AGENDA
HALTOM CITY COUNCIL MEETING
February 8, 2016
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 update on Decision Packages.
- Review and discuss items on the regular agenda of February 8, 2016.

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, litigation, and settlement offers and/or claims for the following cases:

- Donald Anthony Hains v. City of Haltom City
- Flynn v. Haltom City EDC
- Progressive County Mutual Ins. Co. v. City of Haltom City
- James H. Watson v. City of Haltom City
- Louis Engler v. City of Haltom City, et al
- EEOC Charge No. 450-2015-01583
- City of San Antonio, Texas, on behalf of itself and all other similarly situated Texas cities v. Hotels.com, L.P., et al., Civil No. SA-06-CA-381-OG, a Class Action

Section 551.072 – Deliberations about Real Property

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

Section 551.074 - Personnel

Deliberation regarding the appointment, employment, evaluation, reassignment, or duties of the Municipal Court Judge and City Manager.

REGULAR SESSION 7:00 P.M.

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE – Mayor Pro Tem Bob Watkins

ANNOUNCEMENTS/EVENTS – Council Member Stephanie Davenport

CONSENT AGENDA

1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of January 25, 2016.
2. **Ordinance No. O-2016-002-15 (Z-001-16) -** Consider action on the application of Geraldo Sanchez for a Zoning Change request from “C-3” Commercial District to “SF-2” Single Family Residential District located on Lot 8, Block 2 of the Shady Dell Addition, being approximately 0.181 acres located south of E. Belknap Street

and west of Owens Street, locally known as 2021 Owens Street, and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan – ***2nd reading.***

3. **Investment Policy** – Consideration and/or action regarding Resolution No. R-2016-007-03 approving the Investment Policy.

REGULAR AGENDA

4. **Ordinance No. O-2016-001-15 (Z-009-15) -** Conduct a public hearing and consider action on the application of Paul Delaney, on behalf of Eden Drive Properties, LLC, for approval of a Zoning Change request from "M-1" Industrial District and "M-2" Heavy Industrial District to "PD" Planned Development for all "M-2" uses plus auto salvage yard uses located on Tracts 4C and 4C10 of the John Ackers Survey, Abstract 24, being 11.14 acres of land located north of Elliot Reeder Road and west of Carson Street, locally known as 1301 Carson Street – ***First reading.***

5. **Final Plat (P-001-16) -** Conduct a public hearing and consider action on the application of Robert Schneeberg on behalf of Belknap Properties Joint Venture for approval of a replat creating Lots 1 and 2, Block 1 of the AutoZone 1526 Addition from Lots A, B, C2, 3B, 4B, and 5-8, Block 1 of the Oakridge Addition, located in the "C-3" Commercial District, containing approximately 2.697 acres, and locally known as 5122 E. Belknap Street.

6. **Fee Schedule** – Consideration and/or action regarding approval of Resolution No. R-2016-005-03 amending the fee schedule.

7. **Commercial Electricity Supply Agreement –** Consideration and/or action to approve Resolution No. R-2016-008-03 authorizing the Board of the Cities Aggregate Power Project to renegotiate the existing electricity purchase agreement and pursue an extension of the electricity purchase contract through December 31, 2018.

8. **Ordinance No**. **O-2016-003-01 – Municipal Sales Use Tax Special Election –** Conduct a public hearing and consider action approving Ordinance No. O-2016-003-01 – Special Election regarding Municipal Sales and Use Tax – ***First reading.***

9. **Memorial Garden Committee -** Consideration and/or action regarding the creation of a Memorial Garden Committee.

10. **Code Rangers Program –** Consideration and/or action regarding the implementing of a form of the "Code Rangers" Program.

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

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

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

EXECUTIVE SESSION

See Posting on Page One (1) of Agenda.

RECONVENE TO REGULAR SESSION

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

ADJOURNMENT

CERTIFICATION

I, ART CAMACHO, CITY SECRETARY OF THE CITY OF HALTOM CITY, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS POSTED ON THE OFFICIAL BULLETIN BOARDS IN CITY HALL ON THIS THE 5th DAY OF FEBRUARY, 2016 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

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 _____, 2016.
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.

Agenda No. 1

CITY COUNCIL MEMORANDUM

City Council Meeting:	**February 8, 2016**
Department:	**City Secretary**
Subject:	**Minutes of January 25, 2016.**

BACKGROUND

On January 25, 2016, a Regular Meeting was held at City Hall, 5024 Broadway Avenue.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends the City Council approve the Minutes of the meeting of January 25, 2016.

ATTACHMENTS

January 25, 2016 Minutes

MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
January 25, 2016

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on January 25, 2016, at 7:00 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present:

Mayor David Averitt — Mayor Pro Tem Bob Watkins
Council Place 1 Jeannine Nunn — Council Place 2 Walter Grow
Council Place 3 Scott Garrett — Council Place 4 Trae Fowler
Council Member 6 Stephanie Davenport — Council Place 7 Dr. An Truong

Staff Present: Keith Lane, Interim City Manager; Chuck Barnett, Assistant City Manager; Wayne Olson, City Attorney; Art Camacho, City Secretary; Justin French, Planning and Community Development Director; Jennifer Fung, Finance Director; Julie Orebaugh, Community Projects Director, Janet Carver, Purchasing Agent, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER

Mayor David Averitt called the Worksession to order at 6:00 p.m. Public Works Director Greg Van Nieuwenhuize informed the Council of issues with the Capital Improvement Project Funds 2015 carryover and displayed a PowerPoint indicating several projects that will be completed in 2016 and others that will be completed next year. Council Member Jeannine Nunn presented the forming of a Memorial Garden Committee and will receive input from City Staff and other sources. This item will be placed on the next Council agenda for February 8, 2016. The Consent Agenda was discussed and no changes were made. The Regular Agenda was discussed and a change in Agenda Item # 10 – Community Development Block Grant Project – regarding the total grant amount of $175,000 was changed to $185,000. The Council also requested a Fee Schedule copy that included the neighboring area city comparisons. The Worksession ended at 6:40 p.m.

REGULAR MEETING

CALL TO ORDER

Mayor Averitt called the meeting to order at 7:00 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

Council Member Stephanie Davenport announced the following:

Library

Family Movie Night - Monday, February 8th, 6:30 p.m. - Movie: *Ella Enchanted*

Craft Saturday - Saturday, February 27th, 10 a.m. – Noon. Craft making for adults, craft: St. Patrick's Day Craft **-** $5.00 plus supplies; supplies list maybe found on website

Computer Classes for Adults - Computer Basics, Internet Basics, Microsoft Word; choose one or choose all. Classes begin in February; call or visit website for complete schedule. Registration is required.
Tax Help Preparation - AARP will assist people in filing income tax forms. Thursdays, February 4 – April 14, 12 – 4:00 p.m. Reservations are required.
Super Science Saturdays - Saturday, February 6th, 2016, 9:00 - 10:30 a.m. For ages 6 – 12; free and no registration is required
Night of Romance - Friday, February 12, 6:30 – 8:30 p.m. An evening of meet & greet with local Romance authors
Take Home Valentine Day Craft for Children - February 13th – Valentine wreath.
Story Times
Thursdays, 11–11:45 a.m., for ages 3 & up, first Thursday of each month puppet show
Fridays, 10:30 – 11:15 a.m., for ages 2 & younger
Haltom City Stampede
Be a part of history! Join us for the 30th Annual Haltom Stampede - one of Tarrant County's longest running races - on Saturday, February 13th. The fun run will begin at 8:30 a.m. and the 5K (timed or untimed) will begin at 9:00 a.m. Both races start and finish in the Haltom Recreation Center parking lot. Awards and other fun activities will be held inside the Recreation Center following the races. Proceeds from the Stampede benefit the Haltom City/Birdville ISD Back to School Health Fair. The Health Fair initiative provides backpacks and school supplies to Haltom City students. We hope you can join us. We are looking for sponsors and runners. Create a team in your business - get a healthy, fun start to your new year with the Haltom Stampede. For information, please contact Christi Pruitt at the Rec Center.
Community Projects
Art in the City's Spring Gallery Night is Saturday, March 19th and looking for artists to showcase their work. The final application deadline is February 19, 2016
The Car Show for Kids is Saturday, April 2nd and we need volunteers to serve on the committee. Sponsorships are also available as the event raises funds for free backpacks and school supplies for Haltom City students. $50 sponsors one student for the entire school year and we need your financial support to make a difference. Meetings are held at 2pm the 2nd Thursday of the month at the Rec Center.
The 28th annual Images of Haltom City Photo Contest begins February 1st through March 18th! It's free to enter and the Best of Show is awarded $200. Look for more information on the city's website, social media and the next Crossroads.
If you have a pre-schooler (under 5 years old) at home and live in the 76117 zip code of Haltom City, you are eligible to receive one FREE book mailed to you each month through the United Way of Tarrant County and Dolly Parton's Imagination Library. The link to register your child is available on the city's website and a limited number of brochures are available at the Haltom City Library.
Art in the City's Spring Gallery Night is Saturday, March 19th and looking for artists to showcase their work. Please contact Julie Orebaugh for additional information. The application deadline to be included in the official Gallery Night program is January 20th and final application deadline is February 19, 2016.
Citizen Betty Porter addressed the Council regarding a tour of the Haltom Family Mansion Tour scheduled for March 5th.
PRESENTATION – Community Projects Director Julie Orebaugh presented a PowerPoint displaying the "Christmas on Broadway" event and also a Proclamation regarding the Patton Family and their "Giving Christmas" program.

DRAFT

REPORTS

1. **Monthly Financial Report for November/December 2015** – Consideration and/or action regarding approval of the preliminary monthly Financial Report for the month ending November 30, 2015 and December 31, 2015. Finance Director Jennifer Fung presented the financial reports for both November and December 2015. A discussion was held regarding low revenues in the Fees/Fines funds. No action was taken.

2. **Quarterly Investment Report for 2015 –** Consideration and/or action regarding approval of the December 2015 Quarterly Investment Report. Finance Director Jennifer Fung presented the report that included a slight increase in investment rate percentages. No action was taken.

3. **Capital Improvements Report –** Presentation of quarterly status report of all major capital improvement projects. Public Works Director Greg Van Nieuwenhuize presented the Capital Improvement Report that included updates on road construction and maintenance, sewer line replacements, traffic signal and monument sign installations, drainage improvements, and city park improvements.

CONSENT AGENDA

4. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of January 11, 2016 and January 18, 2016.

5. **Ordinance No. O-2015-024-15 (Z-011-15) -** Consider action on the application of Travis Hanzelka on behalf of Bering Eden Properties, LLC for a Zoning Change request from "M-1" Industrial District to "M-2" Heavy Industrial District located on Lot 15, Block 2 of the Randol Addition and Tracts 8A2 and 8A2A of the John Akers Survey, Abstract 24, being approximately 3.543 acres located north of Elliot Reeder Road and west of Eden Drive, locally known as 1317 Eden Drive – ***2nd reading.***

6. **Ordinance No. O-2015-025-15 (CU 007-15) -** Consider action on the application of Travis Hanzelka on behalf of Bering Eden Properties, LLC for a Conditional Use Permit request with site plan approval, for metal finishing facility uses located on Lot 15, Block 2 of the Randol Addition and Tracts 8A2 and 8A2A of the John Akers Survey, Abstract 24, being approximately 3.543 acres located north of Elliot Reeder Road and west of Eden Drive, locally known as 1317 Eden Drive – ***2nd reading.***

7. **Ordinance No. O-2015-026-15 (CU-005-15) -** Consider action on the application of Diana Velasco for a Conditional Use Permit request with site plan approval, for office warehouse, research laboratory, swimming pool sales and service store, wholesale distributor, showroom warehouse, and contractor's office with shop and garage uses located on Lot 1B, Block 3 of the Golden Gardens Addition, being 0.492 acres located south of Highland Avenue and east of Oakwood Terrace, locally known as 5612 Highland Avenue – ***2nd reading.***

8. **Tarrant County Interlocal Purchasing Agreement** – Consideration and/or action regarding approval to authorize the City Manager to enter into an Interlocal Purchasing Agreement with Tarrant County for an attachment on the agreement with Reliable Paving.

DRAFT

9. **Interlocal Purchasing System (TIPS) Agreement** – Consideration and/or action regarding approval to authorize the City Manager to enter into an Interlocal Purchasing Agreement with Region VIII Education Service Center.

Council Member An Truong moved, seconded by Mayor Pro Tem Bob Watkins, to approve the Consent Agenda, consisting of Items # 4, 5, 6, 7, 8, and 9. ***The vote was unanimous. Motion carried.***

REGULAR AGENDA

10. **Community Development Block Grant Project** – Conduct a public hearing and consideration and/or action regarding approval of Resolution No. R-2016-004-11 designating the Minnie Street Water Main (N.E. 28th Street to Hollis Street) Replacement Project to Tarrant County as the City's FY2016 Community Development Block Grant Project (42nd Year). Public Works Director Greg Van Nieuwenhuize presented the resolution and a discussion was held regarding the change in the financial amount awarded. Mayor David Averitt opened the Public Hearing at 7:55 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 7:56 p.m. Council Member Fowler recused himself from the voting due to property ownership on Minnie Street. Council Member Davenport moved, seconded by Council Member Garrett, to approve Resolution No. R-2016-004-11 – CDBG Project. ***The vote was unanimous, 6-0-1, with Council Member Fowler abstaining. Motion carried.***

11. **Final Plat (P-003-16) –** Consideration and/or action on the application of Santiago Avelar for approval of a final plat creating Lot 1, Block 1 of the Avelar Addition from Tract 14D1 of the J. B. York Survey, A-1754, located in the "SF-2" Single Family Residential District, containing approximately 0.473 acres, and locally known as 3813 Springdale Road. Planning and Community Development Director Justin French presented the plat and Mayor Averitt opened the Public Hearing at 7:58 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 7:59 p.m. Council Member Fowler moved, seconded by Council Member Grow, to approve Final Plat (P-003-16). ***The vote was unanimous. Motion carried.***

12. **Ordinance No. O-2016-002-15 (Z-001-16) -** Conduct a public hearing and consider action on the application of Geraldo Sanchez for a Zoning Change request from "C-3" Commercial District to "SF-2" Single Family Residential District located on Lot 8, Block 2 of the Shady Dell Addition, being approximately 0.181 acres located south of E. Belknap Street and west of Owens Street, locally known as 2021 Owens Street, and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan – ***First reading.*** Planning and Community Development Director Justin French presented the ordinance and a discussion was held regarding the lone rejection and eventual redesigning of the property. Mayor Averitt opened the Public Hearing at 8:07 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 8:08 p.m. Council Member Grow moved, seconded by Council Member Truong, to approve Ordinance No. O-2016-002-15 (Z-001-16) - from "C-3" Commercial District to "SF-2" Single Family, at Lot 8, Block 2 of the Shady Dell Addition – first reading. ***The vote was unanimous. Motion carried.***

13. **Resolution No. R-2016-006-11 –** Conduct a Public Hearing and consider action to approve Resolution No. R-2016-006-11, supporting the application of Lennox

DRAFT

Industries, Inc. for a Municipal Setting designation for the property located at 4900 Airport Freeway, Fort Worth, Texas, to the TCEQ. Assistant City Manager Chuck Barnett presented the resolution and additional information was provided by Allison Exall, of Exall Wood Attorneys, representing Lennox Industries, and Mike Grover, of Westin Solutions, whose company handled the environmental cleanup. Mayor Averitt opened the Public Hearing at 8:24 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 8:25 p.m. Council Member Garrett moved, seconded by Council Member Davenport, to approve Resolution No. R-2016-006-11 – application of Lennox Industries to the TCEQ. ***The vote was unanimous. Motion carried.***

14. **Easement Abandonment** – Consideration and/or action to approve Resolution No. R-2016-002-11 to abandon/vacate an existing 15' Sanitary Sewer Easement along the rear of Lots 1-6 of Blk C of the Springlake Park Addition. Public Works Director Greg Van Nieuwenhuize presented the resolution. Council Member Fowler moved, seconded by Mayor Pro Tem Watkins, to approve Resolution No. R-2016-002-11 – abandonment of 15' Sanitary Sewer Easement of Lots 1-6 of Block C. ***The vote was unanimous. Motion carried.***

15. **Easement Abandonment** – Consideration and/or action to approve Resolution No. R-2016-003-11 to abandon/vacate an existing Sanitary Sewer Easement that cuts diagonally thru Lot 1 of Block C of the Springlake Park Addition. Public Works Director Greg Van Nieuwenhuize presented the resolution. Council Member Grow moved, seconded by Council Member Nunn, to approve Resolution No. R-2016-003-11 – abandonment of existing sewer easement in the Springlake Park Addition. ***The vote was unanimous. Motion carried.***

16. **Fee Schedule** – Consideration and/or action regarding approval of Resolution No. R-2016-005-03 amending the fee schedule. Council Member Garrett moved, seconded by Council Member Truong, to table Resolution No. R-2016-005-03 until the next meeting in February. ***The vote was unanimous. Motion carried.***

17. **TIRZ No. 1 Board Appointments –** Consideration and/or action to appoint Place 2 and 4 on the Tax Increment Reinvestment Zone No. 1 Board of Directors. Mayor Pro Tem Bob Watkins moved, seconded by Council Member Garrett, to remove Place 2 Richard Hutchison and Place 4 Jim Sutton with Council Member Grow to Place 2 and Layla Caraway to Place 4. ***The vote was unanimous. Motion carried.***

<u>BOARDS/COMMISSIONS</u>

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

19. **Appointment/Reappointment to Boards and Commissions –** Consider approval regarding appointments to Boards/Commissions. Council Member Truong appointed Donna Peterson to the Library Board. ***The appointment was unanimously approved.*** Mayor Averitt appointed Mayor Pro Tem Watkins as the Council Liaison to the Fire Services Board. ***The appointment was unanimously approved, with Mayor Pro Tem Watkins abstaining.***

Mayor Averitt called for an Executive Session at 8:35 p.m. for the following:

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, litigation, and settlement offers and/or claims for the following cases:

- Donald Anthony Hains v. City of Haltom City
- Flynn v. Haltom City EDC
- Progressive County Mutual Ins. Co. v. City of Haltom City
- James H. Watson v. City of Haltom City
- Louis Engler v. City of Haltom City, et al
- EEOC Charge No. 450-2015-01583
- City of San Antonio, Texas, on behalf of itself and all other similarly situated Texas cities v. Hotels.com, L.P., et al., Civil No. SA-06-CA-381-OG, a Class Action

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, including the purchase of 3001, 3005, and 3009 Markum Drive.

Section 551.074 - Personnel

Deliberation regarding the appointment, employment, evaluation, reassignment, or duties of the Municipal Court Judge, and Interim City Manager.

RECONVENE TO REGULAR SESSION

20. Take any action deemed necessary as a result of the Executive Session.
    The Council reconvened to Regular Session at 9:53 p.m. Council Member Garrett moved, seconded by Council Member Davenport, to approve the actions determined in Executive Session to purchase 3001, 3005, and 3009 Markum Drive. ***The vote was unanimous. Motion carried.***

ADJOURNMENT

Mayor Averitt adjourned the meeting on January 25, 2016 at 9:55 p.m.

RESPECTFULLY SUBMITTED BY: APPROVED BY:

_____ _____

Art Camacho, City Secretary David Averitt, Mayor

DRAFT

CITY COUNCIL MEMORANDUM

City Council Meeting:	**February 8, 2016**
Department:	**Planning & Community Development**
Subject:	**Ordinance No. O-2016-002-15** ***Final Reading* (Z-001-16)**

BACKGROUND

Consider action on the application of Geraldo Sanchez for a Zoning Change request from "C-3" Commercial District to "SF-2" Single Family Residential District located on Lot 8, Block 2 of the Shady Dell Addition, being approximately 0.181 acres located south of E. Belknap Street and west of Owens Street, locally known as 2021 Owens Street, 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 remodel the existing four-plex into a single family residence. The existing four-plex is nonconforming and the applicant proposes to make it a conforming single family residence. In September of 2015, the Planning and Zoning Commission approved a similar request at 2013 Owens Street to rezone to the "SF-2" District with an amendment to the Comprehensive Land Use Plan. Both properties are on the west side of Owens Street and a nonconforming single family residence exists between these two sites. Therefore, approval of the applicant's request will set precedence for the nonconforming residence located in between to follow.

On January 25, 2016, the City Council approved Ordinance No. O-2016-002-15 by a vote of 7-0-0.

FISCAL IMPACT

None.

RECOMMENDATION

On January 12, 2016, the P&Z recommended approval of Z-009-15 by a vote of 5-0-0 with the Future Land Use Map of the 2010 CLUP being amended to have the subject site and 2017 Owens Street changed from Corridor District designation to Transitional District designation.

ATTACHMENTS

Provided in the City Council packet of January 25, 2016

CITY COUNCIL MEMORANDUM

City Council Meeting:	**February 8, 2015**
Department:	**Finance**
Subject:	**Resolution No. R-2016-007-03 Investment Policy**

BACKGROUND

Annual review of the City's investment policy is required to comply with the state statute, Public Funds Investment Act, Chapters 2256 & 2257 of the Texas Local Government Code. During the annual review, changes to the Investment Policy may be made to update the policy to meet the Public Funds Investment Act and to meet practical treasury operations.

There is no proposed change to the current investment policy.

FISCAL IMPACT

None

RECOMMENDATION

Staff recommends the City Council to approve Resolution No. R-2016-007-03.

ATTACHMENTS

Resolution No. R-2016-007-03 – Investment Policy
Investment Policy

RESOLUTION NO. R-2016-007-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS, ADOPTING THE WRITTEN INVESTMENT POLICY.

WHEREAS, Section 2256.005 (a) of the Public Funds Investment Act (the "Act") directs the governing body of an investing entity to adopt by rule, order, ordinance, or resolution, as appropriate, a written investment policy regarding the investment of its funds and funds under its control;

WHEREAS, the Act requires the governing body of an investing entity to review and update said written policy on an annual basis.

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

SECTION I.

The City Council of Haltom City has reviewed the Investment Policy and investment strategies and hereby adopts the Investment Policy as attached to this resolution as Exhibit “A”. This Investment Policy shall supersede the Investment Policy previously adopted by Resolution No. 2015-006-03.

SECTION II.

This resolution shall be effective immediately upon adoption.

APPROVED this 8th day of February, 2016.

_____
David Averitt, Mayor

Attest:

_____
Art Camacho, City Secretary

HALTOM CITY

CITY OF HALTOM CITY

INVESTMENT POLICY

(REVISED FEBRUARY 2016)

CITY OF HALTOM CITY
INVESTMENT POLICY

TABLE OF CONTENTS

Section **Page**

1. Policy 3

2. Scope 4

3. Objectives 4

4. Strategy 5

5. Responsibilities and Control 5

6. Ethics and Conflicts of Interest 8

7. Authorized Investments 8

8. Prohibited Investments and Practices 9

9. Risks and Diversification 10

10. Selection of Banks and Dealers 11

11. Competitive Bidding 11

12. Safekeeping of Securities.....12

13. Management and Internal Control.....13

Glossary of Common Treasury Terminology.....14

CITY OF HALTOM CITY
INVESTMENT POLICY

1. POLICY

It is the policy of the City of Haltom City to invest public funds in a manner that will provide the maximum security and the best commensurate yield while meeting the daily cash flow demands of the City and conforming to the statutes governing the investment of public funds. This Policy sets forth the investment program of the City of Haltom City and the guidelines to be followed in achieving its objectives. All employees of the City directly involved with investment activities shall have read and be familiar with this policy. All investment activities conducted by the City shall be in accordance with this policy and applicable portions of Chapter 2256 of the Government Code herein referred to as the Public Funds Investment Act.

2. SCOPE

This Investment Policy applies to all aspects of investing the financial assets of all funds and trust accounts of the City. These funds are accounted for in the City's Comprehensive Annual Financial Report (CAFR) and include:

1. General Fund
2. Special Revenue Funds
3. Capital Project Funds
4. Enterprise Funds
5. Trust and Agency Funds
6. Debt Service Funds
7. Internal Service Funds
8. Any new fund created by the City

The City of Haltom City will consolidate cash balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

3. OBJECTIVES

The objectives of the City of Haltom City's investment activities, listed in order of priority, shall be as follows:

Safety
The primary objective of the City's investment activity is the preservation of capital in the overall portfolio. Each investment transaction shall seek first to ensure that principal losses are avoided, whether they are from securities default or erosion of market value. However, it must be understood that an element of risk is inherent with all types of investments. Recognition of, and minimization of risk is the responsibility of Haltom City's Investment Officer and designee(s).

Liquidity
The City's investment portfolio will remain sufficiently liquid to enable the City to meet operating requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with forecasted cash flow requirements and by investing in authorized securities with active secondary markets. A cash flow forecast shall be prepared by the Finance Department and updated periodically as needed.

Yield
The City's cash management portfolio shall be designed with the objective of regularly exceeding the average rate of return on the six-month U.S. Treasury Bill or the average Federal Funds rate (whichever is higher) for investments not subject to arbitrage**.** The investment program will seek to attain a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to safety and liquidity objectives above.

4. STRATEGY

The strategy for all pooled funds is to assure that cash flows are matched with projected needs and assume adequate liquidity and safety. Purchasing high quality securities in a laddered structure or utilizing an investment pool may accomplish this. The composite portfolio will have a dollar weighted average maturity of two years or less. The dollar weighted average maturity will be calculated using the stated final maturity dates of each security. Furthermore, the following purposes and guidelines by fund-type are also considered when investing:

Capital Project Funds
Funds for capital projects or special purposes should allow for flexibility and unanticipated project outlays by having a portion of their investments in highly liquid securities. The stated final maturity dates of securities held should not exceed the estimated cash flow requirements of the project. Securities should be of high quality, with short to medium term maturities.

Debt Service Funds
Funds for Debt Service should assure liquidity adequate to cover the debt service obligation on the required payment date. Securities purchased shall not have a stated final maturity date which exceeds the debt service payment date, or funds shall be maintained in an investment pool or money market mutual fund to be available for debt service payments.

Operating Funds
The investment strategy for operating funds has as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to structure a portfolio, which will minimize volatility during economic cycles. This may be accomplished by purchasing high quality, short-term securities, which will complement each other in a laddered maturity structure.

5. RESPONSIBILITIES AND CONTROL

Investment Committee
An Investment Committee, consisting of the City Manager (or designee), Director of Finance, and the Controller shall meet semi-annually to determine general strategies and to monitor results. The Investment Committee shall include in its deliberations such topics as: performance reports, economic outlook, portfolio diversification, maturity structure, potential risk to the City's funds, authorized brokers and dealers, and the target rate of return on the investment portfolio.

Investment Officer and Training
Authority to manage the City's investment program is derived from a resolution of the City Council. The Director of Finance is designated as Investment Officer of the City and is responsible for investment decisions and activities. Sec. 2256.005 (f). The Investment Officer shall establish written procedures for the operation of the investment program, consistent with this investment policy. The Investment Officer and Controller shall attend ten hours of training sessions related to investment practices within twelve months of taking office or assuming duties. Thereafter, ten hours of training are required not less than once in a two-year period that begins on the first day of the local government's fiscal year and consists of the two consecutive fiscal years after that date. (Effective September 1, 2011)

Capability of Investment Management
The City shall provide periodic training in investments for the investment personnel through courses and seminars offered by professional organizations and associations in order to insure the quality and capability of investment management.

Delegation of Authority
The Investment Officer is responsible for investment decisions and activities, under the direction of the City Manager. The Investment Officer may further delegate certain aspects of the duties as needed only if such delegation does not weaken the internal controls necessary to maintain the integrity of this policy. The Investment Officer shall develop and maintain written administrative procedures for the operation of the investment program, consistent with these policies. The Investment Officer shall be responsible for authorizing investments and the Controller shall establish procedures to properly account for investments and pledged collateral in order to maintain appropriate internal controls. These controls shall be reviewed annually by an independent auditor and shall be designed to prevent loss of public funds due to fraud, error, misrepresentation, unanticipated market changes or imprudent actions.

Signatory Responsibilities
Bonded officials share certain signatory responsibilities for investment transactions with the Finance Department for backup purposes. Positions authorized as investment signatories are the City Manager, Investment Officer, Controller, and Assistant City Manager. These same officials are also authorized to transact investment wire transfers for the City. The City shall use, whenever possible, pre-formatted (repetitive) wire transfers to restrict the transfer of funds to pre-authorized accounts only. Repetitive wire transfers greater than $200,000 must be approved by any two of the investment signatories or Finance Department employees as designated by the Investment Officer and approved by the Investment Committee. All non-repetitive wire transfers will require secondary authorization by any two of the investment signatories.

Prudence
All investments shall be designed and managed in a manner responsive to the public trust and consistent with State and Local law. Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. Sec. 2256.006 (a)

Liability
The Investment Officer, and other employees directly involved in the investment function, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that material deviations are reported immediately and that appropriate action is taken to control adverse developments.

Monitoring and Adjusting the Portfolio
The Investment Officer will routinely monitor the contents of the portfolio, the available markets and the relative value of competing instruments, and will adjust the portfolio accordingly.

Active Portfolio Management
The City intends to pursue an active versus a passive portfolio management philosophy. That is, securities may be sold before they mature if market conditions present an opportunity for the City to benefit from the trade.

Reporting Requirements
The Investment Officer shall maintain a current listing of investments for management purposes. Not less than quarterly, the Director of Finance shall prepare and submit to the City Manager and City Council a report prepared in a manner that will allow the City to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report shall include a summary statement of investment activity prepared in compliance with generally accepted accounting principles. The report will include the following:

1. A listing of individual securities held at the end of the reporting period.
2. Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of securities for the period.
3. Additions and changes to the market value during the period.
4. Average weighted yield to maturity of portfolio as compared to applicable benchmark.
5. Listing of investments by maturity date.
6. Fully accrued interest for the reporting period.
7. The percentage of the total portfolio which each type of investment represents.
8. Statement of compliance of the City's investment portfolio with state law and the investment strategy and policy approved by the City Council.
9. Signatures of each investment officer of the City.

A formal annual review of the quarterly reports will be performed by an independent auditor with the results reported to the Audit Committee and City Council.

Monitoring of Market Value
Market value of all securities in the portfolio will be determined on a monthly basis. These values will be obtained from the City's third party safekeeping custodian and disclosed to the City Council no less than quarterly.

Policy Revisions
The investment policy of the City of Haltom City shall be reviewed and changed as deemed necessary by the Investment Committee and forwarded to the City Council for approval by resolution annually. Investment Policy revisions may become necessary with changes in state law, City needs, the economy, and investment opportunities.

6. ETHICS AND CONFLICTS OF INTEREST

Ethics
All participants in the investment process shall seek to act responsibly as custodians of the public trust and comply with the Public Funds Investment Act reporting requirements**.** Investment officials shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

Conflicts of Interest
Employees and investment officials involved in the investment process shall refrain from any personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

Disclosure
Employees and investment officials involved in the investment process shall disclose to the City Manager any material financial interests in financial institutions that conduct business with the City of Haltom City, and shall further disclose any large personal financial or investment positions that could be related to the performance of the City's portfolio.

Furthermore, employees and investment officials involved in the investment process must file a disclosure statement with the Texas Ethics Commission and City Council if:

1. the officer has a personal business relationship with a business organization offering to engage in an investment transaction with the City; or
2. the officer is related within the second degree by affinity or consanguinity, as determined under Chapter 573 of the Texas Government Code, to an individual seeking to transact investment business with the entity.

For purposes of this policy, an investment officer has a personal business relationship with the City if:

1. the investment officer owns 10 percent or more of the voting stock or shares of the business organization or owns $50,000 or more of the fair market value of the business organization;
2. funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year; or
3. the investment officer has acquired from the business organization during the previous year investments with a book value of $50,000 or more for the personal account of the investment officer.

7. AUTHORIZED INVESTMENTS

Assets of funds of City of Haltom City may be invested in:

A. Obligations of the United States of America, its agencies and instrumentalities.

B. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state or the United States.

C. Fully insured or collateralized certificates of deposits which are guaranteed or insured by the Federal Deposit Insurance Corporation and not otherwise restricted for sale in Texas in any way.

D. Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent.

E. Fully collateralized direct repurchase agreements provided the City has on file a signed Master Repurchase Agreement, approved by the City Attorney, which details eligible collateral,

collateralization ratios, standards for collateral custody and control, collateral valuation, and conditions for agreement termination and provided the repurchase agreement:

1. has a defined termination date;
2. is secured by obligations of the United States of its agencies and instrumentalities;
3. requires the securities being purchased by the City to be assigned to the City held in the City's name, and deposited at the time the investment is made with the City or with a third party selected and approved by the City; and
4. is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state.

F. Texas Local Government Investment Pools as defined by section 2256.016 of the Public Funds Investment Act and approved by the City Council. The pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service. A public funds investment pool created to function as a money market mutual fund must mark its portfolio to market daily and, to the extent reasonably possible, stabilized at a $1 net asset value. To be eligible to receive funds from and invest funds on behalf of the City, an investment pool must furnish to the City an offering circular and other information required by the Public Funds Investment Act.

Any investment pool that is created to function as a money market mutual fund must maintain a maximum average dollar weighted maturity that does not exceed 90 days; and "Any investment pool that does not meet the requirements of one that is created to function as a money market mutual fund, must maintain a maximum average dollar weighted maturity that does not exceed 365 days (or 366 days in the case of a leap year) and must provide a fixed interest rate and fixed maturity term for each pool position."

G. No-load money market mutual funds that are registered with and regulated by the Securities and Exchange Commission. The mutual fund must have a weighted average maturity of 90 days or less and a stabile net asset value of $1 per share. The mutual fund must provide the City with a prospectus and other information required by the SEC Act of 1934(15 U.S.C. Section 78a et. Seq.) or the Investment Company Act of 1940 (15 U.S.C. Section 80a 1 et seq.)

H. Other instruments as specifically authorized by the Public Funds Investment Act and approved by the City Council and, included in the Investment Policy.

8. PROHIBITED INVESTMENTS AND PRACTICES

The Investment Officer shall not knowingly permit City funds to be invested with any of the following investment instruments that are strictly prohibited:

A. Obligations whose payment represents the coupon payments of the outstanding principal balance of the underlying mortgage-backed security collateral and pay no principal;

B. Obligations whose payment represents the principal stream of cash flow from underlying mortgage-backed security collateral and bears no interest;

C. Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years;

D. Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index; and

E. Any other restricted instruments or limitations that involve outright speculation.

The practice of "leveraging" whereby funds are borrowed for the sole purpose of investing shall not be practiced.

An investment that requires a minimum rating under this policy does not qualify as an authorized investment during the period the investment does not have the minimum rating. All prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating.

The City is not required to liquidate investments that were authorized investments at the time of purchase.

9. RISKS AND DIVERSIFICATION

The City of Haltom City recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is controlled through portfolio diversification, which shall be achieved by the following general guideline:

A. Risk of issuer default is controlled by limiting investments to those instruments allowed by this policy and the Public Funds Investment Act, which are described herein.

B. Risk of market price changes shall be controlled by avoiding over-concentration of assets in a specific maturity, specific issuer, or specific class of securities. Diversification strategies shall be established and periodically reviewed.

The diversification strategy will include the following:

1. Limiting investments to avoid over concentration in securities from a specific issuer or business sector, excluding U.S. Treasury Securities;
2. Limiting investments in securities that have higher credit risks;
3. Investing in securities of varying maturities based on cash flow projections; and
4. Continuously investing a portion of the portfolio in readily available funds, such as local government investment pools, money market funds, or overnight repurchase agreements to ensure that appropriate liquidity is maintained to meet ongoing obligations.

The Investment Officer, to the extent possible, will attempt to match investments with anticipated cash flow requirements. Matching maturities with cash flow dates will reduce the need to sell securities prior to maturity, thus reducing market risk. Unless matched to specific requirements, the Investment Officer may not invest more than 50% of the portfolio for a period of greater than two years. Unless matched to specific requirements, the Investment Officer may not invest any portion of the portfolio for a period of greater than three years. The weighted average maturity for the portfolio shall remain less than two years. Restricted Reserves required by bond covenants allow for maturities equal to the life of the bond.

The following maximum limits, by instrument, are established for the City's total portfolio:

1. U.S. Treasury Securities	100%
2. Agencies and Instrumentalities	75%

3.	Certificates of Deposit	50%
4.	Repurchase Agreements	50%
5.	Money Market Mutual Funds	50%
6.	Authorized Pools	70%

10. SELECTION OF BANKS AND DEALERS

Not less than every five years, a depository shall be selected through the City's banking services procurement process, which shall include a formal request for proposal. In selecting depositories, the credit worthiness of institutions shall be considered, and the Director of Finance shall conduct a comprehensive review of prospective depositories credit characteristics and financial history.

The Investment Committee shall, at least annually, review, revise, and adopt a list of qualified broker/dealers and financial institutions authorized to engage in investment transactions with the City. For brokers and dealers of government securities, the Investment Committee shall select only primary government securities dealers that report daily to the New York Federal Reserve Bank, also known as the "primary government securities dealer**,"** or other firms that have been certified by the Investment Committee's certification process. All brokers and dealers must be on the approved dealer list in order to transact business with the City.

A written copy of this Investment Policy shall be presented to any person offering to engage in an investment transaction with the City. Investments shall only be made with those business organizations (including money market mutual funds and local government investment pools), which have provided the City a broker questionnaire and certification of having received and reviewed the City's Investment Policy. The firm must acknowledge that it has implemented reasonable internal procedures and controls in an effort to preclude imprudent investment transactions conducted between the entity and the organization that are not authorized by the entity's Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the entity's entire portfolio or requires an interpretation of subjective investment standards.

11. COMPETITIVE BIDDING

It is the policy of the City to require at least three competitive offers or bids for all individual security purchases and sales (excluding transactions with money market mutual funds and local government investment pools, which are deemed to be made at prevailing market rates). In situations where the exact security being offered is not offered by other dealers, offers on the closest comparable investment may be used to establish a fair market price for the security.

12. SAFEKEEPING OF SECURITIES

Safekeeping Agreement

All safekeeping arrangements shall be in accordance with a safekeeping agreement approved by the Investment Committee, which clearly defines the procedural steps for gaining access to the collateral, should the City of Haltom City determine that the City's funds are in jeopardy. The safekeeping institution, or Trustee, shall be the Federal Reserve Bank or an institution not affiliated with the firm pledging the collateral. The safekeeping agreement shall include the signatures of the City of Haltom City, the firm pledging the collateral, and the Trustee.

Collateralization
The City requires that all uninsured collected balances plus accrued interest, if any, in depository accounts be secured in accordance with the requirements of state law. All deposits and investments of City funds other than direct purchases of US Treasuries or Agencies shall be secured by pledged collateral. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest on the deposits or investments less an amount insured by FDIC or FSLIC. Evidence of the pledged collateral shall be maintained by the Director of Finance or a third party financial institution. Financial institutions serving as City depositories will be required to sign a Depository Agreement with the City which details eligible collateral, collateralization ratios, standards for collateral custody and control, collateral valuation, rights of substitution and conditions for agreement termination. Repurchase agreements shall be documented by a specific agreement noting the collateral pledge in each agreement. Collateral shall be reviewed monthly to assure that the market value of the pledged securities is adequate.

Collateral Defined
The City of Haltom City shall accept only the following securities as collateral:

A. FDIC and FSLIC insurance coverage.

B. A bond, certificate of indebtedness, Agency Security guaranteed or Insured by the United States or its Agencies and Instrumentalities**,** Treasury Notes of the Unites States, or other evidence of indebtedness of the United States that is guaranteed as to principal and interest by the United States.

C. Obligations, the principal and interest on which, are unconditionally guaranteed or insured by the State of Texas.

D. A bond of the State of Texas or of a county, city or political subdivision of the State of Texas having been rated as investment grade (investment rating no less than “B” or its equivalent) by a nationally recognized rating agency with a remaining maturity of ten (10) years or less.

Subject to Audit
All collateral shall be subject to inspection and audit by the Director of Finance or the City’s independent auditors.

Delivery vs. Payment
With the exception of State Pools and Money Market Mutual Funds, all transactions will be executed with authorized security dealers and financial institutions on a delivery-versus-payment (DVP) basis. That is, funds shall not be wired or paid until verification has been made that the Custodian received the correct security. The security shall be held in the name of the City or held on behalf of the City. The Custodian’s records shall assure the notation of the City’s ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City. Investment securities shall be held by a third party custodian designated by the City, and held in the City’s name as evidenced by safekeeping receipts of the institution with which the securities are deposited.

13. MANAGEMENT AND INTERNAL CONTROL

The Director of Finance, or designee, shall establish a system of internal controls that shall be reviewed by an independent auditor. The controls shall be designed to prevent loss of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees or investment officers of the City. In conjunction with the annual financial audit, a compliance audit shall be performed which includes an audit of management controls on investments and adherence to the City's established policy. The Investment Officer is responsible for executing investment transactions and the accounting division is responsible for preparation of accounting records based on documentation prepared by the Investment Officer.

GLOSSARY OF COMMON TREASURY TERMINOLOGY

Agencies: Federal agency securities.

Asked: The price offered for securities.

Broker: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market, brokers are active in markets in which banks buy and sell money and in interdealer markets.

Certificate of Deposit (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

Collateral: Securities, evidence of deposit or other property that a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

Comprehensive Annual Financial Report (CAFR): The official annual report for the City of Haltom City. It includes five combined statements and basic financial statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

Coupon: (a) the annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

Dealer: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

Debenture: A bond secured only by the general credit of the issuer.

Delivery versus Payment: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt (also called free). Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

Discount: The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

Discount Securities: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury bills.

Diversification: Dividing investment funds among a variety of securities offering independent returns.

Federal Credit Agencies: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

Federal Deposit Insurance Corporation (FDIC): A federal agency that insures bank deposits, currently up to $100,000 per deposit.

Federal Funds Rate: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

Federal Home Loan Banks (FHLB): The institutions that regulate and lend a savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-à-vis member commercial banks.

Federal National Mortgage Association (FNMA): FNMA, like GNMA, was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal

corporation working under the auspices of the Department of Housing and Urban Development, H.U.D. It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

Federal Open Market Committee (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal reserve guidelines regarding purchases and sales of Government Securities in the open-market as a means of influencing the volume of bank credit and money.

Federal Reserve System: The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C. 12 regional banks and about 5,700 commercial banks that are members of the system.

Government National Mortgage Association (GNMA or Ginnie Mae): Securities guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government, Ginnie Mae securities are backed by FHA, VA or FMHM mortgages. The term pass-through is often used to describe Ginnie Maes.

Liquidity: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

Local Government Investment Pool (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

Market Value: The price at which a security is trading and could presumably be purchased or sold.

Master Repurchase Agreement: To protect investors, many public investors will request that repurchase agreements be preceded by a master repurchase agreement between the investor and the financial institution or dealer. The master agreement should define the nature of the transaction, identify the relationship between the parties, establish normal practices regarding ownership and custody of the collateral securities during the term of the investment, provide remedies in the case of default by either party and clarify issues of ownership. The master repurchase agreement protects the investor by eliminating the uncertainty of ownership and hence, allowing investors to liquidate collateral if a bank or dealer defaults during the term of the agreement.

Maturity: The date upon which the principal or stated value of an investment becomes due and payable.

Money Market: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

Open Market Operations: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

Portfolio: Collection of securities held by an

investor.

Primary Dealer: A group of government securities dealers that submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker-dealers, banks and a few unregulated firms.

Prudent Person Rule: An investment standard. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Qualified Public Depositories: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

Rate of Return: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

Repurchase Agreement (RP or REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money that is, increasing bank reserves.

Safekeeping: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SEC Rule 15C3-1: See uniform net capital rule.

Secondary Market: A market made for the purchase and sale of outstanding issues following the initial distribution.

Securities & Exchange Commission: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

Treasury Bills: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months or one year.

Treasury Bond: Long-term U.S. Treasury securities having initial maturities of more than ten years.

Treasury Notes: Intermediate term coupon bearing U.S. Treasury securities having initial maturities from one to ten years.

Yield: The rate of annual income return on an investment, expressed as a percentage. (a) **Income Yield** is obtained by dividing the current dollar income by the current market price of the security. (b) **Net Yield** or **Yield to Maturity** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

Uniform Net Capital Rule: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called **net capital rule** and **net capital ratio.** Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

CITY COUNCIL MEMORANDUM

City Council Meeting: **February 8, 2016**

Department: **Planning & Community Development**

Subject: **Ordinance No. O-2016-001-15**
***First Reading* (Z-009-15)**

BACKGROUND

Conduct a public hearing and consider action on the application of Paul Delaney, on behalf of Eden Drive Properties, LLC, for approval of a Zoning Change request from "M-1" Industrial District and "M-2" Heavy Industrial District to "PD" Planned Development for all "M-2" uses plus auto salvage yard uses located on Tracts 4C and 4C10 of the John Ackers Survey, Abstract 24, being 11.14 acres of land located north of Elliot Reeder Road and west of Carson Street, locally known as 1301 Carson Street.

The applicant requests to rezone the subject site to expand the existing auto salvage yard located north of the site. Section 38 of the zoning ordinance states that no permit shall be issued for any construction or to establish a use on any site unless the same is identified in an approved subdivision filed in the Tarrant County Plat Records. The applicant's request includes a request to waive Section 38 of the zoning ordinance until an actual building is proposed on the subject site. If the applicant's plat waiver is granted, the developer will not be subject to perimeter street improvements or any other exaction that is not related to life safety, drainage, and flood hazard mitigation until a building is proposed.

The applicant does not propose to erect any buildings and just intends to store salvaged automobiles on the subject site behind a six-to-ten-foot tall R-panel metal fence to be along the north and west property lines and setback 10 feet from the south and east property lines to form ten-foot landscape buffers along Carson Street and Elliot Reeder Road. The ten-foot buffers are proposed in lieu of the required 15-foot landscape buffer in the front yard, and the 10-foot fence setbacks proposed are in lieu of the required 30-foot fence setback from the front property line and the required 20-foot fence setback from the intersecting street. The proposed fences may need to be altered to comply with the City's flood hazard ordinance and allow water flow under and/or through the fencing.

The zoning ordinance requires the salvaged automobiles to be located on an all-weather hard surface, which the zoning ordinance defines as, "a permanent surface that as a minimum is a three-inch base course (tightly compacted rock) with a small layer of emulsion (seal coat) applied to the surface, is constructed such that it drains appropriately, remains water resistant, is free of litter, debris, weeds, grass or other objectionable materials or objects and is visibly dust free. The ordinance also requires that the drive isles through the site be a paved surface that is defined as a permanent surface that will support fire department apparatus and is constructed of asphalt,

concrete, pave stone, brick or other similar materials having the same strength and durability. Such surface shall drain appropriately, remain water resistant, free of litter, debris, weeds, grass or other objectionable materials or objects and is visibly dust free.

The below table is a summary of deviations accompanying this requests:

Standard	Required Standard	Proposed Standard
Section 38 of Zoning Ord.	Platting required if establishing a use or building	Platting only required if building
Maximum fence height	Eight feet	Six-to-ten-foot-tall R-panel metal fence around perimeter
Minimum fence setback	30' from front property line, 20' from intersecting street	10' from front property line, 10' from intersecting street
Landscape buffer	15' landscape buffer along front property line	10' landscape buffers along front & street side property line

FISCAL IMPACT

None.

RECOMMENDATION

On January 12, 2016, the P&Z tabled action on Z-009-15 by a vote of 5-0-0.

On February 2, 2016, the P&Z recommended approval of Z-009-15 by a vote of 4-1-0 with the stipulation that the development plan (Exhibits A, B, and C of Ordinance No. O-2016-001-15) be tied to the applicant and shall expire at the time the applicant ceases operation of the auto salvage yard uses in anticipation of the subject site's use by another auto salvage yard operator, whom must obtain City Council approval of a new development plan prior to commencing auto salvage yard uses.

ATTACHMENTS

P&Z Staff Report with Attachments
Ordinance No. 0-2016-001-15

STAFF REPORT

CITY OF HALTOM CITY

MEETING DATE: 1/12/2016	TO: P&Z Commission	FROM: Justin French, AICP Director of Planning and Community Development	SUBJECT: Z-009-15 1301 Carson Street Late Model Auto Salvage

Z-009-15

Application of Paul Delaney, on behalf of Eden Drive Properties, LLC, for approval of a Zoning Change request from "M-1" Industrial District and "M-2" Heavy Industrial District to "PD" Planned Development for all "M-2" uses plus auto salvage yard uses located on Tracts 4C and 4C10 of the John Ackers Survey, Abstract 24, being 11.14 acres of land located north of Elliot Reeder Road and west of Carson Street, locally known as 1301 Carson Street.

EXISTING ZONING/LAND USE
"M-1" Industrial District & "M-2" Heavy Industrial District / Vacant Developable

ADJACENT ZONING/USES
North - "M-1" Industrial District / Industrial Warehouse Distribution, Auto Salvage Yard
South - City of Fort Worth Jurisdiction / Vacant Developable, Auto Salvage Yard
West - "M-1" Industrial District / Warehouse
East - City of Fort Worth Jurisdiction / Single Family Residential, Vacant Developable

ANALYSIS
The applicant requests to rezone the subject site to expand the existing auto salvage yard located north of the site. Section 38 of the zoning ordinance states that no permit shall be issued for any construction or to establish a use on any site unless the same is identified in an approved subdivision filed in the Tarrant County Plat Records. The applicant's request includes a request to waive Section 38 of the zoning ordinance until an actual building is proposed on the subject site. If the applicant's plat waiver is granted, the developer will not be subject to perimeter street improvements or any other exaction that is not related to life safety, drainage, and flood hazard mitigation until a building is proposed.

The applicant does not propose to erect any buildings and just intends to store salvaged automobiles on the subject site behind a six-to-ten-foot tall R-panel metal fence to be along the north and west property lines and setback 10 feet from the south and east property lines to form ten-foot landscape buffers along Carson Street and Elliot Reeder Road. The ten-foot buffers are proposed in lieu of the required 15-foot landscape buffer in the front yard, and the 10-foot fence setbacks proposed are in lieu of the required 30-foot fence setback from the front

property line and the required 20-foot fence setback from the intersecting street. The proposed fences may need to be altered to comply with the City's flood hazard ordinance and allow water flow under and/or through the fencing.

The zoning ordinance requires the salvaged automobiles to be located on an all-weather hard surface, which the zoning ordinance defines as, "a permanent surface that as a minimum is a three-inch base course (tightly compacted rock) with a small layer of emulsion (seal coat) applied to the surface, is constructed such that it drains appropriately, remains water resistant, is free of litter, debris, weeds, grass or other objectionable materials or objects and is visibly dust free. The ordinance also requires that the drive isles through the site be a paved surface that is defined as a permanent surface that will support fire department apparatus and is constructed of asphalt, concrete, pave stone, brick or other similar materials having the same strength and durability. Such surface shall drain appropriately, remain water resistant, free of litter, debris, weeds, grass or other objectionable materials or objects and is visibly dust free.

The below table is a summary of deviations accompanying this requests:

Standard	Required Standard	Proposed Standard
Section 38 of Zoning Ord.	Platting required if establishing a use or building	Platting only required if building
Maximum fence height	Eight feet	Six-to-ten-foot-tall R-panel metal fence around perimeter
Minimum fence setback	30' from front property line, 20' from intersecting street	10' from front property line, 10' from intersecting street
Landscape buffer	15' landscape buffer along front property line	10' landscape buffers along front & street side property line

TRANSPORTATION

The site has frontage to Carson Street and Elliot Reeder Road. The proposed zoning change will increase the average daily trips to and from the subject site but is not anticipated to significantly impact the adjacent roadway systems as long as the developer complies with all relevant City ordinances. If the applicant's plat waiver is approved, the developer will not be subject to perimeter street improvements.

DRAINAGE

The site is located in the Trinity River drainage basin. Based on available information, 75% of the subject site is located within FEMA's 100-year floodplain and no significant drainage impacts are expected to result from development of this site, as long as the developer complies with all relevant City ordinances. At this time, the applicant has not provided adequate drainage plans that the City Engineer can approve; however, the applicant intends to pursue compliance if the requested rezoning is approved.

WATER & SANITARY SEWER

Along the perimeter of the subject site, a two inch cast iron water line is located in the Elliot Reeder Road right-of-way and a relatively new six inch water line is located on the east side of Carson Street. Therefore, adequate domestic water and sanitary sewer services may be

available to the subject site; however, adequate water lines to fire hydrants to serve this site are not available to this site. The developer is responsible for installation of fire hydrants to serve this site and water line extension from water mains to the fire hydrants to serve this site.

FIRE PREVENTION

Fire Station # 2, located at 5700 Midway Road, provides protection to this site. The estimated fire response time is four minutes, which is in keeping with the City's recommended standards.

FRANCHISE UTILITIES & STREET LIGHTS

Overhead utilities exist along the east side of Carson Street and the south side of Elliot Reeder Road. One street light is co-located on a utility pole located on the opposite side of the street from the southeast corner of the subject site.

ROUGH PROPORTIONALITY DETERMINATION

If required to plat, the developer is responsible for 100% of all paving, water, sanitary sewer, and drainage infrastructure needed to support the development in accordance with the City's design criteria. If not required to plat, the developer is responsible for 100% of fire and drainage infrastructure.

COMPREHENSIVE LAND USE PLAN

The City's Comprehensive Land Use Plan (CLUP) does not contain policies distinguishing light and heavy industrial uses. The CLUP designates the subject site as Industrial, and the proposed zoning change and use is most consistent with this land use than any other suggested by the CLUP.

NOTIFICATION

The legal notice regarding the public hearing was published in the December 18, 2015, *Fort Worth Star Telegram.*

Notification was mailed to all property owners within 200 feet on December 18, 2015; four (4) property owners were notified.

_____ In Favor / No Objections

_____ Opposed

_____ Returned to Sender

ATTACHMENTS

1. GIS Aerial Map
2. List of Property Owners within 200'
3. Photos of Subject Site & Surrounding Properties
4. Letter from Applicant's Representative
5. Draft Ordinance with Exhibits A, B, & C:
   - Exhibit "A" Development Standards
   - Exhibit "B" Conceptual Plan
   - Exhibit "C" Conceptual Site Plan

M-1
Eden Dr.
M-1
5936
5936
1409
M-1
5912
5908
5936
Carson St.
M-2
Fort Worth
M-1
1300
5801
M-1
M-2
Elliott Reeder Rd.
Legend
1301 Carson Street
200 foot buffer
Parcels within 200 feet
City of Haltom City, Texas
1301 Carson Street
Z-009-15
0 50 100 200 Feet

TAD Parcel ID Num.	TAD Acct. Num.	Zoning Class	Zoning Alt.	Property Address	Owner Name	Owner Address	Owner City/State	Owner Zip
33520-2-11	02320231	M-1		5912 Eden Dr	Fore Capital Holding Llc	5912 Eden Dr	Haltom City, Tx	76117
33520-2-12	02320258	M-1		5908 Eden Dr	Fore Capital Holding Llc	5912 Eden Dr	Haltom City, Tx	76117
33520-2-6	02320193	M-1		5936 Eden Dr	Eden Drive Properties Llc	5936 Eden Dr	Haltom City, Tx	76117
A 24-4C04	04460774	M-2	CUP	1409 Carson St	Under A Rock Real Estate Llc	1409 Carson St	Haltom City, Tx	76117
A 24-4C04A	03721620	M-1		5936 Eden Dr	Eden Drive Properties Llc	5936 Eden Dr	Haltom City, Tx	76117
A 24-4C05	04460782	M-1		1300 Eden Dr	Waban Capital Co Llc	3102 Maple Ave Ste 200	Dallas, Tx	75201
A 24-4C06	03721647	M-1		5936 Eden Dr	Eden Drive Properties Llc	5936 Eden Dr	Haltom City, Tx	76117
A 24-4C09	03721671	M-1		5801 Elliott Reeder Rd	Waban Capital Co Llc	3102 Maple Ave Ste 200	Dallas, Tx	75201

Photos of Subject Site & Surrounding Properties

Looking at subject site from the intersection of Elliot Reeder Rd. and Carson St.

Looking at the west end of the subject site from Elliot Reeder Rd with adjacent properties in background

Looking east down Elliot Reeder Road with the subject site on the left and neighboring property in the City of Fort Worth on the right

Looking south down Carson Street with the subject site on the right and neighboring residences in the City of Fort Worth on the left

Late Model Auto Salvage
1551 Carson St.
Haltom City, TX 76117
817-872-1491

City of Haltom City
Planning and Zoning Commission
5024 Broadway Ave
P.O. Box 14246
Haltom City, TX 76117

November 10, 2015

RE: Letter of Intent for a Modification Waiver, Article 7, Haltom City Subdivision Ordinance for 1301 Carson Street. Tracts 4C and 4C10 of the John Akers Survey Abstract No. 24

Chair and Commissioners:

Late Model Auto Salvage / Recycle (Applicant) seeks a Modification Waiver under Article 7, of the Haltom City Subdivision Ordinance for a "waiver" from the subdivision regulations for the development and use of 1301 Carson Street (the "subject property"), located at the northwest corner of Carson Street and Elliott Reeder Road for a storage area as described in the attached Exhibit "B" Planned Development District Standards for a Planned Development Auto Salvage / Recycling Storage Area PD M-2.

The subject property is currently undeveloped and is comprised of Tract 4C being 11.14 acres (currently zoned M-2) and Tract 4C10 being 0.955 Acres (currently zoned M-1) situated in the John Akers Survey, Abstract No. 24, Tarrant County, Haltom City, Texas. Late Model Auto Salvage / Recycle will use the subject property as an outdoor storage area for salvaged / recycled vehicles.

Applicant currently operates Late Model Auto Salvage / Recycle at 1551, 1501 and 1409 Carson St., Haltom City, Texas. The Applicant's current operations are adjacent to the subject property. Applicant desires to expand its operations to encompass the subject property, thereby providing Applicant with the additional space it needs to grow its successful enterprise.

As stated above, the primary use of the subject property is for outdoor storage of dismantled motor vehicle shells on an "All Weather Surface" and all operations screened by a white eight foot (8') R-Panel Fence.

Applicant's Criteria for the waiver of the subdivision regulations:

1. **That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land:**

   The Applicant's reasonable use of the land is to simply construct a screening fence, prepare an "All Weather Hard Surface" and store vehicle shells. Article 10-101b. of the City's Subdivision Ordinance states: "A building permit for electrical, plumbing, **fence** or similar non-construction activities may be issued on unplatted land in any zoning district except for building permits which involve structural enclosures." This section of the ordinance grants the applicant's only need for a permit (the fence) in order to reasonable use the property without impacting public interest. It is contrary to this section of the subdivision ordinance to apply the rest of the provisions of the ordinance to construct a fence in order to reasonably use the land

   In addition, the majority of the subject property is located in the 100 year floodplain and the resulting need to engineer a solution that does not increase the runoff of storm water to the neighboring properties makes the construction of a building on the subject property impractical. As a result only uses that would not require a building are practical.

2. **That strict application of the provisions of this Ordinance is not necessary to promote the public health, safety and welfare:**

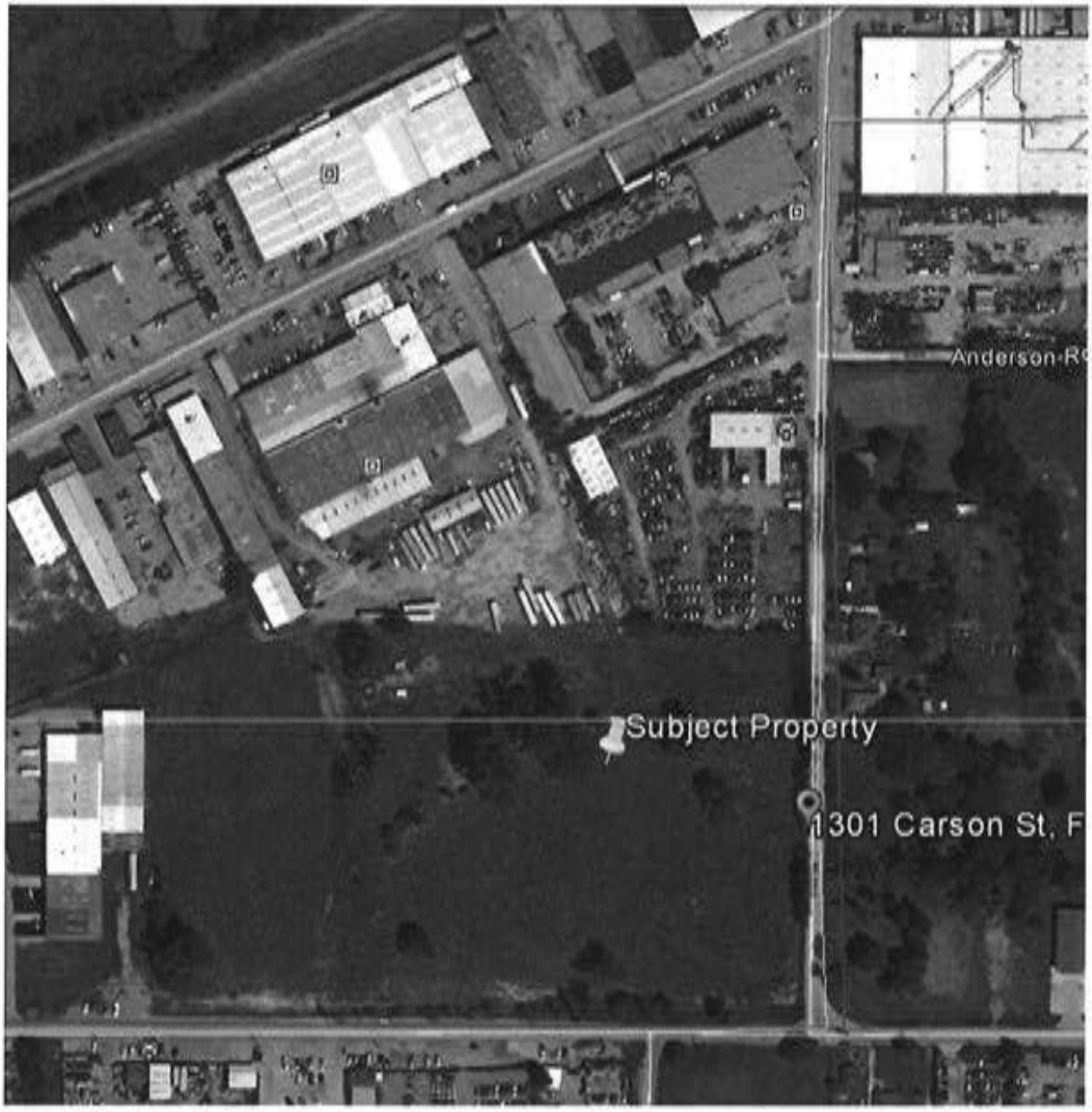
   The applicant's subject property located at 1301 Carson Street is unique (please note the TAD map) for the tracts are located at the southeastern city limits of the City of Haltom City. The proposed use of storage would not generate the need for additional water or sewer systems. In addition, as a result of the location, any new water or sewer systems would not provide any additional users to the water/sewer utilities. Furthermore, the use of the property as proposed will not generate additional traffic to Carson Street or Elliot Reeder Road. Access to the subject property will be from 1501 and 1409 Carson Street. These access points are currently used by the Applicant and therefore no new access points will be generated with exception of an emergency access for fire equipment from Elliott Reeder Road.

Tarrant Appraisal Map indicating Tracts 4C and 4C10:

3. That the granting of the waiver will not be detrimental to the public health, safety or welfare, or injurious to other property in the area:

As stated before, the subject property is unique by its location in the far southeastern corner of Haltom City (City limits indicated by a red line in the aerial below). The subject property is adjacent to heavy industrially zoned properties and will have no impact on these businesses. Existing uses adjacent to the subject property include the Forth Worth Dump to the east and other recycle yards exist to the south.

In addition, the use of storage will have no impact on the City's water or sewer infrastructure and the use is compliant with the City's Comprehensive Land Use Plan.



4. That the granting of the waiver will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this ordinance:

As discussed previously, the subject property is unique with it being located on the southeastern end of the City of Haltom City limits. All adjoining properties to the north and west are zoned heavy industrial. These properties have not been subdivided (please note TAD Map above) yet the properties are fully developed with structures and existing businesses.

The granting of the waiver will not have an effect of preventing the orderly subdivision of these adjacent tracts of land. The inability to construct a building on the subject property due to floodplain issues currently limits the impact on the adjacent tracts as well.

5. **That the granting of the waiver will be in harmony with the spirit and purpose of this Ordinance:**

   The granting of the wavier is in harmony with the spirit and purpose of the City of Haltom City Subdivision Ordinance. The Applicant's proposed development of the subject property is to construct a screening fence on unplatted land which is allowed as stated in Article 10-101b.
   In addition, the proposed use storage on an "All Weather Surface" does not negate the Purposes and Policies as listed in Article 3 of the Ordinance.

The Applicant has operated Late Model Auto Salvage since August, 2009 and currently employs twenty-seven (27) people. With the purposed addition of the subject property, the Applicant will be able to increase the company's inventory thereby creating additional jobs and much needed sales tax revenues for the City of Haltom City.

The Applicant's principal owners, Stoney Rutledge and Paul Delaney, have a combined twenty-five years' experience in the auto salvage / recycle industry and wish the thank the City of Haltom City Planning Commission for consideration of this request for a Modification Waiver to the City's Subdivision Ordinance.

Respectfully,

Stoney Rutledge

Paul Delaney

ORDINANCE NO. O-2016-001-15

CASE NO. Z-009-15

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-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 11.14 acres of land located on Tracts 4C and 4C10 of the John Ackers Survey, Abstract 24, locally known as 1301 Carson Street (hereinafter-referenced as the "Property"), has filed an application to rezone the Property from its present classification of "M-1" Industrial District and "M-2" Heavy Industrial District to "PD" Planned Development for all "M-2" uses plus an auto salvage yard with conceptual plan approval on said property; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on January 12, 2016 and the City Council of the City of Haltom City, Texas held a public hearing on February 8, 2016 with respect to the Zoning Change 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 the property consisting of approximately 11.14 acres of land located on Tracts 4C and 4C10 of the John Ackers Survey, Abstract 24, locally known as 1301 Carson Street, from "M-1" Industrial District and "M-2" Heavy Industrial District to "PD" Planned Development for all "M-2" uses plus auto salvage yard uses with conceptual plan approval.

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 the restrictions, terms and conditions set forth in Exhibit “A” Design Standards, Exhibit “B” Conceptual Plan, and Exhibit “C” Conceptual 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 _____, 2016.

PASSED AND APPROVED ON SECOND READING THIS _____ DAY OF _____, 2016.

_____
Mayor
ATTEST:

_____
City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

_____
City Attorney

Exhibit "A"
Design Standards

1. Planned Development is for all "M-2" uses plus auto salvage yard use.
2. The development plan (Exhibits A, B, and C of Ordinance No. O-2016-001-15) shall be tied to the applicant and shall expire at the time the applicant ceases operation of the auto salvage yard uses in anticipation of the subject site's use by another auto salvage yard operator, whom must obtain City Council approval of a new development plan prior to commencing auto salvage yard uses.
3. Prior to establishing a use on the subject site, a minimum six-foot screening fence shall replace the existing perimeter fencing and be constructed on the north and west property lines and at least ten feet off the south and east property lines. Fully opaque screening fences shall be limited by that needed to comply with the City Engineer's requirements for drainage and floodplain administration.
4. Gates for non-emergency entrances shall slide or swing inward to the subject site and shall be setback at least 20 feet from the south and east property lines to allow vehicles to completely exit Carson Street and Elliot Reeder Road and avoid obstruction of these rights-of-way.
5. The typical 18'x18' no parking areas shall be reduced to 10'x18' no parking areas.
6. A 35'x35' visibility easement shall be maintained in the southeast corner of the site.
7. A 10-foot landscape buffer with six-foot tall trees planted every 25' shall be provided along Carson Street and Elliot Reeder Road.
8. Perimeter fencing and required surfaces must be installed before commencing the use of the Property as an auto salvage yard.
9. Fire lanes shall be established and maintained with an unobstructed, 24-foot wide paved surface that is capable of supporting fire apparatus serving this site.
10. Driving isles shall be paved surfaces that are established and maintained where vehicles travel, while areas designated for outside storage of salvaged automobiles may be an all-weather hard surface as defined in the zoning ordinance. Non-pervious surfaces shall be limited by that needed to comply with the City Engineer's requirements for drainage and floodplain administration.
11. According to the Texas Railroad Commission Public GIS Map Viewer for Oil, Gas and Pipeline Data, a gas gathering pipeline operated by Access MLP Operating exists along the north ROW of Elliot Reeder Road. No use shall be located within the gas gathering line easement unless approval from Access MLP Operating or the current owner of the gas line is provided to the City of Haltom City.
12. Prior to commencing work, improvements, or use of the subject site, a floodplain development permit, paving plan, grading plan, drainage plan,

property survey, and site plan showing dimensional controls and easements shall be submitted to and approved by the City Engineer.

13. Overall adequate fire protection must be confirmed for the proposed development. This will include installation of new fire hydrants and required water line extensions.
14. Impact fees will be assessed by Haltom City if new utility connections are necessary or requested.
15. Based upon FEMA Firm Panel No. 48439CO195K, dated September 25, 2009, portions of the referenced property are located in the Zone AE – 1% annual chance floodplain. A Floodplain Development Permit is required for any changes to existing conditions.
16. A detailed paving and drainage plan shall be provided showing the impact of all proposed impervious and semi-impervious surfaces on the subject site.
17. The downstream drainage system has inadequate capacity to accept additional runoff from the proposed increase in impervious and/or semi-impervious coverage. The proposed rate of runoff cannot exceed the current conditions rate of runoff for the subject site. The site shall be designed per the Flood Protections and Prevention Ordinance and applicable provisions of the city Code and Subdivision Ordinance as determined by the City Engineer.
18. During a storm event, there is serious potential for automotive parts to become dislodged and traverse offsite, imposing a hazard to adjacent properties and causing blockage to storm drain systems. Therefore the auto salvage yard use shall provide adequate containment of all materials stored onsite.
19. The proposed screening fence will cause diversion of floodwaters onto adjacent properties. Details shall be provided of any proposed openings in the fence and proposed direction of flow.
20. The property owners/developers and tenants should consult with their Insurance Agents on recent National Flood Insurance Program (NFIP) regulation changes effective October 1, 2013.
21. Approval of the Conceptual Site Plan by the City Engineer is required before use of the Property commences.
22. If there is any conflict between Exhibit “A” Design Standards, the Exhibit “B” Conceptual Plan, and the Exhibit “C” Conceptual Site Plan, the provisions in Exhibit “A” Design Standards shall control.

Exhibit "B"
Conceptual Plan

(See next page)

EXHIBIT "B"

1301 Carson Street

Tract 4C (11.14 Acres) and Tract 4C10 (0.955 Acres)

John Akers Survey, Abstract No. 24

Planned Development District Standards
For Planned Development Auto Salvage / Recycling Storage Area
PD M-2

Applicant

Late Model Auto Salvage

1301 Carson St

Haltom City, Texas 76117

Owner

Eden Drive Properties, LLC

9936 Eden Dr.

Haltom City, Texas 76117

Submitted , 2015

For Review by the City of Haltom City

Planning and Zoning Commission review on , 2015

City Council review on , 2015

I. Intent

Applicant Late Model Auto Salvage / Recycle seeks to rezone 1301 Carson Street (the "subject property"), located at the northwest corner of Carson Street and Elliott Reeder Road to a Planned Development Auto Salvage / Recycling Storage Area PD M-2. The subject property is currently undeveloped and is comprised of Tract 4C being 11.14 acres (currently zoned M-2) and Tract 4C10 being 0.955 Acres (currently zoned M-1) situated in the John Akers Survey, Abstract No. 24, Tarrant County, Haltom City, Texas. Late Model Auto Salvage / Recycle will use the subject property as an outdoor storage area for salvaged / recycled vehicles.

Applicant currently operates Late Model Auto Salvage / Recycle at 1551, 1501 and 1409 Carson St., Haltom City, Texas. The Applicant's current operations are adjacent to the subject property. Applicant desires to expand its operations to encompass the subject property, thereby providing Applicant with the additional space it needs to grow its successful enterprise.

As stated above, the primary use of the subject property is for outdoor storage of dismantled motor vehicles and for operations consistent with the dismantling of motor vehicles, removal and storage of automotive parts, equipment and products and sale of automotive parts, equipment and products.

Tarrant Appraisal Map indicating Tracts 4C and 4C10:

2. Subject Property Planned Development District Standards

A. Access

The subject property has frontage on Carson St. and Elliott Reeder Rd., but no direct access is currently provided. Applicant will access the subject property via Applicant's adjacent properties at 1551, 1501 and 1409 Carson St. Emergency access will be provided by a 24' firelane extending from Carson Street on the east side of the subject property to Elliott Reeder Road, the south firelane entrance (see Exhibit "A"). The proposed firelane will be twenty four feet (24') wide and be comprised of six inches (6") of asphalt over an eight inch (8") subgrade with lime. See Exhibit "A" for location.

B. Area Requirements / Land Use

Height and area regulations for the planned development will be the same as those required for the "M-2" Heavy Industrial District. The subject property land use will be outdoor storage (see exhibit "A"). The outdoor

storage area will meet the City's Zoning Ordinance requirements for the "M-2" Zoning district which is an "All-Weather Hard Surface" or be reduced if required due to storm water discharge.

C. **Adjacent Zoning**

North: M-1 Industrial District / wrecking, auto salvage yard (Applicant's current locations) and manufacturing (Lewis & Lambert sheet metal contracting)

West: M-1 Industrial District / undeveloped and manufacturing (Waban Capital Co., LLC)

South: City of Fort Worth / wrecking, auto salvage yard

East: City of Fort Worth / undeveloped and agricultural

Applicant's proposed use is compatible with existing wrecking / auto salvage yard and manufacturing uses to the north, west and south of the subject property. Applicant's proposed use is consistent with the Haltom City 2010 Comprehensive Land Use Plan, which designates the subject property for Heavy Industrial.

D. **Fencing / Screening**

The subject property is not currently fenced or screened. Applicant will provide the minimum six-foot high to maximum ten-foot high white 6-panel metal fence enclosure required for "M-2" Heavy Industrial District. The screening fence will be set back 10' from the property line to accommodate for a landscape buffer.

E. **Landscaping**

The subject property will have landscaping along Carson Street and Elliott Reeder Road. Native trees will be planted every 25' on the street side of the screening fence forming a landscape buffer.

F. **Parking**

Applicant's existing locations at 1501, 1501 and 1409 Carson provides existing parking spaces for employees and customer transactions. Seventy five (75) parking spaces are available at the above listed locations. The subject property will not provide parking as all customer transactions will occur at Applicant's current locations.

G. **Vehicular Traffic and Circulation**

Vehicular traffic is routed to Applicant's current location via Carson St. from the north and Elliott Reeder Rd. from the west. The bulk of the traffic in the area of Applicant's business is commercial and industrial in nature. Applicant's use of the subject property at full capacity will not adversely impact the safety and convenience of the vehicular traffic and circulation in the vicinity due to the adequate capacity of Carson St. and Elliott Reeder Rd. to handle the traffic flow.

H. **Drainage**

Applicant hired Dunaway Engineers of Fort Worth to execute a pre-development and post-development drainage study for the subject property. Below is the drainage study based on the following notes:

1. Rational Method was used for drainage calculations.

2. Drainage design information was obtained from the ISWM design manual.

3. Weighted "C" values were used for drainage areas containing both pervious and impervious surfaces.

4. Off-site topographic contours shown were obtained from NCTCOG.

PRE-DEVELOPMENT DRAINAGE CALCULATIONS								
AREA NO.	ACRES	RUNOFF COEFF.	CA	Tc (min)	I25 (in/hr)	Q25 (cfs)	I100 (in/hr)	Q100 (cfs)
EX-1	11.22	0.41	4.60	10.0	7.55	34.73	9.24	42.51
EX-2	0.88	0.30	0.26	10.0	7.55	1.99	9.24	2.44
TOTALS =	**12.10**					**36.72**		**44.95**

POST-DEVELOPMENT DRAINAGE CALCULATIONS								
AREA NO.	ACRES	RUNOFF COEFF.	CA	Tc (min)	I25 (in/hr)	Q25 (cfs)	I100 (in/hr)	Q100 (cfs)

A 1	12.10	0.42	5.08	10.0	7.55	38.37	9.24	46.96
TOTALS =	**12.10**					**38.37**		**46.96**

WEIGHTED "C" VALUES

	PERVIOUS .35	IMPERVIOUS 1.00	TOTAL	AC	C
A 1	20247	43132	63379	1.454981035	0.79235
D 1	300674	0	300674	6.902525253	0.35
B-2	19799	185485	205284	4.712677178	0.937308

I. **Signage**

Applicant will not place signage on the subject property. Applicant's signage will continue to be placed at its current locations.

J. **Applicant Background Information**

Applicant sells recycled automotive parts, equipment and products removed from salvage vehicles through a careful and thorough disassembling process conducted by Applicant at 1551, 1501 and 1409 Carson St., Haltom City, Texas. Applicant maintains an extensive inventory and provides next day delivery of parts to automotive repair facilities. Applicant also ships parts within the state and throughout the USA.

The Applicant obtains inventory primarily by purchasing vehicles at automobile auctions that have been totaled by the insurance companies. The largest two auction companies are Copart, Inc. and Insurance Auto Auctions. The Applicant attends approximately 14 auctions each week throughout Texas, Oklahoma and Louisiana. These auctions present roughly 6,000 vehicles for sale each week. Of this total, roughly 800 fit the Applicant's business needs and the Applicant calculates a bid for these vehicles. The bid is calculated by a custom piece of software which uses historical data to calculate the need for each part on a vehicle, the projected sales price and the estimated time to sell. Using these factors, the Applicant determines the maximum value they would be willing to pay for a vehicle and submits a bid electronically. The Applicant generally procures roughly 20 – 25 vehicles for inventory in this manner each week.

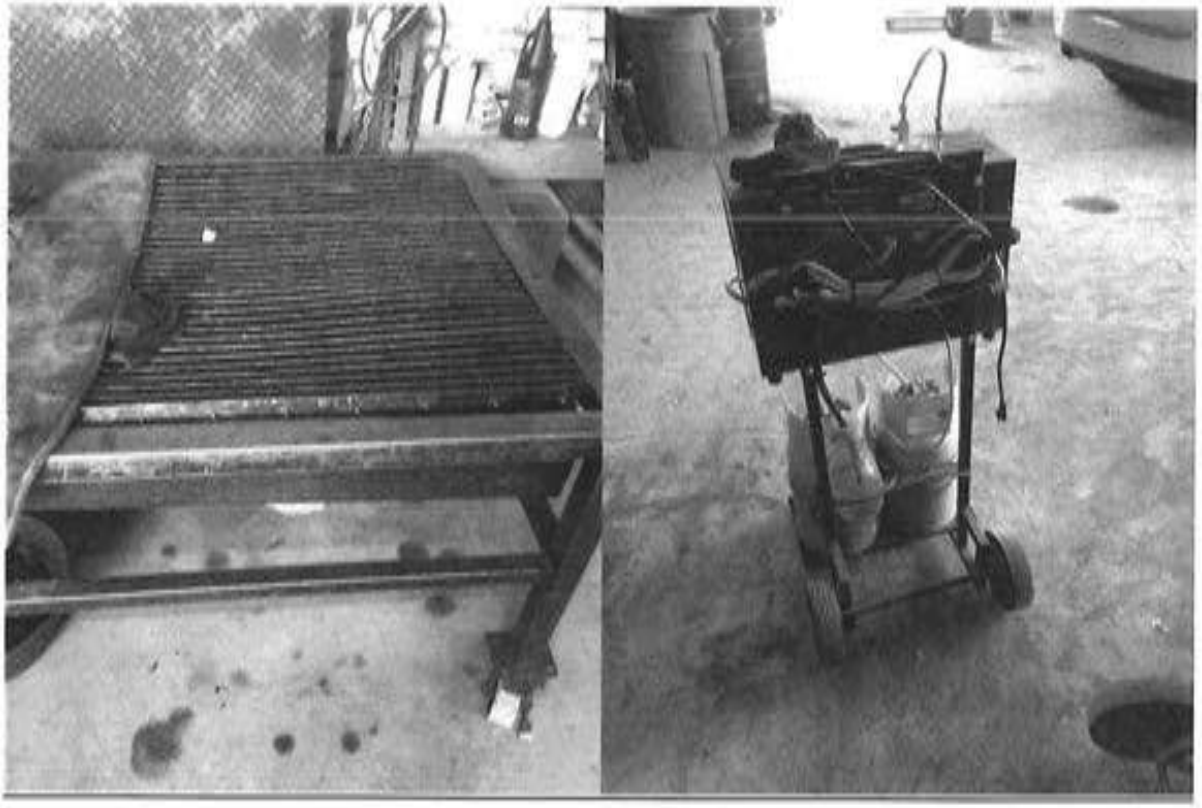
Vehicles purchases are hauled to the Applicant by independent third party tow companies. The average time from when a vehicle is purchased from an auction until it arrives at the Applicant's facility is roughly 5 days. The following shows a newly arrived vehicle at the Applicant's facility.

Upon arrival of the vehicle at the Applicant's facility, an inventory is performed to identify and describe any parts on the vehicle that could be sold and provide a description of each part. An industry standard exists for identifying parts and the options related to that part (for example, not just an engine, but the size of the engine) is provided by Solera, Inc. The product is called Interchange and identifies not only the parts on a select vehicle, but it provides other vehicles that could use the same part. The Applicant generally inventories approximately 80 parts per vehicle purchased. During the inventory process, a determination is made as to whether each part should be placed in a warehouse, left unbolted in the vehicle or left bolted to the vehicle. These determinations are based on the part's value, the effort required to remove the part, the estimated time to sell and the part's sensitivity to weather. Additionally, the vehicle is given a stock number at the time of inventory. This stock number is uniquely tied to the VIN and allows Applicant to trace all activity back to a specific VIN. The following photo shows a vehicle that has recently been inventoried. Please note the stock number prominently labeled on the vehicle.

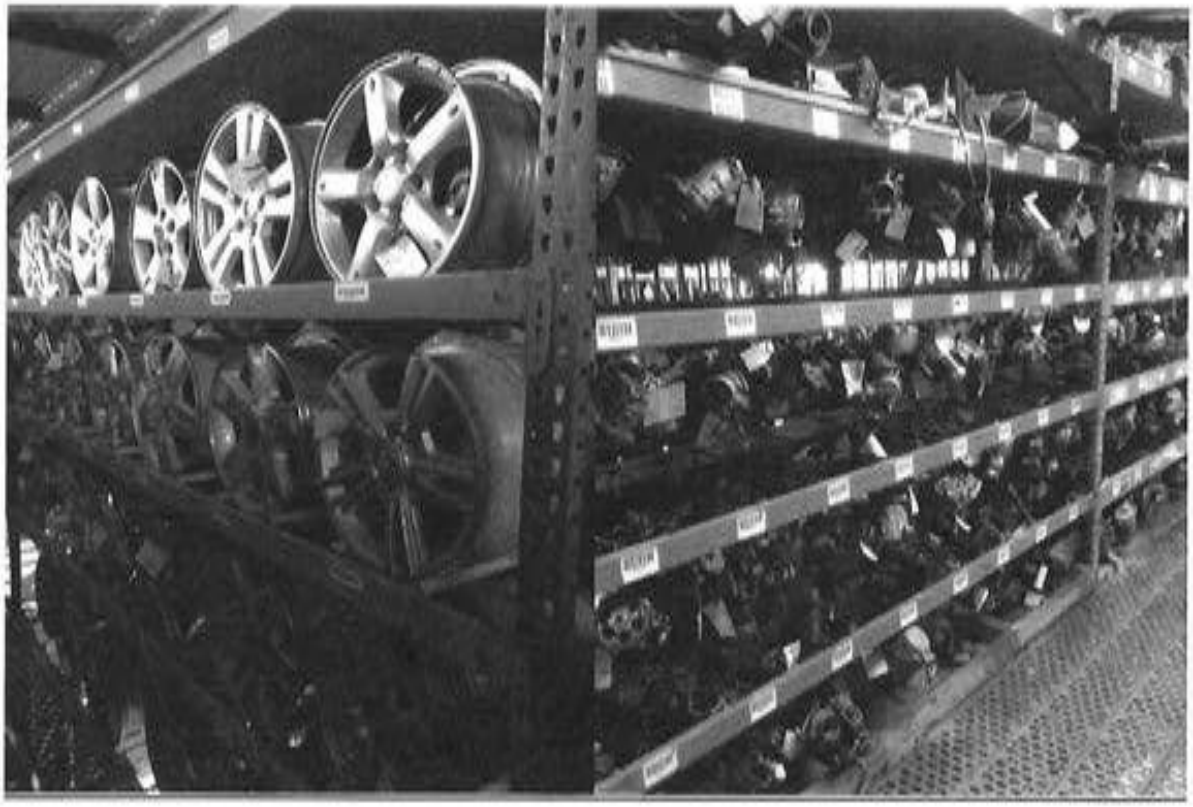
After the inventory is performed, the vehicle is dismantled by trained staff inside the company's facility. As part of the dismantle process, all fluids are drained from the vehicle and stored in bulk containers until they are sold to waste processors. In addition, special equipment is used to extract any remaining Freon from the vehicle's cooling system (the company pays for this Freon to be disposed of in an environmentally correct fashion). Batteries are also removed from the vehicle and sold to a licensed recycler. The determination for each part assigned in the inventory of the vehicle instructs the dismantler on where to put each part removed from the vehicle. Engines and transmissions, after being drained of all fluid and tested, are stored inside the Applicant's main building. The Applicant can currently hold roughly 1,200 engines and 2,000 transmissions in its primary facility. Doors, trunk lids and other sheet metal are primarily stored in custom built racking that is used to store and protect the sheet metal until is it sold. The Applicant can store roughly 3,000 pieces of sheet metal currently. Small mechanical pieces, accessory items, such as door mirrors, electronic items and wheels are generally stored in the company's covered racking storage. The Applicant has room for approximately 10,000 such parts at this time. It is the responsibility of the dismantler to remove, test and put away all items from the vehicle. All parts are tagged with a bar code and scanned into the correct location in the company's inventory system. The remainder of the vehicle is then taken by a fork lift to the outside storage area where it is set on top of concrete blocks. The dismantler then cleans his bay before the next vehicle is brought in for dismantle.

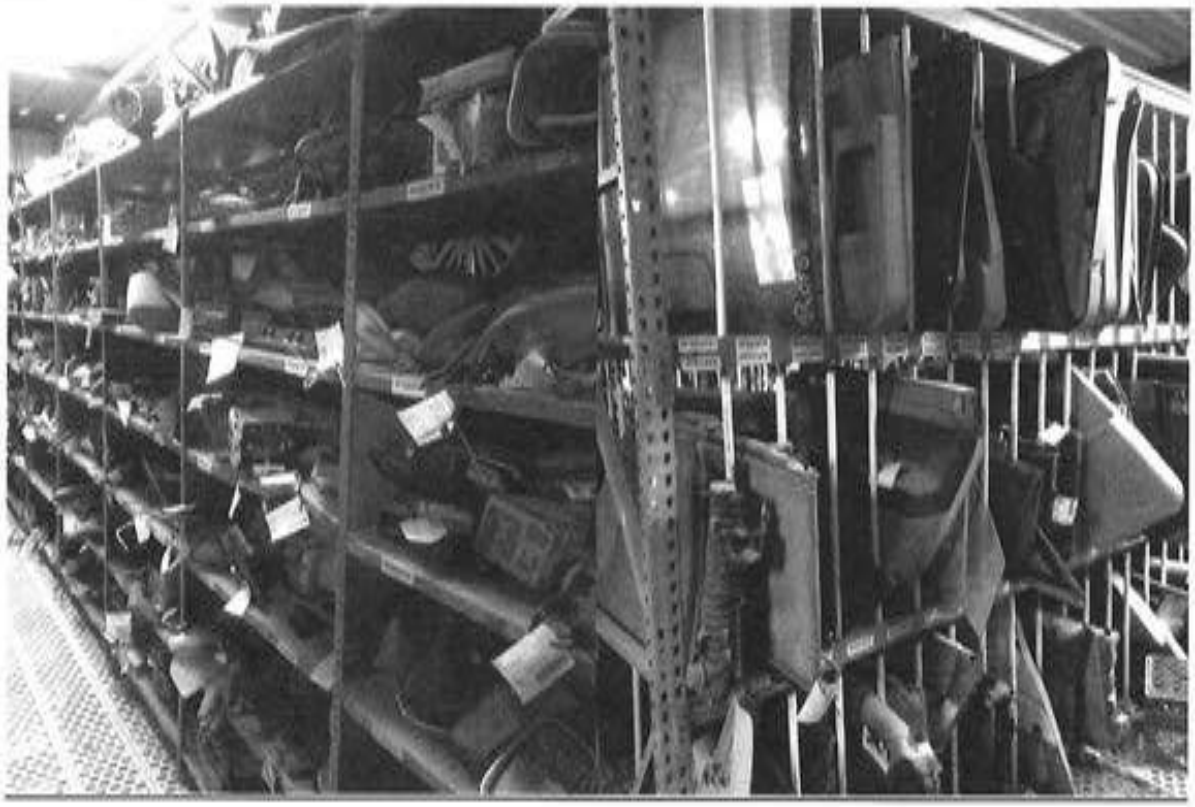
Examples of Dismantle Bays

Fluid and Freon Recovery



Parts Storage





Applicant sells parts primarily to collision repair facilities and mechanical repair shops in the Dallas Fort-Fort Metroplex. Applicant maintains a call center with six parts sales specialists who sell part via the phone or e-mail communications. Additionally, Applicant sells parts via electronic methods including eBay, parts web sites and electronic billboards. In general, parts are sold one day and are delivered to the customer the following day by Applicant's employees on trucks owned by the Applicant. Parts sold to customers outside of the DFW area are shipped via UPS or LTL freight carriers.

Sales Office / Call Center

As orders are received by the sales department, work orders are created for the order fulfillment department. The orders are processed by a team of five parts pullers. Parts are removed from the designated location and brought to the order fulfillment location. At this location the parts are cleaned and packaged for delivery to ensure the product arrives at the customer's location as promised.

After packaging, the parts are stored in designated areas: parts to be shipped via UPS, parts to be shipped via third party freight carriers and parts to be delivered on company owned vehicles. The third party freight and UPS parts are picked up each evening. Company owned trucks deliver parts the following business day.

Order Fulfillment

Applicant has operated Late Model Auto Salvage since August, 2009 and currently employs seventeen people. Its current location comprises approximately 5 acres consisting of an office, 3 warehouses, covered racking and outdoor storage (see Exhibit "2" attached hereto). Applicant's principal owners, Stoney Rutledge and Paul Delaney, have a combined twenty-five years' experience in the auto salvage / recycling industry.

4. Economic Impact of Late Model Auto Salvage

Late Model began in 2009 with 3 employees. The Applicant's business has continued to expand each year providing more jobs to Haltom City. Below is a history of the jobs provided by Applicant in Haltom City:

	2009	2010	2011	2012	2013	2014	2015
# of employees	4	9	13	12	15	16	24
Avg Salary	49,104	53,986	56,455	51,477	52,073	59,450	55,805

Applicant also provides the employees with healthcare coverage, a minimum of 8 paid vacation days a year, at least 13 days of Paid Time Off and a 401(k) program.

As the employee base of Late Model Auto Salvage / Recycling has grown, the taxable revenue the entity generates has increased:

	2009	2010	2011	2012	2013	2014	2015 (est)
Taxable Revenue	84,714	292,197	457,373	700,492	731,600	797,862	949,585
Halton City Tax Revenue	1,695	5,844	9,147	14,010	14,632	15,957	18,992

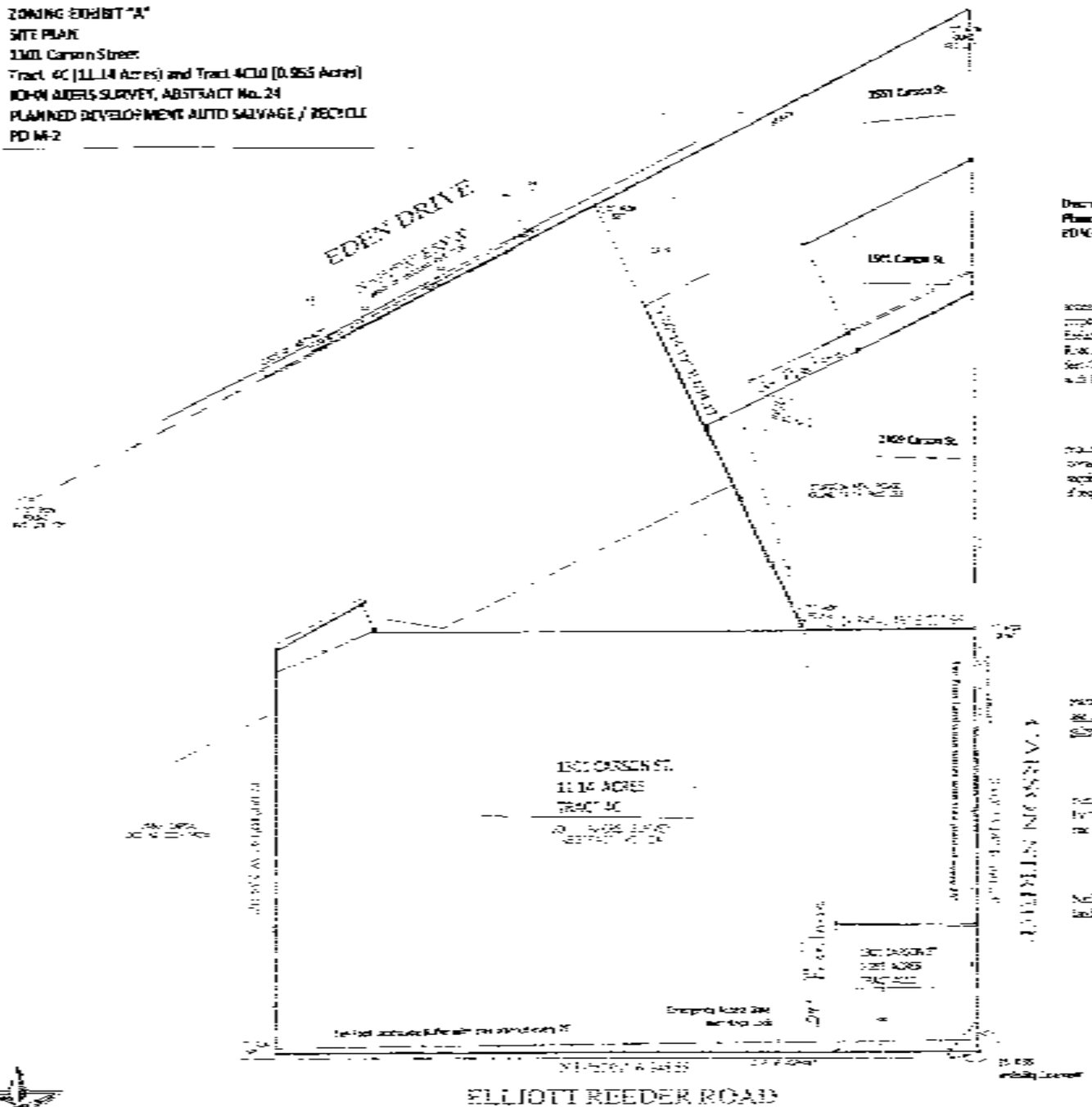
The increase in jobs and taxable revenue mirror the expansion of the business from its original 5 acre, 7,000 sq ft. warehouse location to the adjacent property providing 40,000 sq. ft of additional warehouse, but only approximately 2 additional acres of outside storage.

Late Model's continued growth is dependent upon having adequate outside storage to pair with the additional warehouse space. The vacant property at 1301 Carson St provides the best opportunity for Late Model to continue to expand and provide jobs and tax revenue to Halton City

Exhibit "C"
Conceptual Site Plan

(See next page)

ZONING EXHIBIT "A"
SITE PLAN
1301 Carson Street
Tract 4C (11.14 Acres) and Tract 4C10 (0.955 Acres)
JOHN AKERS SURVEY, ABSTRACT No. 24
PLANNED DEVELOPMENT AUTO SALVAGE / RECYCLE
PD M-2



Design Standards
Planned Development Auto Salvage / Recycle
PD M-2

A. **Access**

The subject property has frontage on Carson St. and Eden Drive. [illegible] access is currently provided. Applicant will access the subject property via Applicant's adjacent properties 1301, 1311, and 1409 Carson St. Emergency access will be provided by 12' Easement extending from Carson Street on the west side of the subject property to Eden Drive. [illegible] The proposed building will comply with Section 24 [illegible] and is accessible [illegible] The proposed [illegible] will be [illegible] See Exhibit "A" for location.

B. **Area Requirements / Legal Use**

The proposed use complies with the planned development [illegible] for the "M-2" Heavy Industrial District. The subject property land area [illegible] coverage [illegible] The outdoor storage area will meet the [illegible] requirements for the "M-2" Heavy Industrial District [illegible] if required [illegible]

C. **Adjacent Zoning**

North: M-2 Industrial District [illegible]

West: M-2 Industrial District [illegible] Capital Co., LLC.

South: City of Fort Worth [illegible]

East: City of Fort Worth [illegible]

Applicant's proposed use is compatible with existing zoning, land use [illegible] adjacent properties. Applicant's proposed use is consistent with the Future City Land Use Map [illegible] the subject property for Heavy Industrial.

D. **Fencing / Screening**

The subject property shall comply [illegible] screening. Applicant will provide the minimum [illegible] screening fence [illegible] required by M-2 Heavy Industrial District. The screening fence will be [illegible] from the property line to accommodate for a landscape buffer.

E. **Landscaping**

The subject property will have landscaping along Carson Street and Eden Drive. [illegible] Native trees will be planted every 20' along the street side of the screening fence [illegible] landscape buffer.

ZONING EXHIBIT "A"
SITE PLAN
1301 Carson Street
Tract 4C (11.14 Acres) and Tract 4C10 (0.955 Acres)
JOHN AKERS SURVEY, ABSTRACT No. 24
PLANNED DEVELOPMENT AUTO SALVAGE / RECYCLE
PD M-2

CITY COUNCIL MEMORANDUM

City Council Meeting:	**February 8, 2016**
Department:	**Planning & Community Development**
Subject:	**(P-001-16) AutoZone 1526 Addition Final Plat**

BACKGROUND

Conduct a public hearing and consider action on the application of Robert Schneeberg on behalf of Belknap Properties Joint Venture for approval of a replat creating Lots 1 and 2, Block 1 of the AutoZone 1526 Addition from Lots A, B, C2, 3B, 4B, and 5-8, Block 1 of the Oakridge Addition, located in the "C-3" Commercial District, containing approximately 2.697 acres, and locally known as 5122 E. Belknap Street.

The applicant proposes to create two lots from several lots in order to bring the site into conformance with the Subdivision Ordinance, which is a prerequisite to the issuance of a building permit for new construction. An existing thrift store building is to remain and be located on proposed Lot 2, while the developer's plan for Lot 1 is to relocate a Watermill Express vending structure, demolish an ice vending structure, demolish a multi-tenant structure, demolish a pet grooming building, and demolish a nonconforming single family residence to make way for the new construction of an AutoZone HUB store.

FISCAL IMPACT

None.

RECOMMENDATION

On February 2, 2016, the Planning and Zoning Commission recommended approval of P-001-16 by a vote of 4-0-1. Other than discretionary matters for the Council, the application is administratively complete and meets the requirements of the Subdivision Ordinance.

ATTACHMENT

P&Z Staff Report with Attachments

STAFF REPORT

CITY OF HALTOM CITY

MEETING DATE: 1/26/2016	TO: P&Z Commission	FROM: Justin French, AICP Director of Planning & Community Development	SUBJECT: Replat Lots 1 & 2, Block 1 AutoZone 1526 Addition

P-001-16

Application of Robert Schneeberg on behalf of Belknap Properties Joint Venture for approval of a replat creating Lots 1 and 2, Block 1 of the AutoZone 1526 Addition from Lots A, B, C2, 3B, 4B, and 5-8, Block 1 of the Oakridge Addition, located in the "C-3" Commercial District, containing approximately 2.697 acres, and locally known as 5122 E. Belknap Street.

ANALYSIS

The applicant proposes to create two lots from several lots in order to bring the site into conformance with the Subdivision Ordinance, which is a prerequisite to the issuance of a building permit for new construction. An existing thrift store building is to remain and be located on proposed Lot 2, while the developer's plan for Lot 1 is to relocate a Watermill Express vending structure, demolish an ice vending structure, demolish a multi-tenant structure, demolish a pet grooming building, and demolish a nonconforming single family residence to make way for the new construction of an AutoZone HUB store.

TRANSPORTATION

The subject site has frontage to E. Belknap Street, Bakers Lane, and Juniper Street. A private access easement will be dedicated to provide cross access. The developer of Lot 1 will construct sidewalks along each street frontage that will tie in to the ADA ramps recently installed by the Texas Department of Transportation (TxDOT).

DRAINAGE

The site is located in the Little Fossil Creek drainage basin. Based on available information, no portion of the site is located within a FEMA designated floodplain. No significant drainage impacts are expected to result from development of this site, as long as the developer complies with all relevant City ordinances.

WATER & SANITARY SEWER

Water and sanitary sewer services are available to the subject site.

FIRE PREVENTION

Fire Station #2, located at 5700 Midway Road, provides protection to this site. Each fire station has an estimated fire response time of four minutes, which is in keeping with the recommended standard.

FRANCHISE UTILITIES & STREET LIGHTS

Lines of overhead utilities exist along each street frontage with some utility poles having co-located street lights.

ROUGH PROPORTIONALITY DETERMINATION

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

PURPOSE

The purpose of the Subdivision Ordinance includes but is not limited to the following:

- Promote the health, safety, morals, general welfare, and orderly growth within the City;
- Reduce inconveniences to residents;
- Reduce unnecessary costs to the City;
- Correct inadequate facilities that are designed to serve the public;
- Ensure against the dangers of fires, floods, erosion, landslides, or other such menaces;
- Ensure harmony with adjacent properties;
- Provide the most beneficial circulation of traffic throughout the City, having particular regard to the avoidance of congestion in the streets and highways, and pedestrian traffic movements; and to provide for the proper location and width of streets;
- Provide for open spaces through the most efficient design and layout of land, while preserving the land use intensity as established in the Zoning Ordinance;
- Assure that new development adequately and fairly participates in the dedication and construction of public infrastructure improvements;
- Ensure public facilities for water supply, drainage, disposal of sanitary and industrial waste, and parks are available for every building site and with adequate capacity to serve the proposed subdivision before issuance of a certificate of occupancy or release of utility connections or final inspection within the boundaries of the plat;
- Help prevent pollution, assure the adequacy of drainage facilities, control storm water runoff, safeguard the water table, and encourage the wise use and management of natural resources throughout the City in order to preserve the integrity, stability, and beauty of the community and the value of land; and
- Require the platting of land for the issuance of a building permit.

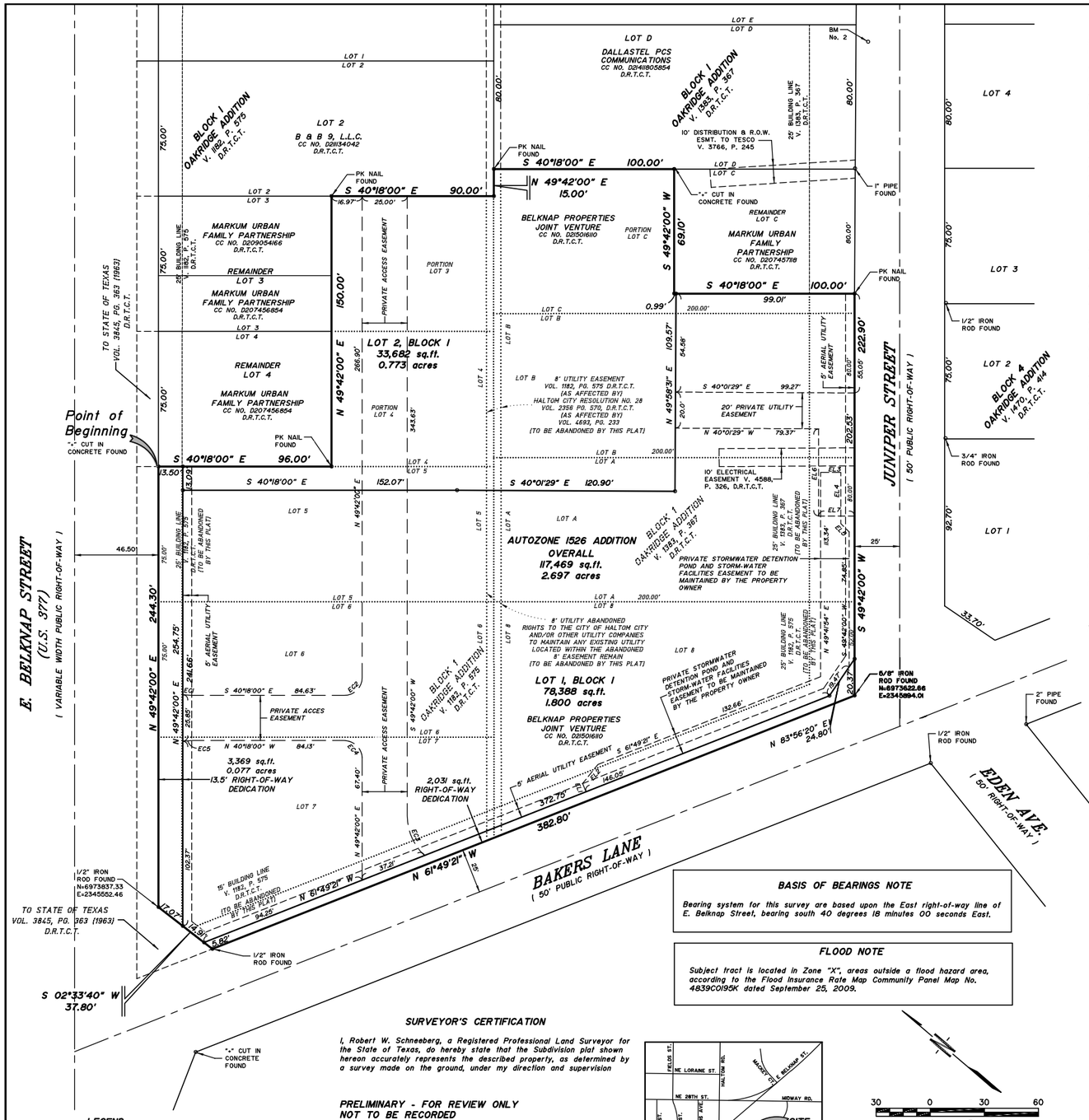
CONCLUSION

Other than discretionary matters for the Commission and Council, the application is administratively complete and meets the requirements of the Subdivision Ordinance.

ATTACHMENTS

1. GIS Aerial Map
2. Replat

5033
5101
5115
5200
28th St.
Midway Rd.
2300
5129
2309
Haltom Rd.
E. Belknap St.
5144
5152
5136
5140
2302
5124
5120
5001
2315
5122
2318
5050
Juniper St.
2314
Bakers Ln.
5024
2304
2300
5050
2225
Eden Ave.
2216
2217
5201
Legend
5122 E. Belknap Street
Parcel Boundaries
City of Haltom City, Texas
5122 E. Belknap Street
P-001-16
0 30 60 120 Feet



OWNER'S ACKNOWLEDGEMENT AND DEDICATION

STATE OF TEXAS
COUNTY OF TARRANT

I, the undersigned, owner of the land, as recorded in Instrument No. D215016110, Deed Records, Tarrant County, Texas shown on this plat within the area described by metes and bounds as follows:

Being a 2.697 acre tract of land situated in the A. M. Downen Survey, Abstract No. 415, Tarrant County, Texas and being a portion of Lots 3, 4, 5, 6, 7 and all of Lot 8, Block 1, Oakridge Addition, an addition to the City of Haltom City, Tarrant County, Texas, according to the plat recorded in Volume 1182, Page 575, Deed Records of Tarrant County, Texas; and all of Lots A, B and a portion of Lot C, Block 1, Oakridge Addition, an addition to the City of Haltom City, Tarrant County, Texas according to the plat recorded in Volume 1383, Page 367, Deed Records of Tarrant County, Texas; said tract also being all of that tract of land, referred to as Tracts 1 and 2, conveyed to Belknap Properties Joint Venture by Special Warranty deed recorded in County Clerk's File No. D215016110, Deed Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING, at a "+" cut in concrete found on the southeast line of E. Belknap Street (US Highway 377) (variable width), said point also being the northwesterly corner of this tract and being the west corner of that certain tract of land described in deed to Markum Urban Family Partnership as recorded in County Clerk's File No. D207456854, of the Deed Records of Tarrant County, Texas;

THENCE, South 40 degrees 18 minutes 00 seconds East, a distance of 96.00 feet to a PK nail found being an interior angle of this tract;

THENCE, North 49 degrees 42 minutes 00 seconds East, a distance of 150.00 feet to a PK nail found for corner;

THENCE, South 40 degrees 18 minutes 00 seconds East, a distance of 90.00 feet to a point for corner;

THENCE, North 49 degrees 42 minutes 00 seconds East, a distance of 15.00 feet to a PK nail found for corner;

THENCE, South 40 degrees 18 minutes 00 seconds East, a distance of 100.00 feet to a "+" cut in concrete found for corner;

THENCE, South 49 degrees 42 minutes 00 seconds West, a distance of 69.10 feet to a point for corner;

THENCE, South 40 degrees 18 minutes 00 seconds East, a distance of 100.00 feet to a PK nail found for corner on the northwest line of Juniper Street (50 feet wide);

THENCE, South 49 degrees 42 minutes 00 seconds West, a distance of 222.90 feet along the said northwest line at Juniper Street to a 5/8-inch iron rod found at the intersection of the said northwest line of Juniper Street and the northeast line of Bakers Lane (50 feet wide), said point also being the south corner of this tract;

THENCE, North 61 degrees 49 minutes 21 seconds West, a distance of 382.80 feet along the said northeast line of Bakers Lane to a found 1/2-inch iron rod found at the southwest end of a corner clip at the intersection of said northeast line of Bakers Lane and the said southeast line of E. Belknap Street;

THENCE, North 02 degrees 33 minutes 40 seconds West, a distance of 37.80 feet along said corner clip to a 1/2-inch iron rod found at the northwest end of said corner clip;

THENCE, North 49 degrees 42 minutes 00 seconds East, (basis of bearings per deed recorded in County Clerk's File No. D205022972), a distance of 244.30 feet along the said southeast line of E. Belknap to the POINT OF BEGINNING and CONTAINING 117,469 square feet or 2.697 acres of land, more or less and designated herein as Lots 1 and 2, Block 1, Autozone 1526 Addition, an addition to the City of Haltom City, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements, rights-of-way and public places thereon shown for the purpose and consideration therein expressed.

WITNESS, my hand, this the_____day of_____, 2016.

By: Belknap Properties Joint Venture

_____, Owner

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, a Notary Public in and for county and state, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this_____day of_____, 2016.

_____

NOTARY PUBLIC in and for the STATE OF TEXAS

EMERGENCY ACCESS & FIRE LANE EASEMENTS

Shall be provided in locations required by the Chief of Haltom City Fire Department. These easements shall meet the requirements of the Haltom City Fire Department Specifications for Fire Lanes.

UTILITY EASEMENTS

Any public utility, including the City of Haltom City, shall have the right to move and keep moved all or part of any buildings, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on the plat; and any public utility, including the City of Haltom City, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

No construction, without the written approval of the City of Haltom City shall be allowed within an identified "FIRM" floodway area, and then only after detailed flood plain development permit including engineering plans and studies show that no rise in the Base Flood Elevation (BFE) will result, that no flooding will result, that no obstruction to the natural flow of water will result; and subject to all owners of the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two feet (2') above the 100-year flood elevation.

The existing creeks, lakes, reservoirs, or drainage channel traversing along or across portions of this addition, will remain open at all times and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots. The City of Haltom City will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion. Each property owner shall keep the natural drainage channels traversing or adjacent to his property clean or free of debris, silt, or any substance which would result in unsanitary conditions and the City shall have the right of ingress or egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage channel, as in the case of all natural drainage channels, are subject to storm water overflow and natural bank erosion to an extent that cannot be definitely defined. The City of Haltom City shall not be liable for damages of any nature resulting from the occurrence of these natural phenomena, nor resulting from a failure of any structure(s) within the natural drainage channels. The natural drainage channel crossing each lot is shown by the floodway easement line as shown on the plat.

This plat has been submitted to and considered by the PLANNING AND ZONING COMMISSION of the City of Haltom City, Texas, and is hereby approved by such commission.

Dated this_____day of_____, 2016.

By:_____
Chairman

Attest: _____
Director of Planning and Community Development

The City Council of Haltom City on_____, 2016 voted affirmatively to adopt this plat and approve it for filing of record.

By:_____
Mayor

Attest:_____
City Secretary

BASIS OF BEARINGS NOTE

Bearing system for this survey are based upon the East right-of-way line of E. Belknap Street, bearing south 40 degrees 18 minutes 00 seconds East.

FLOOD NOTE

Subject tract is located in Zone "X", areas outside a flood hazard area, according to the Flood Insurance Rate Map Community Panel Map No. 48439C0195K dated September 25, 2009.

SURVEYOR'S CERTIFICATION

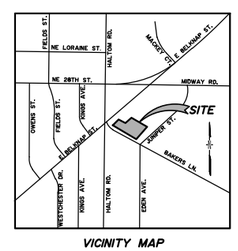
I, Robert W. Schneeberg, a Registered Professional Land Surveyor for the State of Texas, do hereby state that the Subdivision plat shown hereon accurately represents the described property, as determined by a survey made on the ground, under my direction and supervision

PRELIMINARY - FOR REVIEW ONLY
NOT TO BE RECORDED

Robert W. Schneeberg, Texas R.P.L.S. No. 4804
Gonzalez & Schneeberg, Engineers & Surveyors, Inc.
TX Surveying Firm Reg. No. 100752-00
660 N. Central Expressway, Suite 250
Plano, Texas 75074
Phone (972) 516-8855 Fax (972) 516-8901
GSES No.: 6395-15-09-13
Date: January , 2016

LEGEND

———	PROPERTY LINE
———	ADJOINER PROPERTY LINE
- - - - - -	EASEMENT LINE
— · —	CENTERLINE
D.R.T.C.T.	DEED RECORDS, TARRANT COUNTY, TEXAS
P.R.T.C.T.	PLAT RECORDS, TARRANT COUNTY, TEXAS
O.P.R.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
INST. No.	INSTRUMENT NUMBER
CC No.	COUNTY CLERK'S NUMBER
V.	VOLUME
P.	PAGE



VICINITY MAP
NTS

30 0 30 60
Scale in Feet

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD	CH. BEARING
EC1	09°17'16"	30.00'	2.44'	4.86'	4.86'	S 35°39'22" E
EC2	90°00'00"	10.00'	10.00'	15.71'	14.14'	S 85°18'00" E
EC3	47°12'01"	30.00'	13.11'	24.71'	24.02'	S 26°05'54" W
EC4	90°00'00"	10.00'	10.00'	15.71'	14.14'	N 04°42'00" E
EC5	10°15'40"	30.00'	2.69'	5.37'	5.37'	N 45°25'50" W

LINE TABLE		
LINE	LENGTH	DIRECTION
EL1	5.03'	N 28°10'39" E
EL2	13.50'	N 88°43'21" E
EL3	11.22'	S 40°18'00" E
EL4	28.40'	S 49°41'55" W
EL5	6.53'	S 04°42'00" W
EL6	48.34'	S 49°42'00" W
EL7	20.00'	S 40°18'00" E

PRIVATE ACCESS EASEMENT

Temporary truck unloading may be located in the private access easement.

OWNERS:
Belknap Properties Joint Venture
c/o Mr. Jake Jordan
Accent Commercial Real Estate
2909 Cole Avenue, Suite 225
Dallas, Texas 75204
Phone: 214-987-3611

REPLAT
AUTOZONE 1526 ADDITION
BLOCK 1, LOTS 1 AND 2

BEING A REPLAT OF A
PORTION OF LOTS 3, 4, 5, 6, 7 AND ALL OF LOT 8, BLOCK 1
OAKRIDGE ADDITION &
ALL OF LOTS A, B, AND C AND PORTION OF LOT C, BLOCK 1
OAKRIDGE ADDITION
OUT OF THE
A. M. DOWNEN SURVEY, ABSTRACT NO. 415
HALTOM CITY, TARRANT COUNTY, TEXAS
PREPARED: JANUARY ___, 2016

Gonzalez & Schneeberg
engineers = surveyors
660 N. Central Expressway
Suite 250, Plano, Texas 75074
(972) 516-8855 Fax:(972) 516-8901

SCALE	DATE	PROJ. NO.	DWG. NO.
1" = 30'	JANUARY, 2016	6395-15-09-13	S6395 Plat.dwg

P:\6395 Haltom City Autozone\S6395 Plat.dwg, 1/21/2016 6:26:20 PM

CITY COUNCIL MEMORANDUM

City Council Meeting:	**February 8, 2016**
Department:	**Finance**
Subject:	**Resolution No. R-2016-005-03 Amending Appendix C of the Code of Ordinances**

BACKGROUND

The various departments of the City are responsible for collecting a wide variety of fees for permits, services, fines and other charges that are all part of the everyday operations of municipal government. Since 2003, the fees have been incorporated into a single ordinance.

The attached resolution replaces Appendix C of the code, which details the fees by department and discloses the existing and proposed rates for each type of service.

The changes recommended by the Staff include:

- Animal Services (page 2)
  - Cat Trap – Refundable deposit from $30 to $60
  - Licensing fee per animal
    - Altered $7.00
    - Un-altered $15.00
    - Replace tag $5.00
    - Senior citizen – no charge
- Permits and Inspection (pages 3 and 4)
  - Landscape Fees
    - Payment into Parkland Dedication Fund in lieu of required tree $500
    - Payment into Parkland Dedication Fund in lieu of required shrub $250
    - Payment into Parkland Dedication Fund in lieu of required buffer area $250
  - Public Work Fees related to Building Permits
    - Asphalt Street Cut from $50 to $400
    - Concrete Street Cut from $50 to $1,000
    - Street Bore from $50 to $1,000
    - Safe Pathways Fund (payment in lieu of sidewalk construction) $10 to $25 per linear foot
    - Public Infrastructure Construction Inspection from 5% to 5.5% of construction cost
- Engineering (page 6)
  - Pipeline Inspection Fee 5% to 5.5% of construction cost in ROW

- Environmental Services (pages 7 and 8)
  - Backflow Tester Registration – For One Year from $50 to $100
  - Public Swimming Pool (These Fees are paid directly to Tarrant County)
    - Plan Review and Open Inspection $150
    - Annual Permit $50 to $250

        - Required Inspection $75
    - Wastewater sampling Fees
        - Metals Composite Sampling Fee – Per Sample $50 to $255
        - Oil/Grease and Cyanide Grab Sampling Fee – Per Sample from $20 to $80
        - Cyanide Grab Sampling Fee – Per Sample $50
        - Total Toxic Organics Grab Sampling Fee – Per Sample $615
        - Biochemical Oxygen Demand Sampling Fee – Per Sample $55
    - Food Program Fees (New Fees pay directly to Tarrant County) (refer to Fee Schedule)
- Finance (page 9)
    - Garage Sales Permit – no refund for returning of stake
- Fire Code Permit Fees (Page 10)
    - Fire Code Permits maximum charge from $150 to $165
- Library (Page 12)
    - Refundable Deposit for GED, SAT, ASVAB books or other exam guides from $5 to $15
    - Black and White printing from public coin operated machine - $0.10 per page
    - Color printing from public coin operated machine - $0.50 per page
- Planning and Community Development (Page 15)
    - Application and Variance Fees
        - Platting Application – Commercial from $120 plus $1.50 Per Acre to $120 plus $10.50 per Acre
        - Platting Application – Residential $300 plus $1.50 Per Acre to $300 plus $10.50 per Acre
        - Application for Variance – Zoning Board of Adjustment (Non-Refundable) from $157 to $300
        - Application for Conditional Use Permit (Non-refundable) $300 plus $10.50 per Acre
        - Application for Rezoning (Non-refundable) $300 plus $10.50 per Acre
        - Application for Carports (Non-refundable) from $175 to $300
        - Application for Variance – Masonry Ordinance from $100 to $300
        - Zoning Verification Letter from $25 to $50
- Water and Sanitary Sewer Connection (Page 16)
    - Water Meter/Box Set Only – No Tap
        - ¾ Inch Meter from $100 to $400
        - 1 Inch Meter from $250 to $500
        - 2 Inch Non-Compound Meter $600
        - 2 Inch Compound Meter $1,200
    - Water Meter/Box Set Only – And Tap
        - ¾ Inch Meter from $600 to $750
        - 1 Inch Meter from $700 to $900
        - 2 Inch Non-Compound Meter $1,800
        - 2 Inch Compound Meter $2,500
        - 4 Inch Meter and Large Tap Inspection (Task performed by contractor under City supervision) $100
    - Sanitary Sewer Connection
        - Sewer Tap Connection Inspection from $300 to $100
        - From Bullnose Set to Bullhead Set $100
- Utility Billing (Pages 20-21)
    - Fire Hydrant Water Meter – Per Meter (refundable) from $1,500 to $2,100
    - Water Rates and Sewer Rates changes are approved by City Council on 10/5/2015, Ordinance O-2015-023-01

FISCAL IMPACT

In many, if not most, cases the fees changes have had little to no financial impact for the City. Some of the fees are directly paid to Tarrant County. Few of the proposed fees are tied to low volume activities that cost more to accomplish due to the infrequent nature of the service.

Each Department Head will be prepared to discuss the impact of changes to fees in their respective areas.

RECOMMENDATION

Staff recommends that the City Council approve Resolution No. R-2016-005-03, amending Appendix C of the Code of Ordinances.

ATTACHMENTS

Resolution No. R-2016-005-03
Fee Schedule (Exhibit “A”)

RESOLUTION NO. R-2016-005-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS, AMENDING THE FEE SCHEDULE OF APPENDIX C OF THE CODE OF ORDINANCES, CITY OF HALTOM CITY, TEXAS.

WHEREAS, Ordinance O-2005-041-03 ("the Ordinance") governs the fees charged by the City for goods and services provided; and

WHEREAS, Section 2 of Ordinance O-2005-041-03 specifies that Attachment "A" to the Ordinance may be amended by a resolution of the City Council.

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

SECTION I.

The schedule attached to this resolution, hereinafter known, as Exhibit "A" shall establish the fees to be charged for the City goods and services named in the attachment.

SECTION II.

Appendix C of the Code of Ordinances, City of Haltom City, Texas is hereby amended to read as shown in the attached and incorporated Exhibit "A" hereto.

SECTION III.

This resolution shall be effective for all services rendered and products sold effective _____.

APPROVED this 8th day of February, 2016.

_____
David Averitt
Mayor

Attest:

_____
Art Camacho
City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting:	**February, 2016**
Department:	**Finance**
Subject:	**Resolution No. R-2016-008-03 Authorizing Electricity Supply Contract for 2018-2022**

BACKGROUND

The City has been a member of the Texas Coalition for Affordable Power (TCAP) formerly known as the Cities Aggregate Power Project (CAPP) since October, 2008. Since that time the City has realized savings on the purchase of electrical services through the combined purchasing power of 171 cities.

The current contract between the City and Gexa Energy expires December 31, 2017 with a contract price of 7.445 cents per kWh.

This resolution is designed to support the second of several opportunities for TCAP members to contract for electricity for a five-year term (2018-2022) during 2016. This authorizing resolution must be passed by the City Council by February 25, 2016. The deadline will allow definition of the load to be served under each of three different electric supply options. Also, the deadline will give the wholesale provider ample opportunity to lock a fixed-price, equal to or less than a specific benchmark for each ERCOT zone, before June 30, 2016. When that supply scenario is locked, each member that passed the authorizing resolution must immediately sign a contract for that power.

Three options are available for the new contract.

Option 1: Fixed price for all usage
Option 2: Fixed price for the peak usage period and spot market for all off-peak usage
Option 3: With the purchase of a block of power to cover the base use, daytime peak consumption will be partly covered by a fixed price for solar power, and all other consumption supplied by the spot market.

This resolution authorizes the execution of a contract prior to June 30, 2016 for power to be delivered to members at a price not to exceed 4.1 cents per kWh for the City for supply Option 1 for the period January 1, 2018 through December 31, 2022.

This resolution also authorizes any one of the following individuals namely the City Manager, Director of Finance, or City Controller to sign an electric supply agreement for the City within 24 hours of receipt of a contract that has been approved and recommended by the TCAP Board of Directors.

FISCAL IMPACT

In calendar year 2014, the City used $5,683,293 kWh of electricity and the energy cost is $423,121. With the new contract at 4.1 cents per kWh the City can realized a saving of over $190,000 per year.

RECOMMENDATION

Staff recommends that the City Council approve Resolution No. R-2016-XXX-XX, authorizing the negotiation of electricity supply the period 2018 through 2022.

ATTACHMENTS

Resolution No. R-2016-008-03.
Video Explaining TCAP Contracting Process

RESOLUTION 2016-008-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS, AUTHORIZING THE TEXAS COALITION FOR AFFORDABLE POWER, INC. (TCAP) TO NEGOTIATE AN ELECTRIC SUPPLY AGREEMENT FOR FIVE YEARS FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2018; AUTHORIZING TCAP TO ACT AS AN AGENT ON BEHALF OF THE CITY TO ENTER INTO A CONTRACT FOR ELECTRICITY; AUTHORIZING CITY MANAGER or DIRECTOR OF FINANCE or CITY CONTROLLER TO EXECUTE AN ELECTRIC SUPPLY AGREEMENT FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2018 AND COMMITTING TO BUDGET FOR ENERGY PURCHASES IN 2018 THROUGH 2022 AND TO HONOR THE CITY'S COMMITMENTS TO PURCHASE POWER FOR ITS ELECTRICAL NEEDS IN 2018 THROUGH 2022 THROUGH TCAP

1. **WHEREAS,** the City of **Haltom City**, Texas (City) is a member of Texas Coalition For Affordable Power, Inc. (TCAP), a non-profit, political subdivision corporation dedicated to securing electric power for its more than 170 members in the competitive retail market; and

2. **WHEREAS,** TCAP has unique rights under Texas law to negotiate directly in the wholesale market and arrange separate contracts for power supply and retail services which provides TCAP leverage to achieve contract provisions that single city negotiations with a Retail Electric Provider (REP) would be unlikely to produce; and

3. **WHEREAS,** TCAP's geographic diversity across all four ERCOT zones produces an aggregated peak load that is lower than the total of individual peak loads of the individual TCAP members, allowing price benefits in the wholesale market that are not likely to be available to any given TCAP member alone; and

4. **WHEREAS,** TCAP and its predecessor organizations, Cities Aggregation Power Project, Inc. (CAPP) and South Texas Aggregation Project, Inc. (STAP),

negotiated favorable contract terms that resulted in rebates from the wholesale supplier and reasonable commodity prices for delivered electricity since 2002 resulting in stable budgets for electricity for members; and

5. **WHEREAS,** commodity prices for electricity experienced significant volatility between 2002 and 2009, with prices ranging from 4 cents to over 13 cents per kWh, causing CAPP and STAP members to welcome a five year contractual commitment that came close to cutting the 2008 prices in half, with that contract being extended until December 31, 2017, with a negotiated price reduction of about 3 cent per kWh; and

6. **WHEREAS,** TCAP has become a forceful voice for consumer protections and market reform to benefit the public and well as cities and other political subdivisions; and

7. **WHEREAS,** TCAP is owned by its members and distributes monetary and other resources according to relative load size of members and is controlled by a 15 member Board of Directors, all of whom must be city employees of members who represent diversity in size and geography; and

8. **WHEREAS,** wholesale power prices within the deregulated Texas market are largely determined by the NYMEX gas futures prices for natural gas which are currently low and relatively stable, but which change daily; and

9. **WHEREAS,** daily price changes require retail customers to execute a contract immediately upon receipt of a favorable offer; and

10. **WHEREAS**, pursuant to Texas Local Government Code Section 252.022(a)(15) expenditures for electricity are exempt from competitive bidding requirements; and

11. **WHEREAS,** on any given day, TCAP is able to capture a favorable wholesale price for any period of time, comparable to or better than any given REP or broker; and

12. **WHEREAS**, TCAP intends to continue to contract with its current wholesale supplier, NextEra, because the relationship with NextEra is such that NextEra is willing, after it knows the size of a given load, to execute a contract at or below prescribed price and terms; and

13. **WHEREAS,** the City desires to execute a contract for electricity for the period beyond the expiration of its current contract on December 31, 2017, that locks-in favorable wholesale prices under one of three different supply options:

Option 1 - fixed-price, full-requirements at a price not to exceed 4.1 cents per kWh for the North and West zones or 4.25 cents per kWh for the South and Houston zones;

Option 2 - fixed price for on-peak hours and variable spot market prices for off-peak hours;

Option 3 - block energy at a fixed price to cover the base load hours, a fixed price for solar energy to cover mid-day peak hours (approximately 10% of total load) and variable spot market prices for all remaining consumption; and

14. **WHEREAS,** TCAP will allow members six weeks from receipt of this resolution to consider whether to participate in this second opportunity to contract for post-2017 electrical supply, and thereafter allow NextEra until June 30, 2016 to contact for power for five years at a price not to exceed 4.1 cents per kWh in the North and West zones and a price not to exceed 4.25 cents per kWh in the South and Houston zones for

Option 1 , so long as the aggregated load for any of the three supply options reaches at least 50 megawatts; and

15. **WHEREAS**, wholesale suppliers demand assurance that TCAP will pay for all contracted load; and

16. **WHEREAS**, the City needs to assure TCAP that it will sign a Commercial Electric Supply Agreement (CESA) reflecting the contract extension and budget for energy purchases for the post-2017 period and honor its commitment to purchase power for its electrical needs for 2018 through 2022 through TCAP,

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

Section 1:
That the TCAP Board of Directors and its consultants and advisors are agents authorized to negotiate for the City's electricity needs as a member of TCAP for the period 2018 through 2022 at a price not to exceed 4.1 cents per kWh for the North and West zones and a price not to exceed 4.25 cents per kWh in the Houston and South zones for supply Option 1;

Section 2:
The City prefers to participate in supply Option 1 with the following understanding: a) while supply Option 1 is a full-requirements, fixed-price option, Options 2 (fixed price on-peak, variable spot prices for off-peak usage) and 3 (fixed price for base load, fixed price for a portion of peak load, and variable spot market for remainder) have variable price components and savings over Option 1 cannot be guaranteed, and b) if there is insufficient desire among members to achieve a 50 MW threshold for either Option 2 or 3, the member selecting the inadequately subscribed option will be placed in the Option 1 category. If no option is selected, TCAP will assume that a passed Resolution approves of Option 1.

Section 3:
Assuming this resolution is passed before February 25, 2016 and the combined load of TCAP members passing this resolution exceeds 50 megawatts for the preferred Option and NextEra is able to provide TCAP an opportunity prior to June 30, 2016 to contract for power to be delivered to members at a price not to exceed 4.1 cents per kWh for the North and West zones and not to exceed 4.25 cents per kWh in the Houston and South zones for supply Option 1 for the period January 1, 2018 through December 31, 2022, any one of the following individuals is hereby authorized to sign an electric supply agreement for the City within 24 hours of

receipt of a contract that has been approved and recommended by the TCAP Board of Directors: or City Manager, or Director of Finance, or City Controller.

Section 4:
That the City will commit to purchase power to meet all of its electricity needs eligible for competition pursuant to the TCAP approved supply agreement and approve funds necessary to pay electricity costs proportionate to the City's load under the supply agreement (whether wholesale or retail) arranged by TCAP and signed by TCAP's Executive Director or President or other TCAP representatives authorized by the TCAP Board.

Section 5:
That a copy of this resolution shall be sent to Jay Doegey, Executive Director, TCAP, 15455 Dallas Parkway, Suite 600, Addison, Texas 75001 and Geoffrey M. Gay, legal counsel to TCAP at 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PRESENTED AND PASSED on this the 8th day of February, 2016, by a vote of _ _____ ayes and _____ nays at a regular meeting of the City Council of Haltom City, Texas.

_____
David Averitt, Mayor

ATTEST:

_____
Art Camacho, City Secretary

3137/10/4975879

CITY COUNCIL MEMORANDUM

City Council Meeting:	**February 8, 2016**
Department:	**Finance**
Subject:	**Ordinance No. O-2016-003-03 Calling a May 7, 2016 Special Election – Municipal Sales & Use Tax**

BACKGROUND

On November 7, 1995, the voters of Haltom City approved the adoption of a sales and use tax to fund a Type B Economic Development Corporation (EDC) at the rate of one-fourth (¼) cent. On January 15, 2000, the voters of Haltom City approved the increase of the sales and use tax for the EDC from one-fourth (¼) cent to one-half (½) cent.

On November 5, 2013, the voters of Haltom City reauthorized a one-fourth (¼) cent sales tax for the purposes of repairing and maintaining existing city streets.

The attached ordinance provides that a repeal of the one-half cent sales and use tax for the EDC, an increase of the General Sales Tax by three-eighths (⅜) cent, and an increase of the street repair and maintenance sales tax by one-eighth (⅛) cent be placed before the voters of Haltom City at an election to be conducted on May 7, 2016.

Contingent upon the special election results, the City Council plans to dissolve the Type B Economic Development Corporation, create an Economic Development Department, in addition to hiring an Economic Director within the City Staff, and use funds from the General Sales Tax for this purpose.

The attached ordinance calls for an election to be conducted on May 7, 2016, the same date as the general election.

FISCAL IMPACT

In FY 2015-2016, the City expects to realize $3,116,775 from the EDC sales tax. This amount represents one-half cent of the sales tax. The property tax equivalent of the revenue received from the EDC sales tax is approximately $0.18522 on the tax rate.

In FY 2015-2016, the City expects to realize $1,558,388 from the Street Maintenance sales tax. This amount represents one-quarter cent of the sales tax. The property tax equivalent of the revenue received from the Street Maintenance sales tax is approximately $0.09621 on the tax rate.

RECOMMENDATION

The City Council is able to approve Ordinance No. O-2016-003-03, calling for a special election on May 7, 2016 to have the ½ cent EDC sales tax repealed, increasing the General Sales Tax by 3/8 cent; and increase the street maintenance and repair ¼ cent sales tax to ⅜ cent.

ATTACHMENTS

Ordinance No. O-2016-003-03

ORDINANCE NO. O-2016-003-03

AN ORDINANCE CALLING AN ELECTION TO BE HELD IN THE CITY OF HALTOM CITY, TEXAS TO SUBMIT A PROPOSITION ON REPEALING THE SALES AND USE TAX OF ONE-HALF (1/2) OF ONE PERCENT FOR THE BENEFIT OF THE TYPE B ECONOMIC DEVELOPMENT CORPORATION; INCREASING THE LOCAL SALES AND USE TAX FROM THE RATE OF ONE (1) PERCENT TO ONE AND THEE EIGHTHS (1 3/8) PERCENT; INCREASING THE SALES AND USE TAX FROM THE RATE OF ONE-FOURTH (1/4) OF ONE PERCENT TO THREE-EIGHTHS (3/8) OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR THE MAINTENACE AND REPAIR OF MUNICIPAL STREETS; MAKING PROVISION FOR THE CONDUCT OF SUCH ELECTION; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council (the Council) of the City of Haltom City, Texas (the City) hereby finds and determines that an election should be held under the provisions of Chapter 321, as amended, of the Texas Tax Code, to eliminate the collection of the sales and use tax within the City for the benefit of a Type B Economic Development Corporation; to adopt a local sales and use tax within the city of one and three-eighths percent (1 3/8%); and to adopt a sales and use tax within the City under provisions of Chapter 327, as amended, Texas Tax Code, for the maintenance and repair of municipal streets of three-eighths of one percent (3/8%); and

WHEREAS, the City will hold a special election in conjunction with the May 7, 2016 General Election; and

WHEREAS, in accordance with the requirements of Chapter 321, as amended, of the Texas Tax Code, the combined rate of all local sales and use taxes imposed by the City and other political subdivisions having territory in the City will not exceed two (2) percent; and

WHEREAS, the Council hereby finds and determines that it is in the best interest of the citizens of the City to hold this election on the date set forth below pursuant to a contract with Tarrant County for joint election service.

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

SECTION 1. An election shall be held on the 7th day of May, 2016, a uniform election date, in the City of Haltom City, Texas which date is not less than fifteen (15) nor more than ninety (90) days from the date of the adoption of this ordinance (the

Ordinance), for the purpose of submitting the following proposition to the qualified voters of the City:

PROPOSITION

"THE ABOLITION OF THE LOCAL SALES AND USE TAX FOR THE BENEFIT OF THE TYPE B ECONOMIC DEVELOPMENT CORPORATION WITHIN HALTOM CITY; THE ADOPTION OF A LOCAL SALES AND USE TAX IN HALTOM CITY AT THE RATE OF ONE AND THREE-EIGHTHS PERCENT (1 3/8%); AND THE ADOPTION OF A LOCAL SALES AND USE TAX IN HALTOM CITY AT THE RATE OF THREE-EIGHTHS OF ONE PERCENT (3/8%) TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS."

SECTION 2. The joint election agreement and contract between Tarrant County and the City of Haltom City (the "Contract") attached hereto and incorporated herein for all purposes is hereby approved and the City Manager or his designee is authorized to execute the Contract. In the event of a conflict between this Ordinance and the Contract, the Contract shall control.

SECTION 3. The Election Day polling places for this joint election is designated pursuant to Section 271.003 of the Texas Election Code, and the Council finds that the following location can most adequately and conveniently serve the voters in this election, and that this location will facilitate the orderly conduct of the election:

Polling	Location	County Precincts Include
Place #1	Haltom Northeast Center 3201 Friendly Lane Haltom City, TX	1199, 1622, 4042, 4102, 4141, 4159, 4159, 4191, 4218, 4239, 4290, 4328, 4362, 4399, 4410, 4483, 4485, 4533, 4620, 4632

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

SECTION 4. The Presiding Election Judge and Alternate Presiding Election Judge shall be appointed by Tarrant County as indicated in the Contract and authorized by Chapter 271 of the Texas Election Code.

SECTION 5. Frank Phillips, the Tarrant County Elections Administrator, ("Elections Administrator") is hereby designated as the Early Voting Clerk for the election as indicated in the Contract. Early voting by personal appearance shall commence April 25, 2016 and shall continue until May 3, 2016. On at least two weekdays during the early voting period, the location for early voting shall be open for at

least twelve (12) hours as mandated by state law. The early voting main location will be the Haltom City Northeast Center, 3201 Friendly Lane, Haltom City, Texas, and also at various other locations in Tarrant County, which will be supplied by Tarrant County Elections.

SECTION 6. The Elections Administrator shall be responsible for the Early Voting applications and ballots. Applications for early voting by mail may be delivered to Frank Phillips, County of Tarrant, Elections Administrator, 2700 Premier Street, Fort Worth, Texas 76111, not earlier than March 8, 2016 and not later than close of business on April 26, 2016, if delivered in person, and May 2, 2016 if delivered by mail. Early voting ballots shall be mailed to the Elections Administrator at the same address. The City Secretary is directed to forward applications and ballots he may receive to the Elections Administrator as provided in the Contract.

SECTION 7. The official ballots shall be prepared in accordance with the Texas Election Code, as amended, so as to permit electors to vote “FOR” or “AGAINST” the proposition set forth in Section 1 of this Ordinance.

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

SECTION 9. A proper notice of this election, including a Spanish translation thereof, shall be posted not later than the 21st day before the election on the bulletin board used for posting notices of meetings of the City Council and shall also be published at least once not earlier than the 30th day nor later than the 10th day before the election in a newspaper of general circulation in the City.

SECTION 10. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Contract and the Code.

SECTION 11. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 12. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provisions of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 13. If any provisions of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance

and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 14. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 15. This ordinance shall be in force and effect from and after the date of its adoption, and it is so ordained.

PASSED AND APPROVED ON THE FIRST READING by the City Council of the City of Haltom City, Texas this 8th day of FEBRUARY, 2016.

PASSED AND APPROVED ON THE SECOND READING by the City Council of the City of Haltom City, Texas this 22nd day of FEBRUARY, 2016.

ATTEST:

_____ _____

David Averitt, Mayor Art Camacho, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____

Wayne K. Olson, City Attorney

Agenda No. 9

CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: **February 8, 2016**

Department: **Administration**

Subject: **Veteran's Memorial Committee**

BACKGROUND

At the September 9, 2015 Budget Meeting, Council Member Jeannine Nunn addressed the Council in regard to creating and installing a veteran's memorial garden/park area to commemorate Haltom City veterans. To further enhance this project, a Veteran's Memorial Committee is needed in providing ideas and direction.

FISCAL IMPACT

None.

RECOMMENDATION

The City Council will select citizens to serve on this committee and have them designate their objectives and by-laws, under the approval of the City Council.

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

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Haltom City, Texas this 8th day of February, 2016, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq*.

APPROVED

_____
David Averitt, Mayor

ATTEST:

_____
Art Camacho, City Secretary

APPROVED AS TO FORM:

_____
Wayne Olson, City Attorney

Agenda No. 10

CITY COUNCIL MEMORANDUM

City Council Meeting: **February 8, 2016**

Department: **Administration**

Subject: **Code Rangers Program**

BACKGROUND

On January 18, 2016, the City Council held a Council Worksession on “Community Revitalization” in which citizens were able to address their ideas in regard to code enforcement. The “Code Rangers” Program of Fort Worth was mentioned and the Council will review this program and determine if a similar program could be initiated in Haltom City.

FISCAL IMPACT

None.

RECOMMENDATION

The City Council will review this program and decide to implement a form of the Code Rangers Program.

ATTACHMENT

Fort Worth Code Rangers Program website information

Select Language Powered by Google Translate

You are viewing a simplified version of this website because you are using an out of date web browser.

City of Fort Worth

Code Rangers

The Code Rangers program seeks to promote healthy neighborhoods through community empowerment and action by establishing and maintaining a strong relationship between citizens' organizations and the Fort Worth Code Compliance Department.

Trained Code Rangers participants provide reports of suspected code violations. The city then sends courtesy letters to property owners and residents regarding possible code violations in an effort to improve the appearance and safety of the neighborhood. The goals of the program are to:

- Encourage residents and property owners to maintain their homes and yards in order to preserve property values and discourage crime
- Allow Code Enforcement Officers the opportunity to devote more time to chronic, dangerous or complicated issues affecting the neighborhood
- Create a greater sense of community in each neighborhood by encouraging cooperation and increasing neighborhood pride.
- Make Fort Worth a cleaner, safer and more attractive place for all residents

View Neighborhood Associations with Code Ranger groups

More Information

Call 817-392-7234 to learn more about the Code Rangers Program or schedule a presentation for your group.

Become a Code Ranger

Code Ranger classes are held at the Hazel Harvey Peace Center for Neighborhoods 818 Missouri Ave, Room 105. All classes dates are tentative until filled. To register for any classes contact Rachel Escamilla at 817-392-8244.

March 26, 2016 9 a.m.-1 p.m.

May 21, 2016 9 a.m.-1 p.m.

July 9, 2016 9 a.m.-1 p.m.

Online Reporting

Submit a Complaint

Check Complaint Status

Find Your Code Officer

Contact

Telephone
817-392-7234

Email

Physical Address
818 Missouri Ave
Fort Worth, TX 76104

Director
Brandon Bennett

Assistant Director
Shannon Elder

Contact a Neighborhood Code Inspector

Customer Service

To schedule a presentation on Code issues for your community group or to let us know about your recent negative experience pertaining to our department's services, contact our Customer Service Advocate.

How are we doing?
Take the customer service survey >>

Agenda No. 11

CITY COUNCIL MEMORANDUM

City Council Meeting:	**February 8, 2016**
Department:	**City Secretary**
Subject:	**Boards and Commissions Resignation of Members**

BACKGROUND

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

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENT

None.

CITY COUNCIL MEMORANDUM

City Council Meeting:	**February 8, 2016**
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. The list below indicates positions that are due for appointment/reappointment or are vacant. The citizen position on the Animal Advisory Committee is vacant.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

Applications: Marian Hilliard, Diana Williams, David Wood, Dorothy Tyler, Anastasia Taylor, and Rick Edgett.

Mayor:	Beautification (vacant), P&Z Alternate 2 (vacant)
Councilmember Place 5:	CCPD/Red-light Camera, Fire Services (vacant)
Councilmember Place 7:	Beautification (vacant), ZBA (vacant)