

AGENDA
HALTOM CITY COUNCIL MEETING – September 25, 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, 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 551.074 – Personnel - Deliberation appointments of board/commissions.

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

WORKSESSION – 6:45 p.m.

- Review and discuss items on the Regular Agenda of September 25, 2023
-

REGULAR SESSION – 7:00 P.M.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE – Council Member Eric Morris

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

PROCLAMATIONS

“Friends of the Library Week” – E. Gill

“Rosie the Riveter Garden and Mural” – American Rosie the Riveter Ft. Worth Chapter

REPORTS

1. ***Monthly Financial Report (MFR)** – Review of MFR as of July 31, 2023 (**S. Johnson**)

*Reports may be given during the Work Session or Regular Session as time permits.

REGULAR AGENDA

2. **Budget Adjustment** - Consideration and/or action to approve the Capital Improvement Fund End-of-Year Adjustment and Encumbrance. (**S. Johnson**)

3. **Minutes** – Consideration and/or action regarding approval of the September 11, 2023 Regular Meeting. (**A. Camacho**)

4. **Resolution R-2023-020-01 TAD Candidate Nominations**– Consideration and/or action to approve Resolution No. R-2023-000-00 nominating candidates for placement on the ballot for the Tarrant Appraisal District (TAD) Board of Directors election. (**A. Camacho**)

5. **Ordinance No. O-2023-016-15 – Z-004-23** - Conduct a Public Hearing and consideration and/or action to approve the application of Matt Merrill, on behalf of Uhaul, for a zoning amendment request from “PD – C2 Self-Storage Facility District” to “PD-C-2 – Self Storage Facility District” Commercial District located on a tract of land situated in the Alexander Hood Survey, Abstract

682, Tract 3C and being approximately 5.9721 acres North of NE Loop 820, locally known as 5101 NE Loop 820– **1st Reading. (G. Batchelor)**

6. **Resolution No. R-2023-021-11** – Consideration and/or action to abandon/vacate a 15' Sanitary Sewer Easement in the George Akers Survey, Abstract No. 30. **(G. Van Nieuwenhuize)**

CITY STAFF REPORTS

7. Staff Reports – Citizen Complaint Finding – R. Phelps.

FUTURE AGENDA ITEMS

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

BOARDS/COMMISSIONS/COMMITTEES

9. **Resignations of Board/Commissions/Committee Members** – Consider approval of the resignations of Board/Commission/Committee Members.
10. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees.

EXCUSED ABSENCE OF COUNCIL MEMBERS

11. **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.

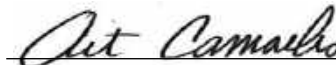
RECONVENE TO REGULAR SESSION

12. 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 22nd DAY OF SEPTEMBER 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 the meeting. To make arrangements call 817-222-7754.

CITY COUNCIL MEMORANDUM

City Council Meeting: September 25, 2023
Department: Finance
Subject: Monthly Financial Report
For July 2023

BACKGROUND

Attached is the monthly financial report for the month ending July 31, 2023. 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 report for the month ended July 31, 2023.

2023 July Monthly Financial Report

September 25, 2023

We are pleased to provide the July 2023 monthly financial report. Most of the funds are performing as budgeted. Variances and exceptions that warrant explanations are listed in the financial report.

Fund Balances

At the end of July, the total fund balance for all City funds totaled about \$165.9 million. All funds maintained positive fund balances except for the Court Technology funds where the software maintenance for the fiscal year was paid in October.

Revenues

As of July 2023, the City realized over \$86 million or about 96.8% of the annual revenue. In the General Fund, the City collected about \$12.4 million in property tax which is about 105.4% of the property tax revenue; additionally, \$7.6 million in property tax was collected in the Debt Fund. Sales and Other Tax Revenues for the General Fund totaled about \$11.5 million. Sales and Use Tax for Other Funds, including the Crime Control and the Street Reconstruction Funds, received over \$2 million and about \$3.1 million, respectively. Additionally, the City received about \$10.5 million in water sales and \$7.9 million in wastewater fees for the ten months of the 2023 fiscal year.

Expenditures

At the end of July 2023, the City spent about \$79.4 million (57.7%) of the total budget of this the City spent about \$7.5 million towards loan payments due. Expenditures for most funds were within the expected budget level.

Staff are available to answer any questions related to the monthly financial report.

Sincerely,



Stormy Johnson
Director of Finance

CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: September 25, 2023
Department: Finance
Subject: Capital Improvement Fund End of Year Adjustment and Encumbrance of \$1,015,000

BACKGROUND

Haltom City's Capital Improvement Fund is expecting to incur \$20.8 million for the facility projects. The CIP and encumbrances accrued after yearend were not included in the projection and are solely intended to account for the unanticipated speed in construction. This does not result in any additional costs or budget overruns. Instead, it allows us to allocate funds for these projects quicker than originally planned, ensuring adequate financial resources will be available to meet the accelerated construction schedules in the proper fiscal year budget.

The encumbrances will rollover budgeted dollars into the next fiscal year for pending purchase orders, contracts, or outstanding obligations ensuring sufficient resources are set aside to meet these commitments when they become due.

FISCAL IMPACT

Amending the Capital Improvement Fund budget to \$20.8 million moves up the scheduled project completion and accounts for the approved expenses in the proper fiscal year's budget. The amendment is primarily related to the expedited construction of two crucial buildings, the Law Enforcement Facility and City Hall financed through bonds. Rolling \$1,015,000 in encumbrances of approved budgeted funds covers outstanding obligations that are generally due to delayed supply chains issues.

RECOMMENDATION

Staff recommends that the City Council approve the budget adjustment and encumbrances.

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 25th day of September 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

ATTEST:

An Truong, Mayor

Art Camacho, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: September 25, 2023
Department: City Secretary
Subject: Minutes of September 11, 2023
Regular Meeting

BACKGROUND

A Regular Meeting was held September 11, 2023 at City Hall.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends the City Council approve the Minutes of September 11, 2023

ATTACHMENTS

Minutes of September 11, 2023

MINUTES
HALTOM CITY COUNCIL MEETING
September 11, 2023

A Regular Meeting by the City Council of the City of Haltom City, Texas, was held on September 11, 2023, at 6:00 p.m. at Haltom City Hall, 5024 Broadway Avenue, with the following members present:

Mayor An Truong	Mayor Pro Tem (MPT) Linda Thompson
Deputy Mayor Pro Tem (DMPT) Kyle Smith	Council Place 1 Marian Hilliard (Virtual)
Council Place 2 Kyle Hantz	Council Place 4 Eric Morris
Council Place 5 Susan Soule	Council Place 7 Don Cooper

Staff Present: Rex Phelps, City Manager (CM); Wayne Olson, City Attorney (CA); Art Camacho, City Secretary (CS); Erica Gill, Library Director (LD); Cody Phillips, Police Chief (PC); Christi Pruitt, Park and Recreation Director (PRD); Stormy Johnson, Finance Director (FD); Elise Loftis, Assistant Finance Director (AFD); Brian Jacobs, Fire Chief (FC); Toni Beckett, Human Resources and Risk Management Director (HRRMD); Bryce Davis, Emergency Management Director (EMD); Glenna Batchelor, Planning and Community Development Director (PCDD); Dave Klopfenstein, IT Director (ITD), and Autumn Permenter, Public Works Engineer (PWE).

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, 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 551.074 – Personnel - Deliberation appointments of board/commissions.

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

The Council returned to the Worksession at 6:40 p.m.

REGULAR AGENDA

CALL TO ORDER - Mayor Truong called the Council Meeting to order at 7:00 p.m. and also thanked all the Emergency Responders for their participation in the 9/11 Service this morning.

INVOCATION AND PLEDGE OF ALLEGIANCE MPT Thompson gave the Invocation and led the Pledge of Allegiance and the Texas Flag Pledge.

VISITORS/CITIZENS FORUM –No citizen came forward.

ANNOUNCEMENTS/EVENTS – CS Camacho read the following: Friends the Library will hold their annual Flea Market and Craft Sale; a Basic Life-Saving CPR Class will be held; National Preparedness Month will include educational programs on Civilian Response to Active Shooter Events and a virtual Townhall meeting on Emergency Management; the Fire Dept. will host an Open House on Oct. 14th; Carfest will be held at Haltom High School on Oct. 28th; the Beautification Board is hosting their annual Fall Sweep cleanup; the Crud Cruiser and shred trucks will be at the Library; and construction on Broadway Ave. will continue through Sept. 30th.

1. **Minutes** – Consideration and/or action regarding approval of the August 28, 2023 Regular Meeting. MPT Thompson moved, seconded by Council Member Soule, to approve the Minutes of the August 28, 2023 meeting as presented. ***The vote was unanimous. Motion carried.***
2. **Ordinance No. O-2023-015-15 – Z-003-23** - Consideration and/or action to approve the application of Tony Crème for a zone change request from “C-2” Commercial District to Planned Development “PD” Planned Development – Mixed Use located on Lot 1-4 and part of Lot 3R, Block 3, of the Mercantile Beach Commercial Center Addition and Tract 7A, Abstract 1378 of the Green B. Stanley Survey being approximately 53.965 acres, locally know as 5000, 5100, 5120 and 5180 North Beach Street and 3950 and 3952 North East Loop 820 – ***2nd Reading.*** CA Olson commented on the work with Mercantile on modifying the ordinance with several minor amendments that he has approved. Council Member Soule moved, seconded by MPT Thompson, to approve Ordinance No. O-2023-015-15 – Z-003-23, as modified, on second reading. ***The vote was unanimous. Motion carried.***
3. **Pre-Development Agreement** – Consideration and/or action to authorize the City Manager to approve a Pre-Development Agreement for the Southeast corner of Loop 820 and North Beach Street, Lots 1 – 4, Block 3 of the Mercantile Beach Commercial Center and Tract 7A of Abstract 1378 of the Green B. Stanley Survey. CM Phelps presented the item and CA Olson also commented on minor agreements with the new development agreement. MPT Thompson moved, seconded by Council Member Soule, to authorize the City Manager to approve the Pre-Development Agreement for the Southeast corner of Loop 820 and North Beach Lots 1 – 4, Block 3 of the Mercantile Beach Commercial Center and Tract 7A of Abstract 1378 of the Green B. Stanley Survey. ***The vote was unanimous. Motion carried.***
4. **Rescheduling/Canceling Council Meeting** – Consideration and/or action to reschedule or cancel the October 9, 2023 Council Meeting in lieu of the Columbus Day holiday. CM Camacho presented the item and noted there were no agenda items requiring the Council’s attention for that date, but a Special Meeting could be called if necessary. MPT Thompson moved, seconded by Council Member Soule, to cancel the regular meeting for October 9, 2023, and should there be a need to have a Special Meeting, the Council will receive notification if anything should occur that would need the Council to meet. ***The vote was unanimous. Motion carried.***
5. **Resolution No. R-2023-018-01** – Consideration and/or action for the City of Haltom City to cast a vote of “No Confidence” with the Tarrant County Appraisal District. CS Camacho commented on the initiative for considering this resolution. Council Member Soule moved, seconded by MPT Thompson, to approve Resolution No. R-2023-018-01 be changed to cast a vote of “No Confidence” to the Tarrant Appraisal District Board of Directors, the Administration, but not to consider this a reflection on the Tarrant Appraisal District employees. ***The vote was unanimous. Motion carried.***
6. **Engineering Services Agreement** – Consideration and/or action to approve an Agreement for Engineering Services with Neel-Schaffer, Inc. for a Street Reconstruction Project. PWE Permenter presented a PowerPoint that included the agreement for the street reconstruction. DMPT Smith moved, seconded by MPT Thompson, to approve the agreement for Engineering Services with Neel-Schaffer for the Huddleston Street project and authorize the City Manager to execute the engineering services agreement. ***The vote was unanimous. Motion carried.***

7. **Resolution No. R-2023-019-03 - Atmos Mid-Tex RRM Settlement** – Consideration and/or action to approve Resolution No. R-2023-019-03 for the Atmos Mid-Tex RRM Settlement. CS Camacho presented the item and Mayor Truong recognized Andrie Krahl, of Atmos Energy, to introduce herself to the citizens and Council. MPT Thompson moved, seconded by Council Member Soule, to approve Resolution No. R-2023-019-03 – Atmos Mid-Tex RRM Settlement. ***The vote was unanimous. Motion carried.***

CITY STAFF REPORTS

8. Staff Reports – Update on North Park. PRD Pruitt presented an update on the progress at the North Park project that included a review of the previous work and documentation completions, and also future project activities that include Council determining approval for grants and future project work. No questions were asked.

FUTURE AGENDA ITEMS

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

BOARDS/COMMISSIONS/COMMITTEES

10. **Resignations of Board/Commissions/Committee Members** – Consider approval of the resignations of Board/Commission/Committee Members. There were no resignations.
11. **Appointment/Reappointment to Boards/Commissions/Committees** – Consider approval regarding appointments to Boards/Commissions/Committees. There were no appointments or reappointments made.

EXCUSED ABSENCE OF COUNCIL MEMBERS

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

EXECUTIVE SESSION – There was no Executive Session

ADJOURNMENT

Mayor Truong adjourned the meeting at 7:25 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho, City Secretary

An M. Truong, Mayor

CITY COUNCIL MEMORANDUM

City Council Meeting: September 25, 2023
Department: City Secretary
Subject: Resolution No. R-2023-020-01 –
Tarrant Appraisal District Board of
Directors Nominations

BACKGROUND

The terms of service for the Tarrant Appraisal District's Board of Directors will expire on December 31, 2023 and it is time to begin the process of conducting an election. The first step in the procedure is the nomination of candidates. Each voting unit may nominate one (1) candidate for each of the five (5) positions to be filled. They are not required to make any nomination, or they may nominate any number up to five (5).

The nominees must have resided in the Tarrant Appraisal District for at least two (2) years prior to January 1, 2024 and may serve on a governing body of a taxing unit in the Tarrant Appraisal District. However, an employee of a taxing unit is prohibited from serving as a Director unless that employee is also an elected official of the governing body. A Director may not be related to a person who is in the business of appraising property for property tax purposes or represents property owners in proceedings in the appraisal district or who is employed by the appraisal district. A person is ineligible to serve as a director if he, or a business in which he has a substantial interest, enters into a contract with the appraisal district or enters into a contract with a taxing unit in the district, if that contract relates to the performance of an activity governed by Title 1 of the Texas Property Code.

The nominations for Directors must be made in an open meeting of the taxing unit and be submitted by the Presiding Officer (Mayor) to the Chief Appraiser in the form of a resolution adopted by the governing body by October 15, 2023, giving the names and addresses of the nominees.

Once the nominations are received and the election commences, each entity will submit its votes by resolution to the Chief Appraiser by December 15, 2023, and the five (5) nominees receiving the largest cumulative vote will be elected by December 31, 2023. The new Directors will take office on January 1, 2024.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

Resolution No. R-2023-020-01

RESOLUTION NO. R-2023-020-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS, APPROVING THE NOMINATION OF CANDIDATES TO BE PLACED ON THE BALLOT FOR THE TARRANT APPRAISAL DISTRICT BOARD OF DIRECTORS ELECTION.

WHEREAS, terms of service of the five (5) members of the Board of Directors of the Tarrant Appraisal District are due to expire on December 31, 2023; and,

WHEREAS, the deadline to submit nominations to the Chief Appraiser of the Tarrant Appraisal District is October 15, 2023; and,

WHEREAS, all eligible nominations submitted to the Chief Appraiser shall be placed on the ballot for the Tarrant Appraisal District Board of Directors Election; and

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

Section 1. The City Council of the City of Haltom City, Texas, does hereby nominate the following individual(s) to be placed on the ballot for the election of members to the Board of Directors of the Tarrant Appraisal District:

Section 2. A copy of this resolution shall be provided to the Chief Appraiser of the Tarrant County Appraisal District by October 15, 2023.

PRESENTED, PASSES, AND APPROVED on this the 25th day of September, 2023, by a vote of ___ayes, ___nays, and ___abstentions, at a regular meeting of the City Council of the City of Haltom City, Texas.

APPROVED:

An Truong, Mayor

City Seal

ATTEST:

Art Camacho, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: September 25, 2023
Department: Planning & Community Development
Subject: Ordinance No. O-2023-016-15 – Z-004-23
Planned Development Amendment
1st Reading.

BACKGROUND

Public hearing and application of Matt Merrill, on behalf of Uhaul, for a Zoning Amendment request from “PD-C-2 - Self Storage Facility District” to “PD-C-2 – Self Storage Facility District” Commercial District located on a tract of land situated in the Alexander Hood Survey, Abstract 682, Tract 3C and being approximately 5.9721 acres North of NE Loop 820, locally known as 5101 NE Loop 820.

The applicant, Uhaul, is applying for an amendment to their Planned Development – C2 – Self Storage District at 5101 NE Loop 820. U-Haul’s property immediately east of this location already has the PD-C2 Self Storage District designation. The applicant has made some changes to the site plan in the Planned Development by reducing the previous parking ratio. The applicant also added some language for future signage.

The existing site requirements to the east are not being proposed to be amended. The updated site plan and development criteria are included in the packet.

RECOMMENDATION

The Planning and Zoning Commission recommended approval of Ordinance No. O-2023-016-15 with a unanimous 6-0-0 vote at the September 12, 2023 meeting.

ATTACHMENT

Ordinance No. O-2023-016-15
P & Z Staff Report

ORDINANCE NO. O-2023-016-15

CASE NO. Z-004-23

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

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

WHEREAS, the City Council of the City of Haltom City has adopted Ordinance No. O-2002-032-15, the Comprehensive Zoning Ordinance of the City of Haltom City, 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 5.9721 acres located on Abstract 682, Tract 3C, of the Alexander Hood Survey, located north of NE Loop 820, south of Watauga Road, west of Denton Highway, and east of Haltom Road locally known as 5101 NE Loop 820 (hereinafter-referenced as the "Property"), has filed an application to rezone the property from its present classification of "PD - C-2" Self Storage District to "PD - C-2" Self Storage District; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on September 12, 2023 and the City Council of the City of Haltom City, Texas held a public hearing on September 25, 2023 with respect to the zoning changes described herein; and

WHEREAS, the City Council has determined that the requested amendment is appropriate and should be approved subject to and provided that the subject property is developed as represented on the site plan submitted as Exhibit “B” attached hereto; and

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

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

SECTION 1.

Ordinance No. O-2002-032-15, as amended, is hereby amended by rezoning approximately 5.9721 acres of land from “PD - C-2” Self Storage District to “PD - C-2” Self Storage District located in Abstract 682, Tract 3C, of the Alexander Hood Survey, Haltom City, Tarrant County, Texas, located on the North of NE Loop 820, locally known as 5101 NE Loop 820.

The Property is subject to the Planned Development Site Plan attached hereto as Exhibit “B” and incorporated herein. Also, all requirements and conditions set forth in Exhibit “A” shall be deemed the requirements and conditions of the Planned Development zoning on the Property.

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 subject property shall be subject to the regulations in the C-2 Commercial District accept as modified by the restrictions, terms and conditions set forth in the Design Standards attached hereto as Exhibit "A" and the Planned Development Site Plan attached hereto as Exhibit "B" and shall further be subject 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-2002-032-15 or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 9.

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

SECTION 10.

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

PASSED AND APPROVED ON FIRST READING THIS _____ DAY OF _____, 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'

Design Standards

1. Allow for the expansion of the "Self-Storage District".
2. Building 'A' shall provide eleven percent (11%) glazing on the south elevation and twelve percent (12%) glazing on the west elevation;
3. Building 'A' shall provide a color and/or material change at a minimum of every fifty feet (50 ft) to provide articulation to the elevation;
4. The front yard setback for Building 'A' shall be thirty feet (30'). The front yard setback for Building 'B' shall be twenty-five feet (25');
5. All front yard setbacks shall be landscaped and shall provide one (1) tree and ten (10) shrubs per fifty feet (50') of frontage;
6. Parking shall be required at the rate of one (1) parking space per two hundred (200) storage units;
7. Building 'A' shall have a wall signage allowance of three hundred square feet (300 sq. ft.) on the south elevation and two hundred square feet (200 sq. ft.) on the north elevation. Building 'B' shall have a wall signage allowance of two hundred square feet (200 sq. ft.) on the south elevation; and
8. Buildings 'A' and 'B' shall have controlled access and video surveillance.
9. If there is any conflict between Exhibit 'A' Design Standards and Exhibit 'B' Site Plan, the provisions in Exhibit 'A' Design Standards shall control.

CITY COUNCIL MEMORANDUM / RESOLUTION

City Council Meeting: September 25, 2023

Department: Public Works

Subject: Resolution No. R-2023-021-11
Abandonment/Vacation of an
Existing Sanitary Sewer Easement:
George Akers Survey, Abstract 30

BACKGROUND

The City is in the process of closing a land sale for various tracts of land at/around the intersection of McCullar Street and Weaver Street. On one of these tracts (George Akers Survey, Abstract 30), a 15' Sanitary Sewer Easement was dedicated to the City of Haltom City (Volume 3470, Page 406 Deed Records Tarrant County Texas). This easement is not being used nor has it been used by the City for many years. Additionally, the City's Sanitary Sewer Master Plan does not contemplate a sanitary sewer within this easement. Therefore, this existing sanitary sewer easement can be abandoned/vacated.

The following Resolution provides for the abandonment of this 15' Sanitary Sewer Easement.

FISCAL IMPACT

There is no value to the portion of easement requested for abandonment/vacation as the City is not using and has no plans to use this easement.

RECOMMENDATION

Staff recommends the approval of Resolution No. R-2023-021-11 to abandon/vacate the 15' Sanitary Sewer Easement within the George Akers Survey, Abstract 30 as shown on Exhibit "A".

ATTACHMENT

- Resolution No. R-2023-021-11

RESOLUTION No. R – 2023 – 021 – 11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS ABANDONING A 15' SANITARY SEWER EASEMENT LOCATED WITHIN THE GEORGE AKERS SURVEY, ABSTRACT 30 (VOLUME 3470, PAGE 406 D.R.T.C.T.); DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED RELEASING PUBLIC OWNERSHIP, INTEREST AND CONTROL OF SAID PORTION OF EASEMENT; PROVIDING A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haltom City (“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, after careful study and consideration, has determined that a 15' Sanitary Sewer Easement located on property owned by the City within the George Akers Survey, Abstract 30 (as more particularly described in Volume 3470, Page 406, Deed Records Tarrant County Texas) (the “Sanitary Sewer Easement”) 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 benefited by its abandonment and vacation; and

WHEREAS, the City has agreed to sell the property which is encumbered by the Sanitary Sewer Easement to a third party who intends to develop the property; and

WHEREAS, in order to remove any question as to the continued interest or ownership of the public in the Sanitary Sewer Easement, the City desires to approve this Resolution releasing all title, ownership and control of said Sanitary Sewer Easement.

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

SECTION 1.

The Sanitary Sewer Easement, as more particularly described in Exhibit “A” attached hereto and incorporated herein, is not being used by, nor useful or convenient to the public in general. The Sanitary Sewer Easement constitutes a public charge without a corresponding benefit, and the public would be better served and benefited by its abandonment and vacation. Therefore, the Sanitary Sewer Easement is hereby vacated and abandoned. The Sanitary Sewer Easement so abandoned and vacated shall revert in fee simple to the owner or owners of the underlying property.

SECTION 2.

The City Secretary is hereby directed to file a copy of this Resolution in the Real Property Records of Tarrant County, Texas as evidence that all title, ownership and control of said Sanitary Sewer Easement has been vacated, abandoned and released.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this resolution are severable, and if any phrase, clause, sentence, paragraph or section of this resolution 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 resolution, since the same would have been enacted by the City Council without the incorporation in this resolution of any such unconstitutional phrase clause, sentence, paragraph or section.

SECTION 4.

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Haltom City, Texas held in accordance with the provisions of Texas Government Code, §551.001 *et seq.* this 25th day of September, 2023, at which meeting a quorum was present.

CITY OF HALTOM CITY

By: _____
Dr. An M. Truong, Mayor

ATTEST:

Art Camacho, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: September 25, 2023
Department: City Secretary
Subject: Future Agenda Items

BACKGROUND

Resolution No. R-2017-031-01:

Members of the council may submit items for inclusion on a future agenda by orally making the request under the “Future Agenda Items” topic during a council meeting. With the support of a majority of the members of the council, the requested item will be placed on a future meeting agenda under “Work Session” in accordance with the direction of the council.

After 12:00 p.m. Thursday preceding the council meeting, an item must be qualified as an “emergency,” as defined by the Open Meetings Act, to be added to the agenda.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

None.

CITY COUNCIL MEMORANDUM

City Council Meeting:	September 25, 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.

Mr. Cameron Scott has submitted his resignation from Place 6 on Beautification Board.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

Resignation Letter from Mr. Cameron Scott.

CITY COUNCIL MEMORANDUM

City Council Meeting: September 25, 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 7 – Fire Services Board (Francesca Gum – reappoint), Library Board (Donna Peterson – reappoint), ZBA (Ollie Anderson – reappoint)

Animal Advisory Committee: Veterinarian (Williams Anderson – reappoint)

The following appointments/reappointments are due for Mayor:

FISCAL IMPACT

None.

RECOMMENDATION

The following appointments have posted on the agenda to be discussed by the Council:

ATTACHMENTS

Appointment Applications Received: Jeff Barlett, 2023; Natalie Miller, 2023; Jonathan Warren Sr., 2022; Deborah (Debi) Geltmeier, 2022; Ana Maria Aguilar DeYoung, 2022.

Reappointment Applications Received: