

AGENDA

HALTOM CITY COUNCIL MEETING

April 13, 2015

CITY HALL

5024 BROADWAY AVENUE

Council Chambers – Work Session/ Regular Session

Work Session 6:00 p.m. - Regular Session 7:00 p.m.

WORK SESSION 6:00 P.M.

CALL TO ORDER (General Comments)

- Discuss possible ordinance(s) regarding group homes and halfway houses.
- Review and discuss items on the regular agenda of April 13, 2015.

EXECUTIVE SESSION

Section 551.071

As authorized by Chapter 551 of the Texas Government Code, 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, contracts, expenditures and oversight of the Haltom City Economic Development Corporation, litigation, and settlement offers and/or claims for the following cases:

- Donald Anthony Hains v. City of Haltom City
- Phillip Payne v. City of Haltom City
- Burkett v. City of Haltom City, et al.
- Flynn v. Haltom City EDC

Section 551.072 – Deliberations about Real Property

Deliberation regarding the purchase, exchange, lease or value of real property owned or leased by the City and the Economic Development Corporation.

Section 551.087 – Deliberations about Economic Development Incentives

Discuss or deliberate regarding commercial or financial information the City has received from business prospects the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect.

Section 551.074

Deliberation regarding the appointment, employment, evaluation, reassignment, resignation, duties, discipline or dismissal of the City Secretary.

REGULAR SESSION 7:00 P.M.

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE – Mayor Richard Hutchison

ANNOUNCEMENTS/EVENTS

PROCLAMATION

“National Safe Digging Month” – Marilyn Ackmann, Atmos Energy

CONSENT AGENDA

1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of March 23, 2015.
2. **Water and Wastewater Utility Parts Bid** – Consideration and/or action regarding award of bid for the purchase of the City's estimated annual requirements of water and wastewater utility parts (Bid No. B2015-215-001).
3. **Property Enhancement Incentives Policy** – Consideration and/or action regarding approval of Resolution No. R-2015-003-01 authorizing the Property Enhancement Incentives Policy.
4. **Council Budget Committee** – Consideration and/or action regarding approval of Resolution R-2015-006-01 creating the Council Budget Committee.

REGULAR AGENDA

5. **Ordinance No. O-2015-003-15 (CU-002-15)** – Conduct a public hearing and consider action on the application of Arnulfo Rodriguez, on behalf of Jesus Mejia-Villalva, for a Conditional Use Permit request with site plan approval, for Tire Sales Store uses located on Tract 18B09 of the Joel Walker Survey, A-1654, being 0.198 acres located south of E. Belknap Street and west of Layton Avenue, locally known as 4320 E. Belknap Street. **1st Reading**
6. **Ordinance No. O-2015-004-15 (Z-001-15)** – Conduct a public hearing and consider action on the application of Chase D. Pearce, on behalf of Jimmy and Ann Nguyen, for approval of a Zoning Change request from "PD" Planned Development for all "C-3" uses plus limited Auto Dealer, Auto Repair, and Residential Quarters uses to "PD" Planned Development for all "C-3" uses plus Auto Dealer, Auto Repair, and Residential Quarters uses located on Lot 1R, Block 1R of the Le Addition, being 1.682 acres of land located south of NE 28th Street and west of N. Beach Street, locally known as 2219 N. Beach Street. **1st Reading**
7. **Ordinance No. O-2015-005-15 (Z-002-15)** – Conduct a public hearing and consider action on the application of Victor Trotter, on behalf of Newaire Corp Partner, Inc. and Rita R. Wilson for approval of a Zoning Change request from "C-3" Commercial District and "M-1" Industrial District to "PD" Planned Development for "C-3" uses plus office warehouse, warehouse, and wholesale distributor and "PD" Planned Development for limited "M-1" uses located on G. W. Burkitt's Subdivision Block 22, Lot 22A and 22B, L. Merrill 25R, 26R & 27R; Tracts 18B07, 18B1, 18B1A, 18B5, 18B6, 18B11, and 18D of the Joel Walker Survey, A-1654; and Lots 26A, 27A, and 28A of the J. A. Murrel Addition being 3.328 acres of land located south of E. Belknap Street and east of Layton Avenue, locally known as 1708, 1714, and 1728 Layton Avenue; and action on an amendment to Ordinance No. O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan – **1st Reading**.
8. **Ordinance No. O-2015-006-15 (Z-003-15)** – Conduct a public hearing and consider action on the application of Chuck Barnett, on behalf of the City of Haltom City Economic Development Corporation, for approval of a Zoning Change request from "SF-1" Single Family Residential to "C-1" Commercial District located on Tracts 5, 5B6, and 5J of the Green B. Stanley Survey, Abstract 1378, being 3.819 acres of land located south of Northern Cross Boulevard and west of Haltom Road, locally known as 4500, 5009, and 5017

Haltom Road; and action on an amendment to Ordinance No. O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan – **1st Reading**

9. **Backage Roads Project** – Consideration and/or action to approve a contract amendment for the Backage Roads Project.

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. All comments must be directed toward the presiding Officer rather than an individual council member or staff. Each speaker must limit his/her comments to the **subject matter** listed on the Speaker's Request Form and must refrain from personal attacks toward any individual. A three to six minute time limit will be granted. **(Six minutes with prior notification and three without prior notification)**. 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.*

BOARDS/COMMISSIONS

10. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members.
11. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions.
12. **Board/Commission Reports** – Receive reports from Council liaisons.

EXCUSED ABSENCE OF COUNCIL MEMBERS

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

EXECUTIVE SESSION

See Posting on Page One (1) of Agenda.

RECONVENE TO REGULAR SESSION

14. Take any action deemed necessary as a result of the Executive Session, including approval of settlement in City of Haltom City v. DFA, LLC, et. al.

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 10th DAY OF APRIL, 2015 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 _____, 2015.

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: April 13, 2015
Department: City Secretary
Subject: Minutes of March 23, 2015

BACKGROUND

On March 23, 2015, a Joint Meeting with the Haltom City Economic Development Corporation was held at City Hall, 5024 Broadway Avenue, Haltom City, Texas.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends the City Council approve the Minutes of the Joint Meeting of March 23, 2015.

ATTACHMENTS

March 23, 2015 Minutes

**MINUTES
HALTOM CITY COUNCIL JOINT MEETING
WITH THE HALTOM CITY ECONOMIC DEVELOPMENT CORPORATION
CITY HALL, 5024 BROADWAY AVENUE
March 23, 2015**

A Joint Meeting with the Haltom City Economic Development Corporation was held by the City Council of the City of Haltom City, Texas, on March 23, 2015, at 7:00 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following Council members present, to-wit:

Mayor Richard Hutchison
Council Place 1 Marian Hilliard
Council Place 3 David Averitt
Council Place 7 Dr. An Truong

Mayor Pro Tem Bob Watkins
Council Place 2 Jeff Western
Council Place 4 Trae Fowler

Council Member Place 6 Stephanie Davenport was video conferencing the meeting from the Embassy Suites Hotel Lobby, 315 Julia Street, New Orleans, Louisiana.

Staff Present: Tom Muir, City Manager; Chuck Barnett, Assistant City Manager; Cara White, City Attorney; Art Camacho, City Secretary; Justin French, Planning and Community Development Director; Susan White, Business Development Coordinator, Jennifer Fung, Finance Director, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER

Mayor Hutchison called the Worksession to order at 6:04 p.m. Sharon Sherley-Mylius, Haltom City Economic Development Corporation (EDC) President, also called the EDC meeting to order at 6:04 p.m. Susan White, Business Development Coordinator, and Greg Last, of EDT Best Practices, presented information regarding the Property Enhancement Incentives Policy. A discussion was held concerning eligibility, preferred businesses, funding and construction inspection. City Manager Tom Muir presented information regarding home improvement programs, which included the "6Stones" program and the North Richland Hills Neighborhood Revitalization Program and their effectiveness on local communities. The Regular Agenda was discussed and regarding Agenda Item # 5 – Council Budget Committee - Council Member Marian Hilliard stated more information regarding the process and the personnel involved needs to be addressed and she planned to vote to table this item. There was no Executive Session and the Worksession ended at 6:55 p.m.

REGULAR MEETING

CALL TO ORDER

Mayor Hutchison called the meeting to order at 7:03 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

Council Member Trae Fowler gave the Invocation and led the Pledge of Allegiance and the Texas Flag Pledge.

ANNOUNCEMENTS AND EVENTS

Assistant City Manager Chuck Barnett announced the following:

Library

AARP Income Tax Preparation Help – Each Thursday through April 9, tax assistance will be available at the Library. Tax assistance is free, but reservations are required due to limited seating. For additional information, call 817-222-7786.

Annual Book Sale – The annual book sale will be held April 23-26 and additional information will be available on the city website.

Special Announcements

Haltom City Car Show and Springfest – Both events will be held at the Haltom High School from 10:00 a.m. to 2:00 p.m. on Saturday, March 28. Classic cars, trucks and motorcycles will be displayed, along with the Easter Bunny, goody bags, petting zoo, bounce houses, bike safety rodeo, live music and concessions. There is no admission charge and a 5k “Buff Run” benefiting the Haltom High students will start at 8:30 a.m.

Spring Gallery Night – Saturday, March 28 from 1:00 to 8:00 p.m. – The Spring Gallery Night at the HC Northeast Center will feature 17 local artists and entertainment will be provided by the Jazz Monsters. Admission and refreshments are free.

Baked Potato and Salad Supper – The Haltom Senior Center will host their annual Baked Potato and Salad Supper on Thursday, April 16, 2015 starting at 5:00 p.m. and it will include a silent auction and home baked items for sale. Tickets are \$5 each and meals can be purchased to-go.

The Library will be closed on March 27th for staff training and City Hall offices will be closed on Friday, April 3rd for Good Friday.

PRESENTATIONS

- City Employee Longtime Service Award – Police Sergeant Kurt Nichols received a 25-year Longtime Service Award.
- Proclamation - “Child Abuse Prevention Month” – Mayor Hutchison presented the proclamation to Kim Rocha, Coordinator, who stated she very much appreciated the Haltom City Police Department for their assistance.
- Proclamation – “March for Wheels Month” – Mayor Hutchison presented the proclamation to Iris Bruton, PR Specialist with Meals on Wheels, who also thanked the City, the volunteers, and is anticipating the new facility on Hwy 121.

REPORTS

1. **Monthly Financial Report** – Consideration and/or action regarding approval of the preliminary monthly Financial Reports for the month of February 2015. Finance Director Jennifer Fung presented the reports and a discussion was held regarding the revenues, fund balances and expenditures. Council Member Hilliard moved, seconded by Council Member Fowler, to approve the monthly financial report for February 2015. ***The vote was unanimous. Motion carried.***

REGULAR AGENDA

2. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of March 9, 2015. Council Member Dr. An Truong moved, seconded by Council Member Jeff Western, to approve the minutes of March 9, 2015. ***The vote was unanimous. Motion carried.***
3. **Masonry Variance (CV-001-15)** – Consideration and/or action regarding approval of a masonry variance for Calvary Electric. Justin French, Planning and Community Development Director, presented the variance. A discussion was held regarding the façade around the building. Mayor Hutchison opened the Public Hearing at 7:35 p.m. and property owner Charles Scoma provided additional information regarding the masonry variance. Mayor Hutchison closed the Public Hearing at 7:42 p.m. Council Member Western moved, seconded by

Council Member Truong, to approve Masonry Variance (CV-001-015). Council Member Fowler moved on a substitute motion, seconded by Council Member David Averitt, to require the Masonry Variance provide full masonry with skirting on all three remaining sides. Mayor Hutchison proceeded on the substitute motion and called for a vote. **Mayor Pro Tem Bob Watkins and Council Members Marian Hilliard, David Averitt, Trae Fowler, Stephanie Davenport and Dr. An Truong voted aye. Council Member Western voted nay. Motion carried.**

4. **Easement Abandonment** – Consideration and/or action to approve Resolution No. R-2015-007-11 abandoning the utility and water easement located on Tract 3R in the Green B Stanley Survey, Abstract No. 1378. Greg Van Nieuwenhuize, Public Works Director, presented the resolution and a discussion was held on the easement location. Council Member Hilliard moved, seconded by Council Member Fowler, to approve Resolution No. R-2015-007-11. **The vote was unanimous. Motion carried.**
5. **Council Budget Committee** – Consideration and/or action regarding approval of Resolution R-2015-006-01 creating the Council Budget Committee. From the results of the Worksession, Council Member Hilliard moved, seconded by Council Member Jeff Western, to table Resolution No. R -20015-006-01. **Council Members Hilliard, Western, Averitt, Fowler, Davenport and Truong voted aye. Mayor Pro-Tem Watkins voted nay. Motion carried.**

VISITORS/CITIZENS FORUM

The following citizen came forward:

1. Bonnie Richards – Expressed her thanks to the City Council, Staff, and citizen volunteers, especially the Beautification Board and Fran Burns, on the improvement of the city's appearance.

BOARDS/COMMISSIONS

6. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. There were no resignations.
7. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. There were no appointments or reappointments.

EXCUSED ABSENCE OF COUNCIL MEMBERS

8. **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.

The Council and the EDC went into Executive Session at 8:02 p.m.

EXECUTIVE SESSION

Section 551.071

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

Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct which may conflict with the Open Meetings Act; including discussion of any item posted on the Agenda; to seek legal advice on: open meetings, open records, contracts, expenditures and oversight of the Haltom City Economic Development Corporation, litigation, and settlement offers and/or claims for the following cases:

- Donald Anthony Hains v. City of Haltom City
- Phillip Payne v. City of Haltom City
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- Flynn v. Haltom City EDC

Section 551.072 – Deliberations about Real Property

Deliberation regarding the purchase, exchange, lease or value of real property owned or leased by the City and the Economic Development Corporation.

Section 551.074 - Personnel

Deliberation regarding the appointment, employment, evaluation, reassignment, resignation, duties, discipline or dismissal of the City Secretary.

Section 551.087 – Deliberations about Economic Development Incentives

Discuss or deliberate regarding commercial or financial information the City has received from business prospects the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect.

RECONVENE TO REGULAR SESSION

The Council and EDC reconvened into Regular Session at 10:12 p.m. EDC President Mylius adjourned the EDC meeting at 10:12 p.m.

10. Take any action deemed necessary as a result of the Executive Session, including the sale of a .46 acre portion of the Stanley Green B Survey, Abstract 1378, Tract 5B3, locally known as 5100 Haltom Rd. and the conveyance of Lots 1-6, Block C, Springlake Park to the Haltom City Economic Development Corporation. Council Member Western moved, seconded by Council Member Truong, to approve the sale of a .46 acre portion of the Stanley Green B Survey, Abstract 1378, Tract 5B3, locally known as 5100 Haltom Rd. ***The vote was unanimous, with Council Member Davenport not present. Motion carried.*** Council Member Averitt moved, seconded by Council Member Hilliard, to approve the conveyance of Lots 1-6, Block C, Springlake Park to the Haltom City Economic Development Corporation. ***The vote was unanimous, with Council Member Davenport not present. Motion carried.*** Council Member Hilliard moved, seconded by Council Member Western, to defer the evaluation of the City Secretary until the next scheduled Council meeting. ***The vote was unanimous, with Council Member Davenport not present. Motion carried.***

ADJOURNMENT

Mayor Hutchison adjourned the meeting on March 23, 2015 at 10:15 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho, City Secretary

Richard Hutchison, Mayor

CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: April 13, 2015

Department: Public Works
Finance / Purchasing

Subject: Bid Award – Bid No. B2015-215-001 –
Water and Wastewater Utility Parts

BACKGROUND

On Friday, March 13, 2015 at 3:00 p.m., bids were opened and read aloud for the FY2015 annual blanket orders for water and wastewater utility parts. Invitations to Bid were sent to four (4) prospective vendors and the Notice to Bidders was published in the *Fort Worth Star-Telegram* as required by the *Texas Local Government Code*, Section 252.041. Additionally, the Notice to Bidders was also published on the City's website. Four (4) vendors submitted bids and their bids are indicated below:

Description	Corix Water (Lubbock)	Atlas Utility (Haltom City)	Act Pipe (Fort Worth)	Ferguson Water (Euless)
CAT. 1 - Clamps & Couplings	\$50,274.03	\$38,268.28	\$46,562.61	\$45,635.31
CAT. 2 - M & H Gate Valves	NB	\$24,470.00	\$24,901.82	NB
CAT. 3 - DFW Plastics	\$36,523.00	\$21,790.00	\$21,715.40	\$23,098.00
CAT. 4 - Brass Fittings	NB	\$56,805.76	\$58,279.62	NB
CAT. 5 - Copper	\$3,010.00	\$2,200.00	\$2,550.00	\$2,174.00
CAT. 6 - PSI Tubing Endot	NB	NB	\$46,633.24	\$50,183.72
CAT. 7 - Sanitary Sewer Fittings	\$16,775.75	\$11,863.42	NB	\$11,080.93
CAT. 8 - Valve Boxes	\$16,144.50	\$18,730.00	\$16,408.00	\$10,880.90
CAT. 9 - Iron Fittings by Ton	NB	\$5,100.00	\$5,400.00	NB
CAT. 10 - M & H Fire Hydrants	NB	\$44,957.00	\$46,983.92	NB
CAT. 11 - Badger Water Meters Only	NB	\$78,946.50	NB	NB
CAT. 12 - Sewer & Storm Drain Manhole	NB	NB	\$33,826.00	NB
CAT. 13 - Romac Long Body Couplings	\$22,703.06	\$20,263.06	\$22,394.68	\$21,574.34
CAT. 14 - Star Pipe PVC	\$1,860.12	\$1,652.96	\$1,613.58	\$2,463.88
CAT. 15 - Romac Restraint	\$2,729.44	\$2,709.60	\$2,961.84	\$2,887.90

Note: NB = No Bid submitted

Haltom City, similar to other cities, separates water and wastewater utility parts into various bid categories; in Haltom City's FY2015 utility parts bid, there are fifteen (15) categories. Bidding in this manner allows a city to award Category "X" to one vendor, Category "Y" to another vendor, etc. Thus, the result is the city can have one set of bid documents, one bid opening, etc., for multiple items.

Staff would like to specifically point out a few items regarding the recommendation to the City Council.

First, for three (3) categories, Staff is recommending a "category award" to a bidder who is not the low bid, but whose principal place of business is located within Haltom City. Section 271.9051 of the Texas Local Government Code allows for this when the bid from the local vendor is within 5% of the lowest bid and the City determines, in writing, that the local bidder offers the municipality the best combination of contract price and additional economic development opportunities for the municipality created by the contract award.

Second, for Category 11 (Badger Water Meters), the only bidder (Atlas Utility) bid \$3,960.00 per each "2" *Badger Compound Series Register only*". Staff believed this amount to be an obvious mistake in that the vendor entered the decimal point at the wrong location. After consultation with the City Attorney, Staff telephoned Atlas Utility and without specifically telling Atlas Utility of our suspicion, Staff inquired as to whether this unit bid of \$3,960.00 was correct or not. Upon Atlas Utility locating their file for this bid, they immediately stated that this unit price should have been \$39.60 (not \$3,960.00). Shortly after this telephone conversation, Atlas Utility sent the Purchasing Manager an email stating, "*We apologize for our mistake on category 11, Badger Water Meter, of this year's bid. Please correct your records on 2" compound series register only. Price should be \$39.60 each and not \$3,960.00.*" As such, the above indicated Bid Tabulation reflects this lower dollar amount.

FISCAL IMPACT

Bid specifications were broken down into fifteen (15) categories with the intent that individual category awards would be made to the lowest responsible bidder or the local vendor, when applicable, for each category that meets the specifications. The contract term will be for one year from the issuance of the bid awarded to each vendor.

Funds for the blanket orders were approved in the FY2015 budget. The purchases will be charged to accounts in the Water and Sanitary Sewer Fund's Construction and Maintenance divisions.

RECOMMENDATION

Staff recommends to award the bids for the City's annual requirements of Water and Wastewater Utility Parts (Bid No. B2015-215-001) for each of the respective categories to the vendor **highlighted in yellow below**:

Description	Corix Water (Lubbock)	Atlas Utility (Haltom City)	Act Pipe (Fort Worth)	Ferguson Water (Eules)
CAT. 1 - Clamps & Couplings	\$50,274.03	\$38,268.28	\$46,562.61	\$45,635.31
CAT. 2 - M & H Gate Valves	NB	\$24,470.00	\$24,901.82	NB
CAT. 3 - DFW Plastics	\$36,523.00	\$21,790.00	\$21,715.40*	\$23,098.00
CAT. 4 - Brass Fittings	NB	\$56,805.76	\$58,279.62	NB
CAT. 5 - Copper	\$3,010.00	\$2,200.00	\$2,550.00	\$2,174.00*
CAT. 6 - PSI Tubing Endot	NB	NB	\$46,633.24	\$50,183.72
CAT. 7 - Sanitary Sewer Fittings	\$16,775.75	\$11,863.42	NB	\$11,080.93
CAT. 8 - Valve Boxes	\$16,144.50	\$18,730.00	\$16,408.00	\$10,880.90
CAT. 9 - Iron Fittings by Ton	NB	\$5,100.00	\$5,400.00	NB
CAT. 10 - M & H Fire Hydrants	NB	\$44,957.00	\$46,983.92	NB
CAT. 11 - Badger Water Meters Only	NB	\$78,946.50	NB	NB
CAT. 12 - Sewer & Storm Drain Manhole	NB	NB	\$33,826.00	NB
CAT. 13 - Romac Long Body Couplings	\$22,703.06	\$20,263.06	\$22,394.68	\$21,574.34
CAT. 14 - Star Pipe PVC	\$1,860.12	\$1,652.96	\$1,613.58*	\$2,463.88
CAT. 15 - Romac Restraint	\$2,729.44	\$2,709.60	\$2,961.84	\$2,887.90

***NOTE:** Bid amounts in **green**, but not highlighted, are the three (3) instances where Staff is recommending not awarding to the low bidder but awarding to the local vendor (Atlas Utility) instead.

The dollar amounts shown in the table above are “not to exceed” amounts and will be less than or equal to the total amount shown. Utility part orders will be made based on the needs and authorization of the representatives for the Public Works Department.

In addition, Staff also recommends the City Manager be expressly authorized to execute any and all change orders within the amounts set by state and local law.

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

Section 1: That the above stated Staff recommendations are hereby approved and authorized.

Section 2: That the City Council has determined that awarding Atlas Utility the bid for Category 3: “DFW Plastics”, Category 5: “Copper” and Category 14: “Star Pipe PVC” offers the City the best combination of contract price and additional economic development opportunities for the City, including increased tax revenues to the City.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Haltom City, Texas this 13th day of April 2015, 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

Richard Hutchison, Mayor

ATTEST:

Art Camacho, City Secretary

APPROVED AS TO FORM:

Wayne Olson, City Attorney

CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: April 13, 2015
Department: Administration
Subject: Property Enhancement Incentives Policy (PEIP)

BACKGROUND

Since 2009, the City has offered the Façade Improvement Program as an incentive to local business owners. To better serve the business community, a more comprehensive policy was drafted. The Property Enhancement Incentives Policy (PEIP) affords added opportunities to businesses applying for a grant. It is the intent that the PEIP will replace the Façade Improvement Program.

The PEIP has an added list of the types of improvements eligible for grant monies such as visible roof repair, gutter replacement or repair, pedestrian amenities such as seating areas, upgrading utilities and installing fire sprinkler systems.

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

The Façade Improvement Program offered a 50% matching grant up \$10,000 that included the total project costs. Alternatively, the PEIP has varying participation limits on the type of enhancement. It is still a maximum of \$10,000 for the total project but there are limits to the amounts. For example, the maximum on an interior renovation is a 20% match up to \$4,000. Signage is a 50% match up to \$8,000.

The City Council shall make the final decision regarding the merits of an application and the appropriate grant to be given.

FISCAL IMPACT

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

The budgeted amount in the General Fund for the incentive program is \$30,000. The program offers a matching grant with an amount not to exceed \$10,000 depending on

the proposed improvement. Similar to the Façade Improvement Program policy, the PEIP does not provide a grant until improvements are completed and the work has been inspected.

RECOMMENDATION

Staff recommends the City Council approve Resolution R-2015-003-01 authorizing the Property Enhancement Incentives Policy.

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 13th day of April, 2015, 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

Richard Hutchison, Mayor

ATTEST:

Art Camacho, City Secretary

APPROVED AS TO FORM:

Wayne Olson, City Attorney

ATTACHMENT

Resolution No. R-2015-003-01

RESOLUTION NO. R-2015-003-01

A RESOLUTION OF THE CITY OF HALTOM CITY, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROPERTY ENHANCEMENT INCENTIVES POLICY TO PROMOTE ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 380 of the Texas Local Government Code authorizes municipalities to establish and provide for the administration of programs that promote economic development and stimulate business and commercial activity; and

WHEREAS the City of Haltom City (“City”) desires to enhance the viability and sustainability of commercial properties in the City; and

WHEREAS, the City desires to improve the physical appearance of businesses and visibly enhance the City’s commercial corridors; and

WHEREAS, the City desires to increase the marketability and occupancy rate of commercial buildings hindered by an outdated appearance; and

WHEREAS, the City desires to increase the safety of commercial areas and stimulate more public interaction; and

WHEREAS, the City desires to provide incentives in areas and to businesses most likely to stimulate similar enhancements by other private entities; and

WHEREAS, the City desires to adopt a Property Enhancement Incentives Policy to serve as an economic development program, and the City Council is of the opinion that adoption of this Policy and implementation of the program will promote economic development and stimulate business and commercial activity in the City.

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

SECTION 1.

The City Council hereby adopts the Property Enhancement Incentives Policy (attached on Exhibit A), to serve as an economic development program pursuant to Chapter 380 of the Texas Local Government Code, whereby the City of Haltom City may participate financially in commercial property enhancements, and take other specified actions, in accordance with the terms outlined in the Policy.

SECTION 2.

The City Council finds that the Policy will promote economic development and stimulate business and commercial activity in the City and otherwise meet the criteria of Chapter 380 of the Texas Local Government Code.

SECTION 3.

This Resolution shall become effective from and after its passage.

PASSED AND APPROVED this the _____ day of _____, 2015.

Richard Hutchison, Mayor

Attest:

Art Camacho, City Secretary

EXHIBIT A
Property Enhancement Incentives Policy

Haltom City, Texas

Property Enhancement Incentives Policy

1. INTRODUCTION / GOALS

This program is a matching grant program that reimburses commercial property owners or business operators for Eligible Enhancements made to the Property. Following are the goals of this Policy:

- A. Enhance the commercial viability and sustainability of commercial properties in the City;
- B. Improve the physical appearance of businesses and visibly enhance the City's commercial corridors;
- C. Increase the marketability and occupancy rate of commercial buildings hindered by an outdated appearance;
- D. Increase the safety of a commercial area and stimulate more public interaction;
- E. Provide incentives in areas and to businesses most likely to stimulate similar enhancements by other private entities; and
- F. Facilitate the latest trends in innovative transportation planning and urban design standards.

2. DEFINITIONS

The following definitions shall apply to the terms used in this Policy:

Applicant: Shall mean the Property owner or business occupant signing the Application for a Property Enhancement Grant.

Application: Shall mean the Application for Property Enhancement Incentives as maintained by Staff.

City: The City of Haltom City, Texas.

City Council: The City Council of the City.

Code Violations: Shall be any violation of the City's code of ordinances.

Construction Costs: The cost of permits, fees, construction materials, and installation labor. All other associated costs are deemed excluded, including, but not exclusively, the following costs: design, construction document preparation, bidding, sweat equity and construction financing.

Eligible Enhancements: Shall mean the Enhancements identified as eligible in Section 4 herein.

Enhancements: Shall be those property enhancements described in Section 4.

Façade: Shall mean the exterior of a building.

Notice to Proceed: A written notice from City Staff authorizing the Applicant to begin construction as approved by the City.

Policy: Shall mean this Property Enhancements Incentives Policy.

Property: Shall mean the physical lot and / or building to which Enhancements are being made.

Property Enhancement Grant: Shall mean the financial support to make designated Property Enhancements as approved by the City Council, and sometimes referred to as a "Grant."

Staff: The City Manager or his or her designee.

3. **ELIGIBILITY**

The following Properties and Businesses are eligible to receive Grants:

- A. **Properties**: Only properties meeting the following requirements at the time an Application is submitted shall be eligible to receive Grants as outlined by this Policy:
- i. **Within the City**: The property must be located within the City's municipal boundaries.
 - ii. **Commercially Zoned**: The property must be zoned for ~~commercial~~-non-residential uses.
 - iii. **Taxes**: The property shall be in good standing as it relates to taxes due to the City.
 - iv. **City Liens**: The property shall be in good standing as it relates to any liens held by the City.
 - v. **Ownership**: Property owners must provide sufficient proof of ownership.
 - vi. **Code Violations**: Property must not have any outstanding code violations.
 - vii. **Frequency**: Property must not have received a Grant or Grants equal to or greater than the Maximum Amount in Section 4.L –for the same category of Enhancement (e.g. Façade, Landscaping) in the last two (2) years. (It is the intent of the Policy to allow multiple Grants from different Enhancement categories on a single property.)
 - viii. **Ineligible Properties**: Ineligible Properties include, though not exclusively, all residential properties.
- B. **Businesses**: Only businesses meeting the following requirements shall be eligible to receive benefits outlined by this Policy:
- i. **Taxes**: The business shall be in good standing as it relates to taxes due to the City.
 - ii. **Property Owner Approval**: Businesses, if not the owner of the property to be occupied, must provide a copy of their lease agreement and support of the Grant Application from the Property Owner prior to City approval of the Application.

4. **ENHANCEMENTS**

- A. **Aspirations**: As with any policy or regulatory ordinance, it is difficult to precisely regulate factors that are not easily defined. With that in mind, the following are to be considered aspirations for contemplated Enhancements:
- Enhancements should be compatible with the character and architecture of the individual building and those in proximity;
 - Where appropriate, Enhancements may act as a catalyst to create a unique environment;
 - Enhancements should make the Property more inviting to the public;
 - Enhancements should make a Property safer and more easily accessible to the public; and
 - Enhancements that are functional as well as visually appealing.
- B. **General Enhancement Eligibility**: Property Enhancements shall be deemed as eligible or ineligible for the benefits of this Policy as defined below. In general, the following, though not exclusively, are ineligible for all Enhancements:
- Any Enhancements made prior to the Notice to Proceed from the City;
 - Sweat equity or “in-kind” services;
 - New construction which is not specifically listed in this Policy as an Eligible Enhancement;
 - Any Enhancements to remedy code violations of a Property or Business;

- Fees for designing, engineering, surveying, legal services, financing, etc.; or
 - Any Enhancements not identified as eligible below. A potential applicant may discuss an enhancement not identified below with City staff to ascertain whether or not the enhancement meets the Purpose and Intent of this Policy. If so, an amendment to this Policy may be placed before the City Council to determine the merits of including a new eligible enhancement.
- C. Façade Enhancements: The following are Eligible Enhancements related to Façade Enhancements on the Property except as noted otherwise:
- i. Façade Materials: Replacing deteriorated or unsafe façade materials with brick, stone, tile, wood, or siding. Removal of “slip” coverings of prior façade materials and re-establishment of historic façade details. Repointing of mortared joints, replacement or repair of damaged masonry.
 - ii. Cleaning: Pressure washing or sand blasting existing facades, cleaning of tiles.
 - iii. Painting: Scraping, priming and otherwise preparing the surface and painting of a previously painted building.
 - iv. Window / Doors: Replacement of, or improvements to, existing windows or doors that are visible from a public street. Replacement of broken glass panes.
 - v. Awnings / Canopies: Replacement of, or improvements to, existing awnings or canopies. New awnings or canopies.
 - vi. Historical Restoration: Restoration of architectural details of historic significance and / or removal of elements covering such details.
 - vii. Visible Roof Repair: Replacement or repair of the portions of the roof that are visible from an adjacent public street.
 - viii. Gutters and Downspouts: Replacement or repair of existing gutters and / or downspouts.
 - ix. Ineligible: Though not an all-inclusive list, the following are specifically not eligible: burglar bars, painting a previously unpainted building.
- D. Interior Renovation: The following are Eligible Enhancements related to Interior Renovation on the Property except as noted otherwise:
- i. Safety Concerns: Remodeling that resolves safety problems or enhances the safety of the public when occupying the Property.
 - ii. Ineligible: Though not an all-inclusive list, the following are specifically not eligible: painting, wallpaper, aesthetic treatments, and lighting.
- E. Landscaping: The following are Eligible Enhancements related to Landscaping on the Property except as noted otherwise:
- i. Edging: Providing a perimeter to shrub beds with materials deemed to be of a long life, e.g. brick, stone, concrete, steel.
 - ii. Shrubs and Trees: Shrubs and / or trees of a variety that are sustainable in the area when combined with removal of existing shrubs and / or trees that are either overgrown or of poor quality.
 - iii. Xeriscaping: Landscaping with drought-tolerant plant materials and water-conserving irrigation practices.

- iv. Seasonal Color: Providing one-time planting of annual or perennial flowers in critical areas adequate to provide an appealing impact.
 - v. Irrigation: Automatic irrigation system complying with all code requirements.
 - vi. Lawn Renovation: Removal or re-establishment of an existing lawn with a desirable type of lawn.
 - vii. Fencing: Replacement of dilapidated fencing or installation of new fencing that is visually appealing.
 - viii. Ineligible: Though not an all-inclusive list, the following are specifically not eligible: landscape pruning, mowing and / or maintenance.
- F. Lighting: The following are Eligible Enhancements related to Lighting on the Property:
- i. Pedestrian Safety: Lighting that enhances the safety of the public on or adjacent to the property, e.g. sidewalks, parking lots.
 - ii. Accents: Lighting that accentuates features of the building or property creating a pleasant ambience on the Property.
 - iii. Signage: Lighting that illuminates signage identifying the business.
- G. Parking / Driveways: The following are Eligible Enhancements related to Parking and Driveways on the Property except as noted otherwise:
- i. Reconstruction: Removal of existing pavement, gravel, curbing, drives, accessibility ramps, etc. and replacement with reconstruction meeting City requirements.
 - ii. Resurfacing: Re-topping asphalt parking areas.
 - iii. Restriping: Repainting of parking stall stripes, fire lane graphics.
 - iv. Ineligible: Though not an all-inclusive list, the following are specifically not eligible: any surface that is not an all-weather hard surface, as that term is defined in the City's zoning ordinance.
- H. Pedestrian Amenities: The following are Eligible Enhancements related to Pedestrian Amenities on the Property:
- i. Paving: Paving of a unique nature in areas that allow customers to congregate.
 - ii. Seating Areas: Provisions for seating in areas where customers may congregate before, during or after supporting the business.
 - iii. Shade: Provisions for shading pedestrian areas to include permanent or temporary canopies, umbrellas or similar shade structures.
 - iv. Music: Provisions for permanent installation of fixtures to accommodate providing music in areas where customers congregate.
- I. Signage: The following are Eligible Enhancements related to Signage on the Property. Replacement of signs that do not conform to current City requirements is a priority for the City.
- i. Replacing Signs: Replacing existing signs, whether non-conforming or not, with new signage that complies with all City requirements.
 - ii. New Signs: New signs for existing or new businesses when combined with other Enhancements.

- J. Utilities: The following are Eligible Enhancements related to Utilities on the Property:
- i. Upgrading: The upgrading or new installation of utilities serving the Property to commercial needs. This might include electric, phone, Internet or similar.
 - ii. Placement Underground: The placement of existing or new utilities underground.
- K. Code Compliance: The following are Eligible Enhancements related to Code Compliance on the Property:
- i. Public Accessibility: Reconstruction or new construction to comply with public accessibility requirements.
 - ii. Fire Sprinkler Systems: Replacement, upgrade, or installation of fire sprinkler systems in compliance with current codes.
- L. City Participation Limitations: Shown below are the City participation limitations for Grants given in accordance with this Policy. The Maximum Percentage shall be the maximum percentage of the total cost of the Enhancements that the City will grant the Applicant. The Maximum Amount is the maximum dollar amount to be contributed for that category of Enhancements. The potential Grant for each type of Enhancement would be the lesser of the Maximum Percentage or Maximum Amount.
- i. Accumulative Maximum Grant: Notwithstanding the Maximum Percentage and Maximum Amount limitations for each type of Enhancement, no Property or Business may receive more than \$10,000 in Grants during one 12 month period. For example, if a Property received the Maximum Amount for certain Landscaping Enhancements (\$5,000), the Property would only be eligible for a maximum amount of \$5,000 for another type of Enhancement within the same 12 month period.

Section	Type of Enhancement	Maximum Percentage	Maximum Amount
4.C	Façade Enhancements	50 %	\$10,000
4.D	Interior Renovation	20 %	\$4,000
4.E	Landscaping	30 %	\$5,000
4.F	Lighting	30 %	\$5,000
4.G	Parking / Driveways	40 %	\$10,000
4.H	Pedestrian Amenities	20 %	\$4,000
4.I	Signage	50 %	\$8,000
4.J	Utilities	20 %	\$4,000
4.K	Code Compliance	40 %	\$5,000

-- Remainder of page left blank intentionally --

5. GRANT PRIORITIES

The City has determined that the following are priorities for the benefits of this Policy. The evaluation of the merits of any Application shall take into consideration whether or not the Application also meets these priorities.

- A. Preferred Areas: The following areas of the City are areas of priority for implementation of this Policy:
- i. Belknap Street;
 - ii. Denton Highway;
 - iii. Beach Street;
 - iv. Broadway Avenue;
 - v. Haltom Road;
 - vi. Midway Road;
 - vii. Carson Street;
 - viii. NE 28th Street;
 - ix. State Highway 121; and
 - x. Western Center Blvd.

~~B. Preferred Businesses: The following types of businesses are a priority for implementation of this Policy:~~

- ~~i. Retail businesses; and~~
- ~~ii. Locally owned businesses.~~

6. ADMINISTRATIVE PROCEDURES

The following are the Administrative Procedures regarding the application for and approval of Property Enhancement Grants:

- A. Pre-Submittal: All Applicants are encouraged to meet with Staff prior to preparation of an Application. Applicants should contact the following to set up a meeting:
- Department of Economic Development
5024 Broadway Avenue, Haltom City, TX 76117
PH: (817) 222-7723
EM: EconDev@HaltomCityTx.com
- B. Application: The submittal of an Application is required prior to any evaluation of the request for Property Enhancement Grants. The Application shall be on a form prepared by Staff and available on the City's website or in the office of Economic Development.
- i. Required Information: The following shall be included with the Application:
 - a. Proof of ownership of the Property;
 - b. Photographs of the Property;
 - c. Drawings, renderings, plans of the proposed Enhancements;
 - d. Written description of the Enhancements including building materials and color schemes to be used;

- e. Construction Cost estimates from at least two (2) different contractors; and

- f. If Applicant is not the Property owner:
 - 1. Written approval of the Grant Application from the owner; and
 - 2. Copy of the signed lease agreement.
- C. Review & Evaluation: The following are criteria to review and evaluate the Application:
 - i. Review Criteria:
 - a. Completeness of Application: Completeness of the Application; including all required attachments.
 - b. Grant Priorities: ~~Does the Application include a targeted business classification or is it~~ Is the Property located in a ~~targeted improvement~~ Preferred A area as previously defined in Section 5.
 - c. Impact: An estimation of the impact that the Enhancements might have, particularly as a catalyst for continued private investment.
 - d. Non-funded Improvements: Are the improvements associated with the Grant part of a larger effort to enhance the property.
 - e. Elimination of Non-Conformity: Do the Enhancements eliminate a legal non-conforming aspect of the Property.
 - f. Enhanced Safety or Access: Do the Enhancements provide for a safer environment or enhanced access for the public.
 - ii. Staff Evaluation and Recommendation: The coordinating Staff member shall convene a team of the appropriate Staff members to evaluate the Application. Upon review, Staff shall prepare a recommendation to forward to the City Council.
 - a. Site Visit: Prior to formal evaluation of the Application by Staff, the Applicant shall allow Staff the opportunity to visit the Property to verify its status prior to any Enhancements.
- D. Approval: The City Council shall make the final decision regarding the merits of the Application and the appropriate Property Enhancement Grant to be given, if any. Upon approval of a Grant, the City Council will authorize Staff to enter into an Agreement with the Applicant on a form acceptable to Staff and the City Attorney. The Agreement, at a minimum, must contain the following:
 - i. Enhancements: List the specifications of the proposed Enhancements on the Property.
 - ii. Access: Provide the City and Staff access to the Property to ensure that the Enhancements or repairs are made according to the specifications and conditions in the Agreement.
 - iii. Grant: Provide for the procedures of the Grant payment.
 - iii. Recapture Provisions: Provide for the repayment of a Grant if the Applicant or the condition of the Property do not fulfill all obligations required under the Agreement. The City may take any remedy necessary to recover the funds, including filing a lien on the Property.
- E. Pre-Construction Meeting: If the Grant is approved by City Council, and if deemed necessary by Staff, the Applicant must attend a pre-construction meeting with Staff to coordinate any required permits, execute Grant documents, and resolve any questions either party might have.
- F. Notice to Proceed: Upon approval by the City Council, staff shall prepare and issue a written Notice to Proceed authorizing the Applicant to begin work on the Enhancements.
 - i. Required: All Grant documents must be executed and all required permits received prior to issuance of the Notice to Proceed.

- ii. Beginning of Work: All work must begin within sixty (60) days of the issuance of the Notice to Proceed.
 - iii. Completion of Work: All work for approved projects must be complete within ninety (90) days of the Notice to Proceed unless an Applicant's written request for extension is granted in writing by Staff.
- G. Construction: All construction shall be in accordance with all requirements for permitting and inspection required by the City.
- H. Verification: Upon completion and approval of the work by the City, Staff shall verify that the work has been performed as authorized in the approved City Council action.
- i. Documentation: The Applicant shall provide staff with documentation necessary to determine the costs of the Enhancements as approved by the City Council. E.g. copies of paid contractor invoices, receipts or processed checks. Costs not supported by adequate documentation shall not be eligible for reimbursement.
- I. Payment: Upon verification of compliance with City Council action, Staff shall cause a check to be issued by the City to the Applicant in the approved amount.
- i. Cost Overruns: Any costs above and beyond the amounts approved by City Council shall be the responsibility of the Applicant.

7. APPLICANT / OWNER CERTIFICATIONS

- A. Application Accuracy: The Applicant shall state that the information provided in the Application, and all that may have been affixed thereto, is true and correct, and that the City may rely on all of the information therein contained, and all that may have been affixed thereto, as being true and correct.
- B. Compliance: The Applicant shall certify that they are solely responsible for all safety conditions and compliance with all safety regulations, building codes, ordinance and other applicable regulations. Neither approval of an Application nor payment of a Property Enhancement Grant upon completion of the project shall constitute approval of the project by any City department or staff or a waiver by the City of any safety regulation, building code, ordinance or other applicable regulation.
- C. Insurance: The Applicant shall certify that they maintain sufficient insurance coverage for property damage and personal injury liability relating to the project.
- D. Maintenance: The Applicant shall certify that the Enhancements, once approved by the City shall be maintained for a period of three (3) years from the date of payment. No changes shall be made without prior written approval from the City.
- E. Discretionary Rights: The Applicant shall acknowledge that the City has the absolute right of discretion in deciding whether or not to approve a Grant relative to this Application, whether or not such discretion is deemed arbitrary or without basis in fact.
- F. Policy Promotion: The Applicant shall authorize the City to use an approved project to promote the merits of this Policy, including but not limited to displaying a sign at the Property or Business during and within thirty (30) days after construction, and using photographs and descriptions of the project in distribution material and press releases.

- G. Indemnification: The Applicant shall certify that they are solely responsible for overseeing the work, and will not seek to hold the City, and / or their agents, employees, officers, and / or directors liable for any property damage, personal injury, or other loss related in any way to this Policy, and by submission of an Application, agrees to indemnify the City, and / or their agents, employees, officers, and / or directors from any claims or damages resulting from the project, including reasonable attorney fees.

8. GENERAL PROVISIONS

- A. Termination: The City has the right to terminate any Agreement under this Policy if an Applicant is determined to be in violation of any conditions set forth in this Policy.
- B. Changes During Construction: If an Applicant seeks to change the scope of their project after a Grant has been approved, the Applicant shall meet with Staff to discuss the desired change. Staff has the authorization to approve minor modifications during construction. Any other desired modification shall be placed before the City Council for reconsideration.
- C. Flexibility: The terms and conditions of this Policy are a guideline for City Council during their deliberation and evaluation. The City reserves the right to modify the terms and conditions herein at any time, including for any pending Application.
- D. Section or Other Headings: Section or other headings contained in this Policy are for reference purposes only and shall not affect in any way the meaning or interpretation of this Policy.
- E. Severability: In the event that any provision of this Policy is illegal, invalid, or unenforceable under present or future laws, then, and in that event, it is the intention ~~of the parties hereto~~ that the remainder of this Policy shall not be affected thereby.
- F. Amendments: Staff may amend the form of the Application as needed to more efficiently evaluate the merits of requested Enhancements.

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Application for Property Enhancement Incentives

Contact: Susan White, Business Development Coordinator / (817) 222-2273 / swhite@haltomcitytx.com

1.0 PROJECT INFORMATION							
1.a	Property Address:						
1.b	Estimated Begin Work Date:	Estimated Completion Date:					
1.c	Years in business at this location:						
1.d	Reason for requesting grant:						
2.0 ELIGIBILITY OF PROPERTY							
	Yes	No	Item	Notes			
2.a			Within the City?	•			
2.b			Not residentially Commercially zoned?	•			
2.c			City taxes in good standing?	•			
2.d			No City liens existing?	•			
2.e			Proof of ownership provided?	•			
2.f			Outstanding code violations?	•			
2.g			No grants received in 2 years?	• In accordance with Section 3.A.vii			
3.0 ELIGIBILITY OF BUSINESS							
	Yes	No	Item	Notes			
3.a			Business taxes in good standing?	•			
3.b			If not owner, authorization provided?	•			
4.0	Enhancements		Total Cost	Policy Max %	Policy Max \$	Amount Requested	Amount Approved
4.a	Façade: (Section 4.C) •		\$	50%	\$10,000	\$	\$
4.b	Interior Renovation: (Section 4.D) •		\$	20%	\$4,000	\$	\$
4.c	Landscaping: (Section 4.E) •		\$	30%	\$5,000	\$	\$
4.d	Lighting: (Section 4.F) •		\$	30%	\$5,000	\$	\$
4.e	Parking / Driveways: (Section 4.G) •		\$	40%	\$10,000	\$	\$
4.f	Pedestrian Amenities: (Section 4.H) •		\$	20%	\$4,000	\$	\$
4.g	Signage: (Section 4.I) •		\$	50%	\$8,000	\$	\$
4.h	Utilities: (Section 4.J) •		\$	20%	\$4,000	\$	\$
4.i	Code Compliance: (Section 4.K) •		\$	40%	\$5,000	\$	\$
4.j	(Max. Grant Per Policy = \$10,000) TOTAL PROPERTY ENHANCEMENT GRANT APPROVED:						
4.k	Describe any planned Non-Grant Enhancements:						

5.0 GRANT PRIORITIES				
	Yes	No	Preferred Area?	Notes
5.a			Belknap Street, Carson Street , Denton Highway, Beach Street, Broadway Avenue, Haltom Road, Midway Road , NE 28 th Street, S.H. 121, Western Center Blvd.	•
	Yes	No	Preferred Business?	Notes
5.b			Retail, locally owned	•
6.0 ATTACHMENTS / EXHIBITS				
	Yes	No	Item	Notes
6.a			Ownership documentation	•
6.b			Photos of existing conditions	•
6.c			Drawing, renderings, plans of the proposed enhancements	•
6.d			Written description of the enhancements including building materials and color schemes	•
6.e			Construction cost estimates from two contractors	•
6.f			Copy of the signed lease agreement	• If Applicant is not property owner
6.g			Written support of the grant application from the owner	• If Applicant is not property owner
7.0 CONTRACTOR(S) INFORMATION				
7.a	Contractor for:			
	Company Name:			
	Contact Person:		Title:	
	Address:			
	Wk Phone:	Cell:		Fax:
	Email:		Website:	
7.b	Contractor for:			
	Company Name:			
	Contact Person:		Title:	
	Address:			
	Wk Phone:	Cell:		Fax:
	Email:		Website:	
7.c	Contractor for:			
	Company Name:			
	Contact Person:		Title:	
	Address:			
	Wk Phone:	Cell:		Fax:
	Email:		Website:	
7.d	Contractor for:			
	Company Name:			
	Contact Person:		Title:	
	Address:			
	Wk Phone:	Cell:		Fax:
	Email:		Website:	

8.0	Applicant / Owner Certifications: In accordance with Resolution R-2015-003-014-020-01 adopting the Property Enhancement Incentives Policy, the undersigned do hereby certify the following:																																
8.a	Section 7.A - Application Accuracy: The information provided in this Application, and all that may have been affixed hereto, is true and correct, and that the City may rely on all of the information herein contained, and all that may have been affixed hereto, as being true and correct.																																
8.b	Section 7.B - Compliance: I (we) are solely responsible for all safety conditions and compliance with all safety regulations, building codes, ordinance and other applicable regulations. Neither approval of an Application nor payment of a Property Enhancement Grant upon completion of the project shall constitute approval of the project by any City department or staff or a waiver by the City of any safety regulation, building code, ordinance or other applicable regulation.																																
8.c	Section 7.C - Insurance: I (we) maintain sufficient insurance coverage for property damage and personal injury liability relating to this project.																																
8.d	Section 7.D - Maintenance: I (we) certify that the Enhancements, once approved by the City shall be maintained for a period of three (3) years from the date of payment. No changes shall be made without prior written approval from the City.																																
8.e	Section 7.E - Discretionary Rights: I (we) acknowledge that the City has the absolute right of discretion in deciding whether or not to approve a Grant relative to this Application, whether or not such discretion is deemed arbitrary or without basis in fact.																																
8.f	Section 7.F - Policy Promotion: I (we) authorize the City to use an approved project to promote the merits of this Policy, including but not limited to displaying a sign at the site during and within thirty (30) days after construction, and using photographs and descriptions of the project in distribution material and press releases.																																
8.g	Section 7.G - Indemnification: I (we) certify that they are solely responsible for overseeing the work, and will not seek to hold the City, and / or their agents, employees, officers, and / or directors liable for any property damage, personal injury, or other loss related in any way to this Policy, and by submission of an Application, agrees to indemnify the City, and / or their agents, employees, officers, and / or directors from any claims or damages resulting from the project, including reasonable attorney fees.																																
9.0	I (we) hereby affirm the Certifications noted above and approve this Application for Property Enhancement incentives and the improvements Enhancements identified herein.																																
<table border="1" style="width: 100%;"> <thead> <tr> <th colspan="2" style="text-align: left;">9.a - Property Owner</th> <th colspan="2" style="text-align: left;">9.b - Applicant / Business Representative</th> </tr> </thead> <tbody> <tr> <td colspan="2">Company:</td> <td colspan="2">Company:</td> </tr> <tr> <td colspan="2">Signed:</td> <td colspan="2">Signed:</td> </tr> <tr> <td colspan="2">Name:</td> <td colspan="2">Name:</td> </tr> <tr> <td colspan="2">Title:</td> <td colspan="2">Title:</td> </tr> <tr> <td>Wk:</td> <td>Cell:</td> <td>Wk:</td> <td>Cell:</td> </tr> <tr> <td colspan="2">EM:</td> <td colspan="2">EM:</td> </tr> <tr> <td colspan="2">Address:</td> <td colspan="2">Address:</td> </tr> </tbody> </table>		9.a - Property Owner		9.b - Applicant / Business Representative		Company:		Company:		Signed:		Signed:		Name:		Name:		Title:		Title:		Wk:	Cell:	Wk:	Cell:	EM:		EM:		Address:		Address:	
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Wk:	Cell:	Wk:	Cell:																														
EM:		EM:																															
Address:		Address:																															

Note: ~~This Application may be amended by Staff as needed to implement the Property Enhancement Incentives Policy.~~ Staff may amend the form of this Application as needed to more efficiently evaluate the merits of requested Enhancements.

CITY COUNCIL MEMORANDUM

City Council Meeting: April 13, 2015
Department: Administration
Subject: Council Budget Committee

BACKGROUND

At the March 9th Council meeting, the City Council discussed and appointed a three-member, ad hoc committee comprised of councilmembers to work on the preliminary budget for the following fiscal year. Councilmembers Davenport, Fowler and Truong were appointed to the committee.

The City Attorney consequently reviewed the City's codes and determined the committee needed to be created by resolution or ordinance. On March 23, Resolution No. R-2015-006-01 was presented for the Council's consideration but the resolution was tabled to enable better documentation of the ad hoc committee's role and creation.

A revised resolution is attached with the revisions noted on the document. The initial resolution stated the committee would assist in establishing the dates for the "required public hearings." This statement has been removed in that the dates are already specified through state law and tentative dates for the public hearings are established by Staff in February/March of each year. Please note the required public hearings are not to be confused with the budget workshops. In addition, the initial requirement of only those councilmembers or the mayor not up for re-election are eligible to serve has been removed because the ad hoc committee will not start meeting until June (after the election). Also, the committee's appointment has been delayed until May to enable newly elected officials the opportunity to serve.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends the City Council approve Resolution No. R-2015-006-01 creating the Council Budget Committee. The members of the initial committee will be those members appointed at the March 9th City Council meeting.

ATTACHMENTS

Resolution No. R-2015-006-01 (revised)

RESOLUTION NO. R-2015-006-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS,
CREATING A CITY COUNCIL BUDGET COMMITTEE**

WHEREAS, Chapter 2, Article II, Division 2 of the Haltom City Code of Ordinances authorizes the City Council to create and establish ad hoc committees for the purpose of making recommendations to the city council on specific matters or performing other specific functions; and

WHEREAS, the City Council desires to create and establish a City Council Budget Committee for the purpose of reviewing relevant budget information and assisting with the scheduling of budget review meetings and public hearings by the City Council.

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

SECTION 1.

A City Council Budget Committee is hereby created and established. The committee will hear initial departmental budget presentations and provide guidance, work with the city manager and finance director of the City to develop a schedule and guidelines for review of the budget ~~and the holding of required public hearings by the city council~~, and shall make recommendations to the city council that will ease the budget review process. However, the entire city council will continue to receive documentation of line-item budgets and submitted decision packages.

SECTION 2.

The committee shall be composed of three members of the city council who will be appointed at large by the city council. The members shall be appointed in ~~March~~ May of each year and shall serve a term of one year or until their successors are appointed. ~~Only those council members or the mayor who are not up for re-election at the next general election for the city council shall be eligible to be appointed to the committee.~~

SECTION 3.

Members on the committee shall serve at the will and pleasure of the city council and may be replaced at any time at the discretion of the city council by a majority vote.

SECTION 4.

At the first meeting of the committee, the members shall elect a chair and vice-chair. The city manager and finance director shall be non-voting, ex officio members of the committee and will assist with providing documents and information related to the budget review process.

SECTION 5.

The committee shall keep minutes of its proceedings but shall not be subject to the Open Meetings Act.

PASSED, APPROVED AND ADOPTED THIS 23rd DAY OF MARCH, 2015.

Richard Hutchison, Mayor

ATTEST:

| [Art Camacho](#), City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: April 13, 2015

Department: Planning & Community Development

Subject: Ordinance No. O-2015-003-15
First Reading (CU-002-15)
 Arnie’s Tire Store

BACKGROUND

Conduct a public hearing and consider action on the application of Arnulfo Rodriguez, on behalf of Jesus Mejia-Villalva, for a Conditional Use Permit request with site plan approval, for Tire Sales Store uses located on Tract 18B09 of the Joel Walker Survey, A-1654, being 0.198 acres located south of E. Belknap Street and west of Layton Avenue, locally known as 4320 E. Belknap Street.

The applicant’s site plan proposes a deviation to a typical design standard of the “C-3” Commercial District and identifies alternate standards as summarized in the table below.

Design Standard	Required	Proposed
Landscape Buffer along E. Belknap Street	15’ min. width with trees, shrubs, and ground cover	None; existing to remain
Landscape Buffer along Layton Avenue	15’ min. width with trees, shrubs, and ground cover	4-to-5-foot meandering sidewalk
Min. Street Side Setback	15’	Existing building setback to remain, and dumpster enclosure in building setback

The applicant’s cost of improvements is not anticipated to exceed 50% of the fair market value of the property; therefore platting and sidewalk construction is not required. Per Tarrant County Appraisal District, the property today has a land value of \$28,453.00 and improvements totaling \$46,127.00 for a total value of \$74,580.00.

FISCAL IMPACT

None.

RECOMMENDATION

On March 24, 2015, the P&Z recommended approval of CU-002-15 by a vote of 5-0-0 with stipulations for landscape and screening standards found in Exhibit “A” attached.

ATTACHMENTS

P&Z Staff Report with Attachments
 Ordinance No. O-2015-003-15 with Exhibits “A” and “B”

ORDINANCE NO. O-2015-003-15

CASE NO. CU-002-15

AN ORDINANCE AMENDING ORDINANCE NO. O-2002-032-15, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF HALTOM CITY, TEXAS, BY APPROVING A CONDITIONAL USE PERMIT FOR TIRE SALES STORE USES ON CERTAIN PROPERTY IN THE CITY OF HALTOM CITY, TEXAS; AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, in accordance with Section 39 of the Zoning Ordinance, the owner of property consisting of approximately 0.198 acres of land located on Tract 18B09 of the Joel Walker Survey, A-1654, locally known as 4320 E. Belknap Street (hereinafter-referenced as the "Property"), has filed an application for approval of a Conditional Use Permit for Tire Sale Store uses on said property; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on March 24, 2015 and the City Council of the City of Haltom City, Texas held a public hearing on April 13, 2015 with respect to the Conditional Use permit described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the approval of the Conditional Use Permit.

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

SECTION 1.

Ordinance No. O-2002-032-15, as amended, is hereby amended by approving a Conditional Use Permit for Tire Sales Store uses at the property consisting of approximately 0.198 acres of land located at 4320 E. Belknap Street and being more fully described as Tract 18B09 of the Joel Walker Survey, A-1654.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

The use of the Property described above shall be subject to the restrictions, terms and conditions set forth in Exhibit "A" Design Standards and Exhibit "B" Site Plan attached hereto and shall further be subject to all the applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances of the City of Haltom City, Texas.

SECTION 5.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Haltom City, Texas (1998), as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 6.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences,

clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 7.

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

SECTION 8.

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

SECTION 9.

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

SECTION 10.

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

PASSED AND APPROVED ON FIRST READING THIS _____ DAY OF _____, 2015.

PASSED AND APPROVED ON SECOND READING THIS _____ DAY OF _____, 2015.

Mayor
ATTEST:

City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney

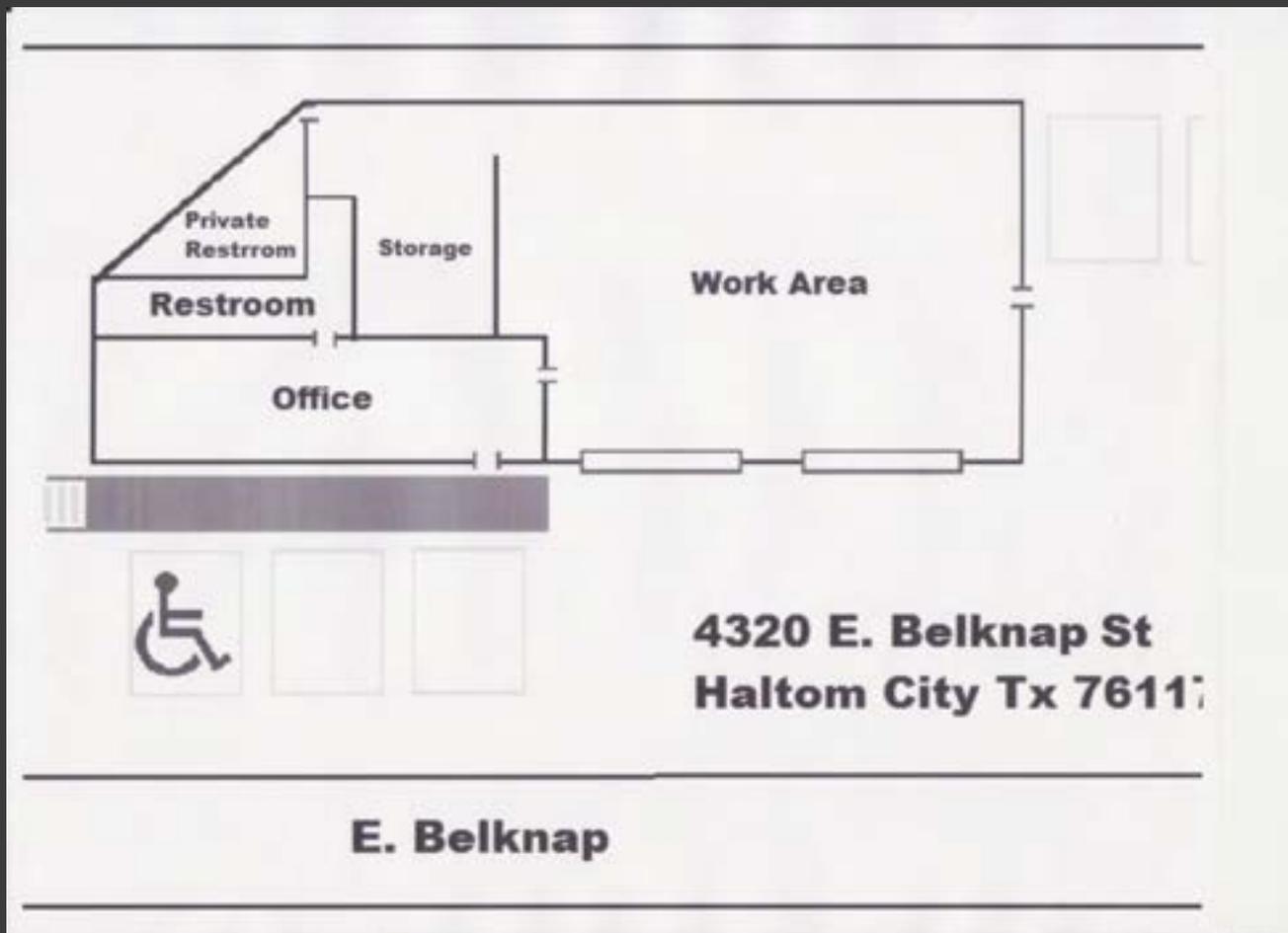
Exhibit 'A'
Design Standards

1. The existing building and a dumpster enclosure located on the east side of the building is allowed to encroach into the 15-foot street side yard along Layton Avenue.
2. The dumpster enclosure shall be a minimum six-foot tall opaque screening device.
3. No trees, shrubs, or ground cover is required in the landscape buffers along E. Belknap Street and Layton Avenue.
4. The applicant shall repaint the building, replace the two overhead garage doors facing E. Belknap Street, add a new canopy over the main entrance into the building, and create a screened storage area for tires, tools, and supplies on the west side of the building with the screening device facing E. Belknap Street being a masonry wall that is at least six feet in height.
5. The applicant shall stripe the parking lot and remodel the building and restroom for ADA compliance.
6. If the applicant can obtain approval from the adjacent property owner to the south, then the applicant may place the dumpster enclosure on the property along with an opaque screening fence.
7. The applicant shall remove existing pavement in the northeast corner of the site and provide a landscape bed containing at least six shrubs to be space between 30 to 36 inches apart and at least one-foot in height at planting with the capability to reach two feet in height within 18 months at which height the shrubs shall be maintained.
8. If there is any conflict between Exhibit 'A' Design Standards and Exhibit 'B' Site Plan, the provisions in Exhibit 'A' Design Standards shall control.

Exhibit 'B'
Site Plan

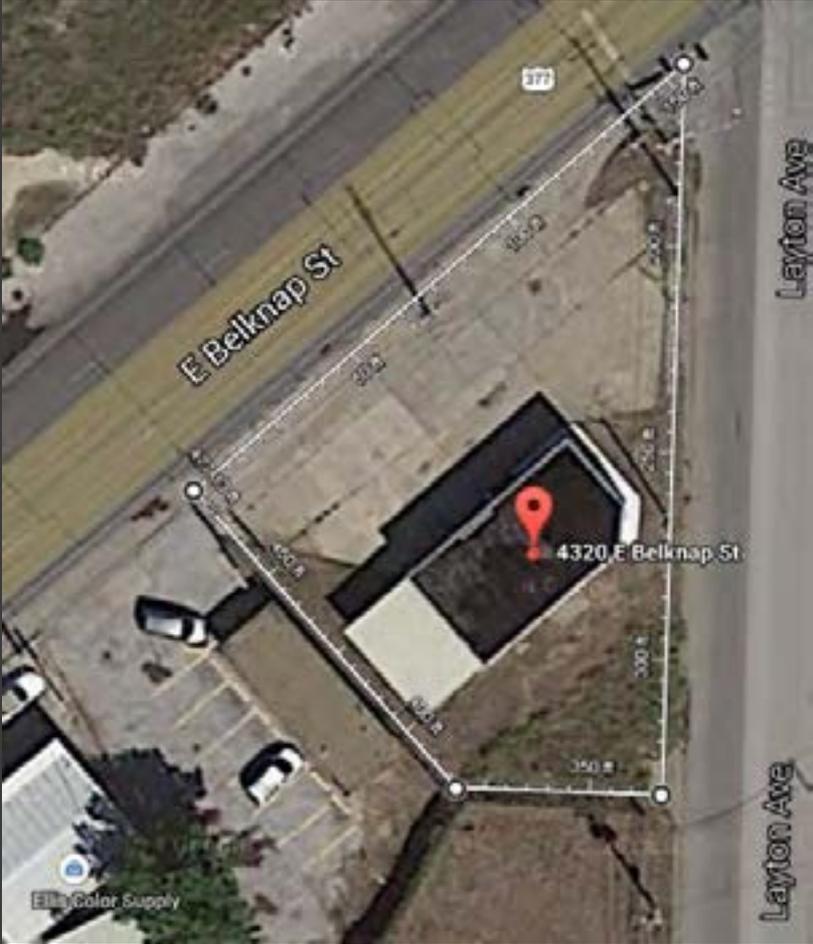
(See next page)

- Proposed land and building use
1 of 3



4320 E Belknap St. – PROPERTY

477 sq feet around the lot



- Front, Side, and Rear images of building



Before and After Plan (FRONT)



Before and After Plan (side view)



- Designated pedestrian walkways for public and tenant use (to be resurfaced/paved by cement)



CITY COUNCIL MEMORANDUM

City Council Meeting: April 13, 2015

Department: Planning & Community Development

Subject: Ordinance No. O-2015-004-15
First Reading (Z-001-15)
Le Addition

BACKGROUND

Conduct a public hearing and consider action on the application of Chase D. Pearce, on behalf of Jimmy and Ann Nguyen, for approval of a Zoning Change request from "PD" Planned Development for all "C-3" uses plus limited Auto Dealer, Auto Repair, and Residential Quarters uses to "PD" Planned Development for all "C-3" uses plus Auto Dealer, Auto Repair, and Residential Quarters uses located on Lot 1R, Block 1R of the Le Addition, being 1.682 acres of land located south of NE 28th Street and west of N. Beach Street, locally known as 2219 N. Beach Street.

The present zoning of the subject site allows the use of Auto Dealer in one building and in a limited area of the subject site as shown on the site's development plan approved by City Council in 1997. The applicant wishes to expand the Auto Dealer use to the other existing commercial building and to additional area within the subject site as shown on the proposed development plan. With approval of this request, the applicant has committed to the site improvements in Exhibit A of the attached ordinance.

The applicant's cost of improvements is not anticipated to exceed 50% of the fair market value of the property; therefore sidewalk construction is not required. Per Tarrant County Appraisal District, the property today has a land value of \$263,761.00 and improvements totaling \$135,239.00 for a total value of \$399,000.00.

FISCAL IMPACT

None.

RECOMMENDATION

On March 24, 2015, the P&Z recommended approval of Z-001-15 by a vote of 4-1-0.

ATTACHMENTS

P&Z Staff Report with Attachments
Ordinance No. O-2015-004-15 with Exhibits "A" and "B"

ORDINANCE NO. O-2015-004-15

CASE NO. Z-001-15

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

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

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

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

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

WHEREAS, in accordance with Section 39 of the Zoning Ordinance, the owner of property consisting of approximately 1.682 acres of land located on Lot 1R, Block 1R of the

Le Addition, locally known as 2219 N. Beach Street (hereinafter-referenced as the "Property"), has filed an application to rezone the property from its present classification of "PD" Planned Development for all "C-3" uses plus limited Auto Dealer, Auto Repair, and Residential Quarters uses to "PD" Planned Development for all "C-3" Commercial uses plus Auto Dealer, Auto Repair, and Residential Quarters; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on March 24, 2015 and the City Council of the City of Haltom City, Texas held a public hearing on April 13, 2015 with respect to the Zoning Change and amendments described herein; and

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

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

SECTION 1.

Ordinance No. O-2002-032-15, as amended, is hereby amended by rezoning approximately 1.682 acres of land from "PD" Planned Development for all "C-3" uses plus limited Auto Dealer, Auto Repair, and Residential Quarters uses to "PD" Planned Development for all "C-3" uses plus Auto Dealer, Auto Repair, and Residential Quarters uses, located south of NE 28th Street and west of N. Beach Street, locally known as 2219 N. Beach Street, and being Lot 1R, Block 1R of the Le Addition.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Haltom City, Texas (1998), as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 6.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such

unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 7.

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

SECTION 8.

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

SECTION 9.

The City Secretary of the City of Haltom City, Texas, is hereby directed to publish in the official newspaper of the City of Haltom City, Texas, the caption, Section 1, penalty clause, publication clause and effective date clause of this Ordinance one (1) time within ten

(10) days after the first reading of this Ordinance as required by Section 10.01 of the Charter of the City of Haltom City, Texas.

SECTION 10.

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

PASSED AND APPROVED ON FIRST READING THIS _____ DAY OF _____, 2015.

PASSED AND APPROVED ON SECOND READING THIS _____ DAY OF _____, 2015.

Mayor
ATTEST:

City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Exhibit "A"

Design Standards

1. Remove the junk, trash, and debris on the south side of the existing R-panel fence along the south property line.
2. Remove the existing tree growing into the overhead power lines at the southeast corner of the subject site.
3. Remove all abandoned sign bases, concrete footers, exposed rebar, angle iron, exposed pipe, and bollards along N. Beach Street and Ola Lane.
4. Remove flag poles, streamers, supports, and sign bracket fixtures along N. Beach Street.
5. Replace the small non-conforming drive approach near the southeast corner with new curb & gutter.
6. Establish/maintain ground cover between N. Beach Street and the open tubular metal fence along N. Beach Street, and maintain this area clear of junk, trash, and debris. Edge vegetation grown over N. Beach Street curb and remove grass grown over existing concrete surfaces.
7. Along N. Beach Street paint the rusting and white open-tubular-metal fence black.
8. Provide Knox-lock on northern gate and remove inoperable automatic equipment/fixtures.
- ~~9. Clarify the owners of the two mailboxes along the N. Beach Street curb and in front of the subject site and remove if abandoned.~~
10. Remove the inoperable fountain on site.
11. Pave all areas to facilitate parking and maneuvering on site.
12. Repair pot holes and cracks in asphalt located in front of the auto repair shop.
13. Repair the collapsing support posts in front of the auto repair shop.
14. Replace missing R-Panel fencing along south property line and west property line.
15. Provide six-foot wood fence along south property line where missing adjacent to residential.
16. Remove footers behind auto repair shop where building addition was removed.
17. Remove 20'x39' concrete forms on site.
18. Stripe the paved surface behind the auto repair shop for a parking facility.
19. If there is any conflict between Exhibit "A" Design Standards and Exhibit "B" Development Plan, the provisions in Exhibit "A" Design Standards shall control.

Exhibit "B"
Development Plan

(See next page)

CITY COUNCIL MEMORANDUM

City Council Meeting: April 13, 2015

Department: Planning & Community Development

Subject: Ordinance No. O-2015-005-15
First Reading (Z-002-15)
Trotter Enterprises

BACKGROUND

Conduct a public hearing and consider action on the application of Victor Trotter, on behalf of Newaire Corp Partner, Inc. and Rita R. Wilson for approval of a Zoning Change request from “C-3” Commercial District and “M-1” Industrial District to “PD” Planned Development for “C-3” uses plus office warehouse, warehouse, and wholesale distributor and “PD” Planned Development for limited “M-1” uses located on G. W. Burkitt’s Subdivision Block 22, Lot 22A and 22B, L. Merrill 25R, 26R & 27R; Tracts 18B07, 18B1, 18B1A, 18B5, 18B6, 18B11, and 18D of the Joel Walker Survey, A-1654; and Lots 26A, 27A, and 28A of the J. A. Murrel Addition being 3.328 acres of land located south of E. Belknap Street and east of Layton Avenue, locally known as 1708, 1714, and 1728 Layton Avenue; and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan.

The applicant requests to rezone the subject site to allow for the occupancy of office warehouse, warehouse, and wholesale distributor uses on the northern portion of the site that fronts to E. Belknap Street. Per Section 9 of the Zoning Ordinance, office warehouse and wholesale distributor are not allowed by-right in the existing “C-3” Commercial District and only allowed through approval of a conditional use permit or planned development. For the remaining portion of the site, the applicant requests to rezone to allow for the occupancy of uses such as vehicle storage facility, contractor’s storage of equipment, furniture manufacturing plant, office warehouse, warehouse, wholesale distributor, assembly operations of commodities, and ancillary metal finishing. A Use Matrix for this planned development is included in Exhibit B attached. Exhibit C – Design Standards provides a list of stipulations the applicant must comply with prior to allowance of any new use proposed with this rezoning request, and Exhibit D – Development Plan provides documents to support these stipulations.

According to the Tarrant County Appraisal District website (TAD.ORG), the market value for the land in this rezoning request is \$310,954 and the market value for the improvements in this rezoning request is \$591,768, for a total market value of \$902,722. Trotter Enterprises estimates their total investment into the property for remodeling, maintenance, and improvements to be approximately \$380,000, which is more than 50% of the existing market value of improvements. Therefore, the property must be platted. The applicant proposes to plat Section A as one lot and Section B as a second lot.

FISCAL IMPACT

None.

RECOMMENDATION

On March 24, 2015, the P&Z recommended approval of Z-002-15 by a vote of 5-0-0 with the stipulation that Classic Car Restoration uses be allowed in the southern portion of the subject site (Sections B, C, and D) as provided in the attached ordinance.

ATTACHMENTS

P&Z Staff Report with Attachments

Ordinance No. O-2015-005-15 with Exhibits "A", "B", "C", and "D"

ORDINANCE NO. O-2015-005-15

CASE NO. Z-002-15

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

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

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

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

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

WHEREAS, the City Council of the City of Haltom City heretofore adopted Ordinance No. O-2002-032-15, as amended, the Zoning Ordinance of the City of Haltom City, Texas,

which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, in accordance with Section 39 of the Zoning Ordinance, the owner of property consisting of approximately 3.328 acres of land located on G. W. Burkitt's Subdivision Block 22, Lot 22A and 22B, L. Merrill 25R, 26R & 27R; Tracts 18B07, 18B1, 18B1A, 18B5, 18B6, 18B11, and 18D of the Joel Walker Survey, A-1654; and Lots 26A, 27A, and 28A of the J. A. Murrel Addition, locally known as 1708, 1714, and 1728 Layton Avenue (hereinafter-referenced as the "Property"), has filed an application to rezone the property from its present classification of "C-3" Commercial District and "M-1" Industrial District to "PD" Planned Development for "C-3" Commercial District uses plus office warehouse, warehouse, and wholesale distributor uses on the northern portion of the site that fronts to E. Belknap Street and "PD" Planned Development for limited "M-1" uses for the remainder of the Property; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on March 24, 2015 and the City Council of the City of Haltom City, Texas held a public hearing on April 13, 2015 with respect to the Zoning Change and amendments described herein; and

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

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

SECTION 1.

Ordinance No. O-2002-032-15, as amended, is hereby amended by rezoning approximately 3.328 acres of land from “C-3” Commercial District and “M-1” Industrial District to “PD” Planned Development for “C-3” uses plus office warehouse uses, warehouse, and wholesale distributor uses on the northern portion of the site that fronts to E. Belknap Street (being all of the subject site located north of an imaginary line traversing through a point located approximately 305 feet south of the northwest property corner to a point located approximately 438 feet south of the northeast property corner) and “PD” Planned Development for limited “M-1” uses for the remainder of the Property, located south of E. Belknap Street and east of Layton Avenue, locally known as 1708, 1714, and 1728 Layton Avenue, and being G. W. Burkitt’s Subdivision Block 22, Lot 22A and 22B, L. Merrill 25R, 26R & 27R; Tracts 18B07, 18B1, 18B1A, 18B5, 18B6, 18B11, and 18D of the Joel Walker Survey, A-1654; and Lots 26A, 27A, and 28A of the J. A. Murrel Addition.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

SECTION 6.

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

SECTION 7.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any

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

SECTION 8.

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

SECTION 9.

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

SECTION 10.

The City Secretary of the City of Haltom City, Texas, is hereby directed to publish in the official newspaper of the City of Haltom City, Texas, the caption, Section 1, penalty

clause, publication clause and effective date clause of this Ordinance one (1) time within ten (10) days after the first reading of this Ordinance as required by Section 10.01 of the Charter of the City of Haltom City, Texas.

SECTION 11.

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

PASSED AND APPROVED ON FIRST READING THIS _____ DAY OF _____, 2015.

PASSED AND APPROVED ON SECOND READING THIS _____ DAY OF _____, 2015.

Mayor
ATTEST:

City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Exhibit "A" Future Land Use Map



LAND USE CODE 2010	
	LOW DENSITY RESIDENTIAL
	HIGH DENSITY RESIDENTIAL
	MANUFACTURED HOUSING
	RETAIL, OFFICE, SERVICE COMMERCIAL
	MIXED USE
	INDUSTRIAL
	PARK
	PUBLIC
	QUASI-PUBLIC
	RAILROAD RIGHT-OF-WAY
	ARTS DISTRICT
	CORRIDOR DISTRICT
	INTERNATIONAL DISTRICT
	TRANSITION DISTRICT
	RIGHT-OF-WAY

Exhibit "B"
Z-002-15 Use Matrix

KEY: P = Permitted Changes from Section 9 Use Matrix are **highlighted**.
 C = Conditional
 SE = Special Exception

Table of Permitted Uses	Base Zoning	
	C-3 (Northern Portion of Site fronting E. B Belknap Street)	M-1 (Remainder of the Property)
A. Residential uses:		
Apartment hotel		
Assisted living center	P	P
Bed and breakfast inn		
Single family detached dwelling unit		
Duplex dwelling unit		
HUD code manufactured home		
Model home		
Mother-in-law dwelling/garage apartment		
Multi-family dwelling unit		
Residential quarters within buildings	C	C
Townhouse		
Triplex or fourplex dwelling unit		
B. Utility, accessory and incidental uses:		
Accessory building, permanent foundation	P	P
Antenna/antenna facilities	SE	SE
Home occupation		
Railroad right-of-way (no yards or stations)	P	P
Real estate sales office (temporary)		
Utility buildings and structures (not office)	P	P
Satellite disc receiver (over 1 meter in dia.)	SE	SE
Satellite disc receiver (under 1 meter)	P	P
Telephone exchange, switching, relay	P	P
Temporary buildings for construction purposes only (contractors only)	P	P
Water reservoir, water pumping station, water well	P	P
Wind charger	C	C
C. Educational and institutional uses:		
Cemetery/mausoleum	C	C

College/university (higher education institutions)	P	P
Community center	P	P
Dance studio/martial arts studio	P	P
Day care center in religious institution	C	C
Day care center in home		
Day care center/kindergarten	P	P
Fire station	P	P
Fraternal organization/civic, social	C	C
Hospital	P	P
Library	P	P
Museum	P	P
Nursing home/orphanage	P	P
Post office	P	P
Private or parochial school	C	C
Public school	P	P
Public building (not listed elsewhere)	P	P
Radio and television studio	P	P
Religious institution	P	P
Senior citizen center	P	P
School, trade or business	P	P
D. Recreational and entertainments uses:		
Auditorium/cinema/movie theater (indoors)	P	P
Bingo hall - commercial	C	C
Bowling lanes	P	P
Carnival, circus or special fund raising event, (temporary)	P	P
Commercial amusement (outdoor)		
Commercial amusement (indoors)	C	C
Country club	P	P
Golf course (public/private)	P	P
Golf, driving range	P	P
Golf course, miniature	P	P
Health club	P	P
Park, playground and recreation area	P	P
Pool and billiard parlor	P	P
Race track (animal)	C	C
Rodeo ground	C	C
E. Automobile and transportation related uses:		

Airport, heliport/landing field		C
Auto dealer - new and used		
Auto parts and accy. sales (w/machine shop)	P	P
Auto parts and accy. sales (w/o machine shop)	P	P
Auto, truck, trailer rental	C	C
Automobile and light truck repair shop	C	C
Automobile inspection station	P	P
Automobile tune up and lube center	C	C
Auto paint and body shop		
Classic Car Restoration		P
Auto alarm/stereo/window tinting store	P	P
Auto service station/gas filling	P	P
Auto upholstery shop	C	C
Auto laundry/car wash	C	C
Boat (marine) equipment sales/repair/service	C	C
Bus passenger terminal	P	P
Freight terminal, railroad or motor		
Motorcycle and trailer - sale and rental	C	C
RV or camper sales lot	C	C
RV storage and service		
Tire and battery sales store	C	C
Truck service center		
Vehicle storage facility		P
Wrecker/towing service		
Wrecking/auto salvage yard		C
F. Medical and office uses:		
Advertising agency	P	P
Art studio	P	P
Business/professional office	P	P
Chiropractic clinic	P	P
Convalescent facility	P	P
Clinic/dental, medical	P	P
Emergency clinic	P	P
Family counseling clinic	P	P
Governmental offices and facilities	P	P
Insurance agency	P	P
Mortgage loan business office	P	P
Optometrist/optician's office	P	P

Professional/business office	P	P
Real estate office	P	P
Rehabilitation care facility (psychiatric and mental disorders)	C	C
Rehabilitation care facility (substance abuse)		
Rehabilitation care facility (criminal - psychiatric and substance abuse)		
Tax return preparation office	P	P
Temporary employment agency	P	P
Title abstract office	P	P
Travel agency/airline ticket office	P	P
G. Retail and service uses:		
Animal hospital (small)	P	P
Appliance repair and installation, sales	P	P
Barber shop/beauty salon	P	P
Carpet and tile sales store	P	P
Cleaners, dry	C	C
Computer sales and service store	P	P
Consumer electronics store	P	P
Department store	P	P
Dog training school	P	P
Farmer's market	P	P
Financial institution/bank or savings and loan	P	P
Furniture and home furnishings store	P	P
Grocery store/supermarket	P	P
Hot tubs and spas, retail sales	C	C
Kennel	C	C
Mortuary/funeral parlor	P	P
Nondepository financial institution	C	C
Nursery retail sales	P	P
Pawn shop		
Pet store	P	P
Rental store (w/outside storage)		
Restaurant, cafeteria, bakery	P	P
Restaurant, fast food w or w/o drive-thru	P	
Retail store	P	
Sales and service of heavy equipment		
Shopping mall or shopping center (greater than 3 acres)	P	P

Shopping center (less than 3 acres)	P	P
Showroom warehouse	C	P
Shuttle and taxi service		
Veterinarian clinic (w/kennels)	P	P
Veterinarian clinic (w/o kennels)	P	P
H. Commercial uses:		
Clothing manufacturing	P	P
Contractor's office (w/shop and garage)	C	P
Contractor: plumbing/electrical/heating/air conditioning sales	P	P
Contractor: plumbing/electrical/heating/air conditioning sales and service	P	P
Farm implement sales, service and rental		
Feed and seed store (see retail)	P	P
Garden center (see retail)	P	P
Greenhouse or plant nursery (wholesale)	C	C
Hardware and building materials	P	P
Heavy machinery and truck sales/service/rental		
Home improvement center	P	P
Motel/hotel (excluding extended stay)	C	C
Janitorial supply and service company	P	P
Lawn maintenance service shop	P	P
Lumber yard (see home improvement)	C	C
Mini-warehouse (self storage)	C	C
Mini-warehouse (self storage w/residential quarters)	C	C
Moving or storage company		
Office warehouse	P	P
Pest control service shop	P	P
Printing shop	P	P
Rental yard (commercial and heavy equipment w/outside storage)		
Research laboratory	C	P
Sign shop (see lithographer)	P	P
Swimming pool sales and service store	C	C
Upholstery shop	P	P
Warehousing	P	P
Wholesale distributor	P	P
Warehousing and/or storage of any commodity		P

except heavy steel, large diameter pipe, explosive or hazardous chemicals		
Warehousing and storage of heavy steel, large diameter pipe, explosive or hazardous materials		C
I. Agricultural uses:		
Animal hospital (large)		C
Farm or ranch (minimum 5 acres)		
Stable/barn, commercial	C	C
Stable/barn, private (20,000 sf. minimum)		
J. Manufacturing and industrial uses:		
Asphalt or concrete batching plant		C
Assembling operations of commodities, all operations fully enclosed		P
Bottling plant		P
Storage, bus barn - maintenance facility for buses or tractor trailers		P
Cabinet shop		P
Chemical laboratory	C	C
Commercial bakery plant		
Commercial carpet cleaning		
Commercial laundry/dying plant		
Concrete mixing plant		C
Contractors storage of equipment		P
Electronic manufacturing		P
Food processing plant		
Freight terminals - rail/truck		P
Furniture manufacturing plant		P
Lithographic, printing/blueprinting plant		
Manufactured housing/commercial office trailers, sales and leasing		
Manufacturing and Assembling operations of commodities including large steel		C
Metal finishing facility		C
Monument manufacturing		
Natural gas compressor stations	C	C
Natural gas exploration, production and development	C	P
Newspaper printing plant		
Outdoor storage of construction materials		C
Petroleum collection/storage facility		P

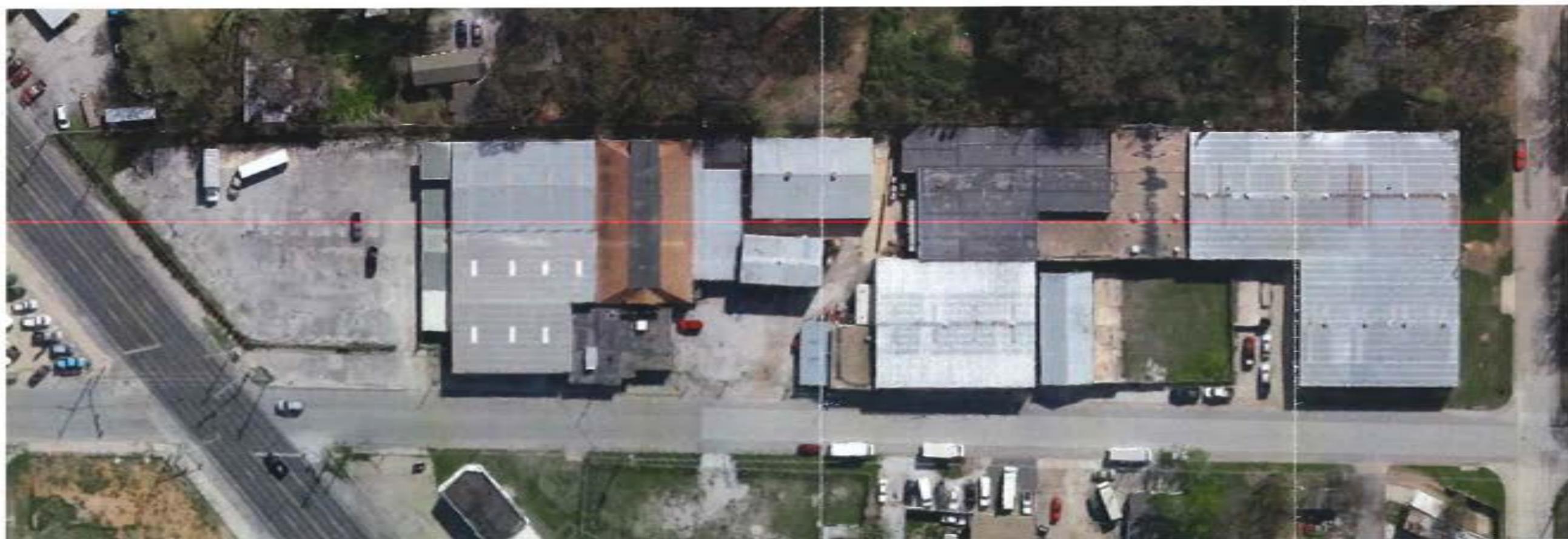
Power generation plants and facilities		P
Publishing company		
Reclamation center		P
Recycling transfer station		
Retail store w/light manufacturing		P
Sales and service of heavy equipment		P
Sanitary land fill		C
Sheet metal shop		P
Showroom warehouse w/fabrication		P
Storage warehouse distribution		P
Solid waste convenience center		
Storage of stone, rock or gravel		
Storage/processing of junk or salvaged material		C
Storage/refurbishment of manufactured housing/commercial office trailers		C
Welding/machine shop		P
Well, drilling and production		C

Exhibit "C" **Design Standards**

1. Minimum front, side, and rear yards shall be as is existing and showing in Exhibit "D" Development Plan.
2. Minimum parking shall be in accordance with standards shown in Exhibit "D" Development Plan.
3. The exterior of all buildings shall be painted with complementary colors to give the entire complex a cohesive appearance.
4. All roof surfaces on all buildings shall be repaired to a watertight condition.
5. Junk, trash, and debris shall be removed from the property.
6. Existing exterior lighting to remain shall be repaired.
7. The existing hedge along E. Belknap Street shall be pruned so to maintain a six-foot minimum screening device. New shrubs shall be planted where shrubs are dead or missing from this hedge.
8. The existing chain link fence along Layton Avenue shall be replaced with an open tubular metal fence having a minimum height of six feet.
9. Parking areas shall be striped in accordance with the parking plans in Exhibit "D" Development Plan.
10. The existing chain link fence in Section B shall be removed.
11. The free-standing 30.5' x 50.2' (1,531 square-foot) building on the northern edge of Section B shall be demolished.
12. Esthetic improvements shall be made to the appearance of the façade on the covered parking area of the 11,000 square-foot building.
13. The entry door and awning on the building in Section C of the Development Plan shall be replaced with a new entry door and awning.
14. Damaged portions of the Section C building's metal exterior wall surfaces shall be repaired or replaced.
15. The existing concrete dock high ramp by the building in Section C of the Development Plan shall be removed and replaced with surface parking.
16. The existing chain link fence in Section D of the Development Plan shall be removed.
17. The existing building in Section D of the Development Plan shall be demolished.
18. A twelve-foot wide landscape buffer equaling 1,400 square feet shall be provided in Section D as shown in the Development Plan.
19. All other design elements of the site and improvements at the site shall be held to a standard equal to or exceeding existing conditions.
20. For the purposes of this ordinance, Classic Car Restoration shall be defined as the repair, paint & body work, and servicing of automobiles having an original manufactured date that is at least 35 years prior to the date the restoration occurs.
21. If there is any conflict between Exhibit "C" Design Standards and Exhibit "D" Site Plan, the provisions in Exhibit "C" Design Standards shall control.

Exhibit "D"
Development Plan

(See next page)





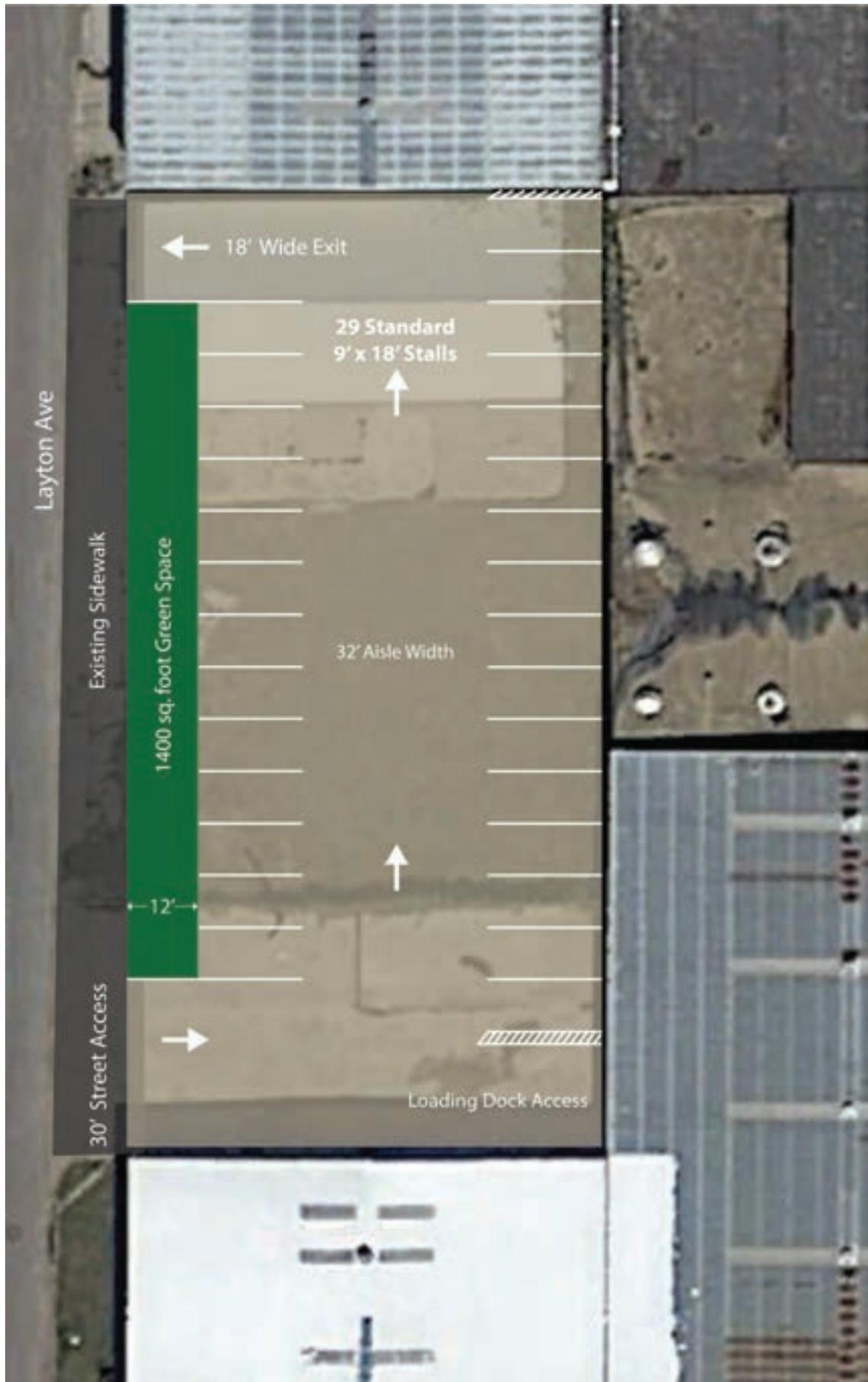
Parking

This section and Table 3 below provide details on the proposed parking for each of the sections of the property.

Table 3

1728 & 1714 Layton Avenue Complex Planned Parking Table					
Section (See Attachment 2)	Tenant	Ratio	Required	Provided	Reference
A Belknap Frontage	Madison Aerospace	1 per employee on the largest shift	15-30	62	Figure 6 ~ A Belknap Frontage Proposed Parking Layout
B Middle Section	Madison Aerospace	1 per employee on the largest shift	0 See A Belknap Frontage Above	6	Figure 7 ~ B Middle Section Proposed Parking Layout
	Trotter Controls Warehousing	1 per employee	4 Minimum	4	
	Future Tenant	1 per employee on the largest shift	Tenants Selected Not to exceed 16	16	
D Inset Lot (Parking for C Bernice Frontage)	Trotter Controls Home Office	1 per employee on the largest shift	21	29	Figure 8 ~ D Inset Lot Proposed Parking Layout

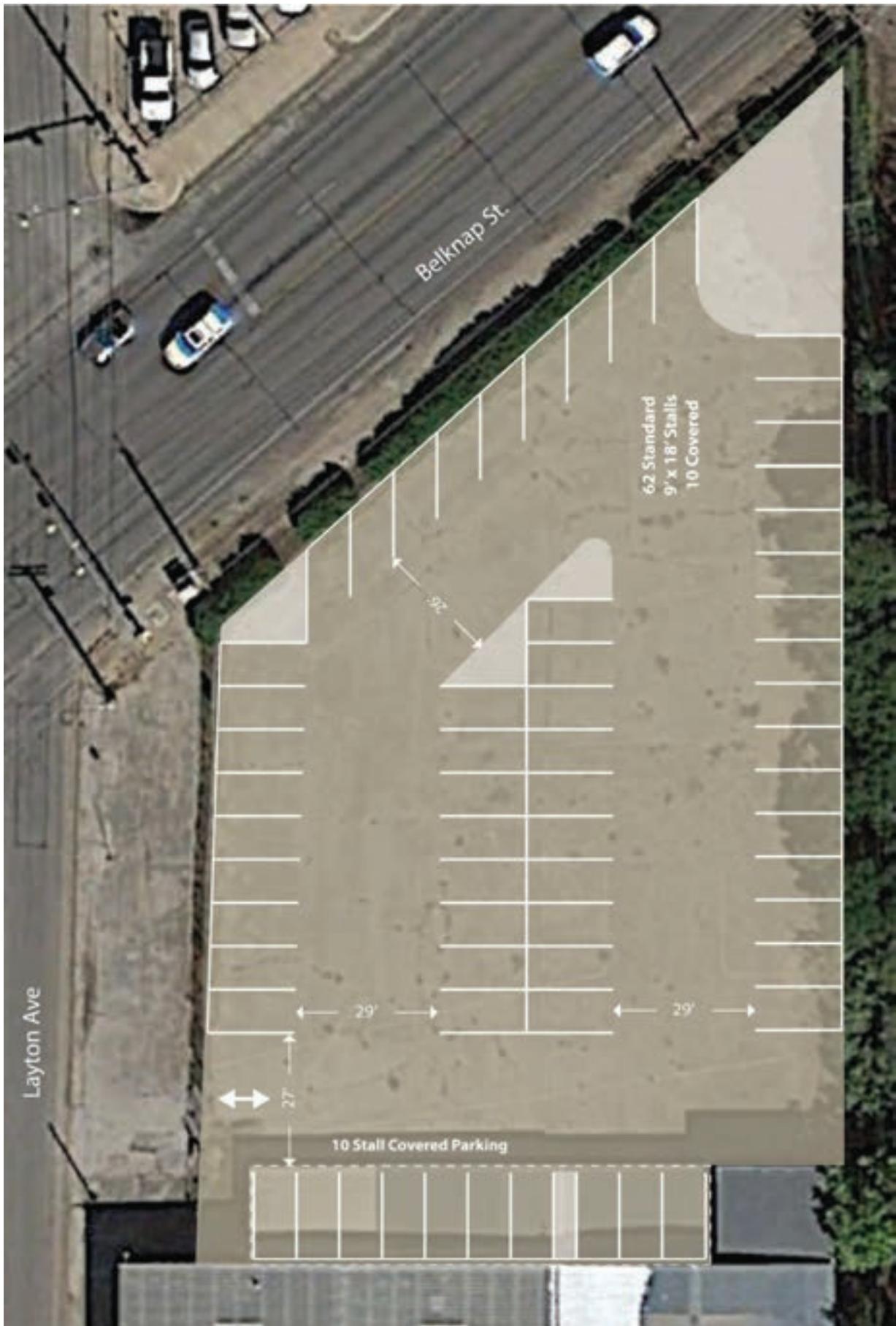
1714 Layton Ave Inset Lot Parking



1720 Layton Ave Complex Middle Lot Parking



1728 Layton North Lot Parking



CITY COUNCIL MEMORANDUM

City Council Meeting: April 13, 2015

Department: Planning & Community Development

Subject: Ordinance No. O-2015-006-15
First Reading (Z-003-15)
Haltom Road Office Park

BACKGROUND

Conduct a public hearing and consider action on the application of Chuck Barnett, on behalf of the City of Haltom City Economic Development Corporation, for approval of a Zoning Change request from "SF-1" Single Family Residential to "C-1" Commercial District located on Tracts 5, 5B6, and 5J of the Green B. Stanley Survey, Abstract 1378, being 3.819 acres of land located south of Northern Cross Boulevard and west of Haltom Road, locally known as 4500, 5009, and 5017 Haltom Road; and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan.

The applicant requests to rezone the subject site in order to market the property as a professional office park with perhaps ancillary retail uses, such as a deli or coffee shop that is complimentary to a professional office park setting. The requested "C-1" Commercial District is the most restrictive Commercial District in that it is intended for lower intensity commercial uses providing a uniform set of standards for neighborhood scale as opposed to a community scale which has a larger draw. The Fossil Creek Office Park located at 6200 North Beach Street is an example of such a development.

FISCAL IMPACT

None.

RECOMMENDATION

On March 24, 2015, the P&Z recommended approval of Z-003-15 by a vote of 3-2-0.

ATTACHMENTS

P&Z Staff Report with Attachments
Ordinance No. O-2015-006-15 with Exhibit "A"

ORDINANCE NO. O-2015-006-15

CASE NO. Z-003-15

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

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

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

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

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

WHEREAS, the City Council of the City of Haltom City heretofore adopted Ordinance No. O-2002-032-15, as amended, the Zoning Ordinance of the City of Haltom City, Texas,

which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, in accordance with Section 39 of the Zoning Ordinance, the owner of property consisting of approximately 3.819 acres of land located on Tracts 5, 5B6, and 5J of the Green B. Stanley Survey, A-1378, locally known as 4500, 5009, and 5017 Haltom Road (hereinafter-referenced as the “Property”), has filed an application to rezone the property from its present classification of “SF-1” Single Family Residential District to “C-1” Commercial District; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on March 24, 2015 and the City Council of the City of Haltom City, Texas held a public hearing on April 13, 2015 with respect to the Zoning Change and amendments described herein; and

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

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

SECTION 1.

Ordinance No. O-2002-032-15, as amended, is hereby amended by rezoning approximately 3.819 acres of land from "SF-1" Single Family Residential District to "C-1" Commercial District, located south of Northern Cross Boulevard and west of Haltom Road, locally known as 4500, 5009, and 5017 Haltom Road, and being Tracts 5, 5B6, and 5J of the Green B. Stanley Survey, A-1378.

SECTION 2.

The City of Haltom City Comprehensive Land Use Plan 2010, dated July 26, 2010, is hereby amended and a new Future Land Use Plan, attached hereto as Exhibit "A" and fully incorporated by reference, is adopted.

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

SECTION 6.

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

SECTION 7.

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

SECTION 8.

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

SECTION 9.

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

SECTION 10.

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

SECTION 11.

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

PASSED AND APPROVED ON FIRST READING THIS _____ DAY OF _____, 2015.

PASSED AND APPROVED ON SECOND READING THIS _____ DAY OF _____, 2015.

Mayor
ATTEST:

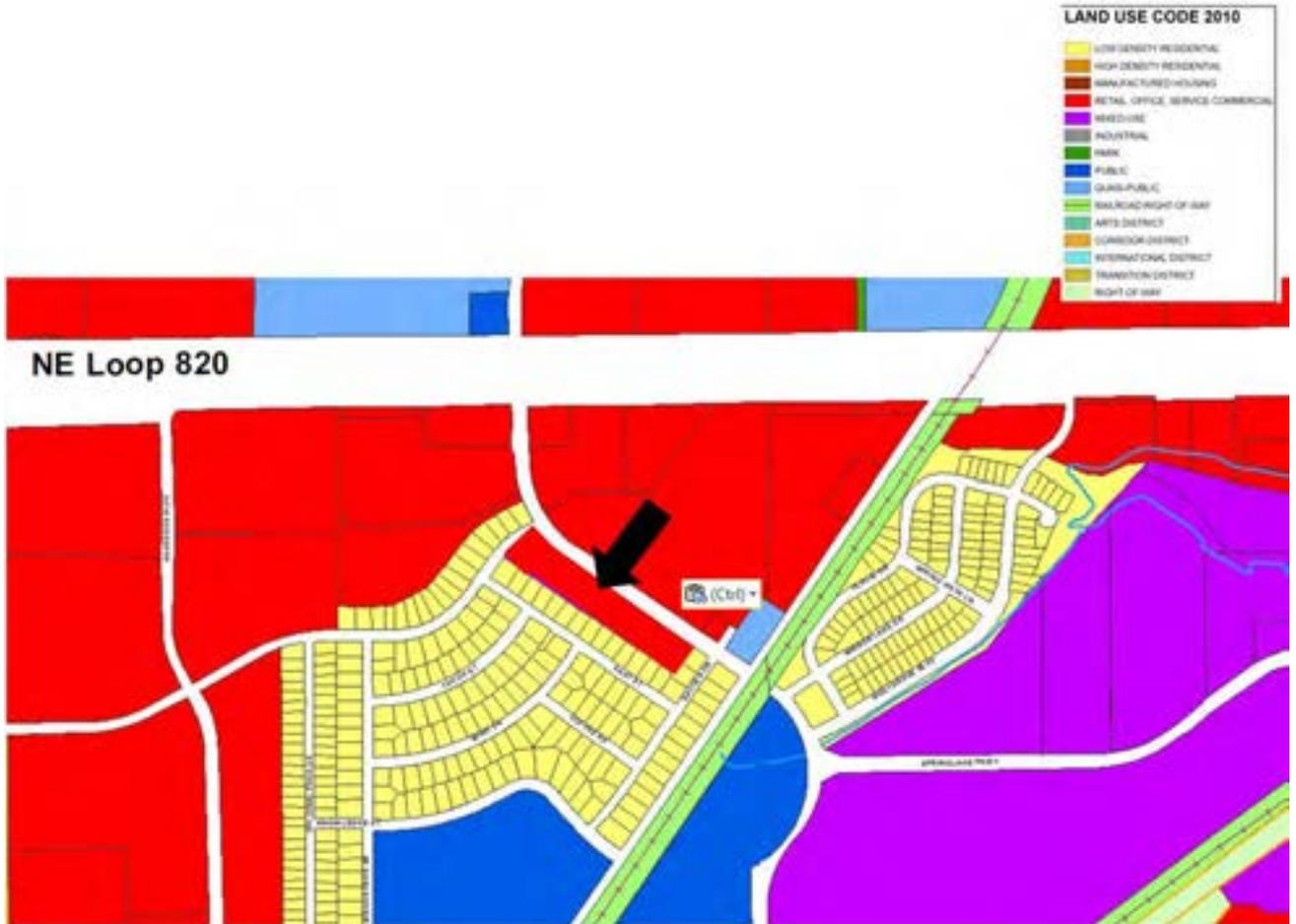
City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Exhibit "A" Future Land Use Map



CITY COUNCIL MEMORANDUM

City Council Meeting: April 13, 2015

Department: Public Works

Subject: Backage Roads Project – Contract Amendment

BACKGROUND

On July 1, 2013, the City entered into a construction agreement with Tiseo Paving Company (“Tiseo”) for the *Paving & Drainage Improvements: Northern Cross Boulevard, North Backage Road, Haltom Road and Old Denton Road* (the “Project”). Presently, the City Council is being asked to approve a contract amendment in the amount of \$446,738.35 to the initial construction agreement. This amount can be broken down into the following categories:

1. Over-run and under-run of quantities in the initial bid schedule	\$ 23,406.20
2. Items relative to unexpected soil conditions	34,875.15
3. Items relative to constructing and stabilizing the drainage outfall structure	384,432.00
4. Trench compaction after franchise utility relocation	4,025.00
	\$ 446,738.35

Over-run and under-run of quantities in the initial bid schedule:

The construction items associated with this amount (\$23,406.20) include removing and replacing a curb inlet that had settled on Colonial Park Drive which was in close proximity of the new road’s connection point, an additional gate valve on the new water main, additional connections between the new water main and the existing water main, etc. Essentially, in each one of these cases, the unit price amount indicated in the amendment is the same as the unit price amount that Tiseo originally bid.

Items relative to unexpected soil conditions:

As part of engineering design, geotechnical investigations were conducted throughout the project area; however, during construction, the soil conditions encountered at the east end of the Project (south side of Loop 820) were found to be substantially different than what was encountered in these geotechnical investigations. The construction items associated with this amount (\$34,875.15) were necessary because the encountered soil conditions were not adequate to serve as either the base for the new roadways or the bottom of the proposed drainage outfall structure. These construction items included hauling this soil off site to an economical location (Barbrook Park). Other “haul off locations” were considered, such as a landfill; however, estimates exceeded \$500,000.

Items relative to constructing and stabilizing the drainage outfall structure:

The construction items associated with this amount (\$384,432) are relative to installing the appropriate drainage stabilization items acceptable to the US Army Corps of Engineers (USACE) into the drainage outfall located on the east end of the project, south of Loop 820.

In stating the need for these construction items, a brief review of the Project's history is necessary. In order for the City to receive the grants (~\$15,000,000+), the Project had to go out for bids before all "responsible sign-off parties" could actually sign-off on the plans. For example, Explorer Pipeline hadn't approved the project's crossing of their gas mains nor had the USACE approved the construction methods for stabilizing/armoring the drainage outfall.

In the Project's "out for bid construction plans", Graham Associates (GA) specified the installation of 668 Cubic Yards of gabion mattresses as a stabilization method for the drainage outfall. Gabion mattresses have historically been used for similar situations as the Project's drainage outfall. However, shortly after the construction contract was executed, the City learned from Explorer Pipeline that the proposed drainage pipes were in conflict with an existing gas facility and the USACE would not allow the use of gabion mattresses all together. These actions required the City/GA to look at alternate designs, construction materials and methods, and to increase the area to apply such construction materials and methods.

Initially, GA proposed "hard armoring" the drainage outfall with Armorflex Blocks. However, after removing the 668 CY of gabion mattresses (\$205,744) and increasing this quantity to 3,765 Square Yards of Armorflex, the estimated cost increase to the Project would be \$502,251 (essentially, the \$205,744 would be added back into the contract plus an additional \$296,507). While this option would have been acceptable to the USACE, it was cost prohibitive.

Presently, GA has substantially reduced the amount of hard armoring (concrete block dissipaters) and is proposing the use of a relatively new product called Flexamat (other cities as well as TxDOT have used Flexamat successfully). While the construction costs associated with the Flexamat and concrete block dissipaters are \$384,432, which is more than the \$205,744 that was removed from the contract (via an early amendment to the construction contract), this amount (\$384,432) is considerably less than the \$502,251 cost that Tiseo quoted for Armorflex Blocks. It also needs to be noted that the Flexamat product is being placed over a much larger area than the area that the gabion mattresses were to cover.

Trench compaction after franchise utility relocation:

The construction items associated with this amount (\$4,025) are related to Tiseo having to re-compact the trench under the new turn lane at the northeast corner of Loop 820 and Haltom Road (i.e., the Westbound Frontage Road turn lane onto Northbound Haltom Road).

FISCAL IMPACT

Funding is available through the Economic Development Corporation.

RECOMMENDATION

Staff recommends approval of a contract amendment to Tiseo Paving Company's contract for the Backage Roads Project in the amount of \$446,738.35.

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 13th day of April, 2015, 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

Richard Hutchison, Mayor

ATTEST:

Art Camacho, City Secretary

APPROVED AS TO FORM:

Wayne Olson, City Attorney

CITY COUNCIL MEMORANDUM

City Council Meeting: April 13, 2015
Department: City Secretary
Subject: Boards and Commissions
Resignation of Members

BACKGROUND

The City Council will consider action regarding the resignations from Boards and Commissions. Ann Bastable has submitted her resignation from the Library Board.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENT

Ann Bastable Letter of Resignation

CITY COUNCIL MEMORANDUM

City Council Meeting: April 13, 2015
Department: City Secretary
Subject: Boards and Commissions
Appointments/Reappointments

BACKGROUND

The City Council will consider action regarding the appointment/reappointment of board and commission members.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

Appointment applications: Willis O'Dell, Anthony Bennett, and David Wood.

Vacancies:

Park and Recreation Board (Place 8)
Planning and Zoning Commission (Places 5)
Zoning Board of Adjustment (Place 4)

Reappointments:

Beautification (Place 3)
CCPD/Redlight Camera (Places 3 and 5)