AGENDA
HALTOM CITY COUNCIL MEETING
March 11, 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.

- Fathom Audit Report – Rex Phelps and Sidonna Foust
- Review and discuss items on the regular agenda of March 11, 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, selection process for design/construction of Fire Station 3, 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.

Section 551.074 – Personnel
Deliberation regarding the appointment, employment, evaluation, reassignment, or duties of the City Secretary.

REGULAR SESSION 7:00 P.M.

CALL TO ORDER
INVOCATION/PLEDGE OF ALLEGIANCE – Council Member Brent Weast
ANNOUNCEMENTS/EVENTS – City Secretary Art Camacho
PROCLAMATION – “American Legion Centennial Day”

CONSENT AGENDA

1. Minutes – Consideration and/or action regarding approval of the Regular Meeting of February 25, 2019. (A. Camacho)

2. Ordinance No. O-2019-006-15 (Z-008-18) – Consideration and/or action to approve the application of John Pitstick, on behalf of Our Country Homes, for a Zoning Change request from “M-1” Industrial to “PD-Residential Mixed” consisting of four different zoning districts being “PD-SF-1” Residential, being approximately 6.55 acres; “PD-SF-2” Residential, being
approximately 16.26 acres; “PD-SFA” Residential being approximately 15.57 acres; “PD-OS” Open Space being approximately 3.68 acres, for a total of 42.06 acres of land on Lot A of the Springlake Industrial Park Addition, locally known as 5100 Springlake Parkway. 2nd Reading (G. Batchelor)

3. **Ordinance No. O-2019-002-15 (Z-002-19)** – Consideration and/or action to approve the application of Mike French for a Zoning Change request from “C-3” Commercial to “PD – C-3" Commercial for all “C-3” uses plus Rental Yard (Commercial and Heavy Equipment w/Outside Storage), Sheet Metal Shop and Office Warehouse located on Lot 1R2, Block 1, Denton Highway, locally known as 6001 Denton Highway. 2nd Reading (G. Batchelor)

4. **Regular Agenda**

   4. **Ordinance No. O-2019-007-15 (CU-001-19)** – Conduct a public hearing and consider action on the application of Thomas Doyle, on behalf of Tyss Investments, for an amendment to ordinance O-2018-027-15 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. 1st Reading (G. Batchelor)

   5. **Fitness Center Remodel Bid** – Consideration and/or action to approve awarding the bid to complete the fitness room facility remodel to Fort Worth Civil Constructors, LLC for $81,605 (with the understanding staff will work with the vendor to reduce overall cost due to flooring) and that the City Manager be expressly authorized to execute any and all change orders within the amounts set by state and local law. (C. Pruitt)

   6. **Standards of Care** – Conduct a public hearing and consideration and/or action to approve Ordinance No. O-2019-009-10 establishing standards of care for the recreation programs for elementary school age children operated by the City. 1st Reading (C. Pruitt)

   7. **Resolution No. R-2019-008-10** – Consideration and/or action to approve a resolution of the City Council to request the members of the 86th Legislative session of the State of Texas to support legislation that provides stewardship, health, and well-being and connectivity for local and state parks. (C. Pruitt)

   8. **Ordinance No. O-2019-008-11** – Consideration and/or action regarding amending Section 38-4 in the City’s Code of Ordinances to adopt Flood Insurance Rate Maps dated March 21, 2019. 1st Reading. (G. Van Nieuwenhuize)

   9. **Facilities Agreement Amendment** – Consideration and/or action to approve Amendment No. 1 to the Facilities Agreement for the High Pointe Addition, Phase 1 and Phase 2, and Fossil Ridge Circle Extension. (G. Van Nieuwenhuize)

   10. **Engineering Amendment** - Consideration and/or action to approve Amendment No. 1 to the Agreement for Engineering Services with Teague, Nall and Perkins, Inc. for the McCullar Road Project. (G. Van Nieuwenhuize)

**City Staff Reports**


**Future Agenda Items**

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

**Boards/Commissions/Committees**

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

14. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees.
EXCUSED ABSENCE OF COUNCIL MEMBERS

15. 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
16. 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 8th DAY OF MARCH 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.

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 _____________________________, 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: March 11, 2019
Department: City Secretary
Subject: Minutes of February 25, 2019.

BACKGROUND
A Regular Meeting was held on February 25, 2019 at City Hall, 5024 Broadway Avenue.

FISCAL IMPACT
None.

RECOMMENDATION
Staff recommends the City Council approve the Minutes of February 25, 2019.

ATTACHMENTS
Minutes of February 25, 2019
MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
February 25, 2019

A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on February 25, 2019, 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 2 Walter Grow
Council Place 3 Lin Thompson
Council Place 4 Brent Weast
Council Place 5 Bob Watkins
Council Place 6 Ricky Brown

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; Keith Fisher, City Engineer; Sidonna Foust, Customer Service Director, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER - Mayor Averitt called the Worksession to order at 6:05 p.m.

VISITORS/CITIZENS FORUM

1. Stacey Corbin – Addressed the Council regarding media protocol and communication problems between city staff and citizens.
2. Paula Lindsey – Stated her disappointment with Fathom utility billing not empathizing with citizens and cut-off service policies.
3. John Summers – Addressed the Council regarding his situation of not being reinstated to his prior position and requested the Council’s assistance to end the lawsuit.
4. Daren Hudson – Addressed the Civil Service decision concerning John Summers.

Fire Chief Brian Jacobs addressed the Council regarding Haltom City receiving a Class 1 Rating and Fire Marshal Fred Napp presented a review of the Insurance Service Office (ISO). Members of the Fire Board and other firefighters handed out commemorative coins to Council and Staff. Selena Ward, with Benchmark Mortgage, gave a presentation including financing benefits for veterans, homestead tax evaluations, VA loans, and Specially Adapted Housing.

REPORTS

2. CAFR Report – Review of the 2018 CAFR Report. Finance Director Jennifer Fung presented final fiscal year financial figures in several departments and introduced Kenton Willis, of Patillo, Brown and Hill, L.L.P., who presented the Comprehensive Annual Finance Report (CAFR), which included documentation indicating the financial control, the resolving of matters from the previous findings, the unmodified opinion, and the staff’s efforts in completing the CAFR with the proper auditing standards. Mayor Averitt and Audit Committee members commented on the work of the Financial Department Staff.

The Worksession ended at 7:08 p.m. and the Council took a short recess.

REGULAR MEETING

CALL TO ORDER
Mayor Averitt called the meeting to order at 7:24 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

Council Member Linda Thompson presented Kris Drees, Pastor of the Haltom Road Baptist Church, who gave the Invocation. Council Member Thompson 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.
- AARP Tax Break is at the Library on Thursdays until April 9th.
- HC Calendars are available at City Hall, the Rec Center, and the Library.
- Veterans Memorial has a brick fundraiser and can be ordered through the city website.
- Registration for Co-ed Soccer is now open and the deadline is February 28th.
- 2019 Fine Arts Student Scholarship applications are available until March 22nd.
- NEET will be hosting a “Rain Barrel” workshop on March 23rd at the Library.
- The 10th Annual HC Carfest will be held April 6th at the Haltom High School.
- Haltom Photo Contest deadline is April 8th.
- Haltom Code Enforcement is allowing citizens to haul off their tires on March 23rd.

REGULAR AGENDA

3. Minutes – Consideration and/or action regarding approval of the Regular Meeting of February 11, 2019. Council Member Grow moved, seconded by Council Member Thompson, to approve the Minutes of February 11, 2019. The vote was unanimous. Motion carried.

4. Ordinance No. O-2019-005-15 (Z-004-18) – Conduct a public hearing and consider action regarding the application of David Duong for a Zoning Change request from “M-1” Industrial District to “PD-MF-2” Planned Development – Multifamily District located on a tract of land situated in the J.A. Murrell Addition being Lots 17A, 18A, 19A, 20, 21A, 22A, 23A and 24A, being approximately 1.2769 acres on the west side of Layton Avenue, locally known as 4225 Bernice Street. 1st Reading. Planning and Community Development Director Glenna Batchelor stated the applicant requests the Council table this agenda item until a later date. Council Member Grow moved, seconded by Council Member Nunn, to table Ordinance No. O-2019-005-15 (Z-004-18) until a future date. The vote was unanimous. Motion carried.

5. Ordinance No. O-2019-006-15 (Z-008-18) – Conduct a public hearing and consideration and/or action to approve the application of John Pitstick, on behalf of Our Country Homes, for a Zoning Change request from “M-1” Industrial to “PD-Residential Mixed” consisting of four different zoning districts being “PD-SF-1” Residential, being approximately 6.55 acres; “PD-SF-2” Residential, being approximately 16.26 acres; “PD-SFA” Residential being approximately 15.57 acres; “PD-OS” Open Space being approximately 3.68 acres, for a total of 42.06 acres of land on Lot A of the Springlake Industrial Park Addition, locally known as 5100 Springlake Parkway. 1st Reading. Planning and Community Development Director Glenna Batchelor presented the ordinance and John Pitstick presented a PowerPoint displaying the new projected residential project. A traffic flow analysis will be done also. Mayor Averitt opened the Public Hearing at 7:55 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 7:56 p.m. Council Member Brown moved, seconded by Mayor Pro Tem Truong, to approve Ordinance No. O-2019-006-15 (Z-008-18) on the first reading for the zoning change. The vote was unanimous. Motion carried.

6. Ordinance No. O-2019-002-15 (Z-002-19) – Conduct a public hearing and consideration and/or action to approve the application of Mike French for a Zoning Change request from “C-3” Commercial to “PD – C-3” Commercial for all “C-3” uses plus Rental Yard (Commercial and Heavy Equipment w/Outside Storage), Sheet Metal Shop and Office Warehouse located on Lot 1R2, Block 1, Denton Highway, locally known as 6001 Denton Highway. 1st Reading. Planning and Community Development Director Glenna Batchelor presented the ordinance and a discussion was held regarding the product metal, building masonry, and storage. Mayor Averitt opened the Public Hearing at 7:00 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 8:01 p.m. Property owner Mike French stated they will be manufacturing light gauge metal and will be employing 15 more employees. Mayor Pro
Tem Truong moved, seconded by Council Member Weast, to approve Ordinance No. O-2019-002-15 (Z-002-19), first reading, with the provision of light gauge steel only being made and full building masonry being furnished. The vote was unanimous. Motion carried.

7. **Interlocal Funding Agreement** – Consideration and/or action to enter into an Interlocal Agreement with the North Central Texas Council of Governments for the funding of the Broadway Avenue Reconstruction Project. Public Works Director Greg Van Nieuwenhuize presented the agreement, which consisted of East Broadway being redone, and $597,000 being paid on a ten (10) year payment at 0% interest. Council Member Weast moved, seconded by Council Member Grow, to approve the interlocal funding agreement with North Central Texas Council of Governments. The vote was unanimous. Motion carried.

8. **Resolution No. R-2019-006-11** – Recommendation of Award – Consideration and/or action to recommend that Tarrant County award the City’s 44th Year CDBG Project (Oak Knoll & McNutt Water Line Replacement) to Chiener, LLC. City Engineer Keith Fisher presented the resolution which included a CDBG amount of $130,001 and the city’s Water Capital Projects Fund paying the balance of $220,998.40 toward the total of $350,999.40 to Chiener, LLC for waterline replacement construction. Council Member Grow moved, seconded by Council Member Nunn, to approve Resolution No. R-2019-006-11 – CDBG Project – Oak Knoll and McNutt Water Line Replacement. The vote was unanimous. Motion carried.

9. **Resolution No. R-2019-007-11 - Awarding Architectural Agreement – Award of RFQ No. 2018-251-001** – Consideration and/or action to award an architectural agreement for the construction of Fire Station No. 3. City Engineer Keith Fisher presented the resolution, which stated RPGA Design Group was awarded the RFQ for the architectural agreement at a cost of $452,070, with funding coming from the voter-approved funding from May 2018. Council Member Weast moved, seconded by Council Member Thompson, to approve Resolution No. R-2019-007-11, approving RFQ No.2018-251-00. The vote was unanimous. Motion carried.

10. **Resolution No. R-2019-004-01** - Consideration and/or action regarding amending Resolution No. R-2019-004-01, Section 5, changing the final date for candidacy filing in the Special Election. City Secretary Art Camacho presented the amendment in regard to correcting the proper posting of the end date for filing for Council Place 5 in the Special Election. Council Member Weast moved, seconded by Council Member Thompson, to amend Resolution No. R-2019-004-01, making the change in the date of March 4, 2019 as the last day for filing for Place 5 in the Special Election. The vote was unanimous. Motion carried.

**CITY STAFF REPORTS**

11. Staff Report to Council/citizens from inquiries from Visitor/Citizen Forum. Assistant City Manager Rex Phelps stated UtiliWorks will be making the final presentation of their audit on March 11, 2019. He also addressed the citizens in regard to capturing water loss and thanking the city staff personnel involved in correcting billing and fixing water leaks.

**FUTURE AGENDA ITEMS**

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

No items were placed on future agendas.

**BOARDS/COMMISSIONS/COMMITTEES**

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

14. **Appointee/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees. Council Member Thompson appointed Alaina Tellson to the Parks Board. The appointments were approved unanimously.
EXCUSED ABSENCE OF COUNCIL MEMBERS

15. Attendance Requirements – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). Attendance Requirements of the Haltom City Charter. There were no absences.

EXECUTIVE SESSION
Mayor Averitt called for an Executive Session at 8:27 p.m.

RECONVENE TO REGULAR SESSION
The Council reconvened to Regular Session at 9:40 p.m. Council Member Grow moved, seconded by Council Member Weast, to approve the legal fees proposed by the city attorney, since it has been nine (9) years since the last rate was increased, and it being a fair amount of increase. The vote was unanimous. Motion carried.

ADJOURNMENT
Mayor Averitt adjourned the meeting at 9:41 p.m.

RESPECTFULLY SUBMITTED BY:  APPROVED BY:

________________________________  _____________________________
Art Camacho, City Secretary  David Averitt, Mayor
BACKGROUND

Consider action on the application of, John Pitstick, on Behalf of Our Country Homes for a Zoning Change request from “M-1” Industrial to “PD-Residential Mixed” consisting of four different zoning districts being “PD-SF-1” Residential being approximately 6.55 acres, “PD-SF-2” Residential being approximately 16.26 acres, “PD-SFA” Residential being approximately 15.57 acres, “PD-OS” Open Space being approximately 3.68 acres for a total of 42.06 acres of land on Lot A of the Springlake Industrial Park Addition, locally known as 5100 Springlake Parkway.

The applicant, Our Country Homes, is in the process of purchasing this property from the Haltom City Economic Development Corporation. The development is named Heritage Village. The Heritage Village development follows traditional neighborhood design with wide sidewalks, large open spaces and alley only access to garages. Building facades will be close to the street with front porches that have direct access to wide open spaces. Decorative street lights will be placed along all interior streets and central park. The open space areas will have wi-fi services, on street parking and electricity to provide for local and community events with access for food trucks and a multitude of activities.

A permanent Homeowner’s Association shall be established and the HOA management company will contract for the maintenance of the walls, common area landscaping and all front yards and common neighborhood facilities. HOA fees will also cover exterior painting and roof repairs for townhomes and paired houses to insure consistent high-quality curb appeal for the entire Heritage Village development.

The Planned Development will consist of three variations of unique districts. There is a comparison chart in the staff report that compares current ordinance requirements with the proposed district regulations.

FISCAL IMPACT

None.

RECOMMENDATION

On February 12, 2019, the Planning and Zoning commission recommended unanimous approval.

On February 25, 2019, the City Council recommended unanimous approval.

ATTACHMENTS

CITY COUNCIL MEMORANDUM

City Council Meeting: March 11, 2019
Department: Planning & Community Development

BACKGROUND

Consider action on the application of Mike French for a Zoning Change request from “C-3” Commercial to “PD – C-3” Commercial for all “C-3” uses plus Rental Yard (Commercial and Heavy Equipment w/Outside Storage), Sheet Metal Shop and Office Warehouse located on Lot 1R2, Block 1, Denton Highway, locally known as 6001 Denton Highway.

The applicant is requesting a Planned Development for all the current “C-3” Commercial District uses in addition to Rental Yard (Commercial and Heavy Equipment w/Outside Storage), Sheet Metal Shop and Office Warehouse. Rental Yard (Commercial and Heavy Equipment w/Outside Storage) is currently allowed with a conditional use permit in the “C-4” Commercial District and by right in the “M-1” Industrial District and “M-2” Heavy Industrial District. Sheet Metal Shops are only allowed by right in the “M-2” Heavy Industrial District. Office Warehouses are allowed with a Conditional Use Permit in the “C-3” & “C-4” Commercial Districts and by right in the “M-1” Industrial District and “M-2” Heavy Industrial District. If a Planned Development is granted the Rental Yard (Commercial and Heavy Equipment w/Outside Storage), Sheet Metal Shop and Office Warehouse uses would then be allowed by right on this property.

An amendment to the design standards was added to the Planned Development based on the recommendation from City Council.

1. Planned Development is for all “C-3” uses plus:

   Rental Yard (Commercial and Heavy Equipment w/Outside Storage) - see note #4

   Sheet Metal Shop - mechanical ductwork fabrication only

   Office Warehouse

<table>
<thead>
<tr>
<th>Table of Permitted Uses</th>
<th>Residential Districts</th>
<th>Non-Residential Districts</th>
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<tbody>
<tr>
<td>Rental yard (commercial and heavy equipment w/outside storage)</td>
<td>SF-1</td>
<td>SF-2</td>
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The applicant is intending to request council approval on the improvement and movement of the existing sewer easement on the property and subsequent replat of the property into three (3) separate lots rather than one (1) larger lot.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

On February 12, 2019, the Planning and Zoning commission recommended unanimous approval.

March 25, 2019, City Council voted unanimous approval with the condition to add:

Planned Development is for all “C-3” uses plus:

Rental Yard (Commercial and Heavy Equipment w/Outside Storage) - see note #4

Sheet Metal Shop - mechanical ductwork fabrication only

Office Warehouse

**ATTACHMENTS**

BACKGROUND

Conduct a public hearing and consider action on the application of Thomas Doyle, on behalf of Tyss Investments, for an amendment to ordinance O-2018-027-15 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.

On September 9, 2018, City Council approved a Conditional Use permit for tire and battery sales for this property. The applicant requests an amendment to the previously approved conditional use permit. The amendments in the design standards the applicant is proposing are *(italics)*:

13. All storage of goods and/or display will be wholly contained within a building with the exception of two canopy displays and one Freespirit trailer on the north east corner of the concrete parking lot with a display area of 32 feet X 12 feet.

14. Canopy displays shall not obstruct any required parking or loading zones.

15. Canopy displays shall only be on display during hours of operation.

The applicant has stated that canopies are their single most important product making up over 40% of their sales.

The hours of operation shall be limited to 8:00AM to 5:30PM Monday through Friday and 9:00AM to 5:00PM on Saturday.

CAP-IT has also said the racks would be put out every morning and are taken in every evening at the close of business. They will never be outside when the store is closed. They will also be put on the paved area of the property only.

FISCAL IMPACT

None.

RECOMMENDATION

On February 26, 2019, the Planning and Zoning Commission recommended unanimous approval.

ATTACHMENTS

Planning and Zoning Staff Report, approval of Ordinance O-2019-007-15 with the addition of allowing one Freespirit trailer in the outdoor storage area.
CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: March 11, 2019
Department: Parks & Recreation
Subject: Bid Award – B2019-421-001 – Recreation Center Fitness Room Remodel

BACKGROUND

A proposal to repurpose the fitness room inside the Recreation Center was approved in the FY2019 budget. Due to the opening of other fitness centers in close proximity, the Recreation Center saw a 50% decrease in fitness memberships in 2016 and it has steadily decreased since then. Cardio equipment must be replaced, as it can no longer be repaired, and the cost is over $50,000. The Recreation Center has been losing money in the operations of the fitness room. Raising prices would push it over the cost of our competitors. A decision was made to repurpose the space for desperately needed storage and office space. This decision was not made lightly and all options were weighed. In the end, spending more money than we were making and directly competing with a local business did not make good financial sense.

FISCAL IMPACT

Requests for proposals for the remodel of the Recreation Center Fitness room were sent out to fifteen vendors as well as being published in the Fort Worth Star-Telegram. Three responses were received; Aleksander Omega, A&A Installation, and Fort Worth Civil Constructors, LLC. However, only one contractor furnished a complete bid package, Fort Worth Civil Constructors, LLC for $81,605. The project was presented and approved by City Council with a budget of $68,000. In reviewing the bid from Fort Worth Civil Constructors, there were some costs added to the bid that can be removed – replacing flooring in the proposed storage area ($6,600) and not having them replace the carpet tiles in the proposed office area ($11,000). This brings the cost down to $64,005. We would have another contractor install the carpet tiles in conjunction with the approved flooring project for another room in the Recreation Center. This would be a substantial cost savings and best value to the City.

RECOMMENDATION

Staff recommends the City Council award the bid to complete the facility remodel to Fort Worth Civil Constructors, LLC for $81,605 (with the understanding staff work with vendor to reduce overall cost due to flooring).
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 ______ day of ______, 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

**APPROVED AS TO FORM:**

________________________ Wayne Olson, City Attorney
CITY COUNCIL MEMORANDUM

City Council Meeting: March 11, 2019
Department: Parks and Recreation
Subject: Ordinance No. O-2019-009-10 Standards of Care

ACTION REQUESTED

BACKGROUND
The City operates recreation programs for elementary school age children (over 4 hours per day), such as the Super Kids Summer Camp. As such, the state requires that Standards of Care be adopted annually by ordinance for any city operating elementary age recreation programs.

The proposed 2019 Standards of Care (unchanged from 2018), as presented in Ordinance No. O-2019-009-10, are intended to be minimum standards by which the City of Haltom City Parks & Recreation Department will operate the City’s youth programs. The Standards of Care include staff responsibilities, enrollment requirements, staffing ratios, staff qualifications and training, facility standards, health and safety standards and mechanisms for inspecting, monitoring and enforcing care standards. The programs operated by the City are recreational in nature and are not licensed by the state of Texas as day care programs.

FISCAL IMPACT
Approval of the Standards of Care will require no additional funding by the City.

RECOMMENDATION
Staff recommends the City Council approve Ordinance No. O-2019-009-10 adopting the Standards of Care for 2019. 1st reading.

ATTACHMENTS
Ordinance No. O-2019-009-10
Standards of Care – Exhibit A
Copy of TX Human Resources Code Sect. 42.041(b)(14) – Exhibit B
ORDINANCE NO. O-2019-009-10

AN ORDINANCE ESTABLISHING STANDARDS OF CARE FOR THE RECREATION PROGRAMS FOR ELEMENTARY SCHOOL AGE CHILDREN OPERATED BY THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Section 42.041 of the Texas Human Resources Code provides that an elementary-age recreation program operated by a municipality is not required to obtain a license from the state provided that the governing body of the municipality annually adopts standards of care for such programs by ordinance after a public hearing; and

WHEREAS, the City Council has conducted a public hearing and desires to adopt the standards set forth in this ordinance.

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

SECTION 1.

The Standards of Care attached hereto as Exhibit “A” and incorporated by reference herein are hereby adopted for recreation programs for elementary-age children.

SECTION 2.

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

SECTION 3.

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED ON FIRST READING ON THIS _______ DAY OF ______________, 2019.

________________________________________
MAYOR

ATTEST:

________________________________________
CITY SECRETARY

PASSED AND APPROVED ON SECOND READING ON THIS _______ DAY OF ______________, 2019.

________________________________________
MAYOR

ATTEST:

________________________________________
CITY SECRETARY

APPROVED AS TO FORM:

________________________________________
CITY ATTORNEY
CITY COUNCIL MEMORANDUM

City Council Meeting:    March 11, 2019
Department:      Parks and Recreation
Subject: Resolution No. R-2019-008-10
Support of Park Legislation

BACKGROUND

The Texas Recreation and Park Society requested a call to support proposed legislation presented to the members of the 86th Legislative Session of the State of Texas. In 1993, the Sporting Good Sales Tax (SGST) was introduced as a means to help maintain, improve, and grow both state and local parks. A joint resolution (SJR 24 and HJR 39) has been drawn up to create a constitutional amendment permanently guaranteeing 100% of revenues generated from the SGST be dedicated to supporting state and local parks. Currently, the tax is subject to appropriation and only 40% has been appropriated to parks. The Texas Parks & Wildlife Department (TPWD) funds their local park grant programs with the SGST funds.

FISCAL IMPACT

Haltom City has been a repeat recipient of TPWD grant funds through the years. All but two parks have been made possible with TPWD local park grants, as well as the expansion of the Recreation Center through a TPWD indoor recreation grant. Without your support, local and state parks will continue to have an unstable future due to funding being subject to appropriation, instead of being 100% dedicated, as it was originally designed.

RECOMMENDATION

Parks & Recreation Staff recommend the City Council approve Resolution No. R-2019-008-10 recognizing the significant impact of parks on our community and residents and urging the members of the 86th Legislative Session to support all legislation for parks.

ATTACHMENTS

Resolution No. R-2019-008-10
RESOLUTION NO. R-2019-008-10

A RESOLUTION OF THE HALTOM CITY COUNCIL REQUESTING THE MEMBERS OF THE 86th LEGISLATIVE SESSION OF THE STATE OF TEXAS TO SUPPORT LEGISLATION THAT PROVIDES STEWARDSHIP, HEALTH AND WELL BEING, AND CONNECTIVITY FOR LOCAL AND STATE PARKS.

WHEREAS, the Texas communities, counties, and State protect and enhance the investments in all parks and open spaces providing stewardship; and

WHEREAS, supporting conservation of open space and making public lands accessible for public use by supporting the sporting goods sales tax and the land and water conservation fund; and

WHEREAS, supporting water and natural resources through conservation, presentation and the rights to access nature, the outdoors and recreational amenities; and

WHEREAS, increasing physical activity and improving health and wellness by utilizing parks and recreation amenities and services; and

WHEREAS, political subdivisions throughout the State of Texas depend on funding for services and programs that ensure access for all people to connect to nature and the outdoors; and

WHEREAS, creating a livable, safe, and responsible community by supporting safe recreational amenities, pathways and trails; and

WHEREAS, supporting the positive economic impacts of connecting our communities to nature and the outdoors from the Parks and Recreation Industry; and

WHEREAS, it is the desire of this City Council that a copy of this resolution with appropriate names affixed be presented to the Governor of Texas and the leadership of the 86th Texas Legislature.

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

1. That members of the 86th Legislature of Texas seek support of legislation that provides stewardship, health and well-being, and connectivity for local and state parks.

PASSED AND APPROVED by the Haltom City Council on this _____day of _________________2019.
APPROVED:

______________________________
Mayor

ATTEST:

______________________________
City Secretary

APPROVED AS TO FORM:

______________________________
City Attorney
CITY COUNCIL MEMORANDUM / ORDINANCE

City Council Meeting: March 11, 2019
Department: Public Works
Subject: Ordinance No. O-2019-008-11: Adoption of Revised Floodplain Maps (Flood Insurance Rate Maps)

BACKGROUND

Haltom City entered into the National Flood Insurance Program (NFIP) in 1978. By entering into the NFIP, property owners within the City are able to purchase flood insurance which is underwritten by the Federal Government. The City must be in this Program in order for property owners to receive this benefit.

For Haltom City to remain in the NFIP, the City must adopt at least the minimum requirements of the NFIP. The two (2) main requirements are that the City adopt minimum regulations for development in flood hazard areas and that the City adopt the latest version of the NFIP’s Flood Insurance Rate Map (FIRM), commonly referred to as the Floodplain Maps.

Regarding the NFIP’s regulations, staff is in the process of reviewing the City’s regulations for development in flood hazard areas (Chapter 38 – Flood Protection and Prevention in the City Code) for compliance with FEMA’s minimum regulations.

Regarding the four (4) Floodplain Maps that impact the City of Haltom City, FEMA is requesting that the City adopt these latest FIRM’s which have a revision date of March 21, 2019. As in the past, these maps need to be adopted via ordinance. The current Floodplain Maps are dated September 25, 2009. FEMA updates FIRM’s when Congress allocates funding for FEMA to do so and in those areas throughout the country where there have been significant changes in and around flood hazard areas.

In reviewing the changes between the new 2019 FIRM’s and the 2009 FIRM’s Staff notes the following:

- The floodplain has increased in size in approximately four (4) areas:
  - The EDC property at the NW Corner of Midway Road & Big Fossil Creek (staff has been aware of this revision for well over a year)
  - The EDC property near the SW Corner of Denton Highway and Loop 820 (this was part of the “Backage Road Project’s Letter of Map Revision”)
  - Approximately four (4) residential houses along the 5770 block of Christy Lane (SE Corner of Beach Street and Big Fossil Creek) appear to be surrounded by floodplain
• The Haltom High School parking lot (east side of Haltom Road) and in the area around Haltom High School’s practice football/track field (west side of Haltom Road)
  • The floodplain decreased in size along Belknap Street just east of Beach Street

**FISCAL IMPACT**

There is virtually no fiscal impact to the City.

**RECOMMENDATION**

Staff recommends that the City Council approve Ordinance No. O-2019-008-11.

**ATTACHMENT**

Ordinance No. O-2019-008-11
CITY COUNCIL MEMORANDUM

City Council Meeting: March 11, 2019
Department: Public Works
Subject: Amendment No. 1 to the Facilities Agreement for the High Pointe Addition, Phase 1 and Phase 2, and Fossil Ridge Circle Extension

BACKGROUND

On January 14, 2019, the City approved the Final Plats for the High Pointe Addition, Phase 1 (which included the extension of Fossil Ridge Circle) and High Pointe Addition, Phase 2 along with a Facilities Agreement (“FA”). An FA, commonly referred to as a development agreement, states both the City’s responsibilities and the developer’s responsibilities towards the development of property.

In accordance with the FA, the developer of both phases of the High Pointe Addition (“Subdivision”) will construct drainage facilities, water facilities, sanitary sewer facilities and interior roadways to serve the 225 residential lots within the Subdivision. Along with this infrastructure construction, the developer is also relocating a portion of the City’s existing sanitary sewer and he is constructing Fossil Ridge Circle Extension. This Subdivision will be the largest residential Subdivision constructed in Haltom City in over 25 years.

The FA also allows the developer to begin construction on seven (7) model homes prior to the City’s acceptance of the Subdivision’s public infrastructure. Allowing a developer to begin construction of his/her model homes prior to the City’s acceptance of the Subdivision’s public infrastructure minimizes the “down time” between the date that the Subdivision’s public infrastructure is accepted and the date that the City “finals” the construction of a model home. From a developer’s standpoint, it is key to have model homes available as soon as possible so that potential homebuyers can view prospective home styles, floor plans, etc. as soon as the Subdivision is ready to sell lots and the potential homeowner could possibly begin the home purchase process “on the spot”.

As previously stated, the FA allows the developer to begin construction on 7 model homes prior to the City’s acceptance of the Subdivision’s public infrastructure. The developer desires to be allowed to start construction on 19 model homes. The developer has been receiving a lot of interest in the Subdivision and wants to do everything he can to showcase the community to future homebuyers in the upcoming selling season. Because there are at least two (2) homebuilders in the Subdivision who both have different floor
plans, the developer desires to insure that the homebuilders are able to display the variety of floorplans and amenities that potential homebuyers can chose from.

FISCAL IMPACT

Not Applicable.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute Amendment No. 1 to the Facilities Agreement for the High Pointe Addition, Phase 1 and Phase 2, and Fossil Ridge Circle Extension.

ATTACHMENT

Amendment No. 1 to the Facilities Agreement for the High Pointe Addition, Phase 1 and Phase 2, and Fossil Ridge Circle Extension
CITY COUNCIL MEMORANDUM / RESOLUTION

City Council Meeting: March 11, 2019
Department: Public Works
Subject: Amendment to an Engineering Agreement for the McCullar Road Reconstruction Project

BACKGROUND

In 2013, the City entered into an engineering agreement with Teague, Nall and Perkins, Inc. ("TNP") for professional design services for the following streets, drainage and utility projects:

- Broadway Avenue (Denton Hwy / US 377 to Boulevard 26 / SH 26)
- McComas Road (Beach Street to Fossil Drive)
- Vicki Street (Revere Street to Field Street)
- Denise Drive (Bonner Drive to Lalagray Lane)
- Midway Road (Belknap Street to Carson Street)

Except for Midway Road (which is not even slated to begin engineering design until FY2022), all of these projects are under design with Vicki Street ready for bidding once the franchise utility companies get closer to completing their utility relocations.

While the engineering agreement for the above streets was executed in 2013, all of the streets were placed on “hold” until the appropriate funding could be identified. (NOTE: the City entered into a similar engineering agreement in 2012 and both the streets from the 2012 agreement and the 2013 agreement are being “released” as the City can afford their design & construction costs in the annual budget.) While McCullar Road (Carson Street to Weaver Street) was not listed in either the 2012 agreement or the 2013 agreement, it is largely considered the street in most need of reconstruction. Since 2014, the Council has periodically been approached during the Visitors/Citizens Forum to try to find a way to fund the reconstruction of McCullar Road. The FY2019 Budget has allocated funds to begin the engineering design of McCullar Road along with the replacement of its sanitary sewer and drainage facilities.

Staff has approached TNP about amending their 2013 engineering agreement to include the McCullar Road project. TNP was agreeable to this and the amount of $246,904.00 was negotiated for survey and engineering design for the project. This amount is about 13.5% of the estimated cost of construction which is consistent with recent similar projects.

The Amendment No. 1 to the Agreement for Engineering Services has been reviewed by the City Attorney.
FISCAL IMPACT

Funding ($2,490,000) is identified in the McCullar Street CIP Project ($140,000 in FY2019 and $2,350,000 in FY2020).

RECOMMENDATION

Staff recommends that the City Council approve Amendment No. 1 to the Agreement for Engineering Services between the City of Haltom City and Teague, Nall and Perkins, Inc. in the amount of $246,904.00. Additionally, staff recommends that the City Council authorize the City Manager to execute the amendment and that he 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 11th day of March, 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
CITY COUNCIL MEMORANDUM

City Council Meeting: March 11, 2019
Department: City Secretary
Subject: Future Agenda Items

BACKGROUND

These items are 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: March 11, 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: March 11, 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: Public Arts Program Committee – One vacancy

CC Place 6: CCPD/Redlight – Current member Layla Caraway
ZBA – Current member Debbie Hardin

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

Applications received: Willis Nelson, 2019; Sergio Ramirez, 2019; Scott Lindgren, 2019; Todd Western, 2019; James White, 2018; Raymond Balandran, 2018; Colton Hudson, 2018; Layla Caraway 2018; Joy Dalton 2018; Eric Morris, 2018; Betty Porter, 2018; Alexandra Geltmeier, 2017; Gary Hilbert II, 2017.