

# Mayor and Council Communication

**DATE:** 02/24/26

**M&C FILE NUMBER:** M&C 26-0126

**LOG NAME:** 12TROE CPN 104490 BONDS RANCH LS(A)/FM/GM

## **SUBJECT**

(CD 7) Adopt Resolution Authorizing the City's Petitions for Injunctions Seeking Temporary Rights of Entry to Conduct Due Diligence in Anticipation of the Bonds Ranch Lift Station Phase A Project Against Mark and Dawn Kamper, Owners of the Property Located at 9412 Boat Club Road in the West Fork Addition, Block 1, Lot 22B1 & 23D, Fort Worth, Tarrant County, Texas; Jeffrey and Jennifer Cooper, Owners of the Property Located at 9406 Boat Club Road in the West Fork Addition, Block 1, Lot 22B2 & 23C, Fort Worth, Tarrant County, Texas; Hal and Denise Collins, Owners of the Property Located at 9392 Boat Club Road in the West Fork Addition, Block 1, Lot 23B, Fort Worth, Tarrant County, Texas; and Lauren Motley, Owner of the Property Located at 9400 Boat Club Road in the West Fork Addition, Block 1, Lot 23A1, Fort Worth, Tarrant County, Texas

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## **RECOMMENDATION:**

It is recommended that the City Council authorize the City Attorney to petition for injunctions against Mark and Dawn Kamper, owners of the property located at 9412 Boat Club Road in the West Fork Addition, Block 1, Lot 22B1 & 23D, Fort Worth, Tarrant County, Texas; Jeffrey and Jennifer Cooper, owners of the property located at 9406 Boat Club Road in the West Fork Addition, Block 1, Lot 22B2 & 23C, Fort Worth, Tarrant County, Texas; Hal and Denise Collins, owners of the property located at 9392 Boat Club Road in the West Fork Addition, Block 1, Lot 23B, Fort Worth, Tarrant County, Texas; and Lauren Motley, owner of the property located at 9400 Boat Club Road in the West Fork Addition, Block 1, Lot 23A1, Fort Worth, Tarrant County, Texas, to gain access to the properties in order to conduct due diligence necessary for the Bonds Ranch Lift Station Phase A project (City Project No. 104490).

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## **DISCUSSION:**

Approval of this Mayor & Council Communication (M&C) would authorize the City Attorney to file petitions for injunctions against Mark and Dawn Kamper, owners of the property located at 9412 Boat Club Road in the West Fork Addition, Block 1, Lot 22B1 & 23D, Fort Worth, Tarrant County, Texas; Jeffrey and Jennifer Cooper, owners of the property located at 9406 Boat Club Road in the West Fork Addition, Block 1, Lot 22B2 & 23C, Fort Worth, Tarrant County, Texas; Hal and Denise Collins, owners of the property located at 9392 Boat Club Road in the West Fork Addition, Block 1, Lot 23B, Fort Worth, Tarrant County, Texas; and Lauren Motley, owner of the property located at 9400 Boat Club Road in the West Fork Addition, Block 1, Lot 23A1, Fort Worth, Tarrant County, Texas, to gain access to the properties in order to conduct due diligence necessary for the Bonds Ranch LS(A)/FM/GM project. The City is requesting right of entry to these four properties located off Boat Club Road to conduct survey and environmental assessments for a proposed force main and gravity main that would connect to La Frontera Lift Station, an existing lift station in the area. The proposed lines will be installed to support upcoming development in the Bonds Ranch area and are part of a series of improvements to extend service to the area.

Efforts to obtain permission to enter the Properties to perform due diligence work have been unsuccessful. Therefore, staff seeks Council authority to file suit to obtain temporary injunctions to allow employees of the City of Fort Worth, registered contractors, consultants, and their sub-consultants to enter the Properties to perform due diligence work.

As part of the due diligence for the Project, a Temporary Right of Entry is needed to perform the following:

1. Geo-technical analysis to include shovel testing and borings;
2. On-the-ground survey and appraisal;
3. Environmental jurisdiction determination to identify open waters or wetlands;
4. Environmental archaeological site review to identify cultural resources from history of operations in the area to include shovel testing along the alignment and backhoe trenching at key areas and creek crossings;
5. Subsurface utility exploration to include Quality Level A Test Holes;
6. In-situ soil resistivity testing to identify soil resistivity along the proposed alignment; and
7. General site observation.

Accordingly, it is recommended that the City Council adopt the attached resolution authorizing the filing of the Petitions for Injunction in Tarrant County, Texas.

Funding for the anticipated court fees of \$5,000.00 is budgeted in the W&S Rev Bonds Series 2024 fund for the Bonds Ranch LS(A)/FM/GM project.

This property is near COUNCIL DISTRICT 7.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

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## **FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the W&S Rev Bonds Series 2024 for the Bonds Ranch LS(A)/FM/GM project to support the approval of the above recommendation. Prior to any expenditure being incurred, the Property Management and Water Departments have the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:** ALL ACMs 6122

**Originating Business Unit Head:** Leann Guzman 8973

**Additional Information Contact:** Leann Guzman 8973