Stroup, Chaplain, Department of Pastoral Care, Texas Health Harris Methodist Fort Worth
- III. PLEDGE OF ALLEGIANCE**
- IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF MEETING OF FEBRUARY 5, 2013**
- 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-17804](#) - Authorize Expenditure in the Amount of \$300,000.00 in Urban Development Action Grant Program Income for the Urban Village Store Front/Façade Improvement Program, Adopt Appropriation Ordinance and Resolution Adopting Program Policy (COUNCIL DISTRICTS 2, 5, 8 and 9)
 2. [M&C G-17805](#) - Approve Findings of Ground Transportation Coordinator Regarding Application of Good Time Limo Service, LLC, to Operate Two Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority (ALL COUNCIL DISTRICTS)
 3. [M&C G-17806](#) - Authorize Acceptance of Additional Grant Funds from the Texas Department of Agriculture in the Amount Up to \$204,663.39 for the 2012 Summer Food Service Program, Apply Indirect Costs at Approved Percentage Rate and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
 - B. Purchase of Equipment, Materials, and Services - Consent Items**
 1. [M&C P-11490](#) - Authorize Purchase Agreements with PDO Temporaries, Inc., FW Services, Inc. d/b/a Pacesetter Personnel Services, and Goodwill Industries of Fort Worth for Temporary Worker Services for the Code Compliance and Public Events Departments in the Amount Up to \$950,000.00 for the First Year (ALL COUNCIL DISTRICTS)
 2. [M&C P-11491](#) - Authorize Purchase of a Hybrid Bucket Truck from Philpott Motors, LTD d/b/a Philpott Ford, in the Amount of \$91,394.00 Using a Cooperative Contract for the Transportation and Public Works Department (ALL COUNCIL DISTRICTS)

C. Land - Consent Items - None

D. Planning & Zoning - Consent Items

1. [M&C PZ-3013](#) - Authorize Initiation of Rezoning for Certain Properties Surrounding the I-20/Granbury Road TEX Rail Station Area in Accordance with the Comprehensive Plan (COUNCIL DISTRICTS 3 and 6)

E. Award of Contract - Consent Items

1. [M&C C-26094](#) - Authorize Execution of a Stormwater Facility Maintenance Agreement with Landmark Loop 820, Ltd., on Property Located at Northwest Centre Drive, Lots 4 and 5, Block 2, Caleb's Mountain Addition (COUNCIL DISTRICT 7)
2. [M&C C-26095](#) - Authorize Temporary Closure of Dewey Street from Decatur Avenue to Schadt Street from February 13, 2013 to October 18, 2013 for the Construction of Stormwater Improvements (COUNCIL DISTRICT 2)
3. [M&C C-26096](#) - Authorize Execution of a Construction Contract with Able Communications, Inc., in the Amount of \$335,401.00 to Renovate the Auditorium Theatrical Sound System at the Will Rogers Memorial Center, Authorize Additional Expenditure for Contingency and Staff Costs for a Project Total in the Amount of \$400,000.00 and Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the Culture and Tourism Fund and Decreasing the Assigned Culture and Tourism Fund Balance by the Same Amount (COUNCIL DISTRICT 7)

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1877 - Notice of Claims for Alleged Damages and/or Injuries

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Recognition of Safe Communities Designation
2. Presentation of Certificates of Recognition to Former Board and Commission Members

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

XIII. REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-17807](#) - Adopt Ordinance Amending the Fort Worth Electrical Code, Regulating the Erection, Construction, Repair and

Maintenance of Electrified Fences (ALL COUNCIL DISTRICTS)

2. [M&C G-17808](#) - Conduct Public Hearing Regarding the Draft of the City of Fort Worth 2013 Comprehensive Plan as Recommended by the City Plan Commission (ALL COUNCIL DISTRICTS) **(PUBLIC HEARING)**
 - a. Report of City Staff
 - b. Citizen Presentations
 - c. Council Action

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

D. Land - None

E. Planning & Zoning

1. [M&C PZ-3014](#) - Adopt Ordinance for the City-Initiated Annexation of Approximately 9.2 Acres of Land at 7001 Old Decatur Road, Known as the Enclave at Parkview Apartments (COUNCIL DISTRICT 7)
2. [M&C PZ-3015](#) - Consider Institution and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 0.5 Acre of Land, South of Intermodal Parkway and West of FM-156, AX-13-001 (COUNCIL DISTRICT 2)

F. Award of Contract

1. [M&C C-26097](#) - Authorize Execution of a Contract with AUI Contractors, LLC, in the Amount of \$6,777,234.30 for Paving, Drainage, Water, Sanitary Sewer and Street Light Improvements Along Litsey Road from Cleveland-Gibbs Road to Independence Parkway and an Additional Amount of \$917,356.30 for Contingencies and City and Consultant Furnished Construction Services for a Total Project Cost in the Amount of \$7,694,590.60 (COUNCIL DISTRICT 2)
2. [M&C C-26098](#) - Authorize Execution of a Contract with Jackson Construction, Ltd, in the Amount of \$16,589,133.65 for the Construction of East Rosedale Street from Miller Avenue to U.S. Highway 287, Authorize Additional Expenditure for Project Costs and Contingencies for a Project Total of \$18,643,832.63 and Adopt Appropriation Ordinances (COUNCIL DISTRICT 8)
3. [M&C C-26099](#) - Authorize Application for and Acceptance of Multiple Grants from PetSmart Charities, Inc., to Support Pet Adoption Events Held Throughout the Year in the Amount Not to Exceed \$150,000.00, Waive Indirect Costs and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)
4. [M&C C-26100](#) - Authorize Execution of a Contract with IntegrityTexas Construction, LTD, in the Amount Up to \$1,635,000.00 for the Initial One-Year Term for the Weatherization Assistance Program (ALL COUNCIL DISTRICTS)

XIV. CITIZEN PRESENTATIONS

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

XVI. 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.

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 B
EXECUTIVE SESSION
(PRE-COUNCIL CHAMBER, CITY HALL)
Tuesday, February 12, 2013

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 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.



INFRASTRUCTURE AND TRANSPORTATION COMMITTEE

Tuesday, February 12, 2013

2:00 PM

City Hall - Pre-Council Chamber

1000 Throckmorton Street

Fort Worth, Texas 76102

Council Member Sal Espino, Chair

Council Member Joel Burns, Vice Chair

Council Member Jungus Jordan

Council Member Zim Zimmerman

Fernando Costa, Staff Liaison

Peter Vaky, Staff Attorney

Lois Wallace, Coordinator

I. **Call to Order** – Council Member Sal Espino, Chair

II. **Approval of December 11, 2012 Minutes**

III. **Briefing on I-35 Improvements**

Brian Barth, P.E., Deputy District Engineer, Texas Department of Transportation

IV. **Briefing on South Main Street Redevelopment Project**

Doug Rademaker, P.E., Deputy Director, Planning & Development and Paul Paine, Fort Worth South

V. **Briefing on Forest Park Boulevard Road Diet/Re-Striping Plan**

Alonzo Linan, P.E., Assistant Director, TPW – Traffic Management Division

VI. **Requests for Future Agenda Items**

VII. **Next Meeting** – March 12, 2013 is canceled

April 9, 2013

VIII. **Adjournment** -

Please Note: A quorum of the City Council may be attending this meeting for informational purposes. Members of the City Council who are not on the Committee will not be deliberating or voting on matters before the Committee.

This facility is wheelchair accessible. For accommodations or interpretive services, please call the Transportation and Public Works Department at 817-392-8255, 48 hours in advance.



CITY OF FORT WORTH
INFRASTRUCTURE AND TRANSPORTATION COMMITTEE
Meeting Minutes of December 11, 2012

Committee Members Present:

Sal Espino, Council Member and Committee Chair
Joel Burns, Council Member and Committee Vice-Chair
Jungus Jordan, Council Member
Zim Zimmerman, Council Member

Members Absent:

City Staff Present:

Fernando Costa, Assistant City Manager
Peter Vaky, Deputy City Attorney
Kate Beck, P.E., Development services Administrator, Planning and Development Department
Mark Rauscher, MPA, AICP, Senior Capital Programs Manager, Planning and Development Department
David Hall, MCP – Assistant Director, Planning and Development Department
Douglas Wiersig, Director, Transportation and Public Works Department
Frank Crumb, Director, Water Department
Doug Rademaker, P.E., Deputy Director, Planning and Development Department
Lois Wallace, Sr. Admin Assistant, Transportation and Public Works Department
Katherine Kirkpatrick, Admin. Technician, Transportation and Public Works Department

Agenda Item I: Call to Order:

Committee Chair, Mr. Sal Espino, called the meeting to order at 1:05 pm.

Agenda Item II: Approval of Minutes:

The first order of business was approving the minutes from the November 11, 2012 meeting. Mr. Jordan made a motion for approval and Mr. Zimmerman seconded the motion. Committee members voted to approve the minutes as written.

Agenda Item III: Update on 2013 Transportation Impact Fee Study and Ordinance

Katherine Beck, P.E. – Development Services Administrator, Planning and Development Department

Ms. Beck presented an update on the Transportation Impact Fee Study and Ordinance which included Stakeholder feedback, staff recommendation, ordinance amendments and project schedule.

There were three themes of stakeholder feedback:

1. Recognition of the need for a fee increase
2. Concerns about the effect of an increased fee: included competitiveness and recovery of industry
3. Reiteration of the need for a combination of funding sources.

The 2013 Transportation Impact Fee Study and minor ordinance amendments: the Council may choose to adopt a new collection rate, the rate can be set from 0-100% of the maximum assessable fee:

- can vary between land uses and /or service areas
- can be “smoothed” to eliminated variation
- service area sectors may be treated differently
- discounts may be amended.

The Blue Ribbon Task Force recommended:

- an increase in the percentage of maximum assessable impact fee charged, from 36% to 50% for residential uses, from 27% to 41% for non- residential uses
- maintain 2008 rates for east sector and increase discount for utilization of existing infrastructure
- increase in the allocation of tax revenue from O&M to debt service for transportation
- the creation of a Transportation Service Charge.

Staff recommendations include:

- adopt the 2013 Transportation Impact Fee Study
- adopt minor ordinance amendments, maintain 2008 rates for east sector
- continue “smoothing” between service areas
- maintain the percentage of the maximum assessable impact fee currently charged for the North, West and South sectors (option C per submitted presentation),
- increase the discount for utilization of existing infrastructure
- incorporate a scheduled increase in the percentage of the maximum assessable fee for the North, West and South sectors (option D per submitted presentation)
- revisit key portions of the “tipping point” analysis in preparation for scheduled fee increases.

A project schedule 2013 Transportation Impact Fee Study and Ordinance was presented identifying:

- a pre council briefing on January 8, 2013
- council action on February 5, 2013
- statutory deadline of February 19, 2013

An effective date of an initial fee increase as well as a proposed date of a secondary fee increase on April 1, 2013 (per presented Rate Options chart).

Comments:

Council Member Sal Espino stated that currently an increase in the allocation of tax revenue from O&M is being used. Council will hold a CIP workshop on January 9, 2013 and the topic of Transportation and its funding will be reviewed.

Agenda Item IV: Update on North Service Center Project

Mark Rauscher, MPA, AICP – Senior Capital Programs Manager, Planning and Development Department

Mr. Rauscher presented an update on North Service Center Project which included project update, concept/site plan, productivity benefits, phase II expansion and the next steps to take.

Mr. Rauscher briefed the Committee that the proposed location, Northeast corner of Bonds Ranch Road and U.S. 287, would provide a faster response time for repair calls and reduces response costs. Multi-departments will be housed at the location including Transportation and Public Works, Parks and Community Services, Equipment Services, Water, Code Compliance and Police. A potential annual operational cost savings estimated at \$1,106,470.70.

An outline of two (2) construction phases was provided:

- Phase I includes TPW-Stormwater, Code Compliance (Solid Waste & Animal Control Drop-Off) and Equipment Services (Partial Fuel Island) – Funded with Stormwater & Solid Waste Operating Funds with design and construction being early 2013 through mid-2015.
- Phase II includes TPW- Street and Traffic Services, PACS (Athletics/Forestry Operations and Trade) and Equipment Services (Complete Fuel Island & Partial Vehicle Maintenance Facility) – Currently unfunded with an estimated cost of \$17.3 million. Staff recommends funding this phase as part of the next Bond Program.

Comments:

Council Member Zim Zimmerman noted that nothing had been mentioned about the facilities where current work forces are housed and sector of the City and what will become of the service centers. Mr. Rauscher explained that some of the service groups currently at the south service center will relocate to the new north service center while others will remain or relocate to other facilities in the area. The Police Department will continue to use and expand the Brennan Service Center for their auto pound and fleet maintenance location.

Agenda Item V: Briefing on Proposed Electrified Fence Ordinance

David Hall, MPA, AICP – Senior Capital Programs Manager, Planning and Development Department

Mr. Hall presented the Electrified Fence Ordinance which included background, protective barriers, signage, electrified fence standards, registration and fees.

With an increase in applications for electrified fences, there are concerns that the current ordinance in place is too vague. Recommendations of a more detailed ordinance include general requirements for these structures such as a protective barrier fence, signage placement and electric fence standards. Registration will be annually with a notarized statement to certify that the electrified fence and equipment are in conformance with the city ordinance, by a registered electrician or fence contractor specializing in electrical fences. Registration will also include having to pass an annual City of Fort Worth inspection. Fees for permits will be based on initial permit fee, for both electrical fences and protective barriers, with an annual registration renewal fee. The hope is to have this ordinance in front of council in January 2013.

Comments:

No comments were made.

Agenda Item VI: Briefing on Texas Water Development Board Research Project – Evaluating Potential Direct Reuse in Texas

Frank Crumb, P.E., Water Director

Mr. Crumb presented the Texas Water Development Board Research Project – Evaluating Potential Direct Water Reuse in Texas which included potable water reuse – indirect and direct, 2013 TWDB research topic, cities currently using direct water reuse and the Trinity River compact.

Potable water reuse can be done in two ways:

1. Indirect reuse treats wastewater to a high standard and uses an environmental buffer to provide additional polishing. Then the raw water is treated to drinking water standards
2. Direct reuse treats wastewater effluent and blends the water with the raw water system with additional multiple barriers of treatment.

The 2013 TWDB research topic is to evaluate the potential for direct potable water reuse in Texas, develop guidance document showing water quality goals and recommended treatment approaches for direct potable water reuse, and to provide resource to aid TCEQ in its efforts to develop guidance for water utilities. The only known area in Texas TCEQ approved to use direct potable water reuse is Big Springs. The Trinity River Compact consists of Fort Worth, Dallas, Trinity River Authority and North Texas Water District; this group includes all major wastewater discharges in the metroplex. Historically we cooperate on studies of Trinity River quality, treatment standards and discharge permit criteria. It was proposed that the City of Fort Worth fund a \$50,000.00 contribution for TWDB research on direct potable water reuse. Six additional cities in the state are anticipated to provide funding for this research as well, along with the \$100,000.00 that the state is providing.

Evaluating Potential Direct Water Reuse in Texas was presented. Informed the committee of M&C date on December 18, 2012, was requesting authorization for Fort Worth to participate in the TWDB research on direct potable water reuse.

Comments:

Council Member Sal Espino stated that this research project is an important one and needs support. Water is an issue for a growing state/area and is a resource to be looked at and planned for. This research project is time appropriate and we should move forward with it.

Request for Future Agenda Items:

None.

Date of Next Meeting:

February 12, 2013

Adjournment:

With no further presentations or discussions, Chairman Espino adjourned the regular meeting of the Infrastructure and Transportation Committee at 1:55 p.m., Tuesday, December 11, 2012.

These minutes approved by the Infrastructure and Transportation Committee on the 8th day of January 2013.

APPROVED:

Sal Espino, Chairman

Minutes Prepared by and Attested:

Katherine Kirkpatrick, Admin. Technician



Updated February 7, 2013

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

February 12, 2013

***2:00 p.m. Infrastructure & Transportation Committee (Note Time Change)
4:00 p.m. Pre-Council Meeting (Note Time Change)***

- o Briefing on DFW International Airport Capital Improvements Program [*Jeff Fegan and Chris Poinsatte, Dallas/Fort Worth International Airport*]
- o Update on Capital Projects for Bond Program [*Horatio Porter, Chief Financial Officer*]
- o Legislative Update [*Charles Daniels, City Manager's Office*]

February 19, 2013

***8:30 a.m. Pre-Council Meeting
1:00 p.m. Annexation Workshop (Pre-Council Chamber)***

- o Municipal Court Services Update [*Deidra Emerson, Municipal Court*]
- o Legislative Update [*Charles Daniels, City Manager's Office*]
- o Update on Municipal Parking [*Douglas Wiersig, Transportation and Public Works*]

February 20, 2013 (Wednesday)

***2:00 p.m. Joint Meeting of the City Council and the Fort Worth T
(Fort Worth Convention Center)***

February 21, 2013 (Thursday)

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



Updated February 7, 2013

City of Fort Worth
City Council Pre-Council Agenda Calendar

February 26, 2013

8:30 a.m. Pre-Council Meeting (cancelled)
1:30 p.m. Audit Committee (Pre-Council Chamber)

March 5, 2013 **Monthly Zoning Meeting**

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

Continued Items:

- **ZC-12-128** - David McDavid, 4621 Keller Hicks Road; from: "I" Light Industrial to: "A-5" One-Family (Recommended for Approval by the Zoning Commission) (**Continued from January 29, 2013 by Council Member Espino**)
- **ZC-12-112** - Thomas Blanton, 3900 and 3950 Angle Avenue; from: "I" Light Industrial to: "D" High Density Multifamily (**Recommended for Approval by the Zoning Commission**) (**Council District 2 – Sal Espino**) (**Continued from February 5, 2013 by Council Member Espino**)
- o Overview on Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
- o Legislative Update [*Charles Daniels, City Manager's Office*]

March 12, 2013

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

March 19, 2013

8:30 a.m. Pre-Council Meeting

- o Legislative Update [*Charles Daniels, City Manager's Office*]



Updated February 7, 2013

City of Fort Worth
City Council Pre-Council Agenda Calendar

March 26, 2013

8:30 a.m. Pre-Council Meeting
2:30 p.m. Audit Committee (Pre-Council Chamber)

- o Legislative Update [*Charles Daniels, City Manager's Office*]

April 2, 2013 **Monthly Zoning Meeting**

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

- o Overview on Significant Zoning Cases [*Dana Burghdoff, Planning and Development*]
- o Legislative Update [*Charles Daniels, City Manager's Office*]

April 9, 2013

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

- o Update on Future Projects within Tarrant County [*Commissioner Gary Fickes, County Commissioner*]
- o Legislative Update [*Charles Daniels, City Manager's Office*]

April 16, 2013

8:30 a.m. Pre-Council Meeting

- o Update on Trinity River Vision Project [*Mark Rauscher, Planning and Development and J.D. Granger, Trinity River Vision*]
- o Legislative Update [*Charles Daniels, City Manager's Office*]



Updated February 7, 2013

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

April 23, 2013

8:30 a.m. Pre-Council Meeting

- o Legislative Update [*Charles Daniels, City Manager's Office*]

April 30, 2013

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

10:30 a.m. Audit Committee (Pre-Council Chamber)

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
FEBRUARY 05, 2013**

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 7:06 p.m., on Tuesday, February 5, 2013, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

II. INVOCATION - Dr. Bill Boyd, Edge Park United Methodist Church

The invocation was provided by Dr. Bill Boyd, Edge Park United Methodist Church.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF JANUARY 29, 2013

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns, that the Minutes of the Regular meeting of January 29, 2013, be approved. The motion carried unanimously 9 ayes to 0 nays.

V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items to be withdrawn from the Consent Agenda.

VI. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

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

VII. CONSENT AGENDA

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

A. General - Consent Items - None

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

1. M&C P-11488 - Authorize Non-Exclusive Purchase Agreements for Golf Resale Merchandise, Food and Beverages for the Parks and Community Services Department, Golf Division in the Amount Up to \$655,000.00 (ALL COUNCIL DISTRICTS)

The City Council approved the following recommendation: Authorize non-exclusive purchase agreements for golf resale merchandise, food and beverages for the Parks and Community Services Department, Golf Division, in the amount up to \$655,000.00 for the first year.

2. M&C P-11489 - Authorize Non-Exclusive Purchase Agreements with Ari Tex Wood Shavings Co, LLC, Letco Group LLC, and McCoy's Building Supply to Provide Wood Shavings for the Public Events Department, Will Rogers Memorial Center, in a Combined Amount Up to \$606,000.00 for Resale to Equestrian Events Participants (COUNCIL DISTRICT 7)

The City Council approved the following recommendation: Authorize non-exclusive purchase agreements with Ari Tex Wood Shavings Co, LLC, Letco Group, LLC, and McCoy's Building Supply to provide wood shavings for the Public Events Department, Will Rogers Memorial Center, in a combined amount up to \$606,000.00 for the first year, for resale to equestrian events participants.

C. Land - Consent Items

1. M&C L-15512 - Authorize Purchase Property Located at 1429 Horncastle Street from Renato Rosales in the Amount of \$33,663.97, Plus Approximately \$5,000.00 in Closing Costs, and Dedicate Property as Parkland (COUNCIL DISTRICT 6)

The City Council approved the following recommendation: Authorize the purchase of the property located at 1429 Horncastle Street from Renato Rosales in the amount of \$33,663.97, and the payment of closing costs in the estimated amount of \$5,000.00; authorize the execution of the appropriate closing documents to complete the purchase; and accept the property and dedicate the property as parkland upon acceptance.

2. **M&C L-15513 - Authorize Acquisition of a Fee Simple Interest in 0.817 Acres of Land for Right-of-Way, an Easement Interest in 0.062 Acres of Land for Permanent Drainage, and 0.351 Acres for Temporary Construction for the Widening of North Beach Street from Vista Meadows Drive to Shiver Road Located on the Southeast Corner of the Alta Vista Road and North Beach Street Intersection from Heritage 3B5A, L.P., in the Amount of \$296,576.00 and Authorize Payment of Estimated Closing Costs in the Amount Up to \$3,000.00 (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize acquisition of a fee simple interest in 0.817 acres of land for right-of-way, an easement interest in 0.062 acre of land for permanent drainage, and 0.351 acre of land for temporary construction for the widening of North Beach Street from Vista Meadows Drive to Shiver Road located on the southeast corner of the Alta Vista Road and North Beach Street intersection, described as Abstract 210, Tract 2, W.M. Bostick Survey, from Heritage 3B5A, L.P.; find the amount of \$296,576.00 is just compensation for the property interests; and authorize the City Manager or his designee to accept the conveyances, record the appropriate instruments and to pay the purchase price in the amount of \$296,576.00 and the estimated closing costs in the amount up to \$3,000.00.

3. **M&C L-15514 - Authorize Acquisition of a Fee Simple Interest in 0.749 Acres of Land for Right-of-Way and Easement Interest in 0.211 Acres for Permanent Slope, 0.238 Acres for Permanent Drainage and 0.403 Acres of Land for Temporary Construction Located at 4500 and 4634 Heritage Trace Parkway from Hillwood Alliance Residential, L.P., in the Amount of \$522,179.00 for the Widening of North Beach Street from Vista Meadows Drive to Shiver Road and Authorize Payment of Estimated Closing Costs in the Amount of \$8,000.00 (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize acquisition of a fee simple interest in 0.749 acre of land for right-of-way and easement interest in 0.211 acre for permanent slope, 0.238 acre for permanent drainage and 0.403 acre of land for temporary construction located at 4500 and 4634 Heritage Trace Parkway from the Hillwood Alliance Residential, L.P., for the widening of North Beach Street from Vista Meadows Drive to Shiver Road; find that the amount of \$522,179.00 is just compensation for needed property interests and; authorize the acceptance of the conveyances, record the appropriate instruments, pay the purchase price in the amount of \$522,179.00 and the estimated closing costs in the amount up to \$8,000.00.

4. **M&C L-15515 - Authorize Acquisition of a Permanent Water Easement in 0.511 Acres of Land Located Along FM 156, South of SH 114, for the SH 114 Water Relocation Project, Part 2 from Beechwood Portfolio Investments, LLC, in the Amount of \$89,020.00 and Payment of Estimated Closing Costs Up to \$3,000.00 for a Total Cost in the Amount of \$92,020.00 (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Authorize the acquisition of a permanent water easement in 0.511 acre of land located along FM 156, south of SH 114, Fort Worth, Denton County, Texas, described as Abstract No. 1464, AM Feltas Survey, Abstract No. 1561, Charles Sutton Survey and Abstract No. 1170, Pleasant M Survey, from Beechwood Portfolio Investments, LLC; find that the total purchase price in the amount of \$89,020.00 is just compensation; and authorize the City Manager or his designee to accept the conveyance, pay just compensation, record the appropriate instruments and pay estimated closing costs up to \$3,000.00.

D. Planning & Zoning - Consent Items

1. **M&C PZ-3012 - Adopt Ordinance Vacating an Alley Between Ellis Avenue and Houston Street Within Marine Park to the City of Fort Worth (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Adopt Ordinance No. 20600-02-2013 vacating and extinguishing an alley right-of-way between Ellis Avenue and Houston Street within Marine Park to the City of Fort Worth situated in the J. Baugh Survey No. 115, located in North Fort Worth Addition, an Addition to the City of Fort Worth, Tarrant County, Texas, containing approximately 7,910 square feet or 0.182 acre of land; providing for reversion of fee in said land; and the retainment of existing utility easements; and waive any and all purchase fee value of the vacated land in accordance with City Policy (M&C G-15624).

E. Award of Contract - Consent Items

1. **M&C C-26082 - Authorize Renewal of Agreement with CS STARS LLC, for Risk Management Information System with a Cost in the Amount of \$69,700.00 for First Year, Authorize Agreement with CS STARS LLC, to Upgrade from Locally Hosted to Web-Based System with One-Time Migration Cost in the Amount of \$48,400.00 and Hosting Fee in the Amount of \$15,000.00 for First Year, and Authorize Amendment to Maintenance Agreement to Reflect Change in Platforms (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize the renewal of the existing agreement with CS STARS, LLC, for continued maintenance of the locally hosted STARS Professional Edition Risk Management Information System, STARS, PE, for a three (3) year

initial term and two (2), one (1) year renewal options with a cost in the amount of \$69,760.00 for the first year; authorize an agreement with CS STARS, LLC, to upgrade from STARS PE to the web-based STARS Enterprise Risk Management Information System, STARS Enterprise, with a one (1) time migration fee in the amount of \$48,400.00, which has already been paid, and an annual hosting fee in the amount of \$15,000.00; and authorize the amendment of the maintenance agreement after completion of the upgrade to reflect maintenance of the new web-based platform.

2. **M&C C-26083 - Authorize Execution of Change Order No. 3 to City Secretary Contract No. 39700 with McClendon Construction Company, Inc., in the Amount of \$103,816.54 for Pavement Reconstruction and Water and Sanitary Sewer Main Replacement on Portions of Ash Crescent Street, Irma Street, Montague Street, and Morningside Drive for a Total Revised Contract in the Amount of \$2,281,520.35 (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the execution of Change Order No. 3 to City Secretary Contract No. 39700 with McClendon Construction Company, Inc., in the amount of \$103,816.54 for pavement reconstruction, water and sanitary sewer replacement for Ash Crescent Drive East, from East Maddox Avenue to East Arlington; Morningside Drive East, from Evans Avenue to Beverly Avenue; Montague Street, from Wichita Street to Erath Street; and Irma Street, from Argyle Street to South Riverside Drive, thereby revising the total contract cost in the amount of \$2,281,520.35.

3. **M&C C-26084 - Authorize Execution of an Engineering Services Agreement with Jacobs Engineering Group, Inc., in the Amount Not to Exceed \$363,718.00 for the Design of Ray White Road from Kroger Drive to Wyndrook Street, Authorize Additional Expenditure for Contingencies and Project Management for a Project Total in the Amount of \$415,718.00 Utilizing Transportation Impact Fee Revenues and Funds from the 2008 Bond Program, and Adopt Appropriation Ordinance (COUNCIL DISTRICT 2)**

The City Council approved the following recommendation: Adopt Appropriation Ordinance No. 20601-02-2013 increasing the estimated receipts and appropriations in the Transportation Impact Fund in the amount of \$120,000.00, from available funds, for the purpose of the design of Ray White Road from Kroger Drive to Wyndrook Street; and authorize the execution of an engineering services agreement with Jacobs Engineering Group, Inc., in the amount not to exceed \$363,718.00 for the design of Ray White Road from Kroger Drive to Wyndrook Street.

4. **M&C C-26085 - Authorize Execution of Change Order No. 3 to City Secretary Contract No. 42749 with Tri-Tech Construction, Inc., in the Amount of \$167,103.30 for the Grassland Court Extended Drainage Improvements for a Total Contract in the Amount of \$2,442,639.10 (COUNCIL DISTRICT 7)**

The City Council approved the following recommendation: Authorize the execution of Change Order No. 3 to City Secretary Contract No. 42749 with Tri-Tech Construction, Inc., in the amount of \$167,103.30 for the Grassland Court Extended Drainage Improvements, thereby revising the total contract in the amount of \$2,442,639.10.

5. **M&C C-26086 - Authorize Amendment No. 1 to City Secretary Contract No. 42085, an Engineering Agreement with CDM Smith Inc., in the Amount of \$88,200.00 for Additional Engineering Analyses for the Hubbard Heights Storm Drainage Improvements Project, Bringing the Total Contract Amount to \$381,725.00 (COUNCIL DISTRICT 9)**

The City Council approved the following recommendation: Authorize Amendment No. 1 to City Secretary Contract No. 42085, an engineering agreement with CDM Smith, Inc., in the amount of \$88,200.00 for additional engineering analyses for the Hubbard Heights Storm Drainage Improvements Project, bringing the total contract amount to \$381,725.00.

6. **M&C C-26087 - Authorize Interlocal Agreement with the Dallas/Fort Worth International Airport Board for Mutual and Automatic Aid Fire Protection (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize an interlocal agreement with the Dallas/Fort Worth International Airport Board for mutual and automatic fire protection.

7. **M&C C-26088 - Authorize Execution of the Second Renewal for the Interceptor Condition Assessment Program Contract 2 - Large Diameter Sanitary Sewer Cleaning with Ace Pipe Cleaning, Inc., in the Amount of \$305,308.00 (ALL COUNCIL DISTRICTS)**

The City Council approved the following recommendation: Authorize execution of the second renewal of an annual contract with Ace Pipe Cleaning, Inc., in the amount of \$305,308.00 for the Interceptor Condition Assessment Program Contract 2 - Large Diameter Sanitary Sewer Cleaning.

8. **M&C C-26089 - Authorize Execution of an Agreement with Freese and Nichols, Inc., in the Amount of \$308,175.00 to Update the Northside Pressure Plane Water System Master Plan and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 2 and 7)**

The City Council approved the following recommendation: Adopt Appropriation Ordinance No. 20602-02-2013 increasing the estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$308,175.00, from available funds, for the purpose of funding an agreement to update Northside Pressure Plane Water System Master Plan; and authorize the execution of an agreement with Freese and Nichols, Inc., in the amount of \$308,175.00 to update the Northside Pressure Plane Water System Master Plan.

9. **M&C C-26090 - Authorize Execution of a Construction Contract with Northstar Construction, LLC, in the Amount of \$429,723.00 for the Construction of Park and Trail Improvements at Sycamore Park and Authorize Additional Expenditures for Project Costs and Contingencies for a Project Total in the Amount of \$459,468.26 (COUNCIL DISTRICT 8)**

The City Council approved the following recommendation: Authorize the execution of a construction contract with Northstar Construction, LLC, in the amount of \$429,723.00 for the construction of park and trail improvements at Sycamore Park.

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1876 - Notice of Claims for Alleged Damages and/or Injuries

End of Consent Agenda.

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

There were no special presentations, introductions, etc.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Council Member Shingleton announced that this was the last week for the Fort Worth Stock Show and Rodeo and encouraged everyone to get out and participate in the festivities. He also announced that the League of Neighborhoods Award Banquet was held last week and that three (3) District 7 neighborhoods received awards: the Eastgate Neighborhood Association won Neighborhood of the Year; Ridgemar Neighborhood Association won Neighborhood of the Year; and the Lake Como Neighborhood Association won Best Collaboration of the Year.

Mayor Pro tem Zimmerman announced that the District 4 Walking Town Hall would take place on February 9, 2013, from 9:00 a.m. to 11:00 a.m. at Oakmont Park, 7000 Bellaire Drive. He encouraged everyone to get out and join him and Mayor Price and added that in case of inclement weather, the walk would be cancelled.

Council Member Moss announced that last Thursday morning he participated in the grand opening of the Department of Public Safety Drive-in Mega Center on Brentwood Stair and East Chase. He explained that the center was very innovative and had new technology that would reduce the time spent in line which would make service more friendly and convenient.

Council Member Burns announced that the Rotary Club in Downtown Fort Worth would celebrate their 100th year anniversary with a kickoff ceremony on February 7, 2013, at 7:00 p.m. at the Central Library with an exhibit called "100 years of Rotary Club, Connecting Fort Worth with the World". He asked that interested citizens call his office for more information. He also announced that on February 12, 2013, at 10:00 a.m., the groundbreaking ceremony for the new Public Safety Training Center facility at Felix and Hemphill would take place. He added that Fire Chief Rudy Jackson and Police Chief Jeff Halstead would be joining him and Mayor Price at the ceremony and stated that the community was welcome to attend.

Council Member Allen Gray thanked everyone who came out early the morning of February 1, 2013, for the grand opening of the Wal-Mart in Southeast Fort Worth. She stated that she was informed that morning that Wal-Mart had hired 538 Fort Worth citizens, most of which were from Southeast Fort Worth and that she had received another phone call yesterday morning increasing the number of citizens hired to 572.

Council Member Jordan congratulated the Sunset Point Neighborhood Association in District 6 for receiving the Neighborhood Spirit Award at the League of Neighborhoods Award Banquet.

2. Recognition of Citizens

There were no citizens recognized at this time.

3. Approval of Ceremonial Travel

There was no approval necessary of ceremonial travel.

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that the individuals listed below be appointed to the various Boards and Commissions as reflected, with terms expiring as reflected. The motion carried unanimously 9 ayes to 0 nays.

- Mike Brennan to Place 9 on the City Plan Commission and Capital Improvements Advisory Committee for Transportation Impact Fees, effective March 1, 2013, with a term expiring October 1, 2014.
- Juan Armenta to Place 9 on the Building Standards Commission, with a term expiring September 30, 2013.

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.

XIII. RESOLUTIONS

1. A Resolution Appointing the Chief Financial Officer to the Board of Trustees of the Employees' Retirement Fund of the City of Fort Worth

It was recommended that the City Council adopt a Resolution appointing the Chief Financial Officer to the Board of Trustees of the Employees' Retirement Fund of the City of Fort Worth.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that Resolution No. 4178-02-2013 be adopted. The motion carried unanimously 9 ayes to 0 nays.

2. A Resolution Appointing Members to the Fort Worth Transportation Authority Executive Committee

It was recommended that the City Council adopt a Resolution appointing the following individuals to serve on the Fort Worth Transportation Authority Executive Committee in accordance with state law.

<u>Council District</u>	<u>Name</u>	<u>Council Member</u>
2	Neftali Ortiz	Sal Espino
3	Scott Mahaffey	Zim Zimmerman
4	Ken Newell	Danny Scarth
5	Dennis Dunkin	Frank Moss
6	Jeff King	Jungus Jordan`
7	Carter Burdette	Dennis Shingleton
8	Andre McEwing	Kelly Allen Gray
9	Jeff Davis	Joel Burns

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Resolution No. 4179-02-2013 be adopted. The motion carried unanimously 9 ayes to 0 nays.

XIV. ORDINANCE

1. An Ordinance Ordering a General Election by the Qualified Voters of the City of Fort Worth, Texas, on Saturday, the 11th Day of May, 2013, for the Purpose of Electing the Mayor and Council Members for the City of Fort Worth and Providing a Runoff Date, If Needed

It was recommended that the City Council adopt an Ordinance ordering a general election by the qualified voters of the City of Fort Worth, Texas, on Saturday, the 11th day of May, 2013, for the purpose of electing the Mayor and Council Members for the City of Fort Worth and providing a runoff date, if needed.

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that Ordinance No. 20603-02-2013 be adopted, with updated Exhibits A-2, B-2 and B-3 which were provided to Council at the Pre-Council meeting held on February 5, 2013. The motion carried unanimously 9 ayes to 0 nays.

XV. ZONING HEARING

Mayor Price opened the public hearing.

The Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the *Fort Worth Star-Telegram*, the official newspaper of the City of Fort Worth, on January 20, 2013.

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

1. ZC-12-112 - (CD 2) - Thomas Blanton, 3900 and 3950 Angle Avenue; from: "I" Light Industrial to: "D" High Density Multifamily (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Mr. Joe Paniagua, 8125 Mount Shasta Circle, completed a speaker card in support of Zoning Docket No. ZC-12-112, but did not wish to address the Council.

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-12-112 be continued until the March 5, 2013, Council meeting. The motion carried unanimously 8 ayes to 0 nays, with Council Member Jordan absent.

2. ZC-12-123 - (CD 9) - Robert Dunlap, 516 & 518 W. Jessamine; from: "A-5" One-Family to: "PD/ER" Planned Development for "ER" Neighborhood Commercial Restricted for parking of company vehicles only; site plan included. (Recommended for Approval as Amended by the Zoning Commission with revised site plan)

Mr. Greg Jenkins, 2259 Hemphill, completed a speaker card in support of Zoning Docket No. ZC-12-123, but did not wish to address the Council.

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that Zoning Docket No. ZC-12-123 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Jordan absent.

3. ZC-12-129 - (CD 2) - First United Bank and Trust, 12550 Old Denton Road; from: "AG" Agricultural and "A-5" One-Family to: "A-5" One-Family and "D" High Density Multifamily (Recommended for Approval by the Zoning Commission)

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton, that Zoning Docket No. ZC-12-129 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Jordan absent.

4. ZC-12-137 - (CD 7) - Northwest Independent School District, 11870 Willow Springs Road; from: "A-5" One-Family to: "E" Neighborhood Commercial (Recommended for Approval by the Zoning Commission)

Motion: Council Member Shingleton made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-12-137 be approved. The motion carried unanimously 8 ayes to 0 nays, with Council Member Jordan absent.

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

5. ZC-12-138 - (CD 8) - Texas Wesleyan University, 3216 E. Rosedale; from: "MU-1/HC" Low Intensity Mixed Use/Historic & Cultural to: "MU-1" Low Intensity Mixed Use (Recommended for Approval by the Zoning Commission)

The following individuals appeared before Council in support of Zoning Docket No. ZC-12-138:

Mr. Frederick Slabach, 1201 Wesleyan Street
Mr. W. Douglas Henderson, 2624 Brighton Drive, Flower Mound, TX 75028

The following individuals appeared before Council in opposition of Zoning Docket No. ZC-12-138:

Mr. Bob Zetnick, 1412 S. Adams Street
Ms. Jerre Tracy, 1110 Penn Street (provided handout)
Mr. Jess Price, 4013 Linden Avenue
Mr. Elliott Wright, 6608 Kingswood Drive

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Mr. John Roberts, 3629 Ryan Avenue
Ms. Sue McLean, 1916 6th Avenue
Ms. Randi Thistlethwaite, 2028 Wilshire Boulevard
Mr. Sean Lynch, 1601 College Avenue
Mr. Art Brender, 4121 Hampshire
Mr. Doyle Willis, Jr., 2300 Primerose Avenue (provided pictures)

The following individuals completed speaker cards in opposition to Zoning Docket No. ZC-12-138, but did not wish to address the Council:

Ms. Janie Hart, 2416 Ryan Place Drive
Ms. Lezlie Monteleone, 3305 Moss Hollow
Ms. Susan Harper, 2248 5th Avenue
Ms. Malinda Crumley, 3606 Hamilton Avenue
Mr. John Hart, 2416 Ryan Place Drive

The following individuals completed speaker cards in opposition to Zoning Docket No. ZC-12-138, but were not present in the Council Chamber:

Ms. Wini Klein, 2501 Museum Way
Ms. Maria Narez, 2909 W. Gambrell Street
Ms. Elizabeth Rodriguez, 4145 Frazier

The following individuals completed comment cards in opposition to Zoning Docket No. ZC-12-138:

Ms. Mary Branson, 1420 S. Adams Street
Mr. Cecil F. Smith, 5325 Colony Hill Road
Ms. Ann Smith, 5325 Colony Hill Road
Ms. Leigh Anne Neese, 2939 Crockett Street #537
Ms. Donna Conner, 2256 College Avenue
Ms. Patricia Polenz, 2424 College Avenue
Mr. Larry Schuessler, 2015 6th Avenue
Ms. Libby Willis, 2300 Primrose Avenue

Council Member Shingleton 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 Members Allen Gray, Shingleton, Burns, Espino and Jordan all advised that they believed this was an appropriate revitalization to the campus and would support this item.

Council Member Burns and Moss both advised that they would not support this item for various reasons.

Council Member Burns requested that staff review the Historic Preservation Ordinance to add language requiring consideration by the Historic and Cultural Landmarks Commission at public hearings before requests for designation removal go before the City Zoning Commission and City Council, that the number of signatures required to get a historic designation (50%+1) be the same for removal of historic designation and that the City engage the City's community partners in the process of removing historic designations.

Motion: Council Member Allen Gray made a motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-12-138 be approved. The motion carried 6 ayes to 2 nays, with Council Members Moss and Burns casting the dissenting votes and 1 abstention by Council Member Shingleton.

6. ZC-12-139 - (CD 9) - Serjio Martinez, 3808 McCart Avenue; from: "E" Neighborhood Commercial to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus auto sales and repair; site plan waiver requested. (Recommended for Denial by the Zoning Commission)

Ms. Yarin Valladares, 3621 Wedghill Way, appeared before Council in support of Zoning Docket No. ZC-12-139. (provided handouts)

The following individuals appeared before Council in opposition to Zoning Docket No. ZC-12-139:

Mr. Jerry Sorrell, 3798 Gordon Avenue
Ms. Aleida Flores, 3800 6th Avenue (provided handout)
Mr. Alonzo Aguilar, 3725 Stuart Drive
Mr. Robert Snoke, 3826 6th Avenue (provided pictures and petition)

The following individuals completed speaker cards in opposition to Zoning Docket No. ZC-12-139, but did not wish to address the Council:

Mr. Feliz Alvarado, 10125 Long Rifle Drive
Mr. Jonny Hamlin, 1305 W. Gambrell Street
Ms. Betsy Morrois, 923 W. Fogg
Ms. Betty Morton, 3750 Wayside Avenue
Ms. Esther Garza, 5514 Trail Lake Drive
Ms. Cindy Chavez, 4008 Frazier Avenue
Mr. Jose Estrada, 4017 8th Avenue
Ms. Yolanda Estrada, 4017 8th Avenue

Council Member Burns requested that the Code Compliance Department staff work to address sign ordinance enforcement in the area.

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman that Zoning Docket No. ZC-12-139 be denied. The motion carried unanimously 9 ayes to 0 nays.

7. ZC-13-001 - (CD 3) - Donald & Fantasy Reynolds and Michael & Elizabeth Lattimore, 4110 Ridgehaven Court and 4124 Ridgehaven Road; from: "A-2.5" One-Family to: "A-43" One-Family (Recommended for Approval by the Zoning Commission)

Mr. Gerry Curtis, 3301 Hamilton Avenue, completed a speaker card in support of Zoning Docket No. ZC-13-001, but did not wish to address the Council.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-13-001 be approved. The motion carried unanimously 9 ayes to 0 nays.

8. ZC-13-004 - (CD 2) - AIL Investment LP and Hillwood Multifamily LP, 10000 - 10900 Blocks of IH 35N and 9800 - 10300 Blocks of Old Denton Road; from: "C" Medium Density Multifamily, "G" Intensive Commercial and "J" Medium Industrial to: "G" Intensive Commercial and "PD/D" Planned Development for all uses in "D" High Density Multifamily; site plan waiver recommended. (Recommended for Approval by the Zoning Commission)

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton, that Zoning Docket No. ZC-13-004 be approved. The motion carried unanimously 9 ayes to 0 nays.

City Secretary Kayser advised that Mayor and Council Communication No. L-15516 would be moved up the Agenda and considered before Zoning Docket No. ZC-13-007.

D. Land

1. M&C L-15516 - Conduct a Public Hearing and Authorize Use of a Portion of Casino Beach Park for Stand-Alone Electric Utility Easements, Dedication of Public Road Rights-of-Way and Associated Electric Utility Easements and Installation of Water and Sanitary Sewer Service Lines and Authorize Conveyance of the Stand-Alone Electric Utility Easements to Oncor Electric Delivery Company, LLC (COUNCIL DISTRICT 7) (PUBLIC HEARING)

It was recommended that the City Council conduct a public hearing under the guidelines set forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; find that no feasible or prudent alternative exists for the use of Casino Beach Park located at 7451 Watercress Drive, south of Jacksboro Highway, east of Surfside Drive and north of Lake Worth, for the proposed locations of the stand-alone electric utility easements, dedication of

public road rights-of-way and associated electric utility easements, and installation of water and sanitary sewer service lines; find that the proposed stand-alone electric utility easements, dedication of public road rights-of-way and associated electric utility easements, and installation of water and sanitary sewer service lines includes all reasonable planning to minimize harm to the parkland, including that all infrastructure will be constructed in Casino Beach Park as specified; close the public hearing and authorize the use of approximately 9.75 acres of dedicated parkland at Casino Beach Park for stand-alone electric utility easements, dedication of public road rights-of-way and associated electric utility easements, and the installation of water and sanitary sewer service lines; and authorize the conveyance of the stand-alone electric utility easements to Oncor Electric Delivery Company, LLC, at Casino Beach Park.

a. Report of City Staff

Mr. Richard Zavala, Director, Parks and Community Services Department, appeared before Council and provided a staff report.

b. Citizen Presentations

There were no citizen presentations.

c. Council Action

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.

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. L-15516 be approved. The motion carried 8 ayes to 0 nays, with 1 abstention by Council Member Scarth.

9. ZC-13-007 - (CD 7) - City of Fort Worth Water and Parks and Community Services Departments, 7300 - 7400 Blocks of SH 199; (Tract 1) From: "PD-98" Planned Development/Specific Use for all uses in "F" General Commercial including multiple recreational uses and the sale of alcoholic beverages for catered activity or for special facility rental situations. Multiple uses are excluded; site plan waived to: "PD/G" Planned Development for all uses in "G" Intensive Commercial for retail and entertainment complex with mobile food vendors and excluding assisted living and hotels; site plan included, and (Tract 2) from: "A-5" One-Family, "E" Neighborhood Commercial, and "PD-98" (above) to: "PD/CF" Planned Development for "CF" Community Facilities including public park and indoor and outdoor recreational and entertainment uses and events only with mobile food vendors, and with alcohol sales in the Event Center and adjacent outdoor space and at the Pavilion and adjacent lawn area; site plan included. (Recommended for Approval as Amended by the Zoning Commission to remove the retaining wall)

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Ms. Rachel Wiggins, 1510 Chennault Avenue, representing the Joint Naval Reserve Base, appeared before Council in support of Zoning Docket No. ZC-13-007.

Ms. Barbara Wooten-Meece, 3583 Surfside Drive, completed an "Undecided" comment card pertaining to Zoning Docket No. ZC-13-007.

Council Member Shingleton recognized the architects for this project who were in attendance at the meeting.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket No. ZC-13-007 be approved. The motion carried unanimously 9 ayes to 0 nays.

10. ZC-13-008 - (CD 8) - Sarah L. Walker, 2751 East 1st Street; from: "E" Neighborhood Commercial to: "A-5" One-Family (Recommended for Approval by the Zoning Commission)

Ms. Yvette Kent, 5520 East Lancaster Avenue, completed a speaker card in support of Zoning Docket No. ZC-13-008, but did not wish to address the Council.

Motion: Council Member Allen Gray made a motion, seconded by Council Member Burns, that Zoning Docket No. ZC-13-008 be approved. The motion carried unanimously 9 ayes to 0 nays.

11. ZC-13-010 - (CD 5) - Panther LLC, Minyard Food Stores, 4211 E. Rosedale Street; 1020 - 1132 E. Bradley Avenue; from: "B" Two-Family, "ER" Neighborhood Commercial Restricted and "E" Neighborhood Commercial to: "E" Neighborhood Commercial and "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus mini-warehouse; site plan included. (Recommended for Approval by the Zoning Commission)

Mr. John Rose, 4215 Walnut Hill, Dallas, TX 75229, completed a speaker card in support of Zoning Docket No. ZC-13-010, but did not wish to address the Council.

Motion: Council Member Moss made a motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-13-010 be approved. The motion carried unanimously 9 ayes to 0 nays.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining to Zoning Ordinance No. 13896 for the above listed cases, Council Member Moss made a motion, seconded by Council Member Scarth, that the hearing be closed and that Ordinance No. 20604-02-2013 be adopted. The motion carried 9 ayes to 0 nays.

XVI. REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-17799 - Adopt Ordinance Amending Chapter 30 of the City Code, Streets and Sidewalks, Article VIII, Transportation Impact Fees and Revising the Land Use Assumptions, Capital Improvements Plan and Impact Fee Schedules for Transportation Facilities \(ALL COUNCIL DISTRICTS\)](#)

It was recommended that the City Council adopt an Ordinance amending Chapter 30 (Streets and Sidewalks), Article VIII (Transportation Impact Fees) of the Code of the City of Fort Worth, Texas (1986), as amended, adopting updated land use assumptions; adopting an updated capital improvements plan for transportation facilities; adopting revised transportation impact fee per service unit schedules 1 and 2; and amending provisions administering the transportation impact fee program.

Mr. Russell Fuller, 5317 Alta Loma Drive, President of the North Fort Worth Alliance, appeared before Council in opposition of Mayor and Council No. G-17799. (provided handout)

Council Member Scarth requested that the City Manager bring this amendment back before the Council in two (2) years to compare the elasticity of the market to where the City was at on major projects.

Council Member Espino expressed appreciation to Mr. Fuller for his interest in this item. He stated the City must find a dedicated revenue source in the future for future projects.

Council Member Jordan stated that it was critical that the City keep up with infrastructure. He stated that District 6 had used the Transportation Impact Fee extensively to make improvements. He further stated that it was important to maintain the value of the homes in the City and also stressed the importance of mobility in the City.

Mayor Price also expressed appreciation to Mr. Fuller for his comments and input. She stated that this decision was a tremendous compromise and she would support this item.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. G-17799 be approved and Ordinance No. 20605-02-2013 be adopted regarding the transportation impact fee update, and amending Mayor and Council Communication No. G-17799 to include the following: Increasing the percentage of the 2008 maximum assessable fee charged

in the North, West, and South sectors to 50% for residential and 41% for non-residential on a “smoothed” basis, presented as Option B, and as shown on the corresponding revised, Ordinance Attachment B – Schedule 2 which reflects the discussion of the City Council in Pre-Council; and delete the following language from the last paragraph of the discussion, “The proposed 2013 collection rates continue the revenue-neutral cost sharing between developers and the City, approximately 30 percent and 70 percent respectively, and are based on the 2013 maximum assessable fees. The proposed 2015 collection rates reflect equitable cost sharing between developers and the City, approximately 50 percent each. The motion carried unanimously 9 ayes to 0 nays.

2. M&C G-17800 - Approve Verification of Historic Site Tax Exemptions for Properties Located at 1410 Fairmount Avenue, 1418 Washington Avenue, 1315 Fairmount Avenue, 1315 South Lake Street, 1518 Lipscomb Street, 1623 Alston Avenue, 1900 South Henderson Street, 1610 Lipscomb Street, 1969 Lipscomb Street, 2236 College Avenue, 1009 Hawthorne Avenue, 1929 Hurley Street, 1916 Sixth Avenue, 2317 Oakland Boulevard, 2408 Harrison Avenue, 2021 College Avenue, 2316 Harrison Avenue and 1100 Hawthorne Avenue (COUNCIL DISTRICTS 8 and 9)

It was recommended that the City Council approve the applications from multiple property owners for verification of the Historic Site Tax Exemption for properties located at 1410 Fairmount Avenue, 1418 Washington Avenue, 1315 Fairmount Avenue, 1315 South Lake Street, 1518 Lipscomb Street, 1623 Alston Avenue, 1900 South Henderson Street, 1610 Lipscomb Street, 1969 Lipscomb Street, 2236 College Avenue, 1009 Hawthorne Avenue, 1929 Hurley Street, 1916 Sixth Avenue, 2317 Oakland Boulevard, 2408 Harrison Avenue, 2021 College Avenue, 2316 Harrison Avenue and 1100 Hawthorne Avenue.

Motion: Council Member Burns made a motion, seconded by Council Member Allen Gray, that Mayor and Council Communication No. G-17800 be approved. The motion carried unanimously 9 ayes to 0 nays.

3. M&C G-17801 - Adopt Financial Management Policy Statements for Fiscal Year 2013 (ALL COUNCIL DISTRICTS)

It was recommended that the City Council adopt the Financial Management Policy Statements for Fiscal Year 2013.

Motion: Council Member Jordan made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-17801 be approved. The motion carried unanimously 9 ayes to 0 nays.

4. M&C G-17802 - Adopt Ordinance Approving the Project and Financing Plan for Tax Increment Reinvestment Zone Number Fourteen, City of Fort Worth, Texas, Trinity Lakes TIF (COUNCIL DISTRICTS 4 and 5)

It was recommended that the City Council adopt an Ordinance approving the final project and financing plan for Tax Increment Reinvestment Zone Number 14, City of Fort Worth, Texas, Trinity Lakes TIF; making various findings related to such plans; and clarifying the powers of the Board of Directors of the Zone.

Motion: Council Member Moss made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. G-17802 be approved and Ordinance No. 20606-02-2013 be adopted. The motion carried unanimously 9 ayes to 0 nays.

5. M&C G-17803 - Adopt a Resolution Amending the Neighborhood Empowerment Zone Tax Abatement Policy and Basic Incentives to Incorporate Miscellaneous Amendments (ALL COUNCIL DISTRICTS) (PUBLIC HEARING)

It was recommended that the City Council adopt a Resolution amending the Neighborhood Empowerment Zone Tax Abatement Policy and Basic Incentives (Resolution No. 3986-05-2011) to incorporate miscellaneous revisions governing Tax Abatement Agreements for properties located in a Neighborhood Empowerment Zone; and authorize the City Manager to implement Neighborhood Empowerment Zone policy amendments.

a. Report of City Staff

Ms. Sarah Odle, Administrative Assistant, Housing and Economic Development Department, appeared before Council and provided a staff report.

b. Citizen Presentations

There were no citizen presentations.

c. Council Action

Motion: Council Member Moss made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. G-17802 be approved and Resolution No. 4180-02-2013 be adopted. The motion carried unanimously 9 ayes to 0 nays.

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

E. Planning & Zoning

1. 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) (Continued from a Previous Meeting)

It was recommended that the City Council adopt an Ordinance changing the name of a portion of Town Center Drive to Charities Way from West Thornhill Drive to West Seminary Drive.

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. PZ-2999 be denied. The motion carried unanimously 9 ayes to 0 nays.

F. Award of Contract

1. M&C C-26091 - Authorize Execution of a Contract with Cutler Repaving, Inc., in the Amount of \$2,022,171.75 for Hot Mix Asphaltic Concrete Hot-In-Place Recycling at Various Locations (COUNCIL DISTRICTS 2, 5, 8 and 9)

It was recommended that the City Council authorize the execution of a contract with Cutler Repaving, Inc., in the amount of \$2,022,171.75 for Hot Mix Asphaltic Concrete Hot-In-Place Recycling 2013-1 at various locations.

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-26091 be approved. The motion carried unanimously 9 ayes to 0 nays.

2. M&C C-26092 - Adopt Supplemental Appropriation Ordinance Increasing Appropriations in the Culture and Tourism Fund in the Amount of \$2,054,400.00 and Decreasing the Assigned Culture and Tourism Fund Balance by the Same Amount, Adopt Appropriation Ordinance Increasing Appropriations in the Specially Funded Capital Projects Fund in the Amount of \$2,054,400.00, Authorize Execution of a Construction Contract with Modern Contractors, Inc., in the Amount of \$1,571,000.00 to Renovate the Richardson-Bass Building at the Will Rogers Memorial Center and Authorize Additional Construction-Related, Contingency, and Costs (COUNCIL DISTRICT 7)

It was recommended that the City Council adopt a Supplemental Appropriation Ordinance increasing the estimated receipts and appropriations in the Culture and Tourism Fund in the amount of \$2,054,400.00 and decreasing the assigned fund balance by the same amount, for the purpose of transferring said funds to the specially funded Capital Projects Fund to renovate the Richardson-Bass Building at the Will Rogers Memorial Center; authorize the transfer of funds from the Culture and Tourism 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 renovating the Richardson-Bass Building at the Will Rogers Memorial Center; and authorize the execution of a construction contract with Modern Contractors, Inc., in the amount of \$1,571,000.00 for the renovations.

Mr. Michael Appleman, 2600 Block of Highview Terrace, completed a comment card in opposition to Mayor and Council Communication No. C-26092.

Council Member Shingleton advised that he toured the facility and stated this was an important maintenance step in keeping up the facility that provided for so much culture and tourism.

Motion: Council Member Shingleton made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-26092 be approved, that Supplemental Appropriation Ordinance No. 20607-02-2013 and Appropriation Ordinance No. 20608-02-2013 be adopted. The motion carried unanimously 9 ayes to 0 nays.

Council Member Jordan advised that the Fort Worth Stock Show and Rodeo was once again experiencing a record turnout and congratulated Mr. Kirk Slaughter, Director, Public Events and Council Member Shingleton on the success.

3. M&C C-26093 - Authorize Acceptance of a Grant and Execution of a Contract with Texas Department of Housing and Community Affairs for 2013 Comprehensive Energy Assistance Program in the Amount Up to \$10,000,000.00 Through December 31, 2013, Authorize Interfund Loan, Waive Indirect Costs and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

It was recommended that the City Council authorize the acceptance of a grant and the execution of a contract with the Texas Department of Housing and Community Affairs in the amount up to \$10,000,000.00 for the 2013 Comprehensive Energy Assistance Program; authorize a non-interest bearing interfund loan from the fund balance of the General Fund to the Grants Fund in the amount of \$500,000.00 for interim financing of this grant project pending contract execution; 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 the 2013 Comprehensive Energy Assistance Program through December 31, 2013; and waive indirect costs.

Motion: Council Member Shingleton made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-26093 be approved and Appropriation Ordinance No. 20609-02-2013 be adopted. The motion carried unanimously 9 ayes to 0 nays.

XVII. CITIZEN PRESENTATIONS

Mr. Steve Maxwell, 3904 Driskell Boulevard, representing the Tarrant County Democratic Party, appeared before Council relative to restrictions on gun sales conducted at City of Fort Worth facilities.

Mr. William Wright, 6301 Malvey, appeared before Council relative to the Trinity River Vision.

Mr. Jason Smith, 2230 College Avenue, completed a citizen presentation card relative to gun control, but did not address the Council.

Mr. Calvin Clayton, 2212 College Avenue, representing Citizens on Patrol (COP), appeared before Council relative to COP volunteers paying for parking at their recognition lunch.

Mr. Clayton was advised that parking would be available at no expense to COP volunteers.

Mr. Randy Daniels, 4630 Collinwood Avenue, appeared before Council in support of the resolution presented by Mr. Maxwell relative to restricting gun sales at City of Fort Worth facilities.

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

XIX. ADJOURNMENT

There being no further business, Mayor Price adjourned the regular meeting at 9:19 p.m.



TO: The Honorable Mayor and City Council Members

FROM: Sal Espino, District 2 Council Member

DATE: February 12, 2013

SUBJECT: Board and Commission Appointment

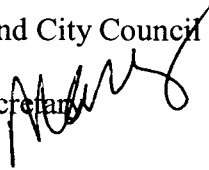
Attached for your consideration is an application for an appointment to the Board of Adjustment–Commercial and Fort Worth Alliance Board of Adjustment:

- Robert Gutierrez to Place 2, with a term expiring October 1, 2014

**SALVADOR ESPINO
CITY COUNCIL – DISTRICT 2**

City of Fort Worth ★ 1000 Throckmorton Street ★ Fort Worth, Texas 76102
(817) 392-8802 ★ FAX (817) 392-6187



TO: The Honorable Mayor and City Council Members
FROM: Mary J. Kayser, City Secretary 
DATE: February 12, 2013
SUBJECT: Appointment to Animal Shelter Advisory Committee

Per action taken by the Legislative and Intergovernmental Affairs Committee at their February 5, 2013, meeting, Chairman Scarth is bringing forward the following appointment for your consideration:

- Ms. Lauren A. Marte to Place 7 (At-Large position) on the Animal Shelter Advisory Committee, with a term expiring October 1, 2013. Ms. Marte complete the unexpired term of Charlyse Lewis who resigned.

The application was provided to you by separate communication. If you have any questions, please contact me at (817) 392-6161.



TO: The Honorable Mayor and City Council Members

FROM: Joel Burns, District 9 Council Member 

DATE: February 12, 2013

SUBJECT: Board and Commission Appointments -

Request your consideration to change the appointment effective date pertaining to the appointment of Mike Brennan to Place 9 on the City Plan Commission and Capital Improvements Advisory Committee for Transportation Impact Fees, to February 12, 2013, versus March 1, 2013, as stated previously during the February 5, 2013, City Council meeting. His term expiration date will remain October 1, 2013.

JOEL BURNS

City Council District 9 ★ 1000 Throckmorton Street ★ Fort Worth, Texas 76102
(817) 392-8809 ★ FAX (817) 392-6187

To the Mayor and Members of the City Council

February 12, 2013

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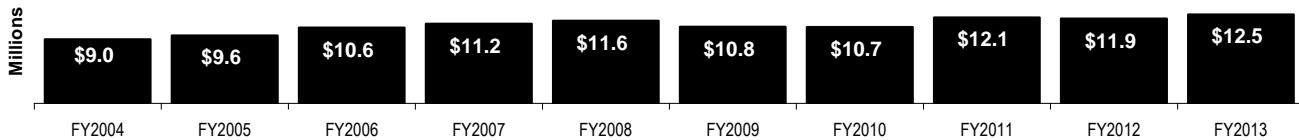
SUBJECT: December 2012 – Sales Tax Update

Sales tax revenue represents approximately 20% 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 results on February 6th. 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 December. In this report, you will see Fort Worth’s sales tax collection compared to last year and the impact on the current year’s budget.

MONTHLY NET SALES TAX COLLECTIONS FOR DECEMBER



CITY OF FORT WORTH

December 2012	\$12,487,637	<u>DOLLAR VARIANCE</u>		<u>% VARIANCE</u>	
December 2011	\$11,935,332	\$552,305		4.6%	

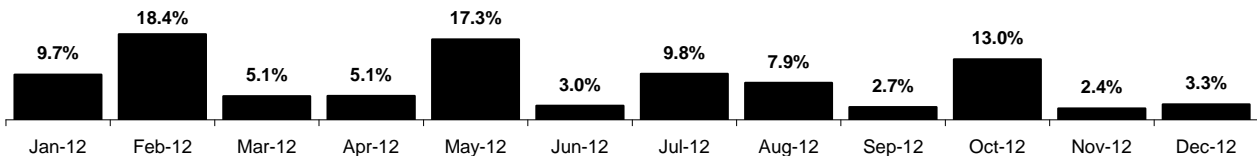


The City’s net sales tax collection is up **\$552,305 or 4.6%** compared to this month last year, making this the single highest month on record. As depicted in the table below, the City experienced **\$397,379 or 3.3%** in positive growth when compared to last year’s month-to-month current period collections. This trend has continued in Fort Worth’s current period collection and presents a positive trend in sales tax revenue.

COLLECTION DETAIL FOR CITY SALES TAX

	December 2011	December 2012	CHANGE	CHANGE	
Current Period Collections:	\$12,162,876	\$12,560,255	\$397,379	3.3%	
Other Collections:	\$49,289	\$175,424	\$126,135	255.9%	
Audit Collections:	\$38,580	\$95,126	\$56,545	146.6%	
Service Fee:	(\$245,015)	(\$256,616)	(\$11,601)	-4.7%	
Retainage:	(\$70,398)	(\$86,551)	(\$16,153)	-22.9%	
Net Collections	\$11,935,332	\$12,487,637	\$552,305	4.6%	

Current Period Collections



To the Mayor and Members of the City Council

February 12, 2013

Page 2 of 2



SUBJECT: December 2012 – Sales Tax Update

CITY OF FORT WORTH BUDGET COMPARISON - FY2013

	ADOPTED BUDGET	FISCAL YEAR PROJECTION	VARIANCE	
CITY OF FORT WORTH	\$ 108,798,434	\$ 110,757,159	1.8%	↑
CRIME CONTROL AND PREVENTION DIST.	\$ 49,795,976	\$ 51,987,270	4.4%	↑
MASS TRANSIT AUTHORITY - THE "T"	\$ 57,231,467	\$ 57,466,220	0.4%	↑

The City has collected **\$1,958,725** or **1.8%** more than the FY2013 adopted budget. As depicted above, you will also see how the positive results are affecting our partner agencies. This is the third collection for the fiscal year and while they are encouraging, Staff recommends maintaining a conservative forecast for FY2013 as we continue to experience uncertainty with the national economy and potential audit adjustments. The chart below indicates how other cities in the region compared to FY2012.

**CITY OF FORT WORTH
CITY COMPARISONS - FY2013 v. FY2012**

CITY	October	November	December	YTD
EULESS	26.9%	7.5%	16.7%	17.1%
GRAND PRAIRIE	15.8%	11.5%	10.9%	12.6%
SOUTHLAKE	32.6%	6.0%	3.8%	11.3%
GRAPEVINE	10.6%	23.4%	-1.5%	9.3%
FORT WORTH	23.5%	-2.3%	4.6%	7.6%
DALLAS	22.8%	0.1%	2.8%	7.4%
KELLER	3.5%	11.7%	6.8%	7.2%
BEDFORD	10.2%	4.3%	-2.2%	3.2%
WATAUGA	32.6%	-22.7%	-2.5%	0.3%
HURST	14.5%	-6.1%	-4.3%	-0.5%
ARLINGTON	-0.9%	0.4%	-3.6%	-1.7%
NORTH RICHLAND HILLS	2.1%	-9.3%	-5.1%	-4.4%
BURLESON	-2.8%	-20.5%	-5.8%	-9.5%
STATE TOTAL	8.2%	13.1%	9.4%	10.3%

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

**Tom Higgins
City Manager**

To the Mayor and Members of the City Council**February 12, 2013**

Page 1 of 1

**SUBJECT: PROPOSED AMENDMENTS TO THE HISTORIC PRESERVATION ORDINANCE**

The purpose of this Informal Report is to provide information concerning proposed amendments to the Historic Preservation Ordinance contained within the Zoning Ordinance. Staff received a request from Councilmember Joel Burns to add back language inadvertently omitted when the ordinance was updated in 2007. Staff has also proposed adding language to demolition procedures for all designation categories to provide uniformity and clarity for applicants and decision making bodies.

Below are the proposed changes:

- Add back language requiring a separate recommendation from the Historic and Cultural Landmarks Commission (HCLC) before a request for designation removal proceeds to the Zoning Commission and the City Council. Under the current ordinance, the HCLC recommendation on a demolition request is used as the recommendation for designation removal, since the considerations for the decisions are the same.
- Add back language requiring signatures of 50% or more of the property owners and 50% or more of the land area in a historic district for applications requesting removal of historic district designations.
- Add language requiring consultation between the property owner(s) or authorized agent, City staff and interested parties prior to a public hearing at the HCLC when demolition is requested. This requirement currently applies only to the Demolition Delay historic designation.

Below is the proposed public hearing schedule:

- March 11 – HCLC public hearing
- March 13 – Zoning Commission public hearing
- April 2 – City Council public hearing

If you have any questions, please contact Randy Hutcheson, Planning Manager, Planning and Development, at 817-392-8008.

Tom Higgins
City Manager

**To the Mayor and Members of the City Council****February 12, 2013**

Page 1 of 1

**SUBJECT: FEE WAIVERS FOR RELOCATION OF AIRBASE SERVICES INC.
(PROJECT PHOENIX)****Background:**

Airbase Services Inc., a wholly owned subsidiary of Regent Aerospace Corp. (the "Company") is one of the largest independent aircraft interior reconfiguration, restoration, refurbishing, and refreshing companies in the world. The Company currently conducts business on both domestic and international levels, including China, South Korea, France, and El Salvador. The Company is currently located in Grand Prairie, Texas, but as part of a multi-state relocation search, is currently considering construction of a new Headquarters/Manufacturing facility at the CentrePort Business Park. Other sites under consideration for the project included Indianapolis, Miami and Los Angeles.

Recommendation:

The Company is proposing new capital investment of over \$11,500,000.00 to construct and equip a new 225,000 square-foot facility. The project will cause the retention of at least 204 employees, and bring approximately 400 new full-time positions to the Fort Worth area at an average annual salary of \$31,000. In order to facilitate the development, the Company has requested that the City consider a waiver of permitting fees.

Staff recommends that City Council provide the following fee waivers related to real property improvements at the development site: (i) all building permit, plan review, inspection, and re-inspection fees; (ii) all zoning fees; (iii) all temporary encroachment fees; (iv) all platting fees; and (v) all fire sprinkler, and alarm permit fees. All other fees charged or assessed by the City, including, but not limited to, transportation impact fees and water and sewer impact fees, will be fully payable. The estimated value of the fee waivers is approximately \$30,000.

Staff recommends these fee waivers as an appropriate tool that will serve the public purpose of promotion of local economic development and stimulation of business and commercial activity in the City, as authorized by Section 380.001, Texas Local Government Code, and Article 3, § 52-a, Texas Constitution. Because construction of this facility will be overseen through the permitting processes outlined in the City Code, City staff has adequate controls in place to ensure that this public purpose is carried out. The fee waivers authorized herein constitute an economic development program under Section 380.001, Texas Local Government Code.

Next Steps:

It is anticipated City staff will bring forward an M&C on February 19, 2013 at the regularly scheduled City Council meeting. Please contact Jay Chapa, Director, Housing and Economic Development at 817-392-5804 with any questions.

**Tom Higgins
City Manager****ISSUED BY THE CITY MANAGER****FORT WORTH, TEXAS**

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, February 12, 2013

LOG NAME:

REFERENCE NO.: **OCS-1877

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, February 6, 2013.

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, February 12, 2013

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
Freddie Adams	1/29/2013	12/2/2010	Spencers Corner	Bodily Injury	Alleged excessive force.	Police	No	Yes
Freddie Adams	1/29/2013	1/21/2013	Cold Springs Jail	Bodily Injury	Aggravation of injury while in jail.	Police	No	Yes
Ken Thorne	1/30/2013	1/30/2013	10315 Alta Vista Road	Property Damage	Fire truck damaged property.	Fire	No	No
AT&T	1/30/2013	8/17/2012	929 E Powell Ave	Property Damage	Damaged buried line.	Water	Yes	No
AT&T	1/30/2013	11/15/2012	8737 Winding Lane	Property Damage	City crew damaged phone line.	Water	Yes	No
Sharon Banks	1/30/2013	1/14/2013	5800 blk of Oak Grove Rd	Auto Damage	Vehicle struck pothole.	TPW	Yes	No
Letha D. Wood	1/30/2013	12/20/2012	4812 Briarwood Lane	Property Damage	City plumber damaged toilet, flooded home.	Water	No	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Roger Flores & Lila De La Cruz	1/30/2013	8/11/2012	3116 Ave K.	Property Damage	Fire spread from vacant house.	Code	Yes	No
Picci Pacci Restaurant	1/30/2013	1/11/2013	Corner of 5th & Main St.	Reimbursement	Loss of revenue due to construction.	Planning	No	No
Joyce R. Ziegler	2/1/2013	1/21/2013	Francisco & French Lake	Auto Damage	Vehicle struck sewer lid.	Water	No	No
S. Gene Walker jr	2/1/2013	12/17/2012	2712 Ryan Ave.	Reimbursement	Plumbing charge to remove squirrel from sewer line.	Water	Yes	No
Peter Bacon	2/1/2013	1/3/2013	Beach St. S of Timberland	Auto Damage	Rearended by City vehicle.	Police	Yes	No
ATMOS energy	2/5/2013	1/16/2013	4240 Bridgestone Dr.	Property Damage	Damaged gas line.	Water	Yes	No
Laura Simpkins	2/5/2013	1/6/2013	Oak Grove Road	Auto Damage	Vehicle struck open manhole.	Water	Yes	No
Don York	2/5/2013	1/7/2013	Exchange & 2400 N. Main St.	Auto Damage	Vehicle damaged by paint spray.	TPW	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