

AGENDA
HALTOM CITY COUNCIL MEETING
July 11, 2016
CITY HALL - 5024 BROADWAY AVENUE
Council Chambers – Work Session – 6:00 P.M./Regular Session – 7:00 P.M.

WORK SESSION 6:00 P.M.

CALL TO ORDER (General Comments)

- Discuss EMS Interlocal Cooperative Agreement for Price/Subsidy Options
- Review and discuss items on the regular agenda of July 11, 2016

EXECUTIVE SESSION

Chapter 551 of the Texas Government Code

As authorized by Section 551.071, the City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the City Attorney about any matters listed on the agenda, in addition to the following matters:

Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct which may conflict with the Open Meetings Act; including discussion of any item posted on the Agenda; to seek legal advice on open meetings, open records, project schedule/construction contract with Tiseo Paving, dissolution/restructuring of the Haltom City Economic Development Corporation, and pending litigation and settlement offers 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

Section 551.072 – Deliberations about Real Property

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

REGULAR SESSION 7:00 P.M.

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE – Council Member Jeannine Nunn

ANNOUNCEMENTS/EVENTS – Council Member Stephanie Davenport

PROCLAMATION – “Mayor for a Day” – Sarah Grow

CONSENT AGENDA

1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of June 27, 2016. **(A. Camacho)**
2. **Ordinance No. O-2016-018-15 (CU-006-14)** –Consider action on the application of Daron Hopkins for a Conditional Use Permit request with site plan approval, for storage of rock, stone or gravel uses located on Tracts 4E and 5A1 of the Green B. Stanley Survey, A-1379, being approximately 2.225 acres located south of Airport Freeway and east of Minnis Drive, locally known as 6500 Airport Freeway. ***2nd Reading (J. French)***
3. **Ordinance No. O-2016-012-15 (CU-003-16)** –Consider action on the application of Duong Huynh for a Conditional Use Permit request with site plan approval, for automobile and light truck repair shop located on Lot 6R of the E. R. Alexander Addition, being approximately 1.926 acres located south of McNutt Street and

southeast of E. Belknap Street, locally known as 4100 McNutt Street. **2nd Reading (J. French)**

REGULAR AGENDA

4. **Ordinance No. O-2016-020-01 - ROW – Vacating/Abandonment – Quit Claim Deed** - Conduct a public hearing and consider action on an ordinance vacating and abandoning a portion of the Minnis Drive right-of-way located adjacent/on proposed Lot 1, Block 1 of the DFW Stone Supply Addition in the City Haltom City, Texas, locally known as 6500 Airport Freeway, declaring that such property is unnecessary for use by the public, and authorizing the Mayor to execute a Quit Claim Deed releasing public ownership, interest and control of said portion of right-of-way – **1st reading (J. French)**
5. **(P-002-16) DFW Stone Supply Addition Final Plat – Lot 1, Block 1** - Consider action on a facilities agreement and application of Daron Hopkins with Pool Dev. Corp for approval of a final plat creating Lot 1, Block 1 of the DFW Stone Supply Addition from Tracts 4E & 5A1 of the Green B. Stanley Survey, A-1379, located in the “M-1” Industrial District, containing approximately 2.225 acres, and locally known as 6500 Airport Freeway. **(J. French)**
6. **Annual Evaluation of Tax Abatement** – Consideration and/or action regarding approval of the Hillshire Brands project tax abatement for the 2016 calendar year.

VISITORS/CITIZENS FORUM

This time is set-aside for any person having business before the Council that is not scheduled on the agenda to speak to the Council. Please submit a completed Speaker's Request Form to the City Secretary and follow the instructions listed on the form. If a group is present and interested in the same issue, please choose a spokesperson. Council cannot discuss or debate any issue brought forth at this time, nor can any formal action be taken, as it is not a posted agenda item in accordance with the open meetings law.

BOARDS/COMMISSIONS

7. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members.
8. **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

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

ADJOURNMENT

CERTIFICATION

I, ART CAMACHO, CITY SECRETARY OF THE CITY OF HALTOM CITY, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS POSTED ON THE OFFICIAL BULLETIN BOARDS IN CITY HALL ON THIS THE 8th DAY OF JULY, 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, 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.

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2016
Department: City Secretary
Subject: Minutes of June 27, 2016

BACKGROUND

On June 27, 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 June 27, 2016.

ATTACHMENTS

June 27, 2016 Minutes

**MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
June 27, 2016**

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on June 27, 2016, at 7:00 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present:

Mayor David Averitt	Council Place 2 Walter Grow
Council Place 3 Scott Garrett	Council Place 4 Trae Fowler
Council Place 6 Stephanie Davenport	Council Place 7 Dr. An Truong

Mayor Pro Tem Bob Watkins and Council Place 1 Jeannine Nunn were absent.

Staff Present: Keith Lane, City Manager; Chuck Barnett, Assistant City Manager; Rex Phelps, Assistant City Manager, Wayne Olson, City Attorney; Art Camacho, City Secretary; Justin French, Planning and Community Development Director; Jennifer Fung, Finance Director; Tom Ice, City Engineer, and Janet Carver, Purchasing Agent.

WORKSESSION

CALL TO ORDER

Mayor David Averitt called the Worksession to order at 6:00 p.m. The City Council engaged in a rehearsal of the new mic and voting system. Mayor Averitt called for an Executive Session at 6:17 p.m.

EXECUTIVE SESSION

Chapter 551 of the Texas Government Code

As authorized by Section 551.071, the City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the City Attorney about any matters listed on the agenda, in addition to the following matters:

Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct which may conflict with the Open Meetings Act; including discussion of any item posted on the Agenda; to seek legal advice on open meetings, open records, project schedule/construction contract with Tiseo Paving, dissolution/restructuring of the Haltom City Economic Development Corporation, and pending litigation and settlement offers 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

Section 551.072 – Deliberations about Real Property

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

REGULAR MEETING

CALL TO ORDER

Mayor Averitt called the meeting to order at 7:00 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

Council Member Dr. An Truong introduced Pastor Michael Snook, of the Vietnamese Christian Community Church, who gave the Invocation and Council Member Truong led the Pledge of Allegiance and the Texas Flag Pledge.

ANNOUNCEMENTS AND EVENTS

Council Member Stephanie Davenport announced the following:

Summer Reading Program Kick-off is underway and the Perot Museum of Nature & Science is bringing their Tech Truck with events 5 days a week during the months of June & July.

Family Movie Night will be Monday, July 11th at 6:30 p.m. featuring the movie “*Norm of the North*.”

Story Times are continuing on Thursdays, 11 – 11:45 a.m. for ages 3 & older. The first Thursday of each month also features a puppet show. Story Times are also held on Fridays, from 10:30 – 11:15 a.m., for ages 2 & younger.

Super Science Saturdays are held on the first Saturday of each month. The theme is Lenses, Prisms & Optics, with the class being held on Saturday, July 2nd, 9:00 – 10:30 a.m. It is for ages 6 – 12 and is free with no registration required.

Bi-lingual Story Time will be held every Wednesday from 10:30 – 11 a.m., ending August 31st. It includes songs and stories in Spanish and English, and a craft.

Peer to Peer Veterans Support Meetings will be held on the 2nd and 4th Mondays of each month.

Coloring and Cookies for Grownups is held every first Friday of the month until September 2nd from 6:30 – 8:00 pm; materials are provided or you can bring your own.

Ladies’ Night Out annual night of fun is August 13th and there is an Early Bird Special, buy your ticket at the discounted price of \$39 before June 18th and be placed in a drawing for a diamond necklace. After June 18th the ticket price goes up to \$45 and the eligibility for the necklace ends. Citizens may call the Library at 817.222.7787 or visit the website at www.haltomcitytx.com.

Announcements and Events from Community Projects

Back to School Health Fair - The City of Haltom City, Birdville Independent School District, Birdville Council of PTAs, and numerous community partners have joined together to host our annual “Back to School Health Fair” for all Haltom City elementary and middle school students. The goal is to supply up to 5,000 students with a new backpack and school supplies. It will be held Saturday, July 30th, from 9:00 a.m. to 1:00 p.m. at the Haltom High School and will be a great start to the new school year with free dental and vision screenings, family photos, vendors, and more. Backpacks and school supplies will be handed out at the fair this year to Haltom City elementary and middle school students, while supplies last. Citizen support is needed in order to provide all Haltom City students with the school supplies they need. In addition to the Haltom City Back to School Health Fair, there is another free school supply event available to all Haltom City students and families. The Tarrant County Back_to School Roundup is Wednesday, August 10th, 8:00 a.m. – 2:00 p.m. at Will Rogers Memorial Center. You must pre-register, which you can do at the Haltom City Public Library on Saturday, July 23rd from 9:00 a.m. – 12:00 p.m. or the Back to School Health Fair on Saturday, July 30th from 9:00 a.m. – 1:00 p.m.. This event is open to Pre-K through 12th grade. For sponsorship information, please email cpruitt@haltomcitytx.com or call the Recreation Center at 817-831-6464.

Thanks to Rick Edgett, who represented the Beautification Board at the Keep Texas Beautiful Conference last week in Sugarland, Texas.

Family 4th - Come celebrate our country’s most patriotic holiday on Monday, July 4th, at the annual Northeast Tarrant Family 4th Celebration and Fireworks Show beginning at 5pm. A free concert by Derek Anthony from 8:00 - 9:00 p.m. as well as food, fun and entertainment for the whole family near Old Birdville Stadium. Starting at 9:30 p.m., enjoy the best area fireworks show with plenty of dazzling and stunning pyrotechnics. This free event is made possible thanks to the support of The Cities of Haltom City, North Richland

Hills, Richland Hills, and Watauga, as well as the event title sponsors: Five Star Ford and North Hills Hospital. The Family 4th event is in need of volunteers. Shifts are 2 hours long and you will receive a free event T-shirt, VIP parking, and access to the air-conditioned hospitality suite. Please see the city website for more information and to access the volunteer form.

Office Closing – Haltom City Hall will be closed Monday, July 4th, but will reopen on Tuesday, July 5th.

AT&T - AT&T has begun the construction process for the deployment of their new AT&T GigaPowerSM service in some areas of Haltom City. This work is ongoing and will continue throughout Haltom City until early next year/spring. Once this new AT&T service is operational, it will provide data transfer rates as fast as fiber optic. The AT&T approved contractors placing the fiber will follow all city ordinances. AT&T is committed to restoring areas disturbed during the construction process, which is the general business practice across the company. The AT&T approved contractors and AT&T management team will work with the impacted residences during the course of this process. AT&T knows the construction process of any kind (water, sewer, power, cable, etc.) has the potential to be disruptive. AT&T's objective is to minimize the disruption while deploying upgraded AT&T fiber facilities for the AT&T GigaPowerSM services. If residents have any questions or concerns please call or email AT&T via the following contact information; someone from AT&T's GigaPower Management Team will respond within 24 to 48 business hours.

GigaPower Resident Hotline: Phone #: 817 466-8515; Email: g43578@att.com

REPORTS

1. **Monthly Financial Report for April/May 2016** – Review of the preliminary monthly Financial Report for the months ending April 30, 2016 and May 31, 2016. (**J. Fung**) Finance Director Jennifer Fung presented the monthly finance reports for April and May 2016. A discussion was held regarding the property tax budget and the general fund revenues variance. No action was taken.

CONSENT AGENDA

The Consent Agenda was reviewed and Agenda Item # 5 – Vehicle and Equipment Purchases – and Agenda Item # 6 – Mowing Bid Award – were moved from the Consent Agenda to the Regular Agenda.

2. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of June 13, 2016. (**A. Camacho**)
3. **Ordinance No. O-2016-019-03** –Consideration and/ or action regarding the amendment to the Hotel Occupancy Tax. – **2nd Reading (J. Fung)**
4. **Ordinance No. O-2016-011-15** – Consideration and/or action regarding approval of amending Ordinance No. O-2002-032-15, the Zoning Ordinance of the City of Haltom City, Texas, by defining community home, community welfare shelter, and other zoning definitions; revising the definition of family, boarding house, and other zoning definitions; adopting regulations for community homes; providing for the classification of community home, community welfare shelter, and boarding house uses in certain zoning districts; providing clarification of land uses and land use classifications in certain zoning districts; and providing locational restrictions for community homes and providing clarification of related parking requirements.– **2nd Reading (J. French)**
7. **Newspaper Bid Award** – Consideration and/or action to award Bid No. B2016-021-001 to the Fort Worth Star Telegram as the City's Official Newspaper. (**J. Carver**)

Council Member Truong moved, seconded by Council Member Davenport, to approve the Consent Agenda of Agenda Items 2, 3, 4, and 7. ***The vote was unanimous. Motion carried.***

REGULAR AGENDA

5. **Vehicle and Equipment Purchases** – Consideration and/or action to approve the purchase of two (2) vehicles and three (3) equipment items through Buyboard and HGAC. (**J. Carver**) Purchasing Agent Janet Carver presented the agenda item and a discussion was held regarding the change in purchasing equipment items rather than vehicles and the amount saved. Council Member Trae Fowler moved, seconded by Council Member Walter Grow, to approve the vehicle and equipment purchases stated in the prior budget. ***The vote was unanimous. Motion carried.***
6. **Mowing Bid Award** – Consideration and/or action to approve awarding Bid No. B2016-321-001 for mowing lots, medians, and right-of-ways to TLC Landscapes as the primary contractor and Jonpaul Brown as the secondary contractor. (**J. Carver**) Purchasing Agent Janet Carver presented the agenda item and a discussion was held regarding the large difference in the mowing bids. Council Member Garrett moved, seconded by Council Member Truong, to approve Bid No. B2016-321-001 for mowing lots, medians, and right-of-ways to TLC Landscapes, with JonPaul Brown as the backup mowing contractor. ***The vote was unanimous. Motion carried.***
8. **BISD Replat (P-006-16)** – Consideration and/or action regarding approval on the application of Christian Schnitger with Schrickel, Rollins, & Associates, Inc. on behalf of Birdville Independent School District for approval of a replat creating Lot 1, Block 1 of the Birdville Elementary School Addition from Block 12 of the Original Town of Birdville Addition, Lot 1, Block 1 of the Boaz Brooks Addition, and Tracts 2P1 and 2P4 of the William Norris Survey, A-1166, located in the “CF” Community Facility District and the “D” Duplex District, containing approximately 9.869 acres, and locally known as 5900 Walker Street, 3104 and 3126 Bewley Street, and 5933 E. Belknap Street. (**J. French**) Planning and Community Development Justin French presented the replat that included plans for demolition of the current existing elementary school and the applicant’s request to pay \$2,400 to the Safe Pathways Fund. Council Member Grow moved, seconded by Council Member Truong, to approve Replat (P-006-16) Birdville Elementary Replat, Lot 1, Block 1. A discussion was held regarding whether the motion would include the applicant’s request to pay the Safe Pathways Fund. Council Member Grow amended his motion to include the applicant’s request to pay \$2,400 to the Safe Pathways Fund. Council Member Truong seconded the amended motion. A discussion was held regarding the P&Z Commission’s refusal to accept the payment and the cost of the sidewalk reconstruction upgrade to ADA standards. Mayor Averitt was legally advised to open a Public Hearing at 7:38 p.m. Victor Baxter, of Schrickel, Rollins, and Associates, stated the sidewalk is on the northern side of the property which will not have future considerable foot traffic and would not prove to be practical. City Engineer Tom Ice commented on the projected expense and specifics of reconstructing and maintaining a sidewalk with ADA standards. No other citizen came forward. Mayor Averitt closed the Public Hearing at 7:50 p.m. Council Member Grow withdrew his motion and Council Member Truong withdrew his second. Council Member Fowler moved, seconded by Council Member Truong, to approve replat (P-006-16) as stated by the P&Z Commission (recommendation) to deny payment into the Safe Pathways Fund in lieu of the sidewalk improvement. ***The vote was unanimous. Motion carried.***

Mayor Averitt announced that Agenda Item # 9 – Final Plat (P-002-16) would not be considered by the Council at this meeting.

10. **Ordinance No. O-2016-018-15 (CU-006-14)** – Conduct a public hearing and consider action on the application of Daron Hopkins for a Conditional Use Permit request with site plan approval, for storage of rock, stone or gravel uses located on Tracts 4E and 5A1 of the Green B. Stanley Survey, A-1379, being approximately 2.225 acres located south of Airport Freeway and east of Minnis Drive, locally known as 6500 Airport Freeway. **1st Reading (J. French)** Planning and Community Development Director Justin French presented the ordinance and a discussion was held regarding the replacement of the current fencing near the back of the property. Mayor Averitt opened the Public Hearing at 7:56 p.m. Ed Kelly, of Kelly Engineering, stated fencing would be replaced with black vinyl chain link and also provided additional construction and signage information. Mayor Averitt closed the Public Hearing at 8:02 p.m. Council Member Fowler moved, seconded by Council Member Truong, to approve Ordinance No. O-2016-018-15 (CU-006-14) with staff comments as stated with the addition that the six foot black iron clad chain link fence would continue all along the west property line along Minnis Drive and all of the State Hwy 121 north property line– first reading. **The vote was unanimous. Motion carried.**
11. **Ordinance No. O-2016-012-15 (CU-003-16)** – Conduct a public hearing and consider action on the application of Duong Huynh for a Conditional Use Permit request with site plan approval, for automobile and light truck repair shop located on Lot 6R of the E. R. Alexander Addition, being approximately 1.926 acres located south of McNutt Street and southeast of E. Belknap Street, locally known as 4100 McNutt Street. **1st Reading (J. French)** Planning and Community Development Director Justin French presented the ordinance and a discussion was held regarding the specific business use and the continuing of that specific business should there be an ownership change. In addition, a discussion on small business and local government assistance was held. Mayor Averitt opened the Public Hearing at 8:17 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 8:18 p.m. Council Member Garrett moved, seconded by Council Member Truong, to approve Ordinance No. O-2016-012-15 (CU-003-16) with the stipulation that the Conditional Use Permit will expire upon change of ownership of property – first reading. **The vote was unanimous. Motion carried.**

VISITORS/CITIZEN FORUM

Citizen Paula Lindsey addressed the Council regarding excess water runoff into her driveway at 5708 Cedar Crest Drive caused by repaving work and inquired about the possibility of acquiring a street light on Maryview and Maryview Court Street.

BOARDS/COMMISSIONS

12. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. Brent Weast submitted his resignation from the Zoning Board of Adjustments. **The resignation was unanimously approved..**
13. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. Council Member Garrett reappointed the following:
 1. Carol Williams reappointed to Place 3 of the Beautification Board.
 2. Eugene Barnard reappointed to Place 3 on the CCPD and Redlight Camera.
 3. Loretta Dubois reappointed to Place 3 on the Library Board**The appointments were approved unanimously.**

Council Member Davenport appointed/reappointed the following:

1. Debby Hardin appointed to Place 6 on the Zoning Board of Adjustments.
2. Bonnie Richards reappointed to Place 6 of the Library Board.
3. David McConnell reappointed to Place 6 of the Fire Services Board.
4. Juanita Adam reappointed to Place 6 of the Planning and Zoning Commission.
5. Layla Caraway reappointed to Place 6 of the CCPD and Red Light Camera.

The appointments were approved unanimously.

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT

Mayor Averitt adjourned the meeting at 8:30 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho, City Secretary

David Averitt, Mayor

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2016

Department: Planning & Community Development

Subject: Ordinance No. O-2016-018-15
Final Reading (CU-006-14)

BACKGROUND

On June 27, 2016, the City Council approved Ordinance No. O-2016-018-15 by a vote of 5-0-0 with the stipulation that the existing chain-link fence along the north property line be replaced with a new 6-foot black vinyl clad chain link fence and existing fencing along the south and west property lines be repaired.

Consider action on the application of Daron Hopkins for a Conditional Use Permit request with site plan approval, for storage of rock, stone or gravel uses located on Tracts 4E and 5A1 of the Green B. Stanley Survey, A-1379, being approximately 2.225 acres located south of Airport Freeway and east of Minnis Drive, locally known as 6500 Airport Freeway.

The applicant requests approval of a Conditional Use Permit for storage of rock, stone or gravel uses. The applicant has provided a site plan of the property showing existing and proposed improvements.

FISCAL IMPACT

None

RECOMMENDATION

On June 14, 2016, the P&Z recommended approval of CU-006-14 by a vote of 5-0-0.

ATTACHMENTS

Ordinance No. O-2016-018-15

ORDINANCE NO. O-2016-018-15

CASE NO. CU-006-14

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

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

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

WHEREAS, in accordance with Section 39 of the Zoning Ordinance, the owner of property consisting of approximately 2.225 acres of land located on Tracts 4E and 5A1 of the Green B. Stanley Survey, A-1379, locally known as 6500 Airport Freeway (hereinafter-referenced as the "Property"), has filed an application for approval of a Conditional Use Permit for storage of rock, stone or gravel uses on said property; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on June 14, 2016 and the City Council of the City of Haltom City, Texas

held a public hearing on June 27, 2016 with respect to the Conditional Use permit described herein; and

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

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

SECTION 1.

Ordinance No. O-2002-032-15, as amended, is hereby amended by approving a Conditional Use Permit for storage of rock, stone or gravel uses at the property consisting of approximately 2.225 acres of land located at 6500 Airport Freeway and being more fully described as Tracts 4E and 5A1 of the Green B. Stanley Survey, A-1379.

SECTION 2.

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

SECTION 3.

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

Ordinance and all other applicable and pertinent ordinances of the City of Haltom City, Texas.

SECTION 4.

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 5.

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 6.

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 7.

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 8.

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 9.

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. Conditional use permit for storage of rock, stone or gravel uses.
2. City Council approved this conditional use permit with the stipulation that the existing chain-link fence along the north property line be replaced with a new 6-foot black vinyl clad chain link fence and existing fencing along the south and west property lines be repaired.
3. The existing 5,000 square-foot metal building is to remain, and a new 20'x20' carport is to be located on the east side of this building.
4. The new 240 square-foot, stone-faced office building shall have a new asphalt drive and parking area.
5. The site shall have a new dumpster enclosure.
6. The site shall have a 15-foot sodded landscape buffer along the site's frontage to Minnis Drive with four 3-caliper-inch trees, eight shrub, and irrigation.
7. The remainder of the property's surface may remain an all-weather hard surface.
8. A 6-foot black vinyl clad chain link fence with a 30-foot wide gate that is equipped with a Knox lock for emergency access is allowed as shown on the Exhibit "B" Site Plan.
9. The site's security shall be enhanced with four new free-standing light poles and three new building-mounted exterior lights.
10. If there is any conflict between Exhibit 'A' Design Standards and Exhibit 'B' Site Plan, the provisions in Exhibit 'A' Design Standards shall control.

Exhibit 'B'
Site Plan

(See next page)

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2016

Department: Planning & Community Development

Subject: Ordinance No. O-2016-012-15
Final Reading (CU-003-16)

BACKGROUND

On June 27, 2016, the City Council approved Ordinance No. O-2016-012-15 by a vote of 5-0-0 with the stipulation that the Conditional Use Permit for Automobile and Light Truck Repair Shop expire if the property changes of ownership.

Consider action on the application of Duong Huynh for a Conditional Use Permit request with site plan approval, for automobile and light truck repair shop located on Lot 6R of the E. R. Alexander Addition, being approximately 1.926 acres located south of McNutt Street and southeast of E. Belknap Street, locally known as 4100 McNutt Street.

FISCAL IMPACT

None

RECOMMENDATION

On May 10, 2016, the P&Z recommended denial of CU-003-16 by a vote of 6-0-0.

On June 14, 2016, the P&Z considered the applicant's revised site plan, design standards, and performance standards and recommended approval of CU-003-16 by a vote of 6-0-0.

ATTACHMENTS

Ordinance No. O-2016-012-15

ORDINANCE NO. O-2016-012-15

CASE NO. CU-003-16

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

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

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

WHEREAS, in accordance with Section 39 of the Zoning Ordinance, the owner of property consisting of approximately 1.926 acres of land located on Lot 6R of the E. R. Alexander Addition, locally known as 4100 McNutt Street (hereinafter-referenced as the "Property"), has filed an application for approval of a Conditional Use Permit for automobile and light truck repair shop on said property; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on June 14, 2016 and the City Council of the City of Haltom City, Texas held a public hearing on June 27, 2016 with respect to the Conditional Use permit described herein; and

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

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

SECTION 1.

Ordinance No. O-2002-032-15, as amended, is hereby amended by approving a Conditional Use Permit for automobile and light truck repair shop at the property consisting of approximately 1.926 acres of land located at 4100 McNutt Street and being more fully described as Lot 6R of the E. R. Alexander Addition.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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 5.

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 6.

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 7.

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 8.

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 9.

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. The City Council approved Ordinance No. O-2016-012-15 with the stipulation that the Conditional Use Permit for Automobile and Light Truck Repair Shop expire if the property changes of ownership.
2. Automobile and light truck repair is only an allowed used in the northern area of the subject site as shown on the site plan (Exhibit B).
3. No outside storage of vehicles is allowed overnight.
4. No outside lift stations or outside auto repair operations are allowed.
5. Above ground tanks (barrels) must be located inside existing building.
6. Hours of operation shall be limited to 9:00 am to 6:00 pm.
7. Two overhead doors shall be located on the building's west façade. The existing overhead door facing residential property to the east shall remain closed when conducting auto repair.
8. Noise reducing equipment/tools shall be utilized.
9. The dumpster enclosure gate shall be repaired and be a minimum six-foot tall opaque screening device maintained in good condition.
10. The property owner must maintain the existing six-foot screening device located on the east and south property lines where the subject site abuts residential zoning.
11. Provided shall be a continuous 10-foot wide landscape buffer the entire length of the site's adjacency to residential zoning. At least seven (7) trees shall be planted on preserved in this 10-foot buffer along the most eastern portion of the east property line.
12. The four existing conical trees in the 15-foot landscape buffer along McNutt Street shall remain and be pruned, maintained.
13. On both sides of each drive approach shall be an 18'x18' no parking area.
14. The building's awnings shall be maintained in a good state of repair.
15. If there is any conflict between Exhibit 'A' Design Standards and Exhibit 'B' Site Plan, the provisions in Exhibit 'A' Design Standards shall control.

Exhibit 'B'
Site Plan

(See next page)

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2016

Department: Planning & Community Development

Subject: Minnis Drive Right-of-way
Vacation/Abandonment and
DFW Stone Supply Quitclaim Deed
Ordinance No. O-2016-020-01

BACKGROUND

Conduct a public hearing and consider action on an ordinance vacating and abandoning a portion of the Minnis Drive right-of-way located adjacent/on proposed Lot 1, Block 1 of the DFW Stone Supply Addition in the City Haltom City, Texas, locally known as 6500 Airport Freeway, declaring that such property is unnecessary for use by the public, and authorizing the Mayor to execute a Quitclaim Deed releasing public ownership, interest and control of said portion of right-of-way.

FISCAL IMPACT

None.

RECOMMENDATION

Minnis Drive is a two lane local street within approximately 180 feet of right-of-way rather than the typical 50 feet of right-of-way required for a local street. The unnecessary right-of-way width facilitates illegal dumping in the public right-of-way rather than proper disposal at the Progressive Transfer Station located further south on Minnis Drive. City staff hopes that illegal dumping is lessened by reducing the Minnis Drive right-of-way and recommends that City Council adopt the attached ordinance.

ATTACHMENT

Ordinance No. O-2016-020-01 with Exhibits A and B

LEGEND

o 1/2" IRS	1/2" IRON ROD SET
o 1/2" IRF	1/2" IRON ROD FOUND
o RR SPIKE	RAILROAD SPIKE FOUND
" x " CUT	X CUT IN CONCRETE
" x " FOUND	X FOUND CUT IN CONCRETE
O SSMH	SANITARY SEWER MANHOLE
U/G	UNDERGROUND LINES I.E. ELECTRIC
O/H	OVERHEAD LINES I.E. TELEPHONE
F.H.	FIRE HYDRANT
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
B.L.	BUILDING LINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
WM	WATER METER
WV	WATER VALVE
F.C.	FENCE CORNER
- x -	FENCE LINE
P.P.	POWER POLE
C.M.	CONTROLLING MONUMENT



SCALE: 1" = 40'

STATE HIGHWAY 121
N 72°03'39"E
57.08

5/8" IRS
TRACT 1
SUBJECT
PROPERTY
11652 sq. ft.

Deed
County Records,
Pool Development Inc.,
Tarrant County, Texas
file No. D214248876

MINNIS DR.
68' RIGHT OF WAY
REMAINDER

N 17°03'11"E 203.76'

S 17°56'00"E 193.86'

CRI & G RR.

GREEN B. STANLEY SURVEY
ABSTRACT NUMBER 1379

5/8" IRS
S 62°44'50"W 61.02'
P.O.B.
5/8" IRF

CRI & G RR.
FIELD NOTES

Being a tract of land in the Green B. Stanley Survey, Abstract No, 1379 as located in the City of Haltom City, and being a portion of the dedicated right of way of Minnis Dr. (180' wide) said tract being more particularly described by metes and bounds as follows;

BEGINNING at a 5/8" iron rod found at a steel fence post at the intersection of the northerly right of way line of the Chicago, Rock Island, and Gulf Railroad (CRI & G RR) and the east line of the existing right of way for Minnis Drive:

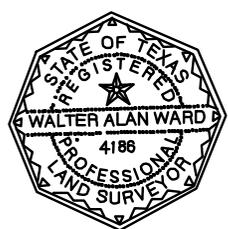
Thence: Continuing S 62°44'50" W 61.02 feet along the north right of way line of the above referenced (CRI & G RR) to a 5/8" iron rod set for the east right of way line of the proposed Minnis Drive (a 68' right of way).

Thence: N 17°03'11" W 203.76 feet along said right of way line to a 5/8" iron rod set in the south right of way line of State Highway 121 Airport Freeway (400' right of way);

Thence: N 72°03'39" E 57.08 feet to a 5/8" iron rod found in said State Highway 121 right of way;

Thence: S 17°56'00" E 193.86 feet to the POINT OF BEGINNING and containing 11,652 square feet or 0.27 acres of land.

I, WALTER ALAN WARD, A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF TEXAS certifies to the Sellers, Lenders, Purchasers, _____ and its underwriter that this survey was made on the ground under my supervision and correctly shows the corners, boundary lines, dimensions, and area of land indicated hereon, and correctly shows the location of all permanent buildings, structures, and other improvements and visible items on the subject property, and correctly shows the location of all alleys, streets, roads, right of way, easement, and other matters of record, of which I have knowledge, which affect the subject property according to the legal description in such matters. The undersigned further certifies that except as shown hereon, there are no visible discrepancies, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, and the subject property has access to and from a dedicated roadway.



ALAN WARD COMPANY

P.O. BOX 7378 OFF. 817-8340897
FT. WORTH, TX. 76111 FAX 817-8340940
EMAIL ADDRESS: alsurvco@flash.net

QUITCLAIM DEED

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TARRANT

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security Number or your Driver's License Number.

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the City of Haltom City ("Grantor") does hereby bargain, sell, convey and quitclaim unto Pool Development, LLC ("Grantee"), whose address is 109 Northpark Boulevard, 4th Floor, Covington, Louisiana, all of Grantor's right, title and interest in and to that certain right of way and land (the "Property") described in and shown on Exhibit A attached hereto and incorporated herein.

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the Property, together with all and singular the rights and appurtenances belonging in any way to Grantor, unto Grantee, its successors and assigns forever, and neither Grantor nor Grantor's heirs, personal representatives, successors or assigns shall have, claim or demand any right, title or interest in all or any part of the Property.

EXECUTED this _____ day of _____, 2016.

CITY OF HALTOM CITY

By: _____
Mayor

STATE OF TEXAS

COUNTY OF TARRANT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared David Averitt, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of the City of Haltom City for the purposes and consideration expressed therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016.

(SEAL)

Notary Public, State of Texas

Exhibit "A"

LEGAL DESCRIPTION & SURVEY

ORDINANCE NO. O-2016-020-01

AN ORDINANCE VACATING AND ABANDONING A PORTION OF MINNIS DRIVE IN THE CITY OF HALTOM CITY, TARRANT COUNTY, TEXAS; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF HALTOM CITY TO EXECUTE A QUITCLAIM DEED RELEASING PUBLIC OWNERSHIP, INTEREST AND CONTROL OF THIS RIGHT-OF-WAY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haltom City, Texas is a home rule city acting under its charter adopted by the electorate pursuant of 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, after careful study and consideration, has determined that a portion of the right-of-way for Minnis Drive is not being used by, nor useful or convenient to the public in general; therefore, it constitutes a public charge without a corresponding public benefit, and the public would be better served and benefitted by its vacation and abandonment; and

WHEREAS, in order to remove any question as to the continued interest or ownership of the public in said right-of-way, the City desires to execute a quitclaim deed releasing all title, ownership and control in said right-of-way to the owners of the abutting property.

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

SECTION 1.

That portion of Minnis Drive described in and further depicted on Exhibit "A", attached hereto, is vacated and abandoned as public property. The right-of-way so vacated and abandoned shall revert in fee simple to the owner of the abutting properties.

SECTION 2.

The Mayor of the City of Haltom City, Texas, is hereby authorized and directed to execute a quitclaim deed to the abutting property owner in the form shown in Exhibit "B" releasing all claims to title, ownership, or control of the right-of-way on the behalf of the City of Haltom City, Texas. A copy of this quitclaim deed shall be presented for filing with the County Clerk of Tarrant County, Texas by the office of the City Secretary.

SECTION 3.

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

SECTION 4.

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

PASSED AND APPROVED ON FIRST READING THIS 11th DAY OF JULY, 2016.

PASSED AND APPROVED ON SECOND READING THIS 25th DAY OF JULY, 2016.

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

Exhibit "A"

LEGAL DESCRIPTION & SURVEY

Exhibit "B"

QUITCLAIM DEED

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 2016

Department: Planning & Community Development

Subject: (P-002-16) DFW Stone Supply
Addition Final Plat – Lot 1, Block 1

BACKGROUND

On June 27, 2016, the applicant requested that City Council table action on this plat till the July 11, 2016, City Council meeting so staff can prepare an ordinance and quit claim deed to be acted upon on the same agenda as the plat and facilities agreement.

Consider action on a facilities agreement and application of Daron Hopkins with Pool Dev. Corp for approval of a final plat creating Lot 1, Block 1 of the DFW Stone Supply Addition from Tracts 4E & 5A1 of the Green B. Stanley Survey, A-1379, located in the "M-1" Industrial District, containing approximately 2.225 acres, and locally known as 6500 Airport Freeway.

The applicant proposes the City abandon excess right-of-way along the subject site's frontage to Minnis Drive, so the applicant can combine it with two tracts of land to make one lot of record. The Minnis Drive is a two lane local street within approximately 180 feet of right-of-way rather than the typical 50 feet of right-of-way required for a local street. The excessive right-of-way width facilitates illegal dumping in the public right-of-way rather than the proper disposal at the Progressive Transfer Station located further south on Minnis Drive. City staff hopes that illegal dumping is lessened by abandoning the excess right-of-way and allowing the private property owner to plat the abandoned right-of-way within their lot of record. Because the value of proposed improvements does not exceed 50% of the existing improvements, sidewalk construction is not triggered per Section 86-10 of the City's Code of Ordinances.

FISCAL IMPACT

None.

RECOMMENDATION

On June 14, 2016, the Planning and Zoning Commission recommended approval of P-002-16 by a vote of 5-0-0. 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
Facilities Agreement

CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: July 11, 2016

Department: Administration

Subject: Annual Evaluation – Hillshire Brands
Tax Abatement

BACKGROUND

On June 26, 2008, the City entered into a tax abatement agreement that established project requirements that must be met as conditions of granting a 50% abatement of taxes for Hillshire Brands Company Mixing Center annually for ten (10) years beginning January 1, 2008. The agreement also established a reporting procedure to facilitate an annual review of the project for compliance with the terms and conditions of the abatement agreement. This procedure calls for the City Council to make a decision and rule on the eligibility of the project for tax abatement annually.

Staff has reviewed report information provided by Hillshire Brands and found the project to be in compliance with the project requirements set out in the abatement agreement. Hillshire Brands' report information indicates project requirements were met or exceeded for the following:

- Section III A. Construction or installation of Eligible Property was completed by December 31, 2007.
- Section III B. Hillshire Brands currently employs 81 full-time employees at the mixing center, which is in excess of the required minimum annual employment level (80). Of this workforce, seven (7) of the employees reside in Haltom City with \$177,320 in total annual salaries. The total annual wages for the mixing center are \$3,348,302.20.
- Section V B 1. Hillshire Brands has used diligent efforts to purchase all goods and services from Haltom City and Tarrant County businesses whenever such goods and services were comparable in availability, quality and price. Hillshire Brands can identify the spending of \$33,248.72 with Haltom City businesses and at least \$17,761 in Tarrant County during CY 2015.

FISCAL IMPACT

The Hillshire Brands abatement is a ten (10) year abatement exempting 50% of the value of improvements. The period of exemption began January 1, 2008 and will terminate December 31, 2017. The Tarrant County Tax Record shows that the 2015 Improvement value was \$9,509,601 with an exemption value of \$4,754,801. The abated value for Haltom City was \$33,279.

RECOMMENDATION

Staff recommends the City Council find the Hillshire Brands project to be eligible for tax abatement for calendar year 2016.

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

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Haltom City, Texas this 11th day of July, 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

CITY COUNCIL MEMORANDUM

City Council Meeting: July 11, 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: July 11, 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. Councilmembers serving in Places 3, 4, and 6 are due to make appointments and/or reappointments to the following boards: Beautification, CCPD/Red-Light Camera, Fire Services, Library, Parks, Planning and Zoning, and Zoning Board of Adjustment. The Mayor appoints all five members to the Public Arts Program Committee. The list below indicates places that are vacant.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

Applications: Kyle Crouse, Jill Davis, Liz Bradley, Zachariah Ammons, Emmanuel Chenny, Willis Odell, Harlan Streater, Suzanne Norris, Teresa Cabano, Thomas Sanders, Diana Williams, Dorothy Tyler, David Wood, John Thornton, and Anastasia Taylor.

Mayor: Beautification (vacant), ZBA Alternate (vacant), Public Arts Program Committee – 5 appointments.

Councilmember Place 1: CCPD/Red-light Camera (vacant)

Councilmember Place 2: Fire Services (vacant)