AGENDA
HALTOM CITY COUNCIL MEETING
January 14, 2019 - 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)
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.

- Presentation by Mark McLiney with SAMCO Capital Markets, the City’s Financial Advisor, regarding the 2019 Bond Issuance Plan and other matters related thereto.
- Review and discuss items on the regular agenda of January 14, 2019.

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
- Amer Ozzie v. City of Haltom City
- Joe Williamson v. City of Haltom City
- Nicklaus Forrest v. City of Haltom City
- John Summers v. City of Haltom City
- Skyline Mobile Home Park v. 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.

REGULAR SESSION 7:00 P.M.

CALL TO ORDER
INVOCATION/PLEDGE OF ALLEGIANCE – Mayor Pro Tem Dr. An Truong
ANNOUNCEMENTS/EVENTS – City Secretary Art Camacho
PRESENTATION – Beautification Board – Neighborhood Christmas Decoration Winners

CONSENT AGENDA
1. Minutes – Consideration and/or action regarding approval of the Minutes of the Regular Meeting of December 10, 2018. (A. Camacho)
2. Ordinance No. O-2018-033-15 (Z-007-18) – Consideration and/or action regarding approval of the application of Norman White, on behalf of U-Haul, for a Zoning Change request from “C-2” Commercial to “PD-C-2 – Self Storage Facility District” Commercial District located on a tract of land situated in the Alexander Hood Survey, Abstract 682, Tract 3C and being approximately 5.9721 acres North of NE Loop 820, locally known as 5101 NE Loop 820. 2nd Reading (G. Batchelor)
3. **Ordinance No. O-2018-034-15 (CU-013-18)** – Consideration and/or action regarding approval of the application of Ryan Redus for a Conditional Use Permit request in the “C-2” Commercial District to allow for auto laundry/car wash located on a tract of land situated in the Q. T. 868 Addition, Lot 2R2, Block J and being approximately 1.0571 acres east of North Beach Street, locally known as 5410 North Beach Street. **2nd Reading (G. Batchelor)**

4. **Resolution No. R-2019-001-11** – Consideration and/or action regarding approval to abandon a portion of Sanitary Sewer Easements within the High Pointe Addition and to authorize the Mayor to execute the corresponding Quitclaim Deed. **(G. Van Nieuwenhuize)**

5. **Resolution No. R-2019-002-11** – Consideration and/or action regarding approval to abandon a portion of Utility Easements within the High Pointe Addition and to authorize the Mayor to execute the corresponding Quitclaim Deed. **(G. Van Nieuwenhuize)**

6. **Resolution No. R-2019-003-11** – Consideration and/or action regarding approval to abandon a portion of Drainage and Utility Easements within the High Pointe Addition and to authorize the Mayor to execute the corresponding Quitclaim Deed. **(G. Van Nieuwenhuize)**

**REGULAR AGENDA**

7. **Award of Bid RFB2018-3311-02** – Consideration and/or action to award a construction contract for the Street and Utility Reconstruction Improvements for Joy Lee Street, Swan Street, Lamond Court, and Springview Court. **(G. Van Nieuwenhuize)**


9. P-019-14 – Preliminary Plat – Conduct a Public Hearing and consideration and/or action on the application of Goodwin and Marshall, Inc., on behalf of HPC High Pointe Development, LTD., for approval of a preliminary plat creating High Pointe Addition from a portion of Block 3 and 4 of Fossil Ridge Subdivision and a portion of Lot 1R, Block 4 of Lots 1R and 2R, Block 4 of Fossil Ridge Addition, located in the “PD” Planned Development for “SF-2” Single Family Residential uses, containing approximately 62.95 acres of land, locally known as 4805 Northeast Loop 820 Highway and unaddressed property. **(G. Batchelor)**

10. P-012-16 – Final Plat – Conduct a Public Hearing and consideration and/or action on the application of Goodwin and Marshall, Inc., on behalf of HPC High Pointe Development, LTD., for approval of a final plat creating High Pointe Addition, Phase 1 from a portion of Block 3 and 4 of Fossil Ridge Subdivision and a portion of Lot 1R, Block 4 of Lots 1R and 2R, Block 4 of Fossil Ridge Addition, located in the “PD” Planned Development for “SF-2” Single Family Residential uses, containing approximately 37.957 acres of land, locally known as 4805 Northeast Loop 820 Highway and unaddressed property. **(G. Batchelor)**

11. P-015-17 – Final Plat – Conduct a Public Hearing and consider action on the application of Goodwin and Marshall, Inc., on behalf of HPC High Pointe Development, LTD., for approval of a final plat creating High Pointe Addition, Phase 2 from a portion of Block 3 and 4 of Fossil Ridge Subdivision and a portion of Lot 1R, Block 4 of Lots 1R and 2R, Block 4 of Fossil Ridge Addition, located in the “PD” Planned Development for “SF-2” Single Family Residential uses, containing approximately 25.424 acres of land, locally known as 4805 Northeast Loop 820 Highway and unaddressed property. **(G. Batchelor)**

12. P-010-18 - Replat – Conduct a Public Hearing and consideration and/or action to approve the application of Awad Eskander, on behalf of Hassib Abi-Hanna, for approval of a replat creating Lots 1A-R-1 & 2A-R-1, Block 1 of the L. Berry Addition No. 1 from Lots 1A-R & 2A-R of the L. Berry Addition No.1 located in the “M-1” Industrial District and “C-3” Commercial District containing approximately 5,708 acres of land, locally known as 2301 Higgins Lane & 4118 N.E. 28th Street. **(G. Batchelor)**

13. P-016-18 - Replat – Conduct a Public Hearing and consideration and/or action to approve the application of Michael Scott for approval of a replat creating Lot 1R, Block 31 of the Watauga Addition from lots 1-14 & closed alley, Block 31, Watauga Addition in the “M-1” Industrial District
containing approximately 2.09 acres of land, locally known as 6003 Huddleston Street. (G. Batchelor)

14. **P-018-18 - Replat** - Conduct a public hearing and consider action on the application of Ernest Hedgcoth, on behalf of Operating Partners, LLC., for approval of a replat creating Lot 2R-1, Block 1, of the Theo Christensen Addition from Lot 2R, Block 1 Theo Christensen Addition & Lot 1 & 2, Block 1, Ollie Hale Addition & Lot 1, Block 1, Yance Christensen Addition located in the “M-2” Heavy Industrial District and “C-3” Commercial District containing approximately 2.572 acres of land, locally known as 2225 Ola Lane, 2301 Ola Lane and 2305 Ola Lane. (G. Batchelor)

15. **Ordinance No. O-2019-001-15 (CU-014-18)** – Conduct a Public Hearing and consideration and/or action to approve the application of LeRoy Blanks for a Conditional Use Permit request in the “C-3” Commercial District to allow for a Bingo Hall – Commercial use in the “C-3” Commercial District, containing approximately 4.262 acres containing approximately 14,400 square feet of lease space on the south end of the building on Lot A1, Block 9 of the North Hills Addition, locally known as 3500 Denton Highway - **1st Reading**. (G. Batchelor)

16. **Resolution No. R-2019-005-01** - Consideration and/or action regarding amendment to Resolution R-2018-012-01 Amended terminating the Haltom City Economic Development Corporation. (K. Lane)

**CITY STAFF REPORTS**

17. Staff Report to Council/citizens from inquiries from Visitor/Citizen Forum.

**FUTURE AGENDA ITEMS**

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

**BOARDS/COMMISSIONS/COMMITTEES**

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

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

**EXCUSED ABSENCE OF COUNCIL MEMBERS**

21. **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**

22. 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 JANUARY, 2019 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]

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 ____________, 2019.

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: January 14, 2019
Department: City Secretary
Subject: Minutes of December 10, 2018.

BACKGROUND
A Regular Meeting was held December 10, 2018 at City Hall, 5024 Broadway Avenue.

FISCAL IMPACT
None.

RECOMMENDATION
Staff recommends the City Council approve the Minutes of December 10, 2018

ATTACHMENTS
Minutes of December 10, 2018
A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on December 10, 2018, at 7:00 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 3 Lin Thompson
Council Place 6 Ricky Brown

Mayor Pro Tem Dr. An Truong
Council Place 2 Walter Grow
Council Place 5 Bob Watkins
Council Member Place 4 Brent Weast

Council Member Place 4 Brent Weast 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; Glenna Batchelor, Planning and Community Development Director; Toni Beckett, Human Resources and Risk Management Director; Bobbi Arthur, Senior Citizen’s Center Director; Fire Chief Perry Bynum; Lesly Smith, Library Director; Janet Carver, Purchasing Agent, and Greg Van Nieuwenhuize, Public Works Director.

**WORKSESSION**

**CALL TO ORDER** - Mayor Averitt called the Worksession to order at 6:02 p.m.

**VISITORS/CITIZENS FORUM**
No citizen came forward.

**WORKSESSION**

Mayor Averitt requested the discussion regarding the Visitors/Citizen Forum be moved to the next meeting for input from Council Member Brent Weast. City Attorney Wayne Olson explained current processes regarding plat approvals and differences for zoning, particularly concerning the variances that come before the Council. He included the process of review by the Planning and Zoning Commission, public hearings, the time of deliberation, and the passing of the ordinance on two readings by the City Council. More direction on this will be forthcoming.

Mayor Averitt called for an Executive Session at 6:25 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
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- Ray Beshirs v. City of Haltom City
- Amer Ozzie v. City of Haltom City
- Joe Williamson v. City of Haltom City
Nicklaus Forrest v. City of Haltom City
John Summers 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 7:03 p.m. and a short recess was held.

REGULAR MEETING

CALL TO ORDER
Mayor Averitt called the meeting to order at 7:08 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE
Council Member Brown 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.
- Holiday Bedtime Story will be held on Dec. 20th at the Library.
- Paint Night at the Library will be held on Saturday, January 12th.
- The Neighborhood Decorating Contest is Dec. 10th through the 16th.
- Veterans Memorial has a brick fundraiser and can be ordered through the city website.
- Parks Dept. is hosting a public input meeting for the 10 yr. Master plan on Dec. 12th.
- Christian Center is hosting a free meal on Christmas Day.
- No City Council meeting will be held on Dec. 24th because of Christmas Eve.
- City Hall Facilities will be closed on Dec. 24th, 25th and January 1st.

PRESENTATION – “Certificate of Recognition – Warren Davenport” – Bobbi Arthur, Senior Citizen Center Director, presented Warren Davenport with a plaque honoring him for over fifty years of community service. He thanked the citizens and Council for their appreciation.

CONSENT AGENDA

1. Minutes – Consideration and/or action regarding approval of the Minutes of the November 26, 2018 Regular Meeting and a correction to the approved Minutes of November 12, 2018.

2. Ordinance No. O-2018-031-15 (CU-011-18) – Consider an application of Tita Lagrimas requesting a Conditional Use Permit for warehousing and storage of heavy steel, large diameter pipe, explosive or hazardous materials in the “M-2” Heavy Industrial District located on a tract of land situated in Fortex Industrial Complex Addition, on Block 1, Lot E, being approximately 2.88 acres, locally known as 2516 Minnis Drive, Suite 100. 2nd Reading.

3. Ordinance No. O-2018-032-15 (CU-012-18) – Consider an application of Thomas Hoover requesting a Conditional Use Permit for Motel/hotel (excluding extended stay) in the “C-2” Commercial District located on a tract of land situated in Fossil Ridge Addition, on Block 5, Lot 3-4RA1A, being approximately 26.3906 acres, locally known as 3951 NE Loop 820. 2nd Reading.

4. Library Computer Purchases – Consideration and/or action to approve the purchase of four Library children’s computers from Library Donation Fund.

5. Vacuum Excavator Purchase – Consideration and/or action regarding the purchase of a vacuum excavator through Kinloch Equipment & Supply, Inc. on their Buyboard contract for a total of $291,724.
6. **Janitorial Bid** – Consideration and/or action to award a three-year contract to UBM Enterprise LLC for a cost of $290,645.64 with a mutual option for renewal for an additional two one-year periods at $96,881.88 per annum.

Council Member Grow moved, seconded by Council Member Nunn, to approve the Consent Agenda consisting of Agenda Items 1 through 6. **The vote was unanimous. Motion carried.**

### REGULAR AGENDA

7. **Revision of Personnel Policies and Procedures** – Consideration and/or action to approve revisions to the Hours Worked, Compensation and Rates of Pay, Pay System, and Overtime Compensation and Compensatory Time policies. Toni Beckett, Human Resources and Risk Management Director, presented the revisions and a discussion was held regarding the overtime acquired by the Fire Department with the new payment date. Council Member Grow moved, seconded by Council Member Thompson, to approve Resolution No. R-2014-025-02 – revisions to Hours Worked, Compensation and Rates of Pay, Overtime Compensation and Compensatory Time; and Pay System policies. **The vote was unanimous. Motion carried.**

8. **Ordinance No. O-2018-033-15 (Z-007-18)** – Conduct a public hearing and consideration and/or action regarding approval of the application of Norman White, on behalf of U-Haul, for a Zoning Change request from “C-2” Commercial to “PD-C-2 – Self Storage Facility District” Commercial District located on a tract of land situated in the Alexander Hood Survey, Abstract 682, Tract 3C and being approximately 5.9721 acres North of NE Loop 820, locally known as 5101 NE Loop 820. **1st Reading.** Glenna Batchelor, Community Planning and Development Director, presented the ordinance and Mayor Averitt opened the Public Hearing at 7:31 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 7:32 p.m. Council Member Thompson moved, seconded by Mayor Pro Tem Truong, to approve Ordinance No. O-2018-033-15 (Z-007-18) – first reading. **The vote was unanimous. Motion carried.**

9. **Ordinance No. O-2018-034-15 (CU-013-18)** – Conduct a public hearing and consideration and/or action regarding approval of the application of Ryan Redus for a Conditional Use Permit request in the “C-2” Commercial District to allow for auto laundry/car wash located on a tract of land situated in the Q. T. 868 Addition, Lot 2R2, Block J and being approximately 1.0571 acres east of North Beach Street, locally known as 5410 North Beach Street. **1st Reading.** Glenna Batchelor, Community Planning and Development Director, presented the ordinance and Mayor Averitt opened the Public Hearing at 7:35 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 7:36 p.m. Council Member Nunn moved, seconded by Council Member Brown, to approve Ordinance No. O-2018-034-15 (CU-013-18) – first reading. **The vote was unanimous. Motion carried.**

10. **CITY STAFF REPORTS** – There was no Staff Report.

11. **FUTURE AGENDA ITEMS** – There were no future agenda items.

### BOARDS/COMMISSIONS

12. **Resignations of Board/Commissions/Committee Members** – Consider approval of the resignations of Board/Commission/Committee Members. Council Member Thompson presented the resignation of Cody Gamble from the Parks and Recreation Board. **The resignation was approved unanimously.**

13. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees. There were no appointments or reappointments.
14. **Attendance Requirements** – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). Council Member Thompson moved, seconded by Council Member Grow, to excuse the absence of Council Member Weast. The absence was approved unanimously.

**ADJOURNMENT**

Mayor Averitt adjourned the meeting at 7:38 p.m.

RESPECTFULLY SUBMITTED BY:  

APPROVED BY:

____________________________  __________________ _____________

Art Camacho, City Secretary  

David Averitt, Mayor
BACKGROUND
Consider an application of Norman White, on behalf of Uhaul, for a Zoning Change request from “C-2” Commercial to “PD-C2 – Self Storage Facility District” Commercial District located on a tract of land situated in the Alexander Hood Survey, Abstract 682, Tract 3C and being approximately 5.9721 acres North of NE Loop 820, locally known as 5101 NE Loop 820.

The applicant, Uhaul, is applying for a Planned Development – C2 – Self Storage District, PD-C2 – Self Storage District, at 5101 NE Loop 820. U-Haul’s property immediately east of this location already has the PD-C2 Self Storage District designation. The applicant is wanting to extend the same condition to this property, so they can mimic the existing business. This would allow them to develop in a uniform way.

FISCAL IMPACT
None.

RECOMMENDATION
On November 27, 2018, the Planning and Zoning commission recommended to approve ordinance No. O-2018-033-15 by a vote of 5-0-0.

On December 10, 2018 City Council voted to approve ordinance No. O-2018-033-15 by a vote of 6-0-0.

ATTACHMENTS
BACKGROUND
Consider an application of Ryan Redus for a Conditional Use Permit request in the “C-2” Commercial District to allow for auto laundry/car wash located on a tract of land situated in the Q.T. 868 Addition, Lot 2R2, Block J and being approximately 1.0571 acres east of North Beach Street, locally known as 5410 North Beach Street.

The applicant is requesting to be allowed to construct an auto laundry/car wash. The previous building on this parcel was a self-serve car wash which was demolished in 2014. The proposed new car wash would be an express car wash with an auto wash tunnel for the vehicles to be conveyed through with self-serve vacuums that would come with the purchase of a car wash.

The applicant’s objective in starting this business is to create a brand that stands out from the ubiquitous car wash in a fun, reliable way. “Yesterday’s Express” will seek to serve the community by providing a quick, consistent service staffed by friendly workers who seek to be a bright spot in our customer’s day. Our building’s design is primarily masonry and will be a nod to simpler times of yesterday via a mid-century modern design aesthetic.

FISCAL IMPACT
None.

RECOMMENDATION
On November 27, 2018, the Planning and Zoning commission recommended to approve Ordinance No. O-2018-034-15 by a vote of 5-0-0.

On December 10, 2018, the City Council voted to approve Ordinance No. O-2018-034-15 by a vote of 6-0-0.

ATTACHMENTS
CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2019
Department: Public Works
Subject: Resolution No. R-2019-001-11
Abandonment of Existing Sanitary Sewer Easements:
High Pointe Addition

BACKGROUND

The construction of public sanitary sewer in the High Pointe Addition includes the replacement of existing public sanitary sewer. The developer is replacing this existing sanitary sewer because its location interferes with the lot layout of the subdivision. This replacement work was known and agreed upon before any construction began.

Presently, the replacement sanitary sewer and its appurtenances have been constructed, passed their required tests and are being used by the City. Therefore, the existing sanitary sewer, its appurtenances and corresponding easements can be abandoned/vacated.

The following Resolution provides for the abandonment of the appropriate portion of the existing Sanitary Sewer Easements and authorizes the Mayor to execute the corresponding Quitclaim Deed.

FISCAL IMPACT

There is no value to the portion of easement requested for abandonment as City facilities are no longer within the easement areas.

RECOMMENDATION

Staff recommends the approval of Resolution No. R-2019-001-11 to abandon a portion of Sanitary Sewer Easements within the High Pointe Addition as shown on Exhibit “A” and to authorize the Mayor to execute the corresponding Quitclaim Deed.

ATTACHMENTS

- Resolution No. R-2019-001-11
- Quitclaim Deed
CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2019
Department: Public Works

BACKGROUND

The development of the High Pointe Addition includes new Utility Easements based on the lot layout of the subdivision. Prior to developing this subdivision the developer encountered some pre-existing Utility Easements that were in conflict with the lot layout. The developer has contacted the public utility companies to insure that they no longer had a need for these pre-existing Utility Easements. All of the public utility companies have responded and they do not need these pre-existing Utility Easements. Additionally, City staff has determined that there are no City facilities in these pre-existing Utility Easements.

Since the public utility companies (Atmos Gas, Oncor, etc.) and City staff have all confirmed that they do not have facilities in these pre-existing Utility Easements, abandoning these Utility Easements is acceptable to them. Therefore, the pre-existing Utility Easement as shown and described on Exhibit “A” are neither being used by the City nor of public benefit to the City.

The following Resolution provides for the abandonment of the appropriate portion of existing Utility Easements and authorizes the Mayor to execute the corresponding Quitclaim Deed.

FISCAL IMPACT

There is no value to the portion of easements requested for abandonment as there are neither City nor franchise utilities within the easement areas.
RECOMMENDATION

Staff recommends the approval of Resolution No. R-2019-002-11 to abandon a portion of Utility Easements within the High Pointe Addition as shown on Exhibit “A” and to authorize the Mayor to execute the corresponding Quitclaim Deed.

ATTACHMENTS

- Resolution No. R-2019-002-11
- Quitclaim Deed
CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2019
Department: Public Works
Subject: Resolution No. R-2019-003-11
Abandonment of Existing Drainage & Utility Easement:
High Pointe Addition

BACKGROUND

As indicated in the previous agenda items regarding the “existing easement situation” at the High Pointe Addition residential development, there are existing easements that conflict with the lot layout of the subdivision. For this agenda item, there is an 85’ Drainage & Utility Easement (“DUE”) that is being requested to be abandoned. The drainage portion of this DUE is being replaced by underground pipes and variable width drainage features that will become part of this subdivision’s aesthetic features. The utility portion of this DUE is no longer needed because it is being replaced by new Utility Easements throughout the subdivision.

The developer has contacted the public utility companies to insure that they no longer had a need for the utility portion of the DUE. All of the public utility companies have responded and they do not need the utility portion of the DUE. Additionally, City staff has determined that with the platting of the High Pointe Addition in conjunction with the construction of the public infrastructure in accordance with the approved public infrastructure plans, the drainage portion of the DUE is also no longer needed.

Since the public utility companies (Atmos Gas, Oncor, etc.) and City staff have all confirmed that they no longer need the 85’ DUE, abandoning this DUE is acceptable to them. Therefore, the 85’ DUE as shown and described on Exhibit “A” is neither being used by the City and the public utility companies nor of public benefit to the City and the public utility companies. Therefore, the existing 85’ DUE can be abandoned/vacated.

The following Resolution provides for the abandonment of the appropriate portion of the existing 85’ Drainage & Utility Easement and authorizes the Mayor to execute the corresponding Quitclaim Deed.
FISCAL IMPACT

There is no value to the portion of easement requested for abandonment as there are neither City nor franchise utilities within the easement areas.

RECOMMENDATION

Staff recommends the approval of Resolution No. R-2019-003-11 to abandon a portion of the existing 85’ Drainage & Utility Easement within the High Pointe Addition as shown on Exhibit “A” and to authorize the Mayor to execute the corresponding Quitclaim Deed.

ATTACHMENTS

- Resolution No. R-2019-003-11
- Quitclaim Deed
CITY COUNCIL MEMORANDUM / RESOLUTION

City Council Meeting: January 14, 2019
Department: Public Works
Subject: Award of Construction Bid
RFB2018-311-02: Street & Utility Reconstruction Improvements for Joy Lee Street, Swan Street, Lamond Court and Springview Court

BACKGROUND

The Bid Opening for the Street & Utility Reconstruction Improvements for Joy Lee Street, Swan Street, Lamond Court and Springview Court (the “Project”) was originally conducted on October 2, 2018. However, because the Project’s construction documents did not clearly state that the Project could be awarded based on various sidewalk configurations, the bids were rejected.

Staff had the contract documents modified to clearly indicate that the project could be bid with sidewalks or with various sidewalk configurations, re-advertised the Project in accordance with State Law and conducted a Bid Opening on November 20, 2018.

Bids were received from three (3) contractors and they are summarized in the table below:

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Bid without Sidewalks</th>
<th>Bid with Sidewalks</th>
</tr>
</thead>
<tbody>
<tr>
<td>McClendon Construction Company</td>
<td>$2,301,651.95</td>
<td>$2,443,051.95</td>
</tr>
<tr>
<td>Stabile &amp; Wynn, Inc.</td>
<td>$2,332,405.40</td>
<td>$2,484,269.00</td>
</tr>
<tr>
<td>Joe Funk Construction</td>
<td>$4,030,827.25</td>
<td>$4,277,729.75</td>
</tr>
</tbody>
</table>

The City has awarded other similar projects to McClendon Construction Company and they have performed in accordance with the contract documents for those projects.

Construction is anticipated to begin in mid-February and contract time for this project is 300 consecutive calendar days.

There is sufficient funding to install sidewalks on both sides of all streets within the Project; however, on previous projects, the City has installed sidewalks on reconstructed streets only in those instances where there is a likelihood of children using such sidewalks. Staff would recommend considering the installation of sidewalks at the following locations:
Joy Lee Street (west of Larry Street to Earle Drive)
  o Sidewalks to be installed on both sides of this section of Joy Lee Street because at Earle Drive, Joy Lee (recently reconstructed) has sidewalks on both sides to Broadway Park.

Swan Street (Joy Lee Street north to end/cul de sac)
  o Between Joy Lee Street and Monna Street, sidewalks to be installed on the west side of Swan Street (not on the east side of Swan Street in this segment)
  o North of Monna Street, sidewalks to be installed on both sides of Swan Street in this segment (cul de sac)

Lamond Court (east of Swan Street)
  o Sidewalks to be installed on both sides of Lamond Court

Springview Court (east of Swan Street)
  o Sidewalks to be installed on both sides of Springview Court

Staff will have a presentation of a few PowerPoint slides to illustrate these locations at the City Council Meeting.

FISCAL IMPACT

There is sufficient funding to award the project to McClendon Construction for the Project as their bid amounts for paving (including sidewalks), drainage, water & sanitary sewer are within the amounts budgeted in the FY2019 Budget.

RECOMMENDATION

Staff recommends the City Council award Construction Bid No. RFB2018-311-02 for the Street & Utility Reconstruction Improvements for Joy Lee Street, Swan Street, Lamond Court and Springview Court to McClendon Construction Company in the amount of $2,423,551.95. Additionally, staff also recommends that 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 January, 2019, 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
The Texas Election Code specifies that the first Saturday in May shall be a “Uniform Election Date”. The City of Haltom City will hold a General Election on May 5, 2019 to elect a Mayor and Council Places 1, 2, and 7. The places in the General Election will be for a two-year term.
As in the past, Haltom City will hold a joint election with Tarrant County. Tarrant County owns an electronic voting system, the Hart InterCivic eSlate/eScan Voting System (Version 6.1) that has been approved by the Secretary of State and is compliant with the accessibility requirement for persons with disabilities set forth by the Texas Election Code. The cities, towns, independent school districts, college district and water district in Tarrant County will hold elections on the uniform date of May 4, 2019; therefore, it is desirable to these entities to hold a joint election with Tarrant County Elections Administration (TCEA) to share equipment, services, supplies and administrative costs. As in previous elections conducted by TCEA, voters will have the convenience of numerous early voting sites throughout the county.

FISCAL IMPACT
Election costs will be shared between participating political subdivisions, but the County does not yet know how many entities will be participating.

RECOMMENDATION
Staff recommends the City Council approve Resolution No. R-2019-004-01, authorizing a joint election with Tarrant County and calling for the General Election to be held on May 4, 2019.

ATTACHMENTS
Resolution R-2019-004-01
RESOLUTION NO. R-2019-004-01
Joint Election Agreement
For General Election

A RESOLUTION AND ELECTION ORDER BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 4, 2019; APPROVING A JOINT ELECTION AGREEMENT BETWEEN TARRANT COUNTY AND THE CITY OF HALTOM CITY, TEXAS; PROVIDING PROCEDURES FOR THE CONDUCT OF THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the General Election for City Council Members of the City of Haltom City, as set forth by the City of Haltom City Home Rule Charter and the Texas Election Code, is required to be held on May 4, 2019, at which time the voters will elect persons to fill the offices of the Mayor and City Council Places 1, 2, and 7 with all places to be elected for two year terms; and

WHEREAS, it is in the best interest of the citizens of Haltom City for both elections to be conducted through a joint election agreement with Tarrant County; and

WHEREAS, by this Resolution, it is the intention of the City Council to adopt all requirements of an Election Order in accordance with state law, and authorize a contract with Tarrant County for joint election services.

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

Section 1. That a General Election is hereby called to elect the Mayor and City Council Places 1, 2, and 7 to serve until May 2021 or until their successors are duly elected and qualified. Such election shall take place on the 4th day of May 2019, between the hours of 7:00 a.m. and 7:00 p.m.

Section 2. Qualified persons may file as candidates for the General Election by filing an application with the City Secretary between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, beginning Wednesday, January 16, 2019 and ending not later than 5:00 p.m. on Friday, February 15, 2019. Each application for a place on the ballot shall be accompanied by either a filing fee of fifty ($50.00) dollars payable to the City, or as an alternate procedure to payment of this fee, a person may submit a petition in favor of his or her candidacy, signed by at least fifty (50) registered voters.

Section 3. The City Council hereby approves a joint election agreement and contract between Tarrant County and the City of Haltom City (the “Contract”) for the purpose of conducting the General Election and the Special Election described above. The Contract will be forthcoming and the City Manager or his designee is authorized to execute the Contract.
In the event of a conflict between this Resolution and the Contract, the Contract shall control.

Section 4. The Election Day polling place for this joint election is designated pursuant to Section 271.003 of the Texas Election Code, and the Council finds that the following location can most adequately and conveniently serve the voters in this election, and that this location will facilitate the orderly conduct of the election:

<table>
<thead>
<tr>
<th>Polling Location</th>
<th>County Precincts Include</th>
</tr>
</thead>
<tbody>
<tr>
<td>Place #1 Haltom Northeast Center</td>
<td>4042, 4102, 4141, 4159, 4191, 4218, 4239, 4290, 4328, 4362, 4399, 4410, 4483, 4485, 4533, 4620, 4632</td>
</tr>
<tr>
<td>3201 Friendly Lane</td>
<td></td>
</tr>
<tr>
<td>Haltom City, TX</td>
<td></td>
</tr>
</tbody>
</table>

For purposes of this election, the County precincts voting at Polling Place #1 shall be designated City Precinct #1.

Section 5. The Presiding Election Judge and Alternate Presiding Election Judge shall be appointed by Tarrant County as indicated in the Contract and authorized by Chapter 271 of the Texas Election Code.

Section 6. Heider Garcia, the Tarrant County Elections Administrator, (“Elections Administrator”) is hereby designated as the Early Voting Clerk for the election as indicated in the Contract. Early voting by personal appearance shall commence April 22, 2019 and shall continue until April 30, 2019. On at least two weekdays during the early voting period, the location for early voting shall be open for at least twelve (12) hours as mandated by state law. Early voting main location will be at Tarrant County Elections Center, 2700 Premier Street, Fort Worth, Texas and the Haltom City Early Voting location will be at the Haltom City Northeast Center, 3201 Friendly Lane, Haltom City, Texas.

Section 7. The Elections Administrator shall be responsible for the Early Voting applications and ballots. Applications for early voting by mail may be delivered to Heider Garcia, County of Tarrant, Elections Administrator, 2700 Premier Street, Fort Worth, Texas 76111, not later than close of business on April 19, 2019, if delivered in person, and April 23, 2019 if delivered by mail. Early voting ballots shall be mailed to the Elections Administrator at the same address. The City Secretary is directed to forward applications and ballots he may receive to the Elections Administrator as provided in the Contract.

Section 8. All resident qualified electors of the City shall be permitted to vote at said election and, on the day of the election, such electors shall vote at the polling place designated for the Election Precinct in which they reside.

Section 9. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are
hereby authorized, and shall be conducted in accordance with the Contract and the Code.

Section 10. Should a runoff election be required following the canvass of the May 4, 2019 election, the Council hereby orders that a runoff election be held on Saturday, June 8, 2019. The polling place on Election Day for the runoff election shall be at the same polling places as those of the original election, and the hours of voting shall be between 7:00 a.m. and 7:00 p.m.
Should a runoff election be necessary, early voting by personal appearance for the runoff election shall be held at the Haltom City Northeast Center, 3201 Friendly Lane, Haltom City Texas between the hours of 8:00 a.m. to 5:00 p.m., beginning on a date to be determined and announced in the future.

PASSED AND APPROVED by the City Council of the City of Haltom City, Texas this 14th day of January, 2019.

________________________________________
David Averitt, Mayor

ATTEST:

________________________________________
Art Camacho, City Secretary
CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2019
Department: Planning & Community Development
Subject: (P-019-14 – Preliminary Plat)
4805 NE Loop 820 and Unaddressed Property

BACKGROUND
Conduct a public hearing and consider action on the application of Goodwin and Marshall, Inc., on behalf of HPC High Pointe Development, LTD., for approval of a preliminary plat creating High Pointe Addition from a portion of Block 3 and 4 of Fossil Ridge Subdivision and a portion of Lot 1R, Block 4 of Lots 1R and 2R, Block 4 of Fossil Ridge Addition, located in the “PD” Planned Development for “SF-2” Single Family Residential uses, containing approximately 62.95 acres of land, locally known as 4805 Northeast Loop 820 Highway and unaddressed property.

The applicant proposes to create 225 residential lots and ten open space lots in accordance with Ordinance No. O-2014-006-14, the Fossil Lake Planned Development (Z-001-14), which was approved by City Council at final reading on May 12, 2014. A planned amenity center and all open space areas will be maintained by the Home Owners Association.

With the Planning and Zoning Commissions recommendation this item is presented to City Council with the recommendation a facilities agreement and maintenance agreement also be approved.

FISCAL IMPACT
The developer is responsible for 100% of all paving, water, sanitary sewer, and drainage infrastructure needed to support the development in accordance with the City’s design criteria.

RECOMMENDATION
On January 8, 2019, the Planning and Zoning Commission recommended approval of P-019-14 by a vote of 6-0-0. Other than discretionary matters for the Council, the application is administratively complete and meets the requirements of the Subdivision Ordinance. It is recommended that the City Council approve this Preliminary Plat (P-019-14), the corresponding Drainage Easement and Facilities Agreement; and authorize the City Manager to execute the Drainage Easement and Facilities Agreement.

ATTACHMENT
P&Z Staff Report with Attachments
CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2019
Department: Planning & Community Development
Subject: (P-012-16 – Final Plat Phase 1)
4805 NE Loop 820 and Unaddressed Property

BACKGROUND
Conduct a public hearing and consider action on the application of Goodwin and Marshall, Inc., on behalf of HPC High Pointe Development, LTD., for approval of a final plat creating High Pointe Addition, Phase 1 from a portion of Block 3 and 4 of Fossil Ridge Subdivision and a portion of Lot 1R, Block 4 of Lots 1R and 2R, Block 4 of Fossil Ridge Addition, located in the "PD" Planned Development for “SF-2” Single Family Residential uses, containing approximately 37.957 acres of land, locally known as 4805 Northeast Loop 820 Highway and unaddressed property.

The applicant proposes to create 225 residential lots and ten open space lots in accordance with Ordinance No. O-2014-006-14, the Fossil Lake Planned Development (Z-001-14), which was approved by City Council at final reading on May 12, 2014. A planned amenity center and all open space areas will be maintained by the Home Owners Association.

With the Planning and Zoning Commissions recommendation this item is presented to City Council with the recommendation a facilities agreement (i.e., a developer agreement) and maintenance agreement also be approved.

FISCAL IMPACT
The developer is responsible for 100% of all paving, water, sanitary sewer, and drainage infrastructure needed to support the development in accordance with the City’s design criteria.

RECOMMENDATION
On January 8, 2019, the Planning and Zoning Commission recommended approval of P-012-16 by a vote of 6-0-0. Other than discretionary matters for the Council, the application is administratively complete and meets the requirements of the Subdivision Ordinance. It is recommended that the City Council approve this Final Plat (P-012-16), the corresponding Maintenance Agreement and Facilities Agreement; and authorize the City Manager to execute the Maintenance Agreement and Facilities Agreement.

ATTACHMENT
P&Z Staff Report with Attachments
AGENDA NO. 11

CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2019
Department: Planning & Community Development
Subject: (P-015-17 – Final Plat Phase 2)
4805 NE Loop 820 and Unaddressed Property

BACKGROUND
Conduct a public hearing and consider action on the application of Goodwin and Marshall, Inc., on behalf of HPC High Pointe Development, LTD., for approval of a final plat creating High Pointe Addition, Phase 2 from a portion of Block 3 and 4 of Fossil Ridge Subdivision and a portion of Lot 1R, Block 4 of Lots 1R and 2R, Block 4 of Fossil Ridge Addition, located in the "PD" Planned Development for "SF-2" Single Family Residential uses, containing approximately 25.424 acres of land, locally known as 4805 Northeast Loop 820 Highway and unaddressed property.

The applicant proposes to create 225 residential lots and ten open space lots in accordance with Ordinance No. O-2014-006-14, the Fossil Lake Planned Development (Z-001-14), which was approved by City Council at final reading on May 12, 2014. A planned amenity center and all open space areas will be maintained by the Home Owners Association.

With the Planning and Zoning Commissions recommendation this item is presented to City Council with the recommendation a facilities agreement (i.e., a developer agreement) and maintenance agreement also be approved.

FISCAL IMPACT
The developer is responsible for 100% of all paving, water, sanitary sewer, and drainage infrastructure needed to support the development in accordance with the City’s design criteria.

RECOMMENDATION
On January 8, 2019, the Planning and Zoning Commission recommended approval of P-015-17 by a vote of 6-0-0. Other than discretionary matters for the Council, the application is administratively complete and meets the requirements of the Subdivision Ordinance. It is recommended that the City Council approve this Final Plat (P-015-17), the corresponding Maintenance Agreement and Facilities Agreement; and authorize the City Manager to execute the Maintenance Agreement and Facilities Agreement.

ATTACHMENT
P&Z Staff Report with Attachments
BACKGROUND
Conduct a public hearing and consider action on the application of Awad Eskander, on behalf of Hassib Abi-Hanna, for approval of a replat creating Lots 1A-R-1 & 2A-R-1, Block 1 of the L. Berry Addition No. 1 from Lots 1A-R & 2A-R of the L. Berry Addition No.1 located in the “M-1” Industrial District and “C-3” Commercial District containing approximately 5.708 acres of land, locally known as 2301 Higgins Lane & 4118 N.E. 28th Street.

The applicant proposes to create two (2) lots. Lot 1A-R-1 will be used for commercial type uses and Lot 2A-R-1 will be used for industrial type uses. The previous land use for this property was a manufactured home park. The property is currently vacant land. The total acreage for the plat is 5.708 acres of land.

With the Planning and Zoning Commissions recommendation this item is presented to City Council with the recommendation a facilities agreement (i.e., a developer agreement) also be approved.

FISCAL IMPACT
The developer is responsible for 100% of all paving, water, sanitary sewer, and drainage infrastructure needed to support the development in accordance with the City’s design criteria.

RECOMMENDATION
On January 8, 2019, the Planning and Zoning Commission recommended approval of P-010-18 by a vote of 6-0-0. Other than discretionary matters for the Council, the application is administratively complete and meets the requirements of the Subdivision Ordinance. It is recommended that the City Council approve this Replat Plat (P-010-18) and the corresponding Facilities Agreement; and authorize the City Manager to execute the Facilities Agreement.

ATTACHMENT
P&Z Staff Report with Attachments
CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2019
Department: Planning & Community Development
Subject: (P-016-18 – Replat) 6003 Huddleston Street

BACKGROUND
Conduct a public hearing and consider action on the application of Michael Scott for approval of a replat creating Lot 1R, Block 31 of the Watauga Addition from lots 1-14 & closed alley, Block 31, Watauga Addition in the “M-1” Industrial District containing approximately 2.09 acres of land, locally known as 6003 Huddleston Street.

The applicant proposes to create one (1) lots. Lot 1R will be used for industrial type uses. The previous plat was platted for single family residential lots. The current zoning for this tract is “M-1” Industrial. The proposed plat and use will conform to current zoning. The property is currently vacant land. The total acreage for the plat is 2.09 acres.

FISCAL IMPACT
The developer is responsible for 100% of all paving, water, sanitary sewer, and drainage infrastructure needed to support the development in accordance with the City’s design criteria.

RECOMMENDATION
On January 8, 2019, the Planning and Zoning Commission recommended approval of P-016-18 by a vote of 6-0-0. Other than discretionary matters for the Council, the application is administratively complete and meets the requirements of the Subdivision Ordinance. It is recommended that the City Council approve this Replat Plat (P-016-18).

ATTACHMENT
P&Z Staff Report with Attachments
CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2019
Department: Planning & Community Development
Subject: (P-018-18 – Replat)
2225 Ola Lane, 2301 Ola Lane, and 2305 Ola Lane

BACKGROUND
Conduct a public hearing and consider action on the application of Ernest Hedgcoth, on behalf of Operating Partners, LLC., for approval of a replat creating Lot 2R-1, Block 1, of the Theo Christensen Addition from Lot 2R, Block 1 Theo Christensen Addition & Lot 1 & 2, Block 1, Ollie Hale Addition & Lot 1, Block 1, Yance Christensen Addition located in in the “M-2” Heavy Industrial District and “C-3” Commercial District containing approximately 2.572 acres of land, locally known as 2225 Ola Lane, 2301 Ola Lane and 2305 Ola Lane.

The applicant has requested a continuance of this item until the January 22nd Planning and Zoning Commission meeting. There are some addition engineering items that need to be completed prior to proceeding. A complete staff report will be provided when the plat case is complete. The letter requesting a continuation is included in the packet.

FISCAL IMPACT
The developer is responsible for 100% of all paving, water, sanitary sewer, and drainage infrastructure needed to support the development in accordance with the City’s design criteria.

RECOMMENDATION
On January 8, 2019, the Planning and Zoning Commission recommended a continuance of P-018-18 by a vote of 6-0-0.

ATTACHMENT
P&Z Staff Report with Attachments
BACKGROUND
Conduct a public hearing and consider action on the application of LeRoy Blanks for a Conditional Use Permit request in the “C-3” Commercial District to allow for a Bingo Hall – Commercial use in the “C-3” Commercial District, containing approximately 4.262 acres containing approximately 14,400 square feet of lease space on the south end of the building on Lot A1, Block 9 of the North Hills Addition, locally known as 3500 Denton Highway.

The applicant requests approval of a conditional use permit to allow for a bingo hall in 14,400 square feet of the shopping center located at 3500 Denton Highway.

Fort Worth Bingo, Inc. started in 1988 and is licensed by the State of Texas (Texas Lottery Commission) to lease two daily sessions of bingo to Nonprofit organizations. Both the Bingo Lessor and the Bingo Conductor have to renew their license each year. The applicant is currently leasing to five charities at our present location in Hurst. The applicant currently leases to five charities because of the State Rules and Laws in order to be open seven days per week. Fort Worth Bingo is allowed to have two sessions of bingo per day with a maximum time limit of four hours each session. A charity is only allowed three session per week. The charities use the applicant’s management team to conduct the bingo games. The applicant also has three other halls with five charities playing at each hall.

The State of Texas collects a 5% tax from the charities on all prizes paid out through bingo. This is a considerable amount of which the City where the bingo is conducted gets half of the 5% prize tax.

FISCAL IMPACT
None.

RECOMMENDATION
On January 8, 2019, the Planning and Zoning commission recommended to approve ordinance No. O-2019-001-15 by a vote of 4-2-0. Dissentation votes were Marian Hilliard and Suzette Teague.

ATTACHMENTS
BACKGROUND

On August 13, 2018, the City Council took action and approved Resolution No. R-2018-012-01 by a 4-3 vote, terminating the Haltom City Economic Development Corporation. The date set for termination was October 1, 2018. On September 24, 2018, the City Council took action and extended the termination of the Economic Development Corporation (EDC) to January 31, 2019.

The Council members who voted aye for the resolution on August 13, 2018 were Council Members Walter Grow, Linda Thompson, Brent Weast and Mayor Pro Tem Dr. An Truong. The Council Members who voted nay were Jeannine Nunn, Bob Watkins and Ricky Brown. On September 24, 2018, the Council voted unanimously to approve extending the termination of the EDC to January 31, 2019.

Resolution No. R-2017-031-01, adopted on November 13, 2017, allows for past agenda items that were the subject of a final vote to be placed on a future agenda to be reconsidered by the council one time at the written request of a councilmember who voted on the prevailing side.


Resolution No. R-2019-005-01 will be submitted for consideration and/or action regarding amending Resolution No. R-2018-012-01 - termination of the Haltom City EDC.

FISCAL IMPACT

None

RECOMMENDATION


ATTACHMENTS

Resolution No. 2017-031-01 – Agenda Setting Policy
RESOLUTION NO. R-2019-005-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS EXTENDING THE TERMINATION DATE OF THE HALTOM CITY ECONOMIC DEVELOPMENT CORPORATION TO ________________; APPROVING A TERMINATION PLAN; AUTHORIZING THE PREPARATION AND EXECUTION OF ALL DOCUMENTS NECESSARY TO TERMINATE THE CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to a special election the citizens of Haltom City approved the creation of the Haltom City Economic Development Corporation to be funded by a special sales tax adopted for that purpose, as evidenced by the Articles of Incorporation filed with the Secretary of State on September 6, 1995; and

WHEREAS, a special election was held in the City of Haltom City, Texas on May 7, 2016, at which a proposition was submitted to the duly qualified registered voters of the City for their action thereon, said proposition to authorize to repeal the sales and use tax of one-half (1/2) of one percent for the benefit of the Haltom City Economic Development Corporation (“Corporation”); and

WHEREAS, said election was duly and legally held in conformity with the election laws of the State of Texas, and the results of said election have been verified and returned by the proper judges and clerks; and

WHEREAS, a majority of the voters elected in favor of the abovementioned proposition; and

WHEREAS, reflective of the above election results, the City Council of Haltom City, pursuant to its power and authority under Section 501.401(a)(2) of the Texas Local Government Code, adopted Resolution No. R-2018-012-01 terminating the existence of the Corporation effective October 1, 2018 and adopted Resolution No. R-2018-012-01 Amended extending the termination date to January 31, 2019; and

WHEREAS, the City Council has determined it is advisable for the Corporation to continue ongoing negotiations for the sale of real property owned by the Corporation and wishes to extend the date of termination of the Corporation to ________________

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

Section 1: The facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof.
Section 2: The Haltom City Economic Development Corporation is hereby terminated effective _____________, as provided in this resolution. A plan of termination, attached hereto as Exhibit “A”, is adopted and approved.

Section 3: The Corporation, through its Executive Director and attorney, shall prepare all documents necessary to effectively terminate the Corporation, including but not limited to a certificate of termination.

Section 4: The Corporation’s Board President is authorized to execute all documents necessary to effectively terminate the Corporation and shall file the certificate of termination with the Secretary of State.

Section 5: This resolution shall take effect immediately from and after its passage.

PASSED, APPROVED AND ADOPTED the 14th day of January, 2019.

CITY OF HALTOM CITY, TEXAS

By: _____________________________
Mayor

ATTEST:

________________________________
City Secretary
EXHIBIT “A”

Plan of Termination
PLAN OF TERMINATION
OF THE
HALTOM CITY ECONOMIC DEVELOPMENT CORPORATION

This Plan of Termination (the “Plan”) is intended to accomplish the complete liquidation of the Haltom City Economic Development Corporation (the “Corporation”).

1. Adoption of Plan. This Plan shall become effective as of ________________ (the “Effective Date”).

2. Notice to Claimants. As promptly as practicable after the Effective Date, the Corporation shall cause written notice of its intention to terminate to be sent by registered or certified mail to each known claimant against the Corporation, if any.

3. Payment of Obligations. As promptly as practicable after the Effective Date, the Corporation shall pay or make adequate provision for the payment of all known debts, obligations or liabilities of the Corporation.

4. Distribution of Assets. As promptly as practicable after the payment of all known debts, obligations, or liabilities of the Corporation (or the provision for such payment is made), the remaining assets of the Corporation, if any, shall be distributed to the City of Haltom City, or otherwise in accordance with the Texas Business Organizations Code (the “Code”) and the Texas Development Corporation Act.

5. Termination. As promptly as practicable after the Effective Date, a Certificate of Termination of the Corporation and related required documents, if any, shall be filed with the Secretary of State of Texas in accordance with the Code, the Texas Development Corporation Act, and all other applicable law.

6. Termination of Business. Prior to the Effective Date of this Plan, the Corporation may enter into contracts for the sale of real property owned by the Corporation. The Corporation is authorized from and after the Effective Date to perform any and all actions deemed necessary or advisable to finalize those transactions and/or may assign its rights and obligations under any such contracts to the City. The Corporation shall not engage in any other business activities after the Effective Date, except for operations and activities related to maintaining and preserving its assets pending the termination and winding-up of its affairs in an orderly manner, and its withdrawal from the State of Texas, in which it is qualified to transact business, all in accordance with this Plan and applicable law.

7. Power of Officers. The officers of the Corporation shall do all acts and things provided for in this Plan and any and all other acts and things that they, or any of them, may deem necessary or advisable to effectuate the liquidation and dissolution of the Corporation and to carry out fully this Plan in accordance with the laws of the State of Texas.

_______________________________
David Averitt, Mayor

Attest:

_______________________________
Art Camacho, City Secretary
CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2019
Department: City Secretary
Subject: Future Agenda Items

BACKGROUND

These items are possibly scheduled for future agendas:

1. Visitor/Citizen Forum – to be discussed during Worksession when scheduled by Council Member Brent Weast.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

None.
CITY COUNCIL MEMORANDUM

City Council Meeting: January 14, 2019
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: January 14, 2019
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. 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:    Beautification – Vacant
          Public Arts Program Committee – One vacancy

CC Place 3: Parks – Vacant

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: James White, 2018; Raymond Balandran, 2018; 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; Alexandra Geltmeier, 2017; Matthew Schoonover, 2017; Gary Hilbert II, 2017.