

Agenda



Arlington City Council Meeting

City Hall Council Chamber
101 W. Abram St.

Tuesday, August 19, 2014
6:30 PM

- I. CALL TO ORDER
- II. INVOCATION AND PLEDGE
- III. SPECIAL PRESENTATIONS
- IV. APPOINTMENTS TO BOARDS AND COMMISSIONS
- V. SPEAKER GUIDELINES AND GENERAL DECORUM
- VI. APPROVAL OF ITEMS FROM EXECUTIVE SESSION
 1. **Settlement of City of Arlington v. Chesapeake Exploration, L.L.C., and Total E&P USA, Inc., Lawsuit**

A resolution authorizing the execution of a settlement agreement and related documents in connection with the City of Arlington, Texas v. Chesapeake Exploration, L.L.C., and Total E&P, USA, Inc., lawsuit, Cause No. 141-267203-13.

- The Arlington City Hall is wheelchair accessible. For accommodations or sign interpretive services, please call 817-459-6100 no later than 24 hours in advance.
- Council meetings are broadcast live on Arlington's Government Channel, and rebroadcast throughout the week at the following times:

	Afternoon meetings	Evening Meetings
Sunday	1:00 p.m.	6:00 p.m.
Wednesday	1:30 p.m.	6:30 a.m.
Saturday	6:00 p.m.	6:30 a.m.

The Council agenda can be viewed on the City's website at www.ArlingtonTX.gov

- For a complete Arlington Government Channel program schedule, please visit www.ArlingtonTX.gov/Broadcast

2. **Rescind and Approve Consent to Partial Assignment and Second Amendment to Oil and Gas Lease – Chesapeake Exploration, L.L.C., Total E&P USA, Inc., and XTO Energy Inc.; Lease No. 08-023**
A resolution rescinding Resolution 11-298 and approving a Consent to Partial Assignment and Second Amendment to Oil and Gas Lease between Chesapeake Exploration, L.L.C., Total E&P USA, Inc., XTO Energy Inc., and the City of Arlington relative to assigning approximately 12.13 acres of land being a portion of Harris Park, City of Arlington, Tarrant County Texas, and to amending provisions as to all leased acres.
3. **First Amendment to Oil and Gas Lease – Chesapeake Exploration, L.L.C. and Total E&P USA, Inc.; Lease No. 06-002**
A resolution authorizing the City Manager or his designee to execute a First Amendment to Oil and Gas Lease between Chesapeake Exploration, L.L.C., Total E&P USA, Inc., and the City of Arlington relative to a Restricted Surface Use Oil and Gas Lease in approximately 115.16 acres of land being a portion of Village Creek Linear Park, City of Arlington, Tarrant County, Texas.
4. **First Amendment to Oil and Gas Lease – Chesapeake Exploration, L.L.C. and Total E&P USA, Inc.; Lease No. 06-003**
A resolution authorizing the City Manager or his designee to execute a First Amendment to Oil and Gas Lease between Chesapeake Exploration, L.L.C., Total E&P USA, Inc., and the City of Arlington relative to a No Surface Use Oil and Gas Lease in approximately 143.25 acres of land being Bowman Branch Linear Park, City of Arlington, Tarrant County, Texas.
5. **First Amendment to Oil and Gas Lease – Chesapeake Exploration, L.L.C. and Total E&P USA, Inc.; Lease No. 06-008**
A resolution authorizing the City Manager or his designee to execute a First Amendment to Oil and Gas Lease between Chesapeake Exploration, L.L.C., Total E&P USA, Inc., and the City of Arlington relative to the exploration and production of natural gas under approximately 13.14 acres of land being Martha Walker Park, City of Arlington, Tarrant County, Texas.
6. **First Amendment to Oil and Gas Lease – Chesapeake Exploration, L.L.C.; Lease No. 08-038**
A resolution authorizing the City Manager or his designee to execute a First Amendment to Oil and Gas Lease between Chesapeake Exploration, L.L.C. and the City of Arlington relative to the exploration and production of natural gas under approximately 3.65 acres of land being Fire Station No. 16 and Collins Street Right of Way, City of Arlington, Tarrant County, Texas.
7. **Second Amendment to Oil and Gas Lease – Chesapeake Exploration, L.L.C. and Total E&P USA, Inc.; Lease No. 10-058**
A resolution authorizing the City Manager or his designee to approve a Second Amendment to Oil and Gas Lease between Chesapeake Exploration, L.L.C., Total E&P USA, Inc., and the City of Arlington relative to the production of natural gas under approximately 21.6599 acres of land being Brantley Hinshaw Park, Fire Station No. 5, B.C. Barnes Park and Other Tracts, City of Arlington, Tarrant County, Texas.

8. **Third Amendment to Oil and Gas Lease – Chesapeake Exploration, L.L.C., Total E&P USA, Inc. and Larchmont Resources, L.L.C.; Lease No. 10-029**
A resolution authorizing the City Manager or his designee to execute a Third Amendment to Oil and Gas Lease between Chesapeake Exploration, L.L.C., Total E&P USA, Inc., Larchmont Resources, L.L.C., and the City of Arlington relative to the exploration and production of natural gas under approximately 230.6848 acres of land being a portion of Randol Mill Park, NW Green Oaks Boulevard Rights-of-Way, and Other Tracts, City of Arlington, Tarrant County, Texas.
9. **Second Amendment To Oil And Gas Lease No. 10-062 – Vantage Fort Worth Energy, L.L.C.**
A resolution authorizing the City Manager or his designee to execute a Second Amendment to Oil and Gas Lease between Vantage Fort Worth Energy, L.L.C. and the City of Arlington relative to the exploration and production of natural gas under approximately 0.79 acres of land located at 2821 Perkins Road, City of Arlington, Tarrant County, Texas, for a resulting total lease of approximately 35.9481 acres.

VII. APPROVAL OF MINUTES

Afternoon Meeting, August 5, 2014
Evening Meeting, August 5, 2014

VIII. APPROVAL OF CONSENT AGENDA

Approval of the Consent Agenda authorizes the City Manager to implement each item in accordance with staff recommendations and all votes on final reading will be recorded as reflected on first reading unless otherwise indicated. Public comment will be accepted on items, with the exception of those items on which a public hearing has been held and closed by Council, which will be indicated as **(CLOSED)** on the agenda.

A. Minute Orders

1. **Purchase of a Vacuum Excavator, Bid Project 14-0189 (MO#08192014-001)**
Authorize the City Manager or his designee to approve the purchase of a vacuum excavator with Vermeer Texas Louisiana, Inc., of Round Rock, Texas, through the Texas Local Government Purchasing Cooperative (TLGPC) in the estimated amount of \$55,770, and execute any and all documents necessary to carry out such purchase. Funds are available in Public Works & Transportation Department Account No. 720102-68201 and are subject FY2015 and to subsequent fiscal year budget approval.
2. **Front Street Parking Lot; Project No. PWST14003 (MO#08192014-002)**
Authorizing the City Manager or his designee to execute a construction contract with Pavecon Public Works LP, of Grand Prairie, Texas for the Front Street Parking Lot in an amount not to exceed \$322,966.54. The contract includes a maximum bonus of \$12,000 for a possible contract total of \$334,966.54. Funding is available in the TIRZ No. 1 Fund Account No. 480102-61002-3025.

3. **Annual Requirements Contract for Concrete Panel & Sidewalk Replacement Program; Project No. PWSM14002 (MO#08192014-003)**
Authorizing the City Manager or his designee to execute an annual requirements contract, with Ken-Do Contracting, LP, of Desoto, Texas, for the concrete panel and sidewalk replacement, in an amount not to exceed \$2,374,651. Funds are available in the Street Maintenance Sales Tax Account No. 728501-63132-61370695 [\$1,988,650.50] and Street Maintenance General Fund Account No. 728501-63132-61380695 [\$386,000.50].
4. **Renewal of Annual Requirements Contract for Motor Maintenance, Bid Project 14-0007 (MO#08192014-004)**
Authorize the City Manager or his designee to exercise the first of four, one-year renewal options for the annual requirements contract for motor maintenance with Brandon and Clark, Inc. of Fort Worth, Texas in the estimated amount of \$116,734, and execute any and all documents necessary to carry out such renewal. Funds are budgeted in the Water Treatment Maintenance of Pumps and Motors Account No. 620102-63122 and subject to FY2015 budget approval.
5. **Renewal of Annual Requirements Contract for Fire Hydrants, Bid Project 13-0191 (MO#08192014-005)**
Authorize the City Manager or his designee to exercise the first of four, one-year renewal options for the annual requirements contract for fire hydrants with Fortiline Waterworks of Haltom City, Texas in the estimated amount of \$75,516, and execute any and all documents necessary to carry out such renewal. Funds are budgeted in Water Utilities Inventory Account No. 5000-16000 and subject to FY2015 budget approval.
6. **Change Order No. 1, Annual Contract for Repair and Replacement of Sanitary Sewer Services, Project No. WUSR14001 (MO#08192014-006)**
Authorizing the City Manager or his designee to authorize Change Order No. 1 with Gra-Tex Utilities, Inc., of Arlington, Texas for Change Order No. 1, Annual Contract for Repair and Replacement of Sanitary Sewer Services, Project No. WUSR14001, in an amount not to exceed \$174,500. Funding is available in Water Utilities (Maintenance of Sewer Services) Account No. 630101-63126.
7. **Southridge and E. Inwood Drive Water and Sanitary Sewer Renewals, Project No. WUOP14007 (MO#08192014-007)**
Authorizing the City Manager or his designee to execute a construction contract with Woody Contractors, Inc., of Kennedale, Texas for Southridge and E. Inwood Drive Water and Sanitary Sewer Renewals, Project No. WUOP14007, in an amount not to exceed \$1,009,622.85. Funding is available in Water Bond Fund Account No. 658502-68252-18086205 [\$399,846.35], Sanitary Sewer Renewal Fund Account No. 668501-68250-18086204 [\$342,039.50], Street Maintenance Fund Account No. 728501-63132-61390695 [\$248,987], and Non-Arbitrage Street Bond Fund Account No. 358502-68153-65480699 [\$18,750].
8. **Tarrant County College Services Agreement to provide Curriculum and Training for EMT and Advanced EMT (MO#08192014-008)**
Authorizing the City Manager or his designee to execute a Services Agreement with Tarrant County College District Northeast Campus of FT. Worth, Texas to provide curriculum and training for Emergency Medical Technician and Advanced Emergency Medical Technician in the amount of \$31,790.00 for up to 10 students, additionally if the class size exceeds 10 students, a charge of \$3,179.00 for each Emergency Medical Technician trainee and \$1,937.00 for each Advanced Emergency Medical Technician trainee will be paid for each student over the original 10. Funding is available in Liquidated Damages Account No. 790201-61002.

B. Consent Agenda Ordinances – Final Readings

Public comment will be accepted on items, with the exception of those items on which a public hearing has been held and closed by Council, which will be indicated as **(CLOSED)** on the agenda.

1. **Amendments to the Flag and Logo Ordinance**

Final reading of an ordinance amending the "Flag and Logo" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, Definitions, Section 1.02, Logo; through the amendment of Article II, Clarifying Description of City of Arlington Flag and Logo, by the deletion of Section 2.02, Illustrating City of Arlington Flag, and the renumbering of the remaining section; and by the amendment of Section 2.03, Description of the City of Arlington Flag; through the amendment of Article V, Rules Governing the Use of the City of Arlington Logo, Section 5.02, Application Submitted; Section 5.03, Allowable Uses; Section 5.04, Approval; and Section 5.05, Guidelines to be Followed; through the amendment of Article VI, Use of the Flag, Section 6.01, Use of City of Arlington Logo, Servicemark and Trademark on City of Arlington Flag; and Section 6.04, Penalty; providing for a fine of up to \$200 for each offense in violation of the ordinance; providing this ordinance be cumulative; providing for severability; providing for governmental immunity; providing for injunctions; providing for publication and becoming effective ten days after first publication.

2. **Amendments to City of Arlington "Fire Prevention" Ordinance**

Final reading of an ordinance amending the "Fire Prevention" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, General Provisions, Section 1.03, Amendments, Additions and Deletions, by the amendment of a portion of Subsection 121 relative to the amendment of Subsection 3406.3.1 related to the location of gas wells; providing for a fine of up to \$2,000 for each offense in violation of the ordinance; providing this ordinance be cumulative; providing for severability; providing for governmental immunity; providing for injunctions; providing for publication and becoming effective 30 days after the final adoption of the ordinance.

3. **Amendments to City of Arlington Ordinance Miscellaneous Offenses**

Final reading of an ordinance amending the "Miscellaneous Offenses" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, entitled Miscellaneous Offenses, by the amendment of Section 1.05, Air Rifles - Discharge, relative to the discharge of air or gas propelled weapons within the City; and by the amendment of Section 1.07, Firearms - Discharge, relative to the discharge of firearms within the City; containing findings and other provisions; providing for a fine of up to \$500 for each violation of the ordinance; providing this ordinance be cumulative; providing for severability, governmental immunity, injunctions, and publication; and becoming effective ten days after first publication.

4. **School Zone Ordinance and Revision**
 Final reading of an ordinance amending the "Traffic and Motor Vehicles" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article III, Speed Regulations, Section 3.02, Speed Limits on State and Federal Highways, by the amendment of speed limits on State Highway F.M. 157 (Collins Street); Section 3.05, Speed Limits in School Zones, Subsection (A), by the addition of a designation for charter schools and the Hurst-Euless-Bedford AISD elementary school; Section 3.05, Subsection (C), by the amendment of the school zones on Mesquite Street and Pleasant Ridge Road; and the addition of new school zones on Blue Lake Boulevard, Brown Boulevard, Cascade Sky Drive, Collins Street, Jasmine Fox Lane, Kelly Elliott Road, Winter Fire Way and Woodside Drive; providing for a fine of up to \$200 for each offense in violation of the ordinance; providing this ordinance be cumulative; providing for severability; providing for governmental immunity; providing for injunctions; providing for publication and becoming effective ten days after first publication.

5. **Specific Use Permit SUP14-3 (316 West Fork Dr. - 316 West Fork Drive) (CLOSED)**
 Consider a request for a change in the zoning of property by approving a request for a Specific Use Permit (SUP) for Auto Service Center in Light Industrial (LI) zoning district. This request is in response to the Zoning Ordinance amendment effective January 27, 2014, requiring new minor auto repair uses to obtain a SUP if located within 200 feet from the right-of-way line of a street. The proposed business is located within the 200 feet from the right-of-way line. Final reading of an ordinance adopting Specific Use Permit SUP14-3 for an Auto Service Center on certain property known as 316 West Fork Drive zoned Light Industrial (LI) and amending the Zoning District Map accordingly.

6. **Designation of Reinvestment Zone Number Thirty Eight – J & J Group, Ltd. (CLOSED)**
 Final reading of an ordinance establishing Reinvestment Zone Number Thirty-Eight; providing this ordinance be cumulative; providing for severability; providing for governmental immunity; providing for injunctions; and becoming effective upon second reading.

C. Consent Agenda Resolutions

1. **FY2015 Annual Audit Plan**
 A resolution approving the Fiscal Year 2015 Annual Audit Plan.

2. **Stadium Drive (Abram Street to Division Street) - Relocation Assistance – 110 Stadium Drive**
 A resolution approving reimbursement of relocation costs in an amount not to exceed \$45,000 for Up Front Letter Press of 110 Stadium Drive, City of Arlington, Tarrant County, Texas.

3. **Stadium Drive (Abram Street to Division Street) - Relocation Assistance – 114 Stadium Drive**
 A resolution approving reimbursement of relocation costs in an amount not to exceed \$30,000 for Dunn Deal World of Wheels of 114 Stadium Drive, City of Arlington, Tarrant County, Texas.

END OF CONSENT AGENDA

IX. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

X. CONSIDER AND VOTE ON WITHDRAWN ITEMS

XI. PUBLIC HEARINGS: ORDINANCES FIRST READING

Speaker Regulations: Anyone wishing to speak for or against a Public Hearing must fill out a card at the entrance to the Council Chamber.

A. Public Hearing – Ordinances First Reading

1. **(CONTINUED) Development Plan DP13-8 (All Storage 2500 Overbrook and 3000, 3050, 3100, and 3200 South Watson Road)**

Following the public hearing, consider a request for approval of a new development plan for a mini-warehouse use on approximately 8.454 acres zoned Planned Development (PD) for limited Community Commercial (CC) uses plus warehouse and mini-warehouse and generally located south of Overbrook Drive and west of South Watson Road. The original development plan that was approved as a part of the PD in 2005 expired since the site was not developed within five years.

ORDINANCE FIRST READING

First reading of an ordinance adopting Development Plan DP13-8 on certain property known as 2500 Overbrook and 3000, 3050, 3100, and 3200 South Watson Road; zoned Planned Development (PD) for limited Community Commercial (CC) uses plus warehouse and mini-warehouse and amending the Zoning District Map accordingly.

XII. ORDINANCES – FIRST AND/OR FINAL READINGS

Public comment will be accepted on items, with the exception of those items on which a public hearing has been held and closed by Council, which will be indicated as **(CLOSED)** on the agenda.

A. Ordinances- First Reading

1. **Special Events Zone in Support of the 2015 College Football Playoff National Championship Game**

An ordinance prohibiting certain activities within a special event zone in connection with NCAA Division I Men's Final Four and its Related Activities in the City of Arlington; providing for a fine of up to \$500 for each violation of the ordinance; providing this ordinance be cumulative; providing for severability, governmental immunity, injunctions, publication and an effective date.

B. Ordinances Final Reading

1. **Zoning Case PD14-2 (3909 South Cooper Street - 3909 South Cooper Street)
(CLOSED)**

Consider a request for a change in the zoning of property to Planned Development (PD) for limited Community Commercial (CC) uses plus a Package Liquor Store, with a Concept Brief on approximately 1.919 acres zoned Community Commercial (CC), and generally located south of West Arbrook Boulevard and east of South Cooper Street. Final reading of an ordinance changing the zoning classification on certain property known as 3909 South Cooper Street to Planned Development (PD) for limited Community Commercial (CC) uses, plus Package Liquor Store, with a Concept Brief and amending the Zoning District Map accordingly.

XIII. RESOLUTIONS

Public comment will be accepted at this time on the following items.

A. Resolutions:

1. **J & J Group, Ltd. Tax Abatement**

A resolution authorizing the execution of an agreement by and between J & J Group, Ltd. and the City of Arlington, Texas, relative to tax abatement for a project in Reinvestment Zone Number Thirty-Eight in the City of Arlington, Texas.

XIV. ANNOUNCEMENTS

XV. CITIZEN PARTICIPATION– Recognition of visitors with items of business not on the agenda.