AGENDA
Joint Meeting of Haltom City Council
and Haltom City Economic Development Corporation Board of Directors
October 8, 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.

WORK SESSION – City Council
- Presentation on the Gas Line Infrastructure – Darwin Winfield, Atmos Energy
- Discuss Denton Highway Sidewalks – Greg Van Nieuwenhuize
- Review and discuss items on the regular agenda of October 8, 2018.

EXECUTIVE SESSION
Chapter 551 of the Texas Government Code
As authorized by Section 551.071, the City Council and the Economic Development Corporation Board of Directors reserve 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 conflicts of interest, city charter limitations, dissolution/restructuring of the Haltom City EDC, Chapter 380 Agreement with Haltom Hospitality, LLC, selection process for design/construction of Fire Station 3, amending and repealing city ordinances, external investigation concerning the Fire Department, and pending litigation and settlement offers for the following cases:
- Flynn v. Haltom City EDC
- James H. Watson v. City of Haltom City
- Ray Beshirs v. City of Haltom City
- Nicklaus Forrest v. City of Haltom City
- Amer Ozzie v. City of Haltom City
- Joe Williamson 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 - Deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the City Manager

REGULAR SESSION 7:00 P.M.

CALL TO ORDER – Council and EDC

INVOCATION/PLEDGE OF ALLEGIANCE – Council Member Walter Grow

ANNOUNCEMENTS/EVENTS – City Secretary Art Camacho

JOINT AGENDA – Council and EDC

1. Haltom Hospitality 380 Development Agreement – Consideration and/or action regarding Chapter 380 Development Program and Economic Development Agreement between the City of Haltom City, the Haltom City Economic Development Corporation and Haltom Hospitality, LLC for Development of a Hotel and Restaurant. (R. Phelps)

CONSENT AGENDA – Council Only

2. Minutes – Consideration and/or action regarding approval of the Minutes of the September 24, 2018 Regular Meeting and the September 26, 2018 Joint Meeting. (A. Camacho)

3. Ordinance No. O-2018-029-15 (Z-006-18) – Consideration and/or action regarding the application of Paul Crafton for a Zoning Change request from “C-2” Commercial to “C-3” Commercial District located on a tract of land situated in the Browning Park Subdivision, Lot A & B, Block 9 and being approximately 1.3619 acres east of Denton Highway, locally known as 5304 Denton Highway and 5516 Bonner Drive. 2nd Reading (G. Batchelor)

4. Ordinance No. O-2018-030-15 (CU 009-18) – Consideration and/or action regarding the application of Ali Sairafi requesting a Conditional Use Permit for automobile and light truck repair
shop, automobile tune up and lube center, and tire and battery sales store, auto laundry/car wash located on a tract of land situated in the Meadow Oaks Addition-Haltom, Lot 6 to 13 & S10’5, Block 37 and being approximately 0.8774 acres east of Denton Highway, locally known as 2906 & 2908 Denton Highway. 2nd Reading (G. Batchelor)

5. **Cartegraph Software Agreement** – Consideration and/or action regarding approval of a Cartegraph agreement in the amount of $73,000 for the online work order system. (G. Van Nieuwenhuize and J. Carver)

REGULAR AGENDA – Council Only

6. **Property Enhancement Incentives Grant (PEIP)** – Consideration and/or action for approval of a PEIP to Haltom Road Baptist Church for property located at 3313 Haltom Road. (G. Batchelor)

7. **Replat P-015-18** – Conduct a Public Hearing and consider action on the application of Charles Scoma for approval of a replat creating Lot 7R1, Block 6 of the Golden Gardens Addition replat from Lot 7, Block 5 of the Golden Gardens Addition located in the “SF-2” Single Family Residential District containing approximately 0.5264 acres of land, locally known as 5900 Ellison Avenue. (G. Batchelor)

8. **Plan Amendment** – Consideration and/or action regarding the approval of an Amendment in the amount of $89,672.00 to the existing Sanitary Sewer Master Plan Agreement with the RJN Group. (G. Van Nieuwenhuize)

9. **Utility Audit Selection** – Consideration and/or action to approve the selection of Audit Services for the Fathom water meter and billing system. (R. Phelps)

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 OCTOBER 5th 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.

__Signature__

ART CAMACHO, CITY SECRETARY

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.
BACKGROUND

On September 26, 2018, the City Council/EDC voted to table the Haltom Hospitality 380 Development Agreement unto the October 8, 2018 meeting with the following stipulations:

1. The concrete must be poured (completed) in six (6) months for the hotel.
2. The concrete must be poured (completed) on the restaurant in ten (10) months.
3. The hotel and restaurant must be finished in thirty (30) months.
4. The EDC will agree to deed restrict the neighboring property for a hotel with similar standards as defined by the City Attorney, but there is no commitment that there will be a hotel on that property – the Request of First Refusal (ROFR) is void.
5. The City will receive $150,000 and is refundable to the developer if the developer meets the agreement requirements.
6. The permit and impact fees must be paid in thirty (30) days.
7. If the developer fails to perform and complete the hotel in thirty (30) months, then the developer must pay the appraised value of the $1,190,000 before a Certificate of Occupancy (CO) will be issued.

FISCAL IMPACT

None

RECOMMENDATION

Staff recommends City Council/EDC consider agreement stipulations for voting purposes.

ATTACHMENTS

None
CITY COUNCIL MEMORANDUM

City Council Meeting: October 8, 2018
Department: City Secretary
Subject: Minutes of September 24, 2018 and September 26, 2018.

BACKGROUND
(1) A Regular Meeting was held September 24, 2018 at City Hall, 5024 Broadway Avenue.
(2) A Joint Meeting with the EDC was held September 26, 2018 at City Hall, 5024 Broadway Avenue.

FISCAL IMPACT
None.

RECOMMENDATION
Staff recommends the City Council approve the Minutes of September 24, 2018 and September 26, 2018.

ATTACHMENTS
Minutes of September 24, 2018
Minutes of September 26, 2018
A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on September 24, 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 1 Jeannine Nunn               Council Place 3 Lin Thompson
Council Place 4 Brent Weast    Council Place 5 Bob Watkins
Council Place 6 Ricky Brown

Council Place 2 Walter Grow was available via videoconference.

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

WORKSESSION

CALL TO ORDER

Mayor Averitt called the Worksession to order at 6:04 p.m. Assistant City Manager Rex Phelps introduced David Sellers, CEO of LGE Design (McCrae Group), who gave a PowerPoint presentation that included previous projects and a proposed building project for the properties located south of Loop 820 and either side of Anderson Blvd. and Northern Cross Blvd. A discussion was held regarding projected employees (1,500) and a filing for rezoning. Mayor Averitt closed the Worksession and called for an Executive Session at 6:21 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 conflicts of interest, city charter limitations, dissolution/restructuring of the Haltom City EDC, Chapter 380 Agreement with Haltom Hospitality, LLC, selection process for design/construction of Fire Station 3, amending and repealing city ordinances, and pending litigation and settlement offers for the following cases:

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

Mayor Averitt closed the Executive Session at 6:55 p.m. and called for a short recess.
CALL TO ORDER
Mayor Averitt called the meeting to order at 7:07 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE
Council Member Nunn 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 Flea for All will be held on October 20th and 21st.
- The Carson Street Closing will be closed for at least 5 to 7 weeks.
- The Fall Sweep will be held on Saturday, October 6th from 9 a.m. to 11 a.m.
- The Fire Dept. will hold its Open House on October 6th from 10 a.m. to 1 p.m.

REPORTS

REGULAR AGENDA

Due to communication problems, Mayor Averitt moved up Agenda Item #9 to the front.

9. Resolution No. R-2018-012-01 – Reconsideration and/or action regarding amendment approval of Resolution No. R-2018-012-01 - terminating the Haltom City Economic Development Corporation. A discussion was held regarding the EDC ongoing property sales and the need for a continuance of the EDC. Council Member Grow moved to delay the termination of the EDC until January 31, 2019 and allow the EDC to execute the necessary negotiations to sell the EDC properties or getting into a contract prior to the termination of the EDC. After consulting with the City Attorney, Council Member Grow modified his motion for termination to allow for the EDC to enter into contracts and negotiate the contracts for the EDC properties. Council Member Weast seconded the motion. The vote was unanimous. Motion carried.

2. Minutes – Consideration and/or action regarding approval of the Minutes of the August 31, 2018 Budget Meeting, the September 4, 2018 Joint Meeting, and the September 10, 2018 Regular Meeting. A correction by Council Member Thompson was made in the September 4th minutes. Council Member Weast moved, seconded by Mayor Pro Tem Truong, to approve the Minutes as corrected per Council Member Thompson. The vote was unanimous. Motion carried.

3. Ordinance No. O-2018-028-15 (CU-008-18) - Consider an application of Austin Hansen on behalf of Land Club 100, LLC requesting a Conditional Use Permit for tattoo studio use in the “C-3” Commercial District, containing approximately 1,377 square feet of lease space on Lot 27E, Block 27 of the G.W. Burkitt’s Subdivision, being approximately 0.1399 acres southeast of East Belknap, locally known as 4008 East Belknap Street. 2nd Reading. Planning and Community Development Director Glenna Batchelor presented the ordinance and Mayor Pro Tem Truong moved, seconded by Council Member Thompson, to approve Ordinance No. O-2018-028-15 (CU-008-18) – 4008 East Belknap Street, second reading. The vote was unanimous. Motion carried.

4. Ordinance No. O-2018-027-15 (CU-007-18) - Consider action of the application of Thomas Doyle, on behalf of Tyss Investments, for a Conditional Use Permit for tire and battery sales store uses in the “M-2” Heavy Industrial District located on Lot 1, Block 1 of the Freeman Addition, being approximately 0.7545 acres on the west side of Denton Highway, locally known as 5837 Denton Highway. 2nd Reading. Planning and Community Development
Director Glenna Batchelor presented the ordinance and Mayor Pro Tem Truong moved, seconded by Council Member Thompson, to approve Ordinance No. O-2018-027-15 (CU-007-18) – 5837 Denton Highway, second reading. The vote was unanimous. Motion carried.

5. Ordinance No. O-2018-029-15 (Z-006-18) – Conduct a public hearing and consideration and/or action regarding the application of Paul Crafton for a Zoning Change request from “C-2” Commercial to “C-3” Commercial District located on a tract of land situated in the Browning Park Subdivision, Lot A & B, Block 9 and being approximately 1.3619 acres east of Denton Highway, locally known as 5304 Denton Highway and 5516 Bonner Drive. 1st Reading. Planning and Community Development Director Glenna Batchelor presented the ordinance and a discussion was held regarding parking and security cameras. Mayor Averitt opened the Public Hearing at 7:31 p.m. No one came forward. Mayor Averitt closed the Public Hearing at 7:32 p.m. Council Member Thompson moved, seconded by Council Member Weast, to approve Ordinance No. O-2018-029-15 (Z-006-18) – first reading. The vote was unanimous. Motion carried.

6. Ordinance No. O-2018-030-15 (CU 009-18) – Conduct a public hearing and consideration and/or action regarding the application of Ali Sairafi requesting a Conditional Use Permit for automobile and light truck repair shop, automobile tune up and lube center, and tire and battery sales store, auto laundry/car wash located on a tract of land situated in the Meadow Oaks Addition-Haltom, Lot 6 to 13 & S10’ 5, Block 37 and being approximately 0.8774 acres east of Denton Highway, locally known as 2906 & 2908 Denton Highway. 1st Reading. Planning and Community Development Director Glenna Batchelor presented the ordinance and a discussion was held regarding the number of compliances needed for the property, specifically tire disposal and wrecked vehicles removal. Mayor Averitt opened the Public Hearing at 7:46 p.m. and the following individuals came forward;
   1. Don Lemaster – Spoke in favor of owner Ali Sairafi and his customer service.
   2. Daren Hudson – Supported Ali Sairafi and inquired for him to receive façade grants.
No other citizen came forward. Mayor Averitt closed the Public Hearing at 7:50 p.m. Council Member Weast moved, seconded by Council Member Nunn, to approve Ordinance No. O-2018-030-15 (CU 009-18) at 2906 and 2908 Denton Highway – first reading. The vote was unanimous. Motion carried.

7. Fee Schedule – Consideration and/or action regarding approval of Resolution No. R-2018-009-03 amending the fee schedule. Finance Director Jennifer Fung presented the resolution and a discussion was held regarding the dissolving of library fines, water meter tampering fees, sewer rates, credit card user fees, and storm water equipment use subsides. Council Member Brown moved, seconded by Council Member Nunn, to approve Resolution No. R-2018-009-03 as presented, with the elimination of the Line Item #53 – Stormwater Drainage Fee for Residential at $6.81. Council Members Brown and Nunn voted aye. Mayor Pro Tem Truong and Council Members Grow, Thompson, Weast and Watkins voted nay. Motion defeated. Council Member Grow moved, seconded by Council Member Weast, to approve Resolution No. R-2018-009-03, as recommended by the Staff. Mayor Pro Tem Truong and Council Members Grow, Thompson, Weast and Watkins voted aye. Council Members Brown and Nunn voted nay. Motion carried.

8. Bid No. B2018-215-001 – Consideration and/or action to award the bids for the City’s annual requirements of Water and Wastewater Utility Parts to the vendor. Public Works Director Greg Van Nieuwenhuize presented a review of the bid process and a discussion was held regarding additional vendors and coop assistance. Mayor Pro Tem Truong moved, seconded by Council Member Weast, to approve Bid No. B2018-215-001 as requested by Staff. The vote was unanimous. Motion carried.

The Council took a break at 8:30 p.m. and returned to Regular Session at 8:42 p.m.
VISITORS/CITIZENS FORUM
The following citizens came forward:
1. Daren Hudson – Inquired about the following: additional charges that Fathom is receiving; requested that the drainage fee be discontinued; mediation with Fathom is in Arizona; dedicated funds for city facilities (Library, Animal Shelter) are not being spent properly; no staff or city official attended a local meeting regarding water loss.
2. Stacey Corbin – Requested an Open Forum for citizens to discuss their problems with city officials is needed; inquired about $717,000 non-departmental expenditure; requested more information be provided to the citizens in lieu of the Fathom audit.
3. Trae Fowler – Inquired about the increase in taxes for the citizens; requested an update on the external investigation of racism; asked about damaged water meters on rental properties.

No other citizen came forward.

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. Mayor Averitt appointed Julie Barron to the Beautification Board. The appointment was approved unanimously

EXCUSED ABSENCE OF COUNCIL MEMBERS
13. Attendance Requirements – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). There were no absences.

ADJOURNMENT
Mayor Averitt adjourned the meeting at 8:59 p.m.

RESPECTFULLY SUBMITTED BY:         APPROVED BY:

_____________________________________________ _____________________________
Art Camacho, City Secretary            David Averitt, Mayor
A Special Joint Meeting with the City Council, and the Haltom City Economic Development Corporation was held by the City of Haltom City, Texas, on September 26, 2018, at 6:00 p.m. at the Haltom City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present, to-wit:

Mayor Pro-Tem Dr. An Truong    Council Place 2 Walter Grow
Council Place 3 Linda Thompson   Council Place 5 Bob Watkins
Council Place 6 Ricky Brown
Mayor David Averitt, Council Place 1 Jeannine Nunn, and Council Place 4 Brent Weast were absent. EDC Board Members: Ricky Brown (CC), President; Gary Blocker, Vice-President; Don Jury, Daren Hudson, Wesley Hart, Bob Watkins (CC), and Walter Grow (CC). Staff Present: Keith Lane, City Manager; Rex Phelps, Assistant City Manager; Wayne Olson, City Attorney; Art Camacho, City Secretary, and Greg Van Nieuwenhuize, Public Works Director.

CALL TO ORDER
Both Mayor Pro Tem Truong and EDC President Brown called the Joint Meeting to order at 6:05 p.m. and a roll call for the Council and EDC Board Members to be counted present.

EDC ACTION ONLY
1. **EDC Minutes** – Consideration and/or action to approve the Minutes of August 16, 2018. Board Member Don Jury moved, seconded by Board Member Bob Watkins, to approve the EDC Minutes of August 16, 2018. The vote was unanimous. Motion carried.

2. **Finance Report** – Discussion of the monthly Finance Report. Finance Director Jennifer Fung presented the monthly finance report. No questions were asked.

JOINT ACTION – COUNCIL/EDC
3. **EDC Group Property Purchase** – Consideration and/or action to approve group purchase of EDC properties.
   1. 5319 Glenview – 2.36 acres.
   2. 2730 Weaver Street – 5.75 acres.
   3. 6401 McCullar – 3.0 acres.
   4. 6200 East Belknap – 2.3 acres.
   5. 6280 East Belknap – 3.37 acres.
   6. 6278 East Belknap - .36 acres.
   10. 4101 Denton Road – 20 acres.
   11. 5540 NE Loop 820 – 1.7 acres.
   12. 5520 NE Loop 820 – 1.27 acres.
   13. 5265 Placid - .1299 acres.
Jim Makens, of TMC Management, presented a PowerPoint with the listed properties and a discussion was held regarding the description, use, and purchase price listed below:

1. 5319 Glenview – 2.36 acres $0 value
2. 2730 Weaver Street – 5.75 acres
3. 6401 McCullar – 3.0 acres. – combined with 2730 Weaver - $205,000 value
4. 6200 East Belknap – 2.3 acres
5. 6280 East Belknap – 3.37 acres
6. 6278 East Belknap - .36 acres – combination of all three Belknap properties - $50,000 value
7. George Akers Survey, Abstract 30, tract 2A02A – 4.44 acres - $0 value
8. George Akers Survey, Abstract 30, tract 2A02D – 2.02 acres - $0 value
9. George Akers Survey, Abstract 30, tract 2A02C – .47 acres - $0 value
10. 4101 Denton Road – 20 acres - $400,000 value
11. 5540 NE Loop 820 – 1.7 acres - $25,000 value
12. 5520 NE Loop 820 – 1.27 acres - $25,000 value
13. 5265 Placid - .1299 acres - $170,000 value
14. 5204 Westgrove Blvd. - .13 acres - $0 value

The total purchase price offered for these properties is $875,000. The Council/EDC will discuss this item in Executive Session.

4. **Haltom Hospitality 380 Development Agreement** – Consideration and/or action regarding Chapter 380 Development Program and Economic Development Agreement between the City of Haltom City, the Haltom City Economic Development Corporation and Haltom Hospitality, LLC for Development of a Hotel and Restaurant. Assistant City Manager Rex Phelps presented the agenda item and gave a review of the prior agreement and previously rendered decisions by the EDC. Attorney Randy Marx, representing Haltom Hospitality and Al Karmali, addressed the Council/EDC regarding the delays and the reason for an extension. In addition, Joe Camper and Jim Gandy both spoke concerning the hotel project, construction delays, and potential development of the area. A discussion was held regarding the project delays and the timeline of the project. The Council/EDC will discuss this item in the Executive Session.

5. **Resolution Adopting Plan of Termination** – Consideration and/or action to approve Resolution No. EDCR-2018-001-01 regarding adopting a Plan of Termination to accomplish the liquidation of the Haltom City Economic Development Corporation. The Council/EDC will discuss this item in the Executive Session.

**EXECUTIVE SESSION**
The City Council and Board of Directors will meet in closed session pursuant to the referenced sections of the Texas Government Code.

**Section 551.071 – Consultation with the City Attorney.** The City Council and Board of Directors reserve 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, dissolution/restructuring of the Haltom City Economic Development Corporation, and litigation, settlement offers and/or claims including Flynn v. Haltom City EDC.

**Section 551.072 – Real Property.** The City Council and Board of Directors may deliberate the purchase, exchange, lease or value of EDC real property, including consideration of offers made on such properties.
Both the Council and the EDC went into a joint Executive Session at 7:20 p.m. They reconvened into Regular Session at 8:48 p.m.

RECONVENE INTO REGULAR SESSION
Take any action deemed necessary pursuant to executive session. The Council took the following action:

3. **EDC Group Property Purchase** – Consideration and/or action to approve group purchase of EDC properties. (EDC) Board Member Jury moved, seconded by Board member Watkins, to table this item until the next EDC meeting (October 18, 2018). The vote was unanimous. Motion carried. (Council) Council Member Grow moved, seconded by Council Member Watkins, to table this item until the next EDC meeting (October 18, 2018). The vote was unanimous. Motion carried.

4. **Haltom Hospitality 380 Development Agreement** – Consideration and/or action regarding Chapter 380 Development Program and Economic Development Agreement between the City of Haltom City, the Haltom City Economic Development Corporation and Haltom Hospitality, LLC for Development of a Hotel and Restaurant. (EDC) Board Member Grow moved, seconded by Board Member Watkins, to approve the agreement with the following stipulations:
   1. The concrete must be poured (completed) in six (6) months for the hotel.
   2. The concrete must be poured (completed) on the restaurant in ten (10) months.
   3. The hotel and restaurant must be finished in thirty (30) months.
   4. The EDC will agree to deed restrict the property for a hotel with similar standards as defined by the City Attorney, but there is no commitment that there will be a hotel on that property – the Request of First Refusal (ROFR) is void.
   5. The City will receive $150,000 and is refundable to the developer if the developer meets the agreement requirements.
   6. The permit and impact fees must be paid in thirty (30) days.
   7. If the developer fails to perform and complete the hotel in thirty (30) months, then the developer must pay the appraised value of the $1,190,000 before a Certificate of Occupancy (CO) will be issued.

Mr. Karmali, and Mr. Camper addressed the Council/EDC regarding problems laying the slab, setting the piers, and getting the starting date established after a discussion with their contractor. (EDC) Board Member Grow moved, seconded by Board Member Watkins, to reconsider this item at a joint meeting scheduled for Monday, October 8, 2018. The vote was unanimous. Motion carried. (Council) Council Member Grow moved, seconded by Council Member Thompson, to reconsider this item at a joint meeting scheduled for Monday, October 8, 2018. The vote was unanimous. Motion carried.

5. **Resolution Adopting Plan of Termination** – Consideration and/or action to approve Resolution No. EDCR-2018-001-01 regarding adopting a Plan of Termination to accomplish the liquidation of the Haltom City Economic Development Corporation. (EDC) Board Member Grow moved, seconded by Board Member Jury, to table this item until the next EDC meeting (October 18, 2018). The vote was unanimous. Motion carried. (Council) Council Member Grow moved, seconded by Council Member Thompson, to table this item until the next EDC meeting (October 18, 2018). The vote was unanimous. Motion carried.

ADJOURNMENT
Mayor Pro Tem Truong and EDC President Brown closed the meeting at 9:10 p.m.
RESPECTFULLY SUBMITTED BY:  
Art Camacho, City Secretary

APPROVED BY:  
David Averitt, Mayor
BACKGROUND
Consider action of the application of Paul Crafton for a Zoning Change request from “C-2” Commercial to “C-3” Commercial District located on a tract of land situated in the Browning Park Subdivision, Lot A & B, Block 9 and being approximately 1.3619 acres east of Denton Highway, locally known as 5304 Denton Highway and 5516 Bonner Drive.

The applicant requests to rezone the subject site to the “C-3” Commercial District in order to expand their current business. The current business is classified as a Lawn Maintenance Service Shop. The C-2 Commercial District does not allow this use “by right” or by a conditional use permit. The applicant inquired about expanding his business and was informed he was an existing nonconforming use. Existing nonconforming uses are not allowed to expand the footprint of the business. There is adjacent C-3 Commercial District zoning and the Comprehensive Land Use Plan would support either district.

The applicant has requested the zone change in order to expand the business footprint in the future.

FISCAL IMPACT
None.

RECOMMENDATION
On September 11, 2018, the Planning and Zoning commission recommended to approve ordinance No. O-2018-029-15 by a vote of 6-0-0.

On September 24, 2018, the City Council voted to approve ordinance No. O-2018-029-15 by a vote of 7-0-0.

ATTACHMENTS
CITY COUNCIL MEMORANDUM

City Council Meeting: October 8, 2018
Department: Planning & Community Development

BACKGROUND
Consider action of the application of Ali Sairafi requesting a Conditional Use Permit for automobile and light truck repair shop, automobile tune up and lube center, tire and battery sales store and auto laundry/car wash located on a tract of land situated in the Meadow Oaks Addition-Haltom, Lot 6 to 13 & S10’ 5, Block 37 and being approximately 0.8774 acres east of Denton Highway, locally known as 2906 & 2908 Denton Highway.

The applicant requests approval of a conditional use permit to allow for automobile and light truck repair shop, automobile tune up and lube center, tire and battery sales store and auto laundry/car wash uses.

This business is currently operating with the requested uses. The purpose of this request is to bring the property into compliance through the conditional use permit process.

The hours of operation will be Monday through Saturday from 8:00am – 6:00pm and 8:00am – 5:00pm Saturday.

As part of the conditional use permit ordinance all services will be contained in the building. There will be no storage and/or display outside of any products.

FISCAL IMPACT
None.

RECOMMENDATION
On September 11, 2018, the Planning and Zoning commission recommended to approve ordinance No. O-2018-029-15 by a vote of 6-0-0 with some additional conditions added to the ordinance. Three items in Exhibit “A” were amended and are reflected in the ordinance.

Items which were amended read:

25. Outside storage of tire piles is prohibited. Tires must be stored inside a fully enclosed building and comply with the specification of the adopted fire codes. Trailers, storage containers and accessory buildings shall not be considered acceptable storage.

26. The applicant shall have a tire recycling company pick up unusable tires every two weeks to ensure unusable tires are disposed of properly.
27. The canopy area at the front of the primary structure may be utilized only for vehicles with trailers having flat tires repaired.

On September 24, 2018, the City Council voted to approve ordinance No. O-2018-029-15 by a vote of 7-0-0.

ATTACHMENTS
CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: October 8, 2018
Department: Public Works / Purchasing
Subject: Cartegraph Software Agreement

BACKGROUND

In June of 2007 the Public Works Department (PWD) evaluated various work order systems to get away from the inefficiencies of paper forms and the filing system. In 2007, the PWD considered several software companies and called or visited different cities in the area who were using various work order platforms. The work order systems in the cities of Arlington, Denton, North Richland Hills, Burleson and Grapevine were analyzed and compared to determine which work order system best met the PWD’s needs. These cities used Bentley Systems, Cartegraph, Cityworks by Azteca Systems and CitiTech Management by CitiTech Systems. It was determined that the Cartegraph work order system would be the best fit for PWD’s needs. In 2008, the City Council approved a $72,575 initial contract and the PWD started the Cartegraph implementation in October of FY2009.

Presently, the Cartegraph software is stored on the City’s servers at City Hall and has worked well for PWD over the last ten (10) years; however, there have been some limitations. One limitation is that PWD employees must enter their data (location of water main breaks, fire hydrants flushed, streets swept, etc.) from computers at the PW Service Center or call the PW Dispatcher to enter the data. PWD employees now have mobile tablets and it would be more efficient to enter this type of data in the field. Additionally, the PWD has been made aware that Cartegraph is trying to phase out the desktop application and is no longer supporting the desktop application. While the PWD would still be able to use the desktop version, without Cartegraph’s support, the PWD no longer receives updates or technical support.

Moving from a desktop application to an online application will allow the PWD maintenance crews to increase productivity as they will no longer have to jot down notes in the field and then enter the data into computers upon returning back to the PW Service Center at the end of the day. PWD employees can receive their tasks in the field, in real time and potentially complete the task that day.

The Cartegraph-One app, which links to Cartegraph’s Online Management System, can be downloaded on any mobile phone or mobile device and it will allow PWD employees to enter or view the data from anywhere in the city, including viewing and updating mapped city assets (manholes, fire hydrants, valves, etc.).
While the PWD has in excess of 50 employees, not all PWD employees use the Cartegraph system. Typically, the PWD maintenance workers do not use Cartegraph. Therefore, having 50 licenses will be sufficient to address the inefficiencies of entering the data at the end of the day on PWD computers or calling the PW Dispatcher to enter the data as each user (equipment operators, crew leaders and supervisors) will be able to complete their work orders in the field.

FISCAL IMPACT

The fiscal impact will be in the annual license agreement and a one-time implementation fee. The PWD is scheduled to pay $20,597.18 this month for the current ten (10) licenses; however, the new “50 seat license amount” will be $37,032.29. There is also a one-time fee of $35,967.71 to convert the PWD’s existing data from Cartegraph Navigator to the new Cartegraph Online Management System, and for Cartegraph staff to train PWD personnel on-site.

There is funding available in the PWD’s line items for this $73,000 ($37,032.29 + $35,967.71) expenditure.

RECOMMENDATION

Staff recommends the approval of an agreement with Cartegraph in the amount of $73,000.00 for the online work order system.

In addition, the staff 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 8th day of October, 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
BACKGROUND

On April 27, 2015, City Council approved Resolution R-2015-003-01, the Property Enhancement Incentives Policy (PEIP), which clarified, expanded upon, and replaced the Façade Grant Program that was established in 2009 as an incentive to local business owners. The PEIP affords added opportunities to businesses applying for a grant. The purpose and intent of the PEIP is to reimburse commercial property owners or business operators that enhance their Haltom City property through a matching grant.

Another new feature with the PEIP is the ability for businesses to apply for a property enhancement grant on an annual basis provided that type of improvement is different from the year before. For example, a business may receive a grant for landscaping, and after a twelve (12) month period may apply for a grant to upgrade a sign.

The Façade Grant Program offered a 50% matching grant up $10,000 that included the total project costs. Alternatively, the PEIP has varying participation limits on the type of enhancement. It is still a maximum of $10,000 for the total project but there are limits to the amounts. For example, the maximum on an interior renovation is a 20% match up to $4,000; while cleaning and painting is a 50% match up to $10,000.

PROJECT INFORMATION

The scope of the project includes parking lot seal and re-stripe of east lot (3312 Haltom), north lot (3313 Haltom) and south lot (5036 Doyle). The cost of the parking lot repairs is estimated at $8,670. Estimates were received from the following contractors: $8,670, Bradley's Paving, 3023 South University Drive #116, Fort Worth, Texas, 76109 and $12,700, Price Asphalt Inc, 1712 Fort Worth Highway, Weatherford, Texas, 76086.
Section 4: Enhancements, Item G: Parking / Driveways, states the following:

Parking / Driveways: The following are Eligible Enhancements related to Parking and Driveways on the Property except as noted otherwise:

ii. Resurfacing: Re-topping asphalt parking areas.

iii. Restriping: Repainting of parking stall stripes, fire lane graphics.

This property is in compliance with Section 5, Grant Priorities, Paragraph A, Preferred Areas, subsection v, Haltom Road.

FISCAL IMPACT

It is the City’s desire to enhance the viability and sustainability of commercial properties by improving the physical appearance of the businesses and the City’s commercial corridors. The improvements can lead to an increase in the marketability and occupancy rate of the commercial buildings hindered by an outdated appearance.

The FY2019 budgeted amount in the General Fund includes funding for Economic Development Assistance Grants (EDAG) up to $50,000 each and Property Enhancement Incentives Policy (PEIP) up to $10,000 each.

The program offers a matching grant with an amount not to exceed $10,000. The cost for the parking improvements is estimated at $8,670. The policy provides for 40% match for the parking improvements, which would amount to $3,468.

RECOMMENDATION

Staff (Greg Van Nieuwenhuize, Glenna Batchelor and Chris Rozanc) met on September 28, 2018 and followed the criteria to review and evaluate the Application of Mr. Stan Ekrut, Trustee of Haltom Road Baptist Church for a grant of $3,468 as follows:

Completeness of Application: Completeness of the Application; including all required attachments.
Yes

Grant Priorities: Is the Property located in a Preferred Area as previously defined in Section 5.
Yes

Impact: An estimation of the impact that the Enhancements might have, particularly as a catalyst for continued private investment.
None
Non-funded Improvements: Are the improvements associated with the Grant part of a larger effort to enhance the property.
No

Elimination of Non-Conformity: Do the Enhancements eliminate a legal non-conforming aspect of the Property.
No

Enhanced Safety or Access: Do the Enhancements provide for a safer environment or enhanced access for the public.
No

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY:

That the above stated Staff recommendation is hereby approved and authorized with regard to the attachments provided.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Haltom City, Texas this 8th day of October, 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

APPROVED AS TO FORM:

_________________________ Wayne Olson, City Attorney

ATTACHMENTS
Application for Property Enhancement Incentives from Haltom Road Baptist Church
Proof of Ownership of the Property
Photographs of the Property - provided by Applicant and City Staff
Construction Cost Estimates from at least two (2) different contractors
Property Enhancement Agreement for Haltom Road Baptist Church
BACKGROUND
Conduct a public hearing and consider action on the application of Charles Scoma for approval of a replat creating Lot 7R1, Block 6 of the Golden Gardens Addition replat from Lot 7, Block 5 of the Golden Gardens Addition located in the “SF-2” Single Family Residential District containing approximately 0.5264 acres of land, locally known as 5900 Ellison Avenue.

The applicant proposes to create one residential lot. The primary purpose of this replat is to plat an existing lot out of an existing tract. This is part of an originally platted lot that has been divided up into two lots. Both lots do appear to meet the ordinance. The other tract this is being replatted from currently has a residence on it. This lot does not but had a substandard residence on it that was demolished in November 2013. The property owner that owns the lot east of this has submitted a letter stating they do not want to participate in the replat of the original lot.

FISCAL IMPACT
None

RECOMMENDATION
On September 25, 2018, the Planning and Zoning Commission recommended approval of P-015-18 by a vote of 6-0-0.

ATTACHMENT
P&Z Staff Report with Attachments
BACKGROUND

On June 12, 2018, the City Council authorized staff to enter into an agreement with the RJN Group (RJN) in the amount of $321,603 to prepare the City’s Sanitary Sewer Master Plan. The work tasks in this agreement includes:

I. Project Administration
II. Flow and Rainfall Monitoring
   a. Site Selections
   b. Meter Installations
   c. Meter Servicing/Removal
   d. Rainfall Monitoring
   e. Data Management/Editing
III. GPS Survey
IV. Hydraulic Modeling
   a. Model Development
   b. Model Calibrations
V. Future Growth Analysis
   a. Population Projections
   b. Land Use Analysis
   c. System Performance
   d. Capital Development Planning
VI. Master Plan Report

The above indicated Flow and Rainfall Monitoring is a major part of this agreement. Both dry weather sanitary sewer flows and wet weather sanitary sewer flows are necessary in order to determine which areas of the City are allowing rainwater into the sanitary sewer system. These flows are measured by installing meters into sanitary sewer manholes strategically throughout the City. Because anticipating wet weather flows is not an exact science, it was anticipated that meters would be placed in the ground for 60 days. The thought was that this amount of time would allow for up to two (2) seasons – if need be – of wet weather flow monitoring.
The wettest months for this area of Texas are typically in the Fall (September/October/November) and the Spring (March/April/May); consequently, meters were initially installed in the Fall of 2017. Roughly 25 days after the meters were installed in the Fall of 2017, RJN & City staff reviewed the upcoming forecasts and determined that the meters should be removed and re-installed in the Spring of 2018. Unfortunately, while February 2018 was by most accounts, the wettest February on record, the rest of the Spring was not nearly as wet. Therefore, RJN was unable to obtain the necessary wet weather flow data.

Presently, the National Oceanic and Atmospheric Administration is predicting that this Fall will be wetter than average. In order to re-install the sanitary sewer meters, the City & RJN will need to amend the current agreement to allow for additional days of flow metering.

Staff has negotiated an $89,672 Amendment that again estimates 60 days of sanitary sewer metering. As with the initial agreement if the data can be obtained in less than 60 days, the City will only be charged for those days that the meters are actually inside sanitary sewer manholes collecting data.

**FISCAL IMPACT**

The FY2019 budget has allocated an additional $100,000 in the CIP Budget for this project in anticipation of this Amendment.

**RECOMMENDATION**

Staff recommends the City Council amend the engineering agreement with the RJN Group in the amount of $89,672 for the Sanitary Sewer Master Plan Project and authorize the City Manager to execute such amendment.

**ATTACHMENT**

None.
BACKGROUND

In June of 2017, the City entered into an agreement with Fathom Water Management, Inc. for water metering and billing services. This agreement provided for the replacement of outdated and inaccurate water meters throughout the city and upgraded the meters to SMART automated meters. The agreement also outsourced the billing services and walk-in payment center to Fathom.

The new meters have inherently increased the water bills for some residents. These residents have been dissatisfied with the change and have demanded an audit of the Fathom billing platform. The council directed staff to put out an RFP (request for proposal) to conduct an independent objective evaluation of the billing system.

On September 8, 2018, the city’s purchasing agent advertised the described RFP. Interested firms had until September 28, 2018 to respond to the requests. The Request for Qualifications stated that RFP’s would be evaluated on the following criteria:

- Qualifications and Experience (40%)
- Price (30%)
- Schedule (30%)

In addition, firms responding to the RFP were also given the following scope of work:

1. Test the appropriate number of water meters (both new Neptune water meters and water meters that have had replacement registers installed) in accordance with the industry standards for accuracy.
2. Determine the accuracy of the actual water meter readings versus the amount water users are being billed on their utility bill.
3. Determine if the means and methods of FATHOM’s practices meet industry standards and best practices.
4. Address the concerns regarding the new water meters and FATHOM’s practices of gathering reads for billing.
5. Meet with staff to develop and review a detailed audit process of billing to include;
   - Billing Rules & Exceptions
   - Services & Rates
c. AMI Data flow & transfer of reads to billing system (meter to consumption, consumption to bill, quality check)
d. Bill calculations for water, sewer, storm water, sewer surcharge, and refuse
e. Billing accuracy

6. Draft a preliminary final report that incorporates all findings and expect to share this information with the City Council.
7. Address any substantive issues brought to the attention of the consultant or City staff in the final report.
8. Draft a final report that incorporates all findings and recommend – if applicable – any changes the City and/or Fathom may need to incorporate going forward.

A committee made up of the Assistant City Manager, Public Works Director, Finance Director, Purchasing Agent and the Customer Service Director evaluated and ranked the firms who responded to the RFP.

The following firms responded to the RFP and are ranked for recommendation as follows;

- Utiliworks ------------ ---------------------------------- $86,080
  - Positives - price, experience, methodology and time frame
  - Negatives – none identified

- Resource Wise ------------- -------------------------- $194,468
  - Positives - experience, methodology and time frame
  - Negatives – Significantly most expensive yet requires city to perform much of the field work

- RedClay -------------- ---------------------------------- $174,880
  - Positives – time frame
  - Negatives – price, experience (utilization/outsourcing to consultants)

*Note: There was a fourth company that responded. However, they could not provide the services to investigate the entire scope of the project.

It should be noted that Fathom’s response to the pending audit was positive. They welcomed the scrutiny and evaluation. They advised they would cooperate fully with the audit. They also stated they would absorb costs the audit will directly place on them in terms of manpower, research and the necessary reporting.

FISCAL IMPACT

The FY2019 Budget will be the source of the $86,080 expenditure for the water billing audit

RECOMMENDATION

Staff recommends that the City Council approve an audit agreement with Utiliworks.
CITY COUNCIL MEMORANDUM

City Council Meeting:    October 8, 2018
Department:       City Secretary
Subject: Future Agenda Items

BACKGROUND

A Worksession has been requested for the following:
  1. Code Compliance
  2. Comprehensive Land Use Plan

FISCAL IMPACT

None.

RECOMMENDATION

Workshop on these items will be forthcoming.

ATTACHMENTS

None.
CITY COUNCIL MEMORANDUM

City Council Meeting:          October 8, 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.
BACKGROUND

The City Council will consider action regarding the appointment/reappointment of board, commission, and committee members. Place One on the TIRZ Board expired December 31, 2017. Currently Bob Watkins serves in Place One.

Appointments and/or reappointments that are due:

Mayor: Public Arts Program Committee – One vacancy

CC Place 6: CCPD/Redlight – Current member Layla Caraway
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: Jonathan Thomas, 2018; Larry Handschoh, 2018; Alaina Tellson, 2018; Colton Hudson, 2018; Layla Caraway 2018; Joy Dalton 2018; Eric Morris, 2018; Garrett Schleier, 2018; Betty Porter, 2018; Andrea Hudson, 2018; Alexandra Geltmeier, 2017; Matthew Schoonover, 2017; Gary Hilbert II, 2017.