

AGENDA
HALTOM CITY COUNCIL MEETING – January 23, 2023
Haltom 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)

EXECUTIVE SESSION

Section 551.071 – Consultation with Attorney - 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: open meetings, open records, code of ethics and conflicts of interest, boards and commissions, Council compensation, and nonconforming mobile home park.

Section 551.072 – Deliberation about Real Property - Deliberation regarding the purchase, exchange, lease or value of real property, and property owned or leased by the City.

Section 551.087 – Deliberation Regarding Economic Development Negotiations – Deliberation regarding financial or other incentives to a business prospect.

WORKSESSION – 6:45 p.m.

- Presentation - Rehab Warriors
 - Review and discuss items on the Regular Agenda of January 23, 2023
-

REGULAR SESSION – 7:00 P.M.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE – Council Member Don Cooper

VISITORS/CITIZENS FORUM

This time is for any person to address the Council on any item that is posted on the agenda, except for items posted as public hearings which allow persons to speak when that agenda item is called. This is also the time for persons to speak to the Council about any matters that are not posted on the agenda. Please submit a completed Speaker's Request Form to the City Secretary and follow the instructions listed on the form. The Council cannot discuss, debate, or take formal action on any non-agenda issue brought forth, as it is not a posted agenda item in accordance with the open meetings law.

ANNOUNCEMENTS/EVENTS – City Secretary Art Camacho

SERVICE AWARDS – Haltom City Police Department – C. Phillips

FINANCIAL REPORTS

1. ***Monthly Financial Report** – Review of Monthly Financial Report for October 31, 2022 – (J. Stevenson)

STAFF REPORTS

2. ***1st Quarter Statistics** – Police Chief Cody Phillips
3. ***1st Qtr. Report Animal Control Services** - Animal Control Services Supervisor Jose Morales
***Reports may be read during the Worksession.**

REGULAR AGENDA

4. **Minutes** – Consideration and/or action regarding approval of the Minutes of January 9, 2023. (A. Camacho)
5. **Ordinance No. O-2023-002-04** – Conduct a Public Hearing and consideration and/or action to approve Ordinance No. O-2023-002-04 concerning teen curfew – **1st Reading.** (C. Phillips)
6. **Microsoft Enterprise Agreement** – Consideration and/or action to authorize the City Manager to execute a Microsoft Enterprise Agreement with SHI Government Solutions. (D. Klopfenstein)

7. **Ordinance No. O-2023-003-15 – CUP Z-005-22** – Conduct a Public Hearing and consideration and/or action to approve Ordinance No. O-2023-003-15 for the application of Donald J. Craig for a zoning amendment request for the existing “PD-C-3” Planned Development Mixed Uses Commercial District located on Lot 1, Block 1 of the Supertrack Carwash Subdivision and being approximately 2.8634 acres, locally known as 5525 Denton Highway – ***1st Reading (G. Batchelor)***
8. **Public Works Equipment Purchases** – Consideration and/or action regarding the purchase of a skid steer loader and a Gradall. (***G. Van Nieuwenhuize***)

CITY STAFF REPORTS

9. Staff Reports – Parks and Recreation Update – C. Pruitt

FUTURE AGENDA ITEMS

10. Consideration and/or action to approve items to be placed on future agendas.

BOARDS/COMMISSIONS/COMMITTEES

11. **Resignations of Board/Commissions/Committee Members** – Consider approval of the resignations of Board/Commission/Committee Members.
12. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees.
 - A. Council Member Eric Morris will present Virginia “Jenna” Shelton for appointment to PI.4 of Parks and Recreation Board.

EXCUSED ABSENCE OF COUNCIL MEMBERS

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

EXECUTIVE SESSION

See Posting on Page One (1) of Agenda.

RECONVENE TO REGULAR SESSION

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

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 20th DAY OF JANUARY 2023, 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 _____, 2023.

Name: _____ Title: _____



This facility is wheelchair accessible. Handicapped parking spaces are available. Request for sign interpretative services must be made 48 hours ahead of meeting. To make arrangements call 817-222-7754.

CITY COUNCIL MEMORANDUM

City Council Meeting: January 23, 2023
Department: Finance
Subject: Monthly Financial Report For
Month ended October 31, 2022

BACKGROUND

Attached is the monthly financial report for the month ending October 31, 2022. This report is submitted to the City Council for review and comment. It provides top-level analysis of the City's financial condition and results of operations for the fiscal year to date. All year-ending numbers are unaudited.

FISCAL IMPACT

This is a management tool that can be used in evaluating future spending decisions.

RECOMMENDATION

Staff recommends review of the attached report.

ATTACHMENTS

Monthly financial reports for the month ending October 31, 2022.

CITY COUNCIL MEMORANDUM

City Council Meeting: January 23, 2023
Department: Police Department
Subject: Police Dept. Year-To-Date
Crime Statistics

BACKGROUND

Police Chief Cody Phillips will provide Year-To-Date crime statistical data and information.

FISCAL IMPACT

None

RECOMMENDATION

No action is required for this update.

ATTACHMENTS

Year-to-Date Crime Statistics

CITY COUNCIL MEMORANDUM

City Council Meeting: January 23, 2023
Department: Animal Control Services
Subject: 1st Qtr. Animal Control Services Report

BACKGROUND

Animal Control Supervisor Jose Morales will provide an Animal Control Services 1st Quarter Report.

FISCAL IMPACT

None

RECOMMENDATION

No action is required for this update.

ATTACHMENTS

1st Quarter Animal Services Report

CITY COUNCIL MEMORANDUM

City Council Meeting: January 23, 2023
Department: City Secretary
Subject: Minutes of January 12, 2023
Regular Meeting

BACKGROUND

A Regular Meeting was held January 9, 2023 at City Hall.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends the City Council approve the Minutes of January 9, 2023

ATTACHMENTS

Minutes of January 9, 2023

MINUTES
HALTOM CITY COUNCIL MEETING
January 9, 2023

A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on January 9, 2023, at 6:00 p.m. at Haltom City Hall, 5024 Broadway Avenue, with the following members present:

Mayor An Truong

Deputy Mayor Pro Tem Marian Hilliard

Council Place 5 Susan Soule

Council Place 7 Don Cooper

Council Place 2 Tiffany Chandler was absent.

Mayor Pro Tem Linda Thompson

Council Place 4 Eric Morris

Council Place 6 Kyle Smith

Staff Present: Rex Phelps, City Manager; Sidonna Foust, Assistant City Manager/Finance Director (ACM/FD); Wayne Olson, City Attorney; Art Camacho, City Secretary; Glenna Batchelor, Planning and Community Development Director; Erica Gill, Library Director; Brian Jacobs Fire Chief; Cody Phillips, Police Chief; Toni Beckett, Human Resources and Risk Management Director; Christi Pruitt, Parks and Recreation Director, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER - Mayor Truong called the Worksession to order at 6:00 p.m. and called for an Executive Session at 6:01 p.m.

EXECUTIVE SESSION

Section 551.071 – Consultation with Attorney - 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: open meetings, open records, code of ethics and conflicts of interest, boards and commissions, and nonconforming mobile home park.

Section 551.072 – Deliberation about Real Property - Deliberation regarding the purchase, exchange, lease or value of real property, and property owned or leased by the City, including Quine properties.

Section 551.087 – Deliberation Regarding Economic Development Negotiations – Deliberation regarding financial or other incentives to a business prospect, including a Revitalization 380 Agreement.

The Executive Session ended at 6:55 p.m. and Mayor Truong called the Regular Session to order at 7:00 p.m.

REGULAR SESSION

CALL TO ORDER - Mayor Truong called the Council Meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE – Council Member Smith gave the Invocation and led the Pledge of Allegiance and the Texas Flag Pledge.

VISITORS/CITIZENS FORUM – No citizen came forward.

ANNOUNCEMENTS – City Secretary Camacho read the following: the 37th Annual Haltom Stampede will be held on Saturday, February 11th with a new location at the Senior Center; the Library is hosting a Family Night, Anime Club and AARP Tax Aide registration; City Hall will be closed Monday January 16th for Martin Luther King Day.

CONSENT AGENDA

1. **Minutes** – Consideration and/or action regarding approval of Minutes of December 12, 2022.

2. **Board and Commissions Ordinance Amendment** – Consideration and/or action to approve Ordinance No. O-2022-020-01 amending the Boards and Commission ordinance – **2nd Reading.**

Mayor Pro Tem Thompson moved, seconded by Council Member Soule, to approve the Consent Agenda consisting of the Minutes of the December 12, 2022 and Ordinance No. O-2022-020-01 – Boards and Commission Ordinance - second reading. **The vote was unanimous. Motion carried.**

REGULAR AGENDA

3. **School Crossings Agreement** – Consideration and/or action to pursue a possible privatization agreement and/or upgrade for school crossings. Chief Phillips provided a PowerPoint with an update of costs on both the school crossings and the privatization of crossing guards. Birdville Independent School District (BISD) Board members attending were Richard Davis, Kris Drees, and Richard Delks and BISD employee Katy Bowman, and they expressed their appreciation of cooperation with Haltom City. A discussion was held regarding several crossings and the cost of new signage and guards Mayor Pro Tem Thompson moved, seconded by Council Member Soule, to approve the recommendation given by Chief Phillips that was to pay for the lighted sidewalk at Denton Highway and Dana, and the non-lighted signage at Mack and Haltom Road – with no privatization included. **The vote was unanimous. Motion carried.**
4. **Resolution No. R-2023-001-01 – May 2023 General Election** – Consideration and/or action regarding approval of Resolution No. R-2023-001-01 calling for a General Election and authorizing a Joint Election with Tarrant County on May 6, 2023. City Secretary Camacho presented the agenda item and Mayor Pro Tem Thompson moved, seconded by Council Member Soule, to approve Resolution No. R-2023-001-01 calling for a May 6, 2023 General Election and Joint Election. **The vote was unanimous. Motion carried.**
5. **Document Locator License Agreement** – Consideration and/or action to approve subscription of on-premise license agreement. ACM/FD Foust presented the agreement concerning the purpose, process, and cost of the digital service. Deputy Mayor Pro Tem Hilliard moved, seconded by Council Member Soule, to approve the document locator license agreement as presented. **The vote was unanimous. Motion carried.**
6. **Interlocal SWAT Agreement** – Consideration and/or action to approve an interlocal SWAT Agreement. Police Chief Phillips presented the agenda item agreement concerning the advantages of both units working together for better effectiveness. Council Member Soule moved, seconded Deputy Mayor Pro Tem Hilliard, to approve the Interlocal SWAT Agreement as presented. **The vote was unanimous. Motion carried.**
7. **Interlocal Agreement** – Consideration and/or action to approve an Interlocal Agreement with Tarrant County for the Rehabilitation of a portion of Old Denton Road. Public Works Director Van Nieuwenhuize presented the agreement and the involvement of Tarrant County toward the street rehabilitation of Old Denton Road. Council Member Soule moved, seconded by Mayor Pro Tem Thompson, to approve and Interlocal Agreement with Tarrant County for the rehabilitation of a portion of Old Denton Road as presented. **The vote was unanimous. Motion carried.**
8. **Reimbursement Agreement** – Consideration and/or action to approve the “Agreement for Reimbursement of Costs for Rehabilitating Old Denton Road” (North Beach Street to south of Meacham Boulevard). Public Works Director Nieuwenhuize presented the agreement and its objectives in the previous agenda item. Council Member Soule moved, seconded by Mayor Pro Tem Thompson, to approve the agreement for reimbursement of costs for

Rehabilitating Old Denton Road - (North Beach Street to south of Meacham Boulevard as presented. ***The vote was unanimous. Motion carried.***

CITY STAFF REPORTS

9. Staff Reports – No reports were given.

FUTURE AGENDA ITEMS

10. Consideration and/or action to approve items to be placed on future agendas. No future agenda items were presented.

BOARDS/COMMISSIONS/COMMITTEES

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

12. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees. Mayor Truong reappointed the following members of the Ethics Committee: Suzanne Norris, Lis Mais, Jim Sutton, Don LeMaster, Carl Anthony, Tandra Betts, and April Knight. ***The reappointments were unanimously approved.***

EXCUSED ABSENCE OF COUNCIL MEMBERS

13. **Attendance Requirements** – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). Attendance Requirements of the Haltom City Charter. Mayor Pro Tem Thompson moved to approve the absence of Council Member Place 2 Tiffany Chandler. ***The absence was approved unanimously.***

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT

Mayor Truong adjourned the meeting at 7:35 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho, City Secretary

An M. Truong, Mayor

CITY COUNCIL MEMORANDUM

City Council Meeting: January 23, 2023
Department: Police
Subject: Ordinance No. O-2023-002-04
Teen Curfew Ordinance, 1st Reading

BACKGROUND

The City Council originally passed a curfew ordinance in 1997, which was subsequently renewed every three years following its approval. Texas Local Government Code 370.002 requires reviewing the ordinance and holding public hearings every three (3) years to ensure the ordinance's continued effectiveness in deterring juvenile crime and disorder issues within the City.

The Police Department believes the continuation of a curfew ordinance to be in the best interest of the public's health, safety, and welfare as it assists in the reduction of disorder and crimes committed by juvenile offenders and encourages school attendance.

FISCAL IMPACT

None

RECOMMENDATION

Staff recommends that the City Council approve Ordinance No. O-2023-002-04 continuing the City's juvenile curfew regulations on first reading.

ATTACHMENTS

Ordinance No. O-2023-002-04

ORDINANCE NO. O-2023-002-04

AN ORDINANCE CONTINUING THE CITY'S JUVENILE CURFEW REGULATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; 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 to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Code previously adopted juvenile curfew regulations, codified as Section 66-12 of the Haltom City Code; and

WHEREAS, Section 370.002 of the Texas Local Government Code requires the City to review the curfew ordinance and hold public hearings every three years; and

WHEREAS, the City Council has reviewed these juvenile curfew regulations and their effects on the community and on problems the ordinance was intended to remedy; and

WHEREAS, the City Council conducted public hearings on January 23, 2023, and February 13, 2023, on the need to continue the ordinance; and

WHEREAS, the City Council has determined that the ordinance is effective in addressing the problems it was intended to remedy.

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

SECTION 1.

Section 66-12 of the Haltom City Code (1998), as amended, is hereby continued as is with no changes.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances of the City of Haltom City, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

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 23rd DAY OF JANUARY 2023.

PASSED AND APPROVED ON SECOND READING THIS 13th DAY FEBRUARY OF, 2023.

APPROVED:

An Truong, Mayor

ATTEST:

Arturo Camacho, City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney

CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: January 23, 2023
Department: Information Technology / Purchasing
Subject: Microsoft Enterprise Agreement

BACKGROUND

On February 28, 2023, year 3 of our (3) year Microsoft Enterprise Agreement provided through SHI, which provides the Microsoft Software Licensing software packages, based on their contract with the State of Texas Department of Information Resources (DIR) will expire.

IT Staff proposes to execute this next year's Microsoft Enterprise Agreement with SHI that will provide the Office 365 licenses and Microsoft Server licenses Haltom City needs in the current IT environment.

FISCAL IMPACT

The second year of the (3) year Microsoft Enterprise Agreement does require City Council approval due to the cost of \$68,442.63 for this next year of licensing. Fiscal impact is within the 2023 IT Budget for this expenditure.

RECOMMENDATION

Staff recommends the City Council authorize the City Manager to execute the Microsoft Enterprise Agreement with SHI Government Solutions. Products purchased through DIR have afforded the City the best price and service for computer hardware and software, as well as satisfy the City's legal requirement to competitively bid the purchases, as referenced in Section 791.025 of the Texas Government Code.

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 23rd day of January 2023, 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

An Truong, Mayor

ATTEST:

Art Camacho, City Secretary

APPROVED AS TO FORM:

Wayne Olson, City Attorney

CITY COUNCIL MEMORANDUM

City Council Meeting: January 23, 2023
Department: Planning & Community Development
Subject: Ordinance No. O-2023-001-15 – PD Amendment
1st Reading

BACKGROUND

Public hearing and consider action on the application of Donald J. Craig for a zoning amendment request for the existing “PD-C-3” Planned Development Mixed Uses Commercial District located on Lot 1, Block 1 of the Supertrack Carwash Subdivision and being approximately 2.8634 acres, locally known as 5525 Denton Highway.

The applicant is requesting to amend the existing Planned Development for the property. The property is currently a carwash. A new owner recently purchased the property and is doing some remodeling. The property will remain a carwash.

There are two reasons for the amendment to the Planned Development.

The first is the height of the building. The amendment will allow for the height of the building next to residential to be 38’ 6”. The current ordinance allows for 35’ next to residential.

The second part of the amendment is the site plan. The changes to the site plan are the location of the vacuums and drive isles. The new site plan exhibit has been included for review.

RECOMMENDATION

The Planning and Zoning Commission recommended approval of Ordinance No. O-2023-001-15 with a 5-1-0 vote at the January 10, 2023 meeting.

ATTACHMENT

Ordinance No. O-2023-001-15
P & Z Staff Report

ORDINANCE NO. O-2023-001-15

CASE NO. Z-005-22

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 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 Comprehensive 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, the owner of property consisting of approximately 2.8634 acres of land located on the west side of Denton Hwy. (the "Property"), has filed an application to amend the "PD-C-3" Planned Development Mixed Uses Commercial District, for the purpose of developing this site as a mixed use commercial center as depicted on the site plan attached hereto and incorporated herein as Exhibit "A";

WHEREAS, The Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on January 10, 2023 and the City Council of the City of Haltom City, Texas held a public hearing on January 23, 2023 with respect to the zoning changes 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 amending the "PD-C-3" Planned Development Mixed Use Commercial District property consisting of approximately 2.8634 acres of land located at 5525 Denton Hwy. and being more fully described as Supertrack Carwash, Block 1, Lot 1, "PD-C-3" Planned Development Mixed Use Commercial District for the development of a mixed use commercial center as more particularly shown on the site plan attached as Exhibit "A" , and imposing on the Property the additional Development Standards attached as Exhibit B, all of which exhibits are incorporated by reference as if set out fully herein.

SECTION 2.

The zoning districts as herein established have 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 conditions and restrictions set forth on the site plan attached hereto as Exhibit "A", and Development Standards attached hereto as Exhibit "B", and to all the applicable regulations contained in the Comprehensive 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-2002-0332-15 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 _____, 2023.

PASSED AND APPROVED ON SECOND READING THIS _____ DAY OF _____, 2023.

Mayor
ATTEST:

City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney

“EXHIBIT A”

**PLANNED DEVELOPMENT DISTRICT
STANDARDS**

1.0 Planned Development District: "PD-C-3" Commercial District

1.01 **General Description:** The proposed district is predominantly for a retail center with limited land uses. Due to the nature of the lot configuration, the site plan demonstrates innovated land utilization.

1.02 **Permitted Uses:** The list of intended uses for this district are as follows:

All uses in the "C-1" Commercial District
All uses in the "C-2" Commercial District
All uses in the "C-3" Commercial District and as follows:

Auto Laundry Facility
Recreational Vehicle (RV) Storage – Outside

1.03 **Required Parking:** Required parking will be provided by a combination of all parking shown for each use and cross utilization of parking shall be permitted. For the proposed multi - tenant building, parking spaces will be provided at 1 per 200 sq. ft. for 5,000 sq. ft. All parking areas are to be constructed of concrete.

1.04 **Building Materials:** All structures located within this district shall meet the masonry requirements of the City's Zoning Ordinance for structures located within the City's Masonry Corridor.

1.05 **Landscaping:** The landscaping shall be constructed, installed and maintained by the owner in a healthy and growing condition. All landscaped areas shall be constructed, installed and maintained so as not to obstruct view of motorists. Visibility easements shall remain unobstructed.

1.06 **Fire Lanes:** Shall be provided in locations as required by the City Fire Department.

1.07 **Front Yard:** The minimum depth of the front shall be thirty feet (30').

1.08 **Rear Yard:** The minimum depth of the rear yard shall be five feet (5').

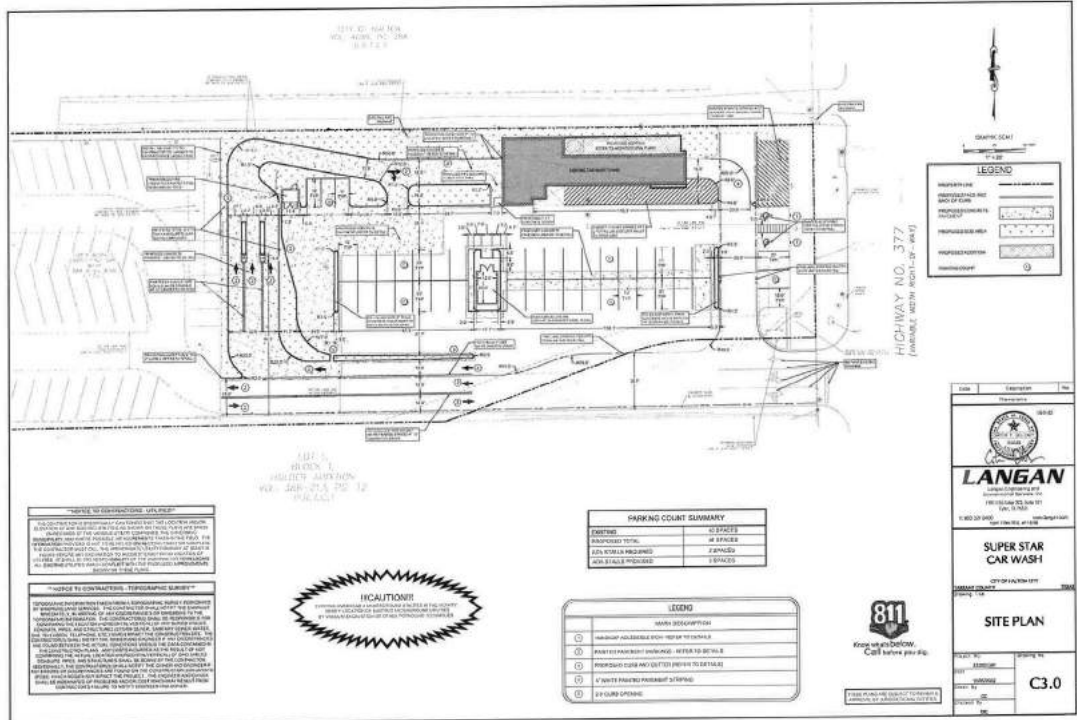
1.09 **Building Height:** The permitted height of the proposed structure shall not exceed thirty eight feet six inches (38' 6") for a commercial structure within a 100' of a residential district.

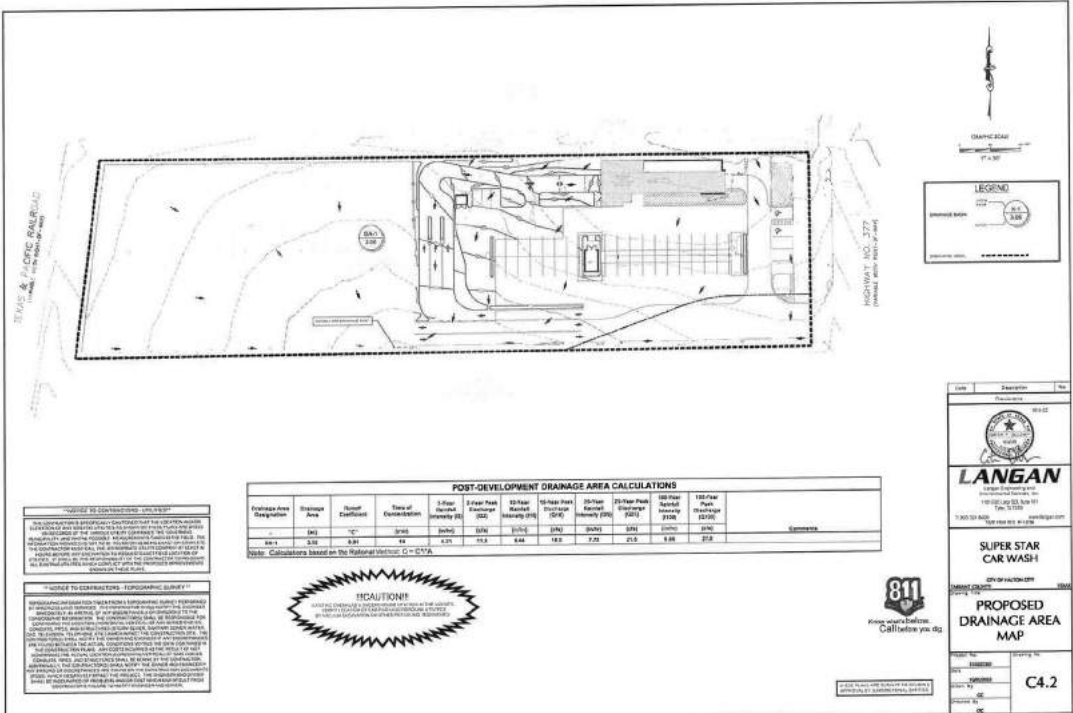
1.10 **Fencing Requirements:** The commercial development shall be screened by a six foot (6') opaque fence where the site is adjacent to a residential district.

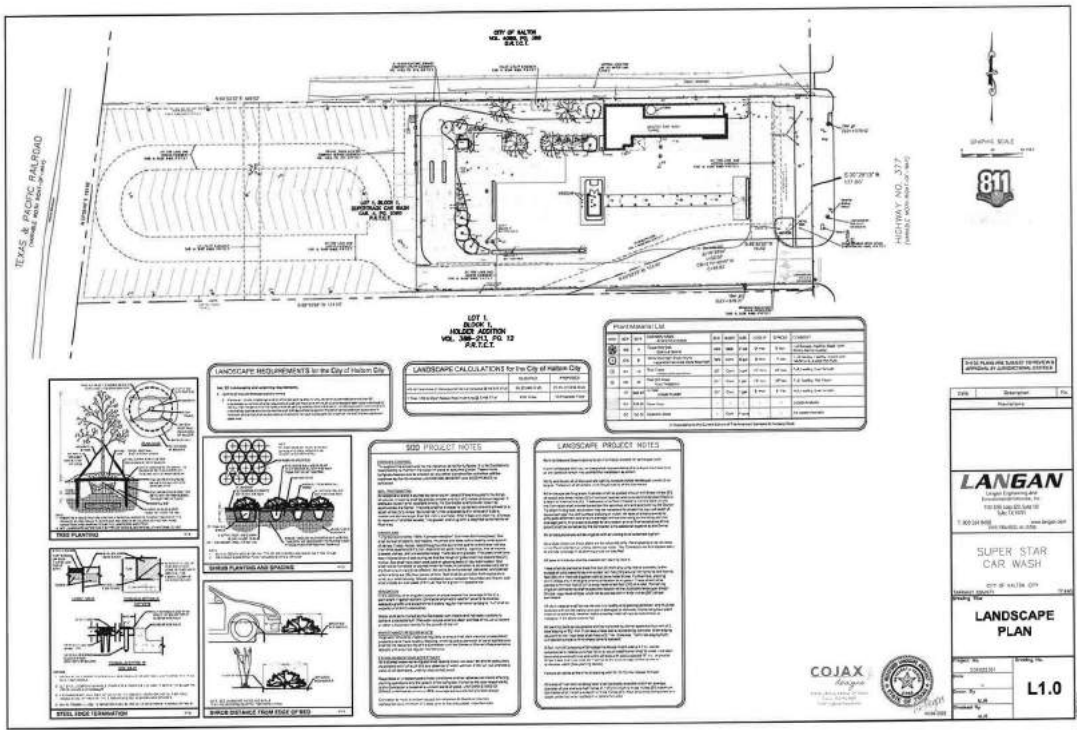
1.11 **Other District Restrictions:**

- a. No Outside Storage will be allowed other than Recreational Vehicle (RV) Storage.
- b. All outside lighting shall be directed away from the residential areas.
- c. Signage shall be provided in accordance with the City's Sign Ordinance.
- d. Trash Dumpsters shall be totally screened with a minimum six foot (6') opaque fence on all sides and will be located to the side or behind the structure.

"EXHIBIT B"







CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: January 23, 2023

Department: Finance / Purchasing / Public Works

Subject: PW Equipment Purchases:
Skid Steer Loader
Gradall

BACKGROUND

The FY2023 budget allows for the purchase of various pieces of equipment to be used by the Public Works Department. The two (2) equipment purchases from the General Fund are both for equipment primarily used by the Street Division: a skid steer loader and a gradall.

The Street Division's skid steer loader (Unit 3232) is used to backfill behind curbs, subgrade repairs, paving operations, etc. The proposed new skid steer loader will replace a 2009 skid steer loader which is regularly being repaired by Fleet Services. Consequently, the Street Division often has to rent a skid steer loader; however, rental units are not of the same size as Unit 3232 and the rental units are not able to reach the beds of our dump trucks. The proposed new skid steer loader will be able to reach the beds of our dump trucks, is anticipated to be delivered to the City within a few weeks (upon Council approval) and has a 5-year warranty.

The Street Division has two (2) gradalls. The proposed new gradall will replace the larger gradall – a 2005 gradall (Unit 3086). The Street Division's gradalls are the most versatile pieces of equipment in the division and can be driven around the City without having to be trailered. Unit 3086 is used in the street repair process, in excavating ditches, etc. The proposed gradall is also anticipated to be delivered to the City within a few weeks (upon Council approval) and has a 7-year warranty.

FISCAL IMPACT

The requested equipment purchases are identified in the FY2023 Budget and both pieces of equipment are below their budgeted amounts.

Equipment Type	FY2023 Budget Amount	Proposed Purchase Amount	Local BuyBoard Vendor
Skid Steer Loader (S76 T4 Bobcat)	85,000.00	77,999.00	Bobcat of North Texas
Gradall (XL4100 V Gradall)	550,000.00	539,324.00	Kirby Smith Machinery

RECOMMENDATION

Staff recommends the purchase of an S76 T4 Bobcat Skid Steer Loader in the amount of \$77,999 through the Texas BuyBoard and the purchase of an XL4100 Gradall in the amount of \$539,324 also through the Texas BuyBoard. The City is a member of the Texas BuyBoard cooperative and purchases through this cooperative satisfy all state and local bidding requirements.

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

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

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Haltom City, Texas this 23rd day of January 2023, 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

Dr. An M. Truong, Mayor

ATTEST:

Art Camacho, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: January 23, 2023
Department: City Secretary
Subject: Future Agenda Items

BACKGROUND

No current items have been presented at the time of the printing of the packet.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

None.

CITY COUNCIL MEMORANDUM

City Council Meeting: January 23, 2023
Department: City Secretary
Subject: Board/Commission/Committee
Resignation of Members

BACKGROUND

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

No resignations have been presented at the time of the printing of the agenda packet.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

None.

CITY COUNCIL MEMORANDUM

City Council Meeting: January 23, 2023
Department: City Secretary
Subject: Boards/Commissions/Committees
 Appointments/Reappointments

BACKGROUND

The City Council will consider action to appoint/reappoint board, commission, and committee members. Councilmembers and Mayor are to appoint or reappoint members for their corresponding places on boards, commissions, and committees. Appointments must have notification of Recommendation prior to voting at the Council meeting.

The following appointments/reappointments are due for Councilmembers:

Place 3 – Park & Recreation (Shelley Montgomery – reappoint).

Place 4 - Beautification (Craig Massie – reappoint), CCPD (Beverly Henson – reappoint); Fire Service (Thomas Holmes – reappoint); Library (Amanda Hughes – reappoint); Park & Recreation (Vacant - appoint); P & Z (Jeannine Nunn – reappoint); ZBA (Dario Juarez – reappoint).

Place 7 – CCPD (Vacant – appoint)

The following appointments/reappointments are due for Mayor:

Planning and Zoning: Alternate 2 VACANT (appoint)

Crime Control & Prevention District: Council Contact VACANT (appoint)

FISCAL IMPACT

None.

RECOMMENDATION

The following appointments have posted on the Agenda to be voted by the Council:

1. Council Member Morris will present Virginia “Jenna” Shelton for appointment to Place 4 on the Parks and Recreation Board.

ATTACHMENTS

Appointment Applications received: Virginia Shelton, 2023; Debbie Hardin, 2022; Jonathan Warren Sr., 2022; Deborah (Debi) Geltmeier, 2022; Ana Maria Aguilar DeYoung, 2022; Willis O’Dell, 2020; Britt Ford, 2019; Katherine Ochoa, 2019; Johnathan Gatto, 2019.

Reappointment Applications received: Tandra Betts, Alternate Position – Ethics Commission.