AGENDA
HALTOM CITY COUNCIL MEETING
May 14, 2018 - CITY HALL - 5024 BROADWAY AVENUE
Council Chambers – Work Session – 6:00 P.M./Regular Session – 7:00 P.M.

WORK SESSION 6:00 P.M.

CALL TO ORDER (General Comments)
• Review and discuss items on the regular agenda of May 14, 2018.

EXECUTIVE SESSION
Chapter 551 of the Texas Government Code
As authorized by Section 551.071, the City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the City Attorney about any matters listed on the agenda, in addition to the following matters:
Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct which may conflict with the Open Meetings Act; including discussion of any item posted on the Agenda; to seek legal advice on open meetings, open records, city charter limitations, dissolution/restructuring of the Haltom City Economic Development Corporation, and pending litigation and settlement offers for the following cases:
• Flynn v. Haltom City EDC
• James H. Watson v. City of Haltom City
• Amer Ozzie v. City of Haltom City
• Ray Beshirs v. City of Haltom City
• Nicklaus Forrest v. City of Haltom City

Section 551.072 – Deliberations about Real Property
Deliberation regarding the purchase, exchange, lease or value of real property, and property owned or leased by the City and the EDC, including city buildings.

Section 551.074 – Personnel
Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.

REGULAR SESSION 7:00 P.M.

CALL TO ORDER
INVOCATION/PLEDGE OF ALLEGIANCE – Council Member Jeannine Nunn

ANNOUNCEMENTS/EVENTS – City Secretary Art Camacho

PRESENTATION – “Emergency Medical Services Week” – Perry Bynum

CONSENT AGENDA
1. Minutes – Consideration and/or action regarding approval of the Minutes of the meetings of April 23, 2018 and May 3, 2018. (A. Camacho)

2. Ordinance No. O-2018-018-15 (CU-003-18) – Consideration and/or action to approve the application of Michael H. Smith, on behalf of Republic Finance, LLC., for a Conditional Use Permit request for a Nondepository Financial Institution in the “C-3” Commercial District, containing approximately 1,600 square feet of lease space on Lot 1, Block 1 of Western Center Plaza, being approximately 5.107 acres south of Western Center Boulevard, locally known as 5000 Western Center Boulevard, Suite 270. 2nd Reading (G. Batchelor)

3. Ordinance No. O-2018-017-15 (CU-004-18) – Consideration and/or action to approve the application of Hussam Alsayyaf for approval of a Conditional Use Permit for automobile tune up and lube center, tire and battery sales store uses, and automobile and light truck repair shop in the “M-2” Heavy Industrial District located on Lot 1, Block 2 of the Ray Austin Subdivision, being approximately 0.2931 acres on the east side of North Beach Street, locally known as 2314 North Beach Street. 2nd Reading (G. Batchelor)

4. Recreation Center Gym Roof Repair – Approve the use of TIPS contract number 2092415 for DK Haney to replace the Recreation Center Gymnasium Roof (C. Pruitt)
5. **Agreement with Tarrant County for Tax Collection** – Consideration and/or action regarding approval of a contract with the Tarrant County Tax Office to provide ad valorem tax billing, collecting, and reporting for the 2018 Tax Year. *(J. Fung)*

**REGULAR AGENDA**

6. **Ordinance No. O-2018-019-15 (Z-003-18)** - Conduct a Public Hearing and consideration and/or action on the Robert R. Lubega on behalf of Texacare Home Services, LLC for a Zoning Change request from “C-3” Commercial District to “SF-2” Single Family Residential District located on Block 2, Lot 5 of Shady Dell Addition being approximately 0.1721 acres of land, locally known as 2017 Owens Street. *1st Reading (G. Batchelor)*

7. **Resolution No. R-2018-006-01** – Consideration and/or action regarding approval of Resolution No. R-2018-006-01, tabulating and canvassing the results of the May 5, 2018 General and Special Bond Elections. *(A. Camacho)*

8. **Recognition of Outgoing Council Members**

9. **Oath of Office**
   A. Newly Elected Officers – Oath of Office administered to Council Members in Places 3, 4, 5, and 6 by City Secretary Art Camacho.
   B. Certificates of Election – Presentation of Certificates of Election by Mayor Averitt.

**VISITORS/CITIZENS FORUM**

This time is set-aside for any person having business before the Council that is not scheduled on the agenda to speak to the Council. Please submit a completed Speaker’s Request Form to the City Secretary and follow the instructions listed on the form. If a group is present and interested in the same issue, please choose a spokesperson. Council cannot discuss or debate any issue brought forth at this time, nor can any formal action be taken, as it is not a posted agenda item in accordance with the open meetings law.

**FUTURE AGENDA ITEMS**

10. Discussion on items to be placed on future agendas.

**BOARDS/COMMISSIONS/COMMITTEES**

11. **Resignations of Board/Commissions/Committee Members** – Consider approval of the resignations of Board/Commission/Committee Members.

12. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees.

**EXCUSED ABSENCE OF COUNCIL MEMBERS**

13. **Attendance Requirements** – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). Attendance Requirements of the Haltom City Charter.

**EXECUTIVE SESSION**

See Posting on Page One (1) of Agenda.

**RECONVENE TO REGULAR SESSION**

14. Take any action deemed necessary as a result of the Executive Session.

**ADJOURNMENT**

**CERTIFICATION**

I, ART CAMACHO, CITY SECRETARY OF THE CITY OF HALTOM CITY, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS POSTED ON THE OFFICIAL BULLETIN BOARDS IN CITY HALL ON THIS THE 11th DAY OF MAY, 2018 AT 5:00 P.M., WHICH IS A PLACE READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THAT SAID NOTICE WAS POSTED IN ACCORDANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

Signed: Art Camacho

I CERTIFY THAT THE ATTACHED NOTICE AND AGENDA OF ITEMS TO BE CONSIDERED BY THE CITY COUNCIL WAS REMOVED BY ME FROM THE CITY HALL BULLETIN BOARD ON ______ DAY OF ________________________, 2018.

Name: ____________________________________________ Title: ________________________________________________

This facility is wheelchair accessible. Handicapped parking spaces are available. Request for sign interpretative services must be made 48 hours ahead of meeting. To make arrangements call 817-222-7754.
CITY COUNCIL MEMORANDUM

City Council Meeting: May 14, 2018
Department: City Secretary
Subject: Minutes of April 23, 2018 and May 3, 2018

BACKGROUND

A Regular Meeting was held on April 23, 2018 at City Hall, 5024 Broadway Avenue and a Special Meeting was held on May 3, 2018 at City Hall.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends the City Council approve the Minutes of April 23, 2018 and May 3, 2018.

ATTACHMENTS

Minutes of April 23, 2018.
Minutes of May 3, 2018
MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
April 23, 2018

A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on April 23, 2018, at 7:00 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present:

Mayor David Averitt     Mayor Pro Tem Dr. An Truong
Council Place 2 Jeannine Nunn   Council Place 2 Walter Grow
Council Place 4 Trae Fowler   Council Place 5 Bob Watkins
Council Place 6 Ricky Brown
Council Place 3 Linda Thompson was absent.

Staff Present: Keith Lane, City Manager; Rex Phelps, Assistant City Manager; Wayne Olson, City Attorney; Art Camacho, City Secretary; Jennifer Fung, Finance Director; Sidonna Foust, Customer Service Director; Glenna Batchelor, Planning and Community Development Director; Cody Phillips, Police Chief, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER
Mayor Averitt called the Worksession to order at 6:02 p.m. Jason Bethke, of Fathom, presented a PowerPoint regarding their updated progress in maintaining the Water Utility Service. Finance Director Jennifer Fung presented the Monthly Financial Report and the Quarterly Investment Report. Police Chief Cody Phillips presented the 2018 First Quarter Crime Statistics and a discussion was held regarding the domestic violence data.

The Council went into Executive Session at 6:40 p.m.

EXECUTIVE SESSION

Chapter 551 of the Texas Government Code
As authorized by Section 551.071, the City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the City Attorney about any matters listed on the agenda, in addition to the following matters:
Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct which may conflict with the Open Meetings Act; including discussion of any item posted on the Agenda; to seek legal advice on open meetings, open records, code of ethics and conflict of interest, dissolution/restructuring of the Haltom City Economic Development Corporation, and pending litigation and settlement offers for the following cases:

- Flynn v. Haltom City EDC
- James H. Watson v. City of Haltom City
- Amer Ozzie v. City of Haltom City
- Ray Beshirs v. City of Haltom City
- Nicklaus Forrest v. City of Haltom City

Section 551.072 – Deliberations about Real Property
Deliberation regarding the purchase, exchange, lease or value of real property, and property owned or leased by the City and the EDC, including city buildings.
The Council returned to Regular Session at 7:15 p.m. and Mayor Averitt called for a brief recess.

REGULAR MEETING

CALL TO ORDER
Mayor Averitt called the meeting to order at 7:22 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE
Mayor Pro Tem Dr. An Truong gave the Invocation, and led the Pledge of Allegiance and the Texas Flag Pledge.

ANNOUNCEMENTS/EVENTS – City Secretary Art Camacho read the following:
- The HC Public Library lists the children, teen and adult programs on the website.
- The Friends of the Library will have their annual book sale April 26-29.
- The Carson Street Closing will be closed for 5 months to a year.
- Haltom Sr. Center will also have a “Burgers and Bingo” on April 28th.
- Parks and Recreation will have the “Mayors Cup” Golf Tournament on May 4th.
- Full Day Summer Camp and Sports begins now.
- Parks and Recreation are taking quality white shirts for graduation ceremonies.
- Congratulations were extended to the 2018 “Images of Haltom City” winners.
- Early Voting began today and will continue until Tuesday, May 1st.

REGULAR AGENDA

4. Minutes – Consideration and/or action regarding approval of the Minutes of the meeting of April 9, 2018. Mayor Pro Tem Truong moved, seconded by Council Member Grow, to approve the Minutes of April 9, 2018. The vote was unanimous. Motion carried.

5. Ordinance No. O-2018-016-15 (CU-002-18) - Consideration and/or action on an application of Ron Larson for approval of a Conditional Use Permit for automobile tune up and lube center, tire and battery sales store uses and automobile and light truck repair shop in the “C-3” Commercial District located on Lot 14, Block 28 of the Meadow Oaks Addition-Haltom, being approximately 0.4361 acres on the west side of Denton Highway, locally known as 3213 Denton Highway. 2nd Reading. Glenna Batchelor, Planning and Community Director, presented the second reading of the ordinance and a discussion was held regarding the stipulations and the state inspection sign acknowledgement. Council Member Grow moved, seconded by Council Member Fowler, to approve Ordinance No. O-2018-016-15 (CU-002-18) on the second reading. The vote was unanimous. Motion carried.

6. Cancel/Reschedule a Regularly Scheduled Council Meeting – Consideration and/or action to cancel or reschedule the regularly scheduled meeting of May 28, 2018, in lieu of Memorial Day. City Secretary Art Camacho presented the Memo Resolution and a discussion was held regarding the cancelling of a meeting near the end of May. Mayor Pro Tem Truong moved, seconded by Council Member Fowler, to approve the cancelling of the May 28, 2018 Council meeting and hold the next meeting on the regularly scheduled date of June 11, 2018. The vote was unanimous. Motion carried.
7. **Tax Abatement Policy** – Consideration and/or action regarding approval of the Ad Valorem Tax Abatement Policy. Finance Director Jennifer Fung presented the policy and a discussion was held regarding the policy revision. Council Member Grow moved, seconded by Council Member Brown, to approve the Ad Valorem Tax Abatement Policy. *The vote was unanimous. Motion carried.*

8. **Ordinance No. O-2018-018-15 (CU-003-18)** – Conduct a Public Hearing and consideration and/or action to approve the application of Michael H. Smith, on behalf of Republic Finance, LLC., for a Conditional Use Permit request for a Nondepository Financial Institution in the “C-3” Commercial District, containing approximately 1,600 square feet of lease space on Lot 1, Block 1 of Western Center Plaza, being approximately 5.107 acres south of Western Center Boulevard, locally known as 5000 Western Center Boulevard, Suite 270. *1st Reading.* Planning and Community Development Director Glenna Batchelor presented the ordinance and a discussion was held regarding their lending rates and sign availability. Mayor Averitt opened the Public Hearing at 7:47 p.m. No one came forward. Mayor Averitt closed the Public Hearing at 8:48 p.m. Council Member Grow moved, seconded by Mayor Pro Tem Truong, to approve Ordinance No. O-2018-018-15 (CU-003-18) on first reading. *The vote was unanimous. Motion carried.*

9. **Ordinance No. O-2018-017-15 (CU-004-18)** – Conduct a Public Hearing and consideration and/or action to approve the application of Hussam Alsayyaf for approval of a Conditional Use Permit for automobile tune up and lube center, tire and battery sales store uses, and automobile and light truck repair shop in the “M-2” Heavy Industrial District located on Lot 1, Block 2 of the Ray Austin Subdivision, being approximately 0.2931 acres on the east side of North Beach Street, locally known as 2314 North Beach Street. *1st Reading.* Planning and Community Director Glenna Batchelor presented the ordinance and a discussion was held regarding hours of operation and tire storage. Mayor Averitt opened the Public Hearing at 8:02 p.m. No one came forward. Mayor Averitt closed the Public Hearing at 8:03 p.m. Council Member Fowler moved, seconded by Mayor Pro Tem Truong, to approve Ordinance No. O-2018-017-15 (CU-004-18) on first reading. *The vote was unanimous. Motion carried.*

**VISITORS/CITIZENS FORUM**

Citizen Steve Chapman came forward to address his views regarding the ethics and conduct of Council Member Trae Fowler, and requesting his resignation.

Citizen Linda Mabry Cantwell came forward and stated the manner in which the city election is being held is producing a bad image for the city.

No other citizen came forward.

**FUTURE AGENDA ITEMS**

10. Discussion on items to be placed on future agendas. No item was presented.

**BOARDS/COMMISSIONS**

11. **Resignations of Board/Commissions/Committee Members** – Consider approval of the resignations of Board/Commission/Committee Members. There were no resignations.

12. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees. Council Member Fowler appointed Keli Stallings to the Planning and Zoning Commissions and
Colton Hudson to the Fire Services Board. *Both appointments were unanimously approved.*

**EXCUSED ABSENCE OF COUNCIL MEMBERS**

13. **Attendance Requirements** – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). Attendance Requirements of the Haltom City Charter. Council Member Grow moved, seconded by Council Member Brown, to excuse the absence of Council Member Thompson. *The vote was unanimously approved.*

The Council went into Executive Session at 8:12 p.m.

**RECONVENE TO REGULAR SESSION**

The Council reconvened at 9:02 p.m. No action was taken

**ADJOURNMENT**

Mayor Averitt adjourned the meeting at 9:03 p.m.

RESPECTFULLY SUBMITTED BY: ____________________________

Art Camacho, City Secretary

APPROVED BY: ____________________________

David Averitt, Mayor
A Special Meeting by the City Council of the City of Haltom City, Texas, was held on May 3, 2018, at 6:30 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present:

Mayor David Averitt  Council Place 1 Jeannine Nunn
Council Place 2 Walter Grow  Council Place 3 Lin Thompson
Council Place 4 Trae Fowler  Council Place 5 Bob Watkins
Council Place 6 Ricky Brown

Mayor Pro Tem Dr. An Truong was absent.

Staff Present: Keith Lane, City Manager; Rex Phelps, Assistant City Manager; Wayne Olson, City Attorney; Art Camacho, City Secretary; Toni Beckett, Human Resources and Risk Management Director.

CALL TO ORDER
Mayor Averitt called the Special Meeting to order at 6:30 p.m.

The Council went into Executive Session at 6:31 p.m. under the following:

EXECUTIVE SESSION
Chapter 551 of the Texas Government Code
As authorized by Section 551.071, the City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the City Attorney about any matters listed on the agenda, in addition to the following matters:

Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct which may conflict with the Open Meetings Act; including discussion of any item posted on the Agenda; to seek legal advice on open meetings, open records, dissolution/restructuring of the Haltom City Economic Development Corporation, and pending litigation and settlement offers for the following cases:
- Flynn v. Haltom City EDC
- James H. Watson v. City of Haltom City
- Amer Ozzie v. City of Haltom City
- Ray Beshirs v. City of Haltom City
- Nicklaus Forrest v. City of Haltom City

RECONVENE TO REGULAR SESSION
The Council reconvened at 7:25 p.m. Council Member Fowler moved, seconded by Council Member Nunn, to consider moving forward with an outside external investigation into the personnel issues as discussed in Executive Session. Council Members Nunn, Fowler, Watkins and Brown voted aye. Council Members Grow and Thompson voted nay. Motion carried.

Discussion regarding City’s hiring practices – Council Member Grow asked Human Resources Director Toni Beckett if the city’s hiring practices conform to the standard practices for governmental agencies, corporations, and private industry. Ms. Beckett replied that the city’s hiring practices do meet the standards and comply with all of the federal law requirements, and the city’s charter as it relates to police officers and
firefighters, but that policies are different in regard to different departments because the requirements for all positions are not the same.

**ADJOURNMENT**

Mayor Averitt adjourned the meeting at 8:48 p.m.

RESPECTFULLY SUBMITTED BY:  

APPROVED BY:

____________________________  _______________ ________________  

Art Camacho, City Secretary  

David Averitt, Mayor
CITY COUNCIL MEMORANDUM

City Council Meeting: May 14, 2018
Department: Planning & Community Development
Subject: Ordinance No. O-2018-018-15 (CU-003-18) 2nd Reading

BACKGROUND
Consideration and/or action to approve the application of Michael H. Smith, on behalf of Republic Finance, LLC., for a Conditional Use Permit request for a Nondepository Financial Institution in the “C-3” Commercial District, containing approximately 1,600 square feet of lease space on Lot 1, Block 1 of Western Center Plaza, being approximately 5.107 acres south of Western Center Boulevard, locally known as 5000 Western Center Boulevard, Suite 270.

The applicant is proposing a nondepository financial institution in the “C-3” Commercial District, which requires City Council approval of a conditional use permit. The nondepository financial institution is proposed in a multi-tenant building and will be restricted to tenant space addressed as 5000 Western Center Boulevard, Suite 270. The applicant has provided a site plan of the suites along with the square footage of the suite.

The applicant has stated they are not a payday lending company rather an installment lender offering personal loans directly to consumers, from bill consolidations, home improvements, vacations, and car purchases to medical bills, car repairs, and other unplanned expenses. They also offer refinancing of vehicle loans on both new and used car purchases.

FISCAL IMPACT
None.

RECOMMENDATION

On April 10, 2018 the Planning and Zoning commission recommended unanimous approval of Ordinance No. O-2018-018-15 by a vote of 3-0-0. The conditions being the following:

1. The nondepository financial institution is restricted to the tenant space addressed as 5000 Western Center Boulevard, Suite 270, being approximately 1,600 square feet.

2. The hours of operations shall be limited to 8:00AM to 5:00PM on Monday through Friday.

3. The tenant space shall be equipped with interior and exterior surveillance cameras.
4. No loans shall be issued with goods being collateral that is stored onsite.

5. No pawn shop related uses.

6. If there is any conflict between Exhibit ‘A’ Design Standards and Exhibit ‘B’ Site Plan, the provisions in Exhibit ‘A’ Design Standards shall control.

ATTACHMENTS
Provided in the Planning and Zoning packet of April 10, 2018.
Ordinance O-2018-018-15 with stipulations on Exhibit ‘A’ Design Standards and Exhibit “B” Site Plan
BACKGROUND
Consideration and/or action to approve the application of Hussam Alsayyaf for approval of a Conditional Use Permit for automobile tune up and lube center, tire and battery sales store uses, and automobile and light truck repair shop in the “M-2” Heavy Industrial District located on Lot 1, Block 2 of the Ray Austin Subdivision, being approximately 0.2931 acres on the east side of North Beach Street, locally known as 2314 North Beach Street.

The applicant, Hussam Alsayyaf located at 2314 N. Beach Street, is requesting to be allowed automobile tune up and lube center, tire and battery sales store uses and automobile and light truck repair shop uses. All services will be contained in the building. There will be no storage outside of any products. Worn tires will be stored inside and discarded by an outsourced company. All used oil will be stored inside, and the waste will be outsourced and discarded according to all laws.

The property is requesting automobile and light truck repair as part of their request; however, this use is a grandfathered use. Should City Council approve the automobile and light truck repair shop use would be brought into compliance with the Conditional Use Permit process. If Council decides to deny this portion of the applicant’s request the applicant would be able to continue this use unimpeded. If the use was to cease operations for six months the use would then no longer be permissible.

Since the previous City Council meeting staff has removed two items in Exhibit “A” Design Standards which were in reference to tires and battery uses in addition to amending hours of operation to require the business to close on Sundays.

FISCAL IMPACT
None.

RECOMMENDATION
On April 23, 2018 the City Council made a motion to approve all the applicants request except for the use of tire and battery sales store uses. In City Council’s motion for approval they also recommended the applicant close the business on Sundays.

On April 10, 2018 the Planning and Zoning commission recommended approval of Ordinance No. O-2018-018-15 by a vote of 2-1-0. The Conditional Use Permit was voted for approval with 28 conditions associated with the permit.
ATTACHMENTS

Provided in the Planning and Zoning packet of April 10, 2018. Ordinance O-2018-017-15 with stipulations on Exhibit 'A' Design Standards and Exhibit “B” Site Plan
CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: May 14, 2018
Department: Finance / Purchasing
Subject: Repair of Recreation Center Roof

BACKGROUND
The FY2018 budget for Building Maintenance approved funding for the replacement of the gymnasium roof for the Recreation Center.

The TIPS contract proposed to staff by DK Haney Roofing is in the amount of $63,611.00. The City of Haltom City is a member of the Tips-USA cooperative. Because this amount exceeds $50,000, the City’s Purchasing Manual requires the purchase to be approved by the City Council.

FISCAL IMPACT
Funding for the Recreation Center Gymnasium roof was budgeted within the FY2018 General Fund (Building Maintenance Account 01-44322-151-00) in the amount of $68,500.

RECOMMENDATION
Staff recommends the Council approve the use of TIPS contract number 2092415 for DK Haney to replace the Recreation Center Gymnasium Roof in the amount of $63,611.00. In addition, Staff also recommends the City Manager be expressly authorized to execute any and all change orders within the amounts set by state and local law.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY:
That the above stated Staff recommendations are hereby approved and authorized.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Haltom City, Texas this 14th day of May 2018, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

APPROVED

_________________________
David Averitt, Mayor

ATTEST:

________________________
Art Camacho, City Secretary
CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: May 14, 2018
Department: Finance
Subject: Ad Valorem Tax Assessing, Billing, Collecting and Reporting for the 2018 Tax Year (Fiscal Year 2019)

BACKGROUND
Since 1993, the City has contracted with the Tarrant County Tax Office (Tax Office) for the billing, collection and reporting of the ad valorem (property) taxes. In consideration for the services provided, the City compensates the Tax Office at the rate of $0.98 per account for 2018 tax year. This is the same rate for 2017 tax year. According to Tarrant County Tax Office, this rate is the lowest collection fee of any urban county in Texas.

FISCAL IMPACT
There are about 58,000 property tax accounts serviced by Tarrant County Tax Office for Haltom City. Using the same number of accounts at the rate of $0.98, the fiscal impact for Fiscal Year 2018 will be $56,840. This cost will be budgeted in the proposed FY2019 budget (01-43301-811) and will be due and payable during February 2019.

RECOMMENDATION
Staff recommends approval of an agreement with the Tarrant County Tax Office to provide ad valorem tax billing, collecting and reporting for the 2018 Tax Year.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY:
That the above stated Staff recommendations are hereby approved and authorized.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Haltom City, Texas this 14th day of May, 2018 at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

APPROVED: __________________________  ATTEST: _______________________
David Averitt, Mayor                  Art Camacho, City Secretary

APPROVED AS TO FORM:
_______________________
Wayne Olson, City Attorney
BACKGROUND
Conduct a Public Hearing and consideration and/or action on the Robert R. Lubega on behalf of Texacare Home Services, LLC for a Zoning Change request from “C-3” Commercial District to “SF-2” Single Family Residential District located on Block 2, Lot 5 of Shady Dell Addition being approximately 0.1721 acres of land, locally known as 2017 Owens Street.

The applicant requests to rezone the subject site to “SF-2” Single Family Residential in order to get financing for the single-family home. The bank will not close this transaction for the single-family home until the zoning is reflective of what the property is currently built for.

FISCAL IMPACT
None.

RECOMMENDATION
On April 24, 2018 the Planning and Zoning commission recommended unanimous approval of Ordinance No. O-2018-019-15 by a vote of 6-0-0.

ATTACHMENTS
Provided in the Planning and Zoning packet of April 24, 2018.
Ordinance O-2018-019-15 with Exhibit ‘A’ Future Land Use Map
ORDINANCE NO. O-2018-019-15

CASE NO. Z-003-18

AN ORDINANCE AMENDING THE COMPREHENSIVE LAND USE PLAN AND FUTURE LAND USE MAP IN ORDINANCE NO. O-2010-011-15, AS AMENDED, AND AMENDING ORDINANCE NO. O-2002-032-15, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF HALTOM CITY, TEXAS, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN THE CITY OF HALTOM CITY, TEXAS; AND REVISIONING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haltom City is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Haltom City heretofore adopted Ordinance No. O-2010-011-15, as amended, the Comprehensive Land Use Plan 2010, which is the primary document on which to base all zoning, platting and other land use decisions; and

WHEREAS, the Comprehensive Land Use Plan provides guidance for future development in conformance with the adopted Future Land Use Map; and

WHEREAS, the City Council now deems it necessary to update the Haltom City Comprehensive Land Use Plan as provided herein, and that such amendment is in accordance with the growth goals, objectives and planning principles set forth in the Comprehensive Land Use Plan as well as health, safety, traffic and environmental considerations; and

WHEREAS, the City Council of the City of Haltom City heretofore adopted Ordinance No. O-2002-032-15, as amended, the Zoning Ordinance of the City of Haltom City, Texas, which Ordinance regulates and restricts the location and use of buildings, structures and land
for trade, industry, residence and other purposes, and provides for the establishment of zoning
districts of such number, shape and area as may be best suited to carry out these regulations;
and

WHEREAS, in accordance with Section 39 of the Zoning Ordinance, the owner of
property consisting of approximately 0.1721 acres of land located on Lot 5, Block 2 of the
Shady Dell Addition, locally known as 2017 Owens Street (hereinafter-referenced as the
“Property”), has filed an application to rezone the property from its present classification of “C-3”
Commercial District to “SF-2” Single Family Residential District; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas
held a public hearing on April 24, 2018 and the City Council of the City of Haltom City, Texas
held a public hearing on May 14, 2018 with respect to the Zoning Change and Comprehensive
Land Use Plan amendments described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 and 213 of the
Local Government Code, and all other laws dealing with notice, publication and procedural
requirements for the rezoning of the property and the amendment of the Comprehensive Land
Use Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
HALTOM CITY, TEXAS, THAT:

SECTION 1.

Ordinance No. O-2002-032-15, as amended, is hereby amended by rezoning approximately
0.1721 acres of land from “C-3” Commercial District to “SF-2” Single Family Residential District,
located south of E. Belknap Street and west of Owens Street, locally known as 2017 Owens
Street, and being Lot 5, Block 2 of the Shady Dell Addition.
SECTION 2.

The City of Haltom City Comprehensive Land Use Plan 2010, dated July 26, 2010, as amended, is hereby amended as shown on Exhibit “A” attached hereto and fully incorporated by reference.

SECTION 3.

The zoning district as herein established has been made in accordance with a comprehensive land use plan for the purpose of promoting the health, safety, morals and general welfare of the community.

SECTION 4.

The official zoning map of the City of Haltom City is hereby amended and the City Secretary is directed to revise the zoning map to reflect the zoning classification as set forth above.

SECTION 5.

The use of the Property described above shall be subject to all the applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances of the City of Haltom City, Texas.

SECTION 6.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Haltom City, Texas (1998), as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed. Ordinance No. O-2010-011-15 is hereby amended.
SECTION 7.

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

SECTION 8.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars ($2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9.

All rights and remedies of the City of Haltom City, Texas, are expressly saved as to any and all violations of the provisions of Ordinance No. O-2002-032-15 or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.
SECTION 10.

The City Secretary of the City of Haltom City, Texas, is hereby directed to publish in the official newspaper of the City of Haltom City, Texas, the caption, Section 1, penalty clause, publication clause and effective date clause of this Ordinance one (1) time within ten (10) days after the first reading of this Ordinance as required by Section 10.01 of the Charter of the City of Haltom City, Texas.

SECTION 11.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON FIRST READING THIS _____ DAY OF ________________________, 2018.

PASSED AND APPROVED ON SECOND READING THIS _____ DAY OF ________________________, 2018.

Mayor
ATTEST:

__________________________
City Secretary

EFFECTIVE: _____________________________

APPROVED AS TO FORM AND LEGALITY:

__________________________
City Attorney
Exhibit “A”

Future Land Use Map
BACKGROUND

Consideration and or action to approve Resolution No. R-2018-006-01 of the City Council of the City of Haltom City, Texas approving the canvass of the May 5, 2018 General and Special Election results.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends the Council approve Resolution No. R-2018-006-01 canvassing the May 5, 2018 General and Special Election results.

ATTACHMENTS

Resolution No. R-2018-015-01
Results from Tarrant County Election Administration
RESOLUTION NO. R-2018-006-01

A RESOLUTION AND ELECTION ORDER BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS CANVASSING AND DECLARING THE RESULTS OF THE MAY 5, 2018 GENERAL AND SPECIAL ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a General and Election was duly held in the City of Haltom City, Texas, on the 5th day of May, 2018 to elect Council Member Places 3, 4, 5, and 6, and also a Special Election was duly held to vote on a Bond Proposition.

WHEREAS, the Mayor and City Council duly canvassed the vote of said election on this the 14th day of May, 2018.

WHEREAS, the canvass showed the following results:

<table>
<thead>
<tr>
<th>General Election</th>
<th>Absentee Votes</th>
<th>Early Votes</th>
<th>Elect. Day Votes</th>
<th>Total Votes</th>
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<tbody>
<tr>
<td><strong>Place 3</strong></td>
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<tr>
<td>Linda “Lin” Thompson</td>
<td>146</td>
<td>674</td>
<td>323</td>
<td>1,143</td>
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<td>Over Votes</td>
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<td>0</td>
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<tr>
<td>Under Votes</td>
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<td>264</td>
<td>123</td>
<td>410</td>
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<td><strong>Place 4</strong></td>
<td></td>
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<tr>
<td>Brent Weast</td>
<td>82</td>
<td>524</td>
<td>272</td>
<td>878</td>
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<tr>
<td>Trae Fowler</td>
<td>82</td>
<td>350</td>
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<tr>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Under Votes</td>
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<td>64</td>
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<td>96</td>
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<td></td>
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<tr>
<td>Bob Watkins</td>
<td>97</td>
<td>472</td>
<td>213</td>
<td>782</td>
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<tr>
<td>Willis Odell</td>
<td>68</td>
<td>394</td>
<td>188</td>
<td>650</td>
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<tr>
<td>Over Votes</td>
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<td>0</td>
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<td>0</td>
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<tr>
<td>Under Votes</td>
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<td>121</td>
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<td><strong>Place 6</strong></td>
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<tr>
<td>Ricky Brown</td>
<td>99</td>
<td>522</td>
<td>232</td>
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<tr>
<td>Chris Bethel</td>
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<tr>
<td>Over Votes</td>
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<td><strong>Proposition “A”</strong></td>
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<tr>
<td>For</td>
<td>86</td>
<td>436</td>
<td>180</td>
<td>702</td>
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<tr>
<td>Against</td>
<td>83</td>
<td>475</td>
<td>263</td>
<td>821</td>
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<td>Over Votes</td>
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<td>27</td>
<td>3</td>
<td>30</td>
</tr>
</tbody>
</table>

| **Proposition “B”** |          |       |            |       |
| For              | 108      | 507   | 213        | 828   |
| Against          | 60       | 409   | 230        | 699   |
| Over Votes       | 0        | 0     | 0          | 0     |
| Under Votes      | 1        | 22    | 3          | 26    |
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS:

SECTION I

The City Council finds that the results of the general and special election as set forth above are correct and the canvass of votes is hereby approved.

SECTION II

The total of votes cast during absentee voting was 169; early voting was 938 by personal appearance; and 446 votes were cast on Election Day. The total number of votes cast in this election was 1553.

SECTION III

Lin Thompson is hereby declared to have been elected to the Office of Council Place 3.

Brent Weast is hereby declared to have been elected to the Office of Council Member Place 4.

Bob Watkins is hereby declared to have been elected to the Office of Council Member Place 5.

Ricky Brown is hereby declared to have been elected to the Office of Council Member Place 6.

Proposition “A” (City Hall/Police Station) is hereby declared to have failed to garner enough votes for passage.

Proposition “B” (Fire Station) is hereby declared to have succeeded in garnering enough votes for passage.

SECTION IV

PASSED AND APPROVED by the City Council of the City of Haltom City, Texas this 14th day of May, 2018.

_________________________________________
David Averitt, Mayor

ATTEST:

_________________________________________
Art Camacho, City Secretary
CITY COUNCIL MEMORANDUM

City Council Meeting: May 14, 2018
Department: City Secretary
Subject: Future Agenda Item

BACKGROUND

No items for consideration have been submitted.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

None.
CITY COUNCIL MEMORANDUM

City Council Meeting:          May 14, 2018
Department:                    City Secretary
Subject:                 Boards/Commission/Committee
Resignation of Members

BACKGROUND
The City Council will consider action regarding the resignations from Boards, Commissions, and Committees.

FISCAL IMPACT
None.

RECOMMENDATION
None.

ATTACHMENT
None.
CITY COUNCIL MEMORANDUM

City Council Meeting: May 14, 2018
Department: City Secretary
Subject: Boards/Commissions/Committees
Appointments/Reappointments

BACKGROUND

The City Council will consider action regarding the appointment/reappointment of board, commission, and committee members. Newly-elected Councilmembers Places 3, 4, 5, and 6 may make appointments/reappointments to Beautification, CCPD/Redlight Camera Advisory, Fire, Library, Parks, P&Z, and ZBA. Places One and Three on the TIRZ Board expired December 31, 2017. Currently Bob Watkins serves in Place One, Place Three is vacant. The Parks Board council liaison position is also vacant.

Appointments and/or reappointments that are due:

Mayor: Civil Service – Current members Susann Ora and Bill Lanford
        Public Arts Program Committee – One vacancy

CC Place 1: Fire Services – Vacant

CC Place 3: Beautification – Current member Bob Presley
           CCPD/Redlight – Current member Eugene Barnard
           Fire Services – Current member Suzanne Norris
           Library – Current member Loretta DuBois
           Parks – Current member Cody Gambil
           P&Z – Current member Kyle Smith
           ZBA – Current member James White

CC Place 4: Beautification – Current member Denise Ford
           CCPD/Redlight – Current member Beverly Henson
           Fire Services – Current member Colton Hudson
           Library – Current member Teresa Cabano
           Parks – Current member Don Cooper
           P&Z – Current member Keli Stallings
           ZBA – Current member Willis Odell

CC Place 5: Beautification – Current member Birdi Blocker
           CCPD/Redlight – Current member Jerry Gannaway
           Fire Services – Current member Herb Williams
           Library – Current member Patsy Sullivan
           Parks – Current member Penny Clowers
           P&Z – Current member Karen Hudson
           ZBA – Current member Larry Pinkerton
CC Place 6: **Beautification** – Vacant  
**CCPD/Redlight** – Current member Layla Caraway  
**Fire Services** – Current member David McConnell  
**Library** – Current member Bonnie Richards  
**Parks** – Dana Coffman  
**P&Z** – Current member Juanita Adam  
**ZBA** – Current member Debbie Hardin

CC Place 7: **Beautification** – Vacant  
**CCPD/Redlight** – Current member Patti Street  
**Fire** – Current member Sue Austin  
**P&Z** – Current member Suzette Teague

**FISCAL IMPACT**

None.

**RECOMMENDATION**

None.

**ATTACHMENTS**

Applications received: Jerry Gannaway 2018; Penny Clowers 2018; Joy Dalton 2018; Eric Morris, 2018; Garrett Schleier, 2018; Betty Porter, 2018; Elizabeth Dunbar, 2018; Andrea Hudson, 2018; George Coffman, 2017; Alexandra Geltmeier, 2017; Matthew Schoonover, 2017; Scott Barrilleaux, 2017; Joshua Kara, 2017; Susann Ora, 2017; Gary Hilbert II, 2017.