

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
MAY 27, 2008**

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**Present**

Mayor Mike Moncrief  
Mayor Pro tem Kathleen Hicks, District 8  
Council Member Salvador Espino, District 2  
Council Member Chuck Silcox, District 3  
Council Member Daniel Scarth, District 4  
Council Member Frank Moss, District 5  
Council Member Jungus Jordan, District 6  
Council Member Carter Burdette, District 7  
Council Member Joel Burns, District 9

**City Staff**

Dale Fisseler, City Manager  
David Yett, City Attorney  
Marty Hendrix, City Secretary

With a quorum of the City Council Members present, Mayor Moncrief called the regular session of the Fort Worth City Council to order at 10:06 a.m. on Tuesday, May 27, 2008, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

**Agenda Item II  
Invocation**            The invocation was given by Reverend Janet Constantine, Faith Lutheran Church.

**Agenda Item III  
Pledge**                The Pledge of Allegiance was recited.

**Agenda Item IV  
Approval of  
Minutes**                Upon a motion of Council Member Silcox, seconded by Council Member Espino, the minutes of the regular meeting of May 20, 2008, were approved unanimously nine (9) ayes to zero (0) nays.

**Agenda Item V  
Special  
Presentations**        Council Member Scarth presented the “Walter Dansby Tower Achievement Award” to Fort Worth Independent School District students. Mayor Moncrief presented each of the students with a medal and commended them on their achievement. He stated he was proud they had decided to take a different road to make a difference in their lives.

City Secretary Hendrix stated that the Proclamation for Q Cinema Gay & Lesbian International Film Festival Day would be presented on site.

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**Agenda Item VI**  
**Announcements**

Council Member Jordan welcomed approximately 57 students from the 5<sup>th</sup> Grade Class of Southwest Christian School and expressed appreciation for their attendance at the Council meeting. He added that he hoped the students enjoyed the experience of observing City government in action. He announced that the Hulen Heights Neighborhood received the Third Place Award from the Neighborhood USA meeting in Virginia Beach, Virginia, and added that his Council Aide, Cindy Caldwell, accepted the award as President of the Hulen Heights Neighborhood Association. He also announced that Angie Rush from the City's Community Relations Department had been appointed to the Board of Directors of Neighborhood USA. He congratulated everyone who was involved with the Colonial Golf Tournament last weekend and added that the City once again received national recognition.

Mayor Moncrief expressed appreciation to members of the Fort Worth Police and Fire Departments for their efforts during the Colonial Golf Tournament. He added that visitors from around the country and the world expressed to him how safe they felt in the City and how much they felt like an extended part of the Fort Worth family during their stay. He also acknowledged the sponsorship of Crowne Plaza who had been a real partner of the City and the Colonial.

Council Member Moss expressed appreciation to neighborhood association presidents and representatives who attended the District 5 Neighborhood Association meeting on May 22, 2008. He also expressed appreciation to Police Captain Bryan Sudan and Code Compliance Officer John Hancock for attending the meeting to listen to the needs and concerns of the community. He announced that a Preparedness Seminar would be conducted on May 31, 2008, from 10:00 a.m. to noon at the Holy Tabernacle Church of God in Christ in the Fellowship Hall, 2800 E. Loop 820 South. He added that a representative from Oncor Electric would be available to demonstrate how to reduce electricity bills; someone would discuss bioterrorism, health and emergency preparedness; a Housing Department representative would discuss weatherization and emergency repairs and on-site counseling; and a Community Action Partners representative would be present to address emergency assistance programs. He also announced that on May 31, 2008, at 2:00 p.m. at the Stop 6 Heritage Center at 5100 Willie Street, a special program for Reby Cary, a former Fort Worth Independent School Board member and State Representative, would be conducted. He added that the program would give attendees an opportunity to get to know Mr. Cary and look at his display.

**Agenda Item VI**  
**Announcements**  
**(Continued)**

Council Member Burns expressed appreciation to everyone who attended the 79<sup>th</sup> Annual Mount Olivet Memorial Day services on May 26, 2008, to commemorate the memory of fallen service members, and acknowledge those service members who had served and were currently serving in the armed services. He announced that tonight from 7:00 p.m. to 9:00 p.m., a Zoo Traffic meeting would be held at the Kelly Center on Stadium Drive at Texas Christian University (TCU). He stated that staff from Parks and Community Services, the Zoo, Transportation and Public Works Department and the Police Department would also attend. He also announced that on May 28, 2008, from 6:30 p.m. to 8:00 p.m., at the Smith Building, Room 104, also at TCU, the Berry Street Initiative Next Steps meeting would be held for Phase II of the Berry Street Retrofit for the portion from the University Drive intersection to connect to the first phase already underway. He expressed appreciation to TCU for providing the meeting facilities free of charge and being such a great partner to the City. He further announced that on May 29, 2008, the kickoff for the 10<sup>th</sup> Anniversary of the Q Cinema Film Festival would be held at the Rose Marine Theatre. He pointed out that it was the longest running film festival in the history of the City of Fort Worth and second longest running such festival in Texas.

Council Member Espino announced there would be a community meeting tonight for the residents of the far greater north side of Fort Worth and Rosen Heights at 7:00 p.m. at the North Tri-Ethnic Community Center, 2950 Roosevelt. He added that he and City staff would be present to answer any questions or concerns the community might have. He stated that last week he had the pleasure of attending the Annual Educational and Training Conference of MANA, a National Latina Organization designed to provide leadership development, community awareness and mentoring programs for young Hispanic females. He stated that the convention came to the City as a result of the efforts of the Fort Worth Convention and Visitors Bureau, the Fort Worth Hispanic Chamber of Commerce and the Hispanic Women's Network. He expressed appreciation to the organization for selecting Fort Worth for the convention. He also expressed appreciation to the Fort Worth Hispanic Chamber of Commerce for participating in the Colonial Golf Tournament which provided the opportunity for some attendees to meet comedian George Lopez who promoted the City of Fort Worth. He further announced that Latinos Unidos would be having a breakfast at 8:30 a.m. at the Intermodal Transportation Center. He added that the topic would be Transportation and would be presented by Mr. Vic Suhm, Executive Director of the Tarrant Regional Transportation Coalition.

**Agenda Item VI**  
**Announcements**  
**(Continued)**

Council Member Silcox reiterated his announcements from previous meetings relative to the unlawful activity of blowing grass, leaves and other debris into City streets. He added that any citizen or landscaping company was subject to a fine of up to \$2,000.00 for this violation of the law. He also raised awareness to the placement of "Bandit" signs in the City's right-of-ways and on utility poles. He stated that these signs reflected various types of information and that the signs were usually placed in various areas late at night or very early in the morning. He added that these signs in the right-of-way were also a violation of the law and punishable by a fine. He further stated that citizens could anonymously report these violations to the Code Compliance Department.

City Attorney Yett stated that the fine for bandit sign placement was \$500.00 for each violation.

Council Member Burdette stated that Fort Worth was a great sports venue and announced that the Texas Motor Speedway would conduct the IRL Automobile Races next weekend. He added that the Texas State Criterium Bicycle Championships were held yesterday in the City and expressed appreciation to the Parks and Community Services Department for their great work in setting up the race course.

Mayor Pro tem Hicks announced that the More Life Festival would continue this week and that additional information could be obtained through their website at [www.morelifetexas.org](http://www.morelifetexas.org). She added that she was very pleased to sponsor an event on May 31, 2008, with the American Heart Association entitled "You Have the Power to End Stroke" at the Como First Missionary Baptist Church, 5228 Goodman Avenue from 4:00 p.m. 6:00 p.m. She stated that she had personally experienced the loss of her grandmother to a stroke and that the event would be more of a celebration of what could be done to prevent a stroke.

Council Member Scarth expressed appreciation for everyone who attended the east side Police Community Forum on May 22, 2008. He added that a lot of Citizens on Patrol (COP) representatives were present and pointed out that an initiative to recruit more COP members was underway and encouraged everyone interested in the program to contact their Council Member or obtain further information from the City Page publication.

Council Member Burdette also announced that the Fort Worth Opera Festival began this weekend and would continue through June 8, 2008. He added that the festival was always a great boost to the City, and encouraged all interested to purchase their tickets.

**Agenda Item VI  
Announcements  
(Continued)** City Manager Fisseler expressed appreciation to Carl Bell, Owner of the Fort Worth Cats Baseball Team, and the management staff of the Fort Worth Cats, for hosting City of Fort Worth Employee Night on May 30, 2008, at 7:00 p.m.

**Agenda Item VII  
Withdrawn from  
Consent Agenda** There were no items removed from the Consent Agenda.

**Agenda Item VIII  
Continued/  
Withdrawn By Staff** City Manager Fisseler requested that Mayor and Council Communication Nos. PZ-2781 and PZ-2782 be continued until the June 17, 2008, Council meeting.

**Agenda Item IX  
Consent Agenda** Upon a motion made by Council Member Silcox, seconded by Council Member Burdette, the Council voted nine (9) ayes to zero (0) nays to approve and adopt all items on the Consent Agenda as recommended and as follows:

**Agenda Item XII  
OCS-1662  
Liability Bonds** M&C OCS-1662 - from the Office of the City Secretary recommending that the City Council authorize the acceptance of these liability bonds, as follows:

**PARKWAY CONTRACTOR**

Alberto Olguin Construction, Inc.  
  
Allen Contracting, Inc.  
Teodoro Castillo  
Larry G. Coffman dba Coffman  
Concrete  
DRM Construction, Inc.  
Forcecon Services, LLC  
Jack H. Bryant, Inc.  
Mike Adcock dba Mike Adcock  
Concrete  
Red River Concrete Services Co.  
Schon Builders

**INSURANCE COMPANY**

Merchants Bonding Company  
(Mutual)  
RLI Insurance Company  
American States Insurance Company  
  
RLI Surety Company  
SureTec Insurance Company  
Farmington Casualty Company  
Western Surety Company  
  
RLI Insurance Company  
SureTec Insurance Company  
CNA Surety/Western Surety

**OCS-1663  
Claims** M&C OCS-1663 - from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance/Risk Management Department.

**G-16155  
Ord. No. 18107-05-2008  
Amend Atmos Energy  
Franchise Ord. No.  
10692, to Increase  
Franchise Fee Amounts  
to Generate Revenue** M&C G-16155 - Adopting Ordinance No. 18107-05-2008 amending Ordinance No. 10692, as previously amended (the grant of a franchise to Atmos Energy Corporation, Mid-Tex Division, Successor in Interest to TXU Gas Company and Lone Star Gas Company), by increasing the franchise fee payable by Atmos Energy Corporation, Mid-Tex Division, from four (4) percent to five (5) percent for use of public rights-of-way in the City of Fort Worth; and further

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- G-16155  
(Continued)** providing that this ordinance is cumulative; providing a severability clause; finding and determining that the meeting at which this ordinance is adopted is open to the public as required by law; providing for publication; providing for an effective date; and providing for acceptance by Atmos Energy Corporation, Mid-Tex Division.
- G-16156  
Extend Injury  
Leave-of-Absence  
Pay Benefit for  
Firefighter William  
Thompson** M&C G-16156 - Approving a six month extension of injury leave-of-absence pay benefit with a value of \$29,600.00 for Firefighter William Thompson beginning May 11, 2008, through November 11, 2008.
- G-16157  
Pay for Relocation  
and Moving  
Expenses for Right-  
of-Way for  
Southwest Parkway  
Project** M&C G-16157 - Authorizing the additional payment of relocation and moving expenses to El-Habr Corporation, d/b/a Michel's Tiffany Doors, up to \$2,500.00, as a displaced business, from 4115 West Vickery Boulevard, in the Vickery Corridor, Parcel No. 69-A1 for right-of-way for the Southwest Parkway Project (DOE 3777).
- G-16158  
Ord. No. 18108-05-  
2008  
Ratify Application  
and Accept Funds  
for FY 2007  
Assistance to  
Firefighters Grant;  
Authorize Contract  
with FEMA; and  
Transfer Match to  
Grants Fund** M&C G-16158 - Ratifying the City Manager's application for, and acceptance of, a one-year grant from the United States Department of Homeland Security's Federal Emergency Management Agency (FEMA) Fiscal Year 2007 Assistance to Firefighters Grant Program in the amount of \$165,260.00; authorizing the City Manager to execute a contract with the Federal Emergency Management Agency; authorizing the transfer of \$41,314.00 as required for the twenty (20) percent match from the General Fund to the Grants Fund; and adopting Appropriation Ordinance No. 18108-05-2008 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$206,574.00 subject to receipt of a grant from the Department of Homeland Security/Federal Emergency Management Agency for the Fiscal Year 2007 Assistance to Firefighters Grant.
- G-16159  
Ord. No. 18109-05-  
2008  
Amend Ord. No.  
17939-01-2008 to  
Increase Number of  
Limousines  
American Eagle  
Limousine Service  
Operates in the City** M&C G-16159 - Approving Ordinance No. 18109-05-2008 amending City Ordinance No. 17939-01-2008, by increasing the number of limousines which American Eagle Limousine Service is authorized to operate upon the public streets, alleys and thoroughfares of the City from five (5) to fifteen (15); providing that the findings and recitations contained in the preamble are the findings of the City Council; providing for written acceptance of this ordinance by American Eagle Limousine Service.

- G-16160**  
**Ord. No. 18110-05-2008**  
**Transfer Position and Costs for Attorney to Advise Environmental Management Department**
- M&C G-16160 - Authorizing the City Manager to transfer one (1) position and associated costs from the Environmental Management Department to the Law Department for the purposes of consolidating functions within the Law Department; and adopting Supplemental Appropriation Ordinance No. 18110-05-2008 increasing appropriations for Fiscal Year 2007-2008 in the Law Department of the General Fund in the amount of \$37,737.55 for the purpose of transferring one position and associated costs from Environmental Management to the General Fund for an attorney to advise the Environmental Management Department.
- P-10789**  
**Fire Hydrant Repair Parts**
- M&C P-10789 - Authorizing annual purchase agreements for fire hydrant repair parts with ACT Pipe and Supply, Municipal Water Works Supply and Mainline Supply Company for the Water Department in an amount not to exceed \$60,000.00 based on discounts offered from manufacturers' list prices with payments due 30 days after receipt of invoices and freight included in unit prices.
- P-10790**  
**Gallery Display System**
- M&C P-10790 - Authorizing a purchase with Libra-Tech Corporation for a gallery display system for the Ella Mae Shamblee Library in an amount not to exceed \$48,627.22 with freight included and payment due 30 days after receipt of invoice.
- L-14562**  
**Initiate Rezoning of Paschal Area Neighborhood in Accordance with 2008 Comprehensive Plan**
- M&C L-14562 - Authorizing the City Manager to initiate certain zoning changes for the Paschal Area Neighborhood from "A-5" One Family Residential, "B" Two Family Residential, "D" High Density Multifamily Residential, "CF" Community Facilities, "E" Neighborhood Commercial, "I" Light Industrial, "J" Medium Industrial and "PD" Planned Development to "A-5" One Family Residential, "B" Two Family Residential, "CF" Community Facilities, "E" Neighborhood Commercial and "I" Light Industrial, in accordance with the 2008 Comprehensive Plan.
- L-14563**  
**Sale of Tax-Foreclosed Property**
- M&C L-14563 - Authorizing the direct sale of a tax-foreclosed parcel described as Lot A, Block 24, Tucker Addition, at 700 May Street in accordance with Section 34.05 of the Texas State Property Tax Code to the City of Fort Worth for the Parks and Community Services Department in the amount of \$11,992.59; and authorizing the City Manager to execute and record the appropriate instruments (DOE 920) conveying the property to complete the sale.

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**L-14564  
Correct M&C L-  
14291 to Accept  
Land Donation for  
Relocation of  
FM156 as Part of  
Runway Extension  
Project at Fort  
Worth Alliance  
Airport**

M&C L-14564 - Approving the correction of M&C L-14291 to authorize and accept the land donation from Burlington Northern Santa Fe Railway Company, a Delaware Corporation, for a total of 13.846 acres of land located west of Fort Worth Alliance Airport for the relocation of FM 156 as part of the runway extension project at Fort Worth Alliance Airport and estimated closing costs in an amount not to exceed \$2,000.00 (DOE 4867, Project No. 00960).

**L-14565  
Acquire Permanent  
Water Facility  
Easement for  
Construction of  
Water  
Infrastructure  
Improvements**

M&C L-14565 - Approving the acquisition of one Permanent Water Facility Easement described as a portion of the WR Loving Survey, Abstract No. 944, Fort Worth, Tarrant County, Texas, from Coral E. Morrow and William James Baldwin, located in east Fort Worth for the construction of Water Infrastructure Improvements of the Trinity Boulevard Water Main Extension, Contract 1, Unit 1 Project located south of Jimisons Lane; finding that the price offered in the amount of \$8,671.00, plus estimated closing costs of \$1,000.00 is just compensation; and authorizing the acceptance and recording of appropriate instruments (DOE 3600).

**C-22818  
Amendment No. 1 to  
CSC No. 36502 -  
Teague Nall and  
Perkins, Inc.**

M&C C-22818 - Authorizing the City Manager to execute Amendment No. 1 in the amount of \$38,193.00 to City Secretary Contract No. 36502 Engineering agreement with Teague Nall and Perkins, Inc., for the design of 2007 Critical Capital Projects for District 8, for Ward Avenue (Meadowbrook Drive to Scott Avenue), revising the total contract amount to \$1,088,139.00 (Project No. 00923).

**C-22819  
Change Order No. 1  
to CSC No. 34002 -  
William J. Schultz,  
Inc., d/b/a Circle  
"C" Construction  
Company**

M&C C-22819 - Authorizing the City Manager to execute Change Order No. 1 to City Secretary Contract No. 34002 with William J. Schultz, Inc., d/b/a Circle "C" Construction Company for construction of Sanitary Sewer Main M244-A Village Creek Parallel Collector-Contract 4 in the amount of \$35,245.00 thereby revising the original contract amount to \$3,532,517.99.

**C-22820  
Ord. No. 18111-05-  
2008  
Ord. No. 18112-05-  
2008  
Amendment No. 1 to  
CSC No. 36478 -  
Intercon  
Environmental, Inc.**

M&C C-22820 - Authorizing the City Manager to execute Amendment No. 1 to City Secretary Contract No. 36478 with Intercon Environmental, Inc., for asbestos abatement and demolition at the Villa Del Rio and Oak Hollow Apartment Complexes, in the amount of \$26,312.00, thereby increasing the contract amount to \$1,518,471.79; adopting Supplemental Appropriation Ordinance No. 18111-05-2008 increasing appropriations in the Environmental Management Fund (R103) in the amount of \$26,312.00 and decreasing the unreserved retained earnings by the same amount, for the purpose of

**C-22820**  
**(Continued)**

transferring said funds to the Environmental Project Fund (R101) for the Villa Del Rio/Oak Hollow Apartments Abatement and Demolition Project; approving the transfer of \$26,312.00 from undesignated funds in the Environmental Management Fund (R103) to the Villa Del Rio/Oak Hollow Apartments Abatement and Demolition Project in the Environmental Project Fund (R101); and adopting Appropriation Ordinance No. 18112-05-2008 increasing estimated receipts and appropriations in the Environmental Management Project Fund (R101) in the amount of \$26,312.00 for the purpose of executing Amendment No. 1 to City Secretary Contract No. 36478 with Intercon Environmental, Inc.

**C-22821**  
**Amendment No. 3 to**  
**CSC No. 30198 -**  
**Spinks Air**  
**Associates, LLC,**  
**and Southwest**  
**Securities, FSB**

M&C C-22821 - Authorizing the City Manager to execute Amendment No. 3 to City Secretary Contract No. 30198, an unimproved ground lease agreement with mandatory improvements with Spinks Air Associates, LLC, at Fort Worth Spinks Airport; and executing a written Consent of Deed of Trust Lien by Spinks Air Associates, LLC, in favor of Southwest Securities, FSB, for leased premises 12635 Wildcat Way North, 12617 Wildcat Way North and 12609 Wildcat Way North at Fort Worth Spinks Airport.

**C-22822**  
**Amendment No. 1 to**  
**CSC No. 36733 -**  
**Spinks East Side**  
**Executive Hangars,**  
**Inc. and Southwest**  
**Securities, FSB**

M&C C-22822 - Authorizing the City Manager to execute Amendment No. 1 to City Secretary Contract No. 36733, a ground lease agreement with Spinks East Side Executive Hangars, Inc., at Fort Worth Spinks Airport; and executing a written Consent to Deed of Trust Lien by Spinks East Side Executive Hangars, Inc., in favor of Southwest Securities, FSB, for Leased Premises 12525 Wildcat Way North and 12517 Wildcat Way North at Fort Worth Spinks Airport.

**C-22823**  
**Amendment No. 1 to**  
**CSC No. 34065 -**  
**Spinks West Side**  
**Associates, LLC,**  
**and Southwest**  
**Securities, FSB**

M&C C-22823 - Authorizing the City Manager to execute Amendment No. 1 to City Secretary Contract No. 34065, an unimproved ground lease agreement with mandatory improvements with Spinks West Side Associates, LLC, at Fort Worth Spinks Airport; and executing a written Consent to Deed of Trust Lien by Spinks West Side Associates, LLC, in favor of Southwest Securities, FSB, for leased premises 13601, 13655, 13701 and 13745 Wing Way at Fort Worth Spinks Airport.

The motion carried. End of Consent Agenda.

**Agenda Item X**  
**Presentations by**  
**City Council**

There were no changes presented by the City Council in memberships in the City's boards and commissions.

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**Agenda Item XI  
Committee  
Presentations**            There were no presentations or communications from boards, commissions and/or City Council Committees.

**Agenda Item XIII  
Res. No. 3619-05-  
2008  
Change Name of  
CCREDC to  
Economic and  
Community  
Development  
Committee**            There was presented a resolution changing the name of the Central City Revitalization and Economic Development Committee (CCREDC) to the Economic and Community Development Committee.  
  
Council Member Jordan made a motion, seconded by Council Member Burns, that Resolution No. 3619-05-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**AGENDA ITEM XIV – REPORT OF THE CITY MANAGER**

**G-16161  
Ord. No. 18113-05-  
2008  
Ord. No. 18114-05-  
2008  
Ord. No. 18115-05-  
2008  
Ord. No. 18116-05-  
2008  
Ord. No. 18117-05-  
2008  
Amend Ord. Nos.  
16441, 17048, 17589,  
17783 and 17873 to  
Correct Addresses  
and Legal  
Descriptions from  
Previously  
Approved Zoning  
Cases**            There was presented Mayor and Council Communication No. G-16161 from the City Manager recommending that the City Council adopt ordinances amending Ordinance No. 16441 to reflect the correct metes and bounds description for Zoning Case ZC-04-336; amending Ordinance No. 17048 to reflect the correct zoning and lot and block description for Zoning Case ZC-06-164; amending Ordinance No. 17589 to reflect the correct address description for Zoning Case ZC-07-084; amending Ordinance No. 17783 to reflect the correct metes and bounds description for Tracts 1 and 2 for Zoning Cases ZC-07-139 and ZC-07-153; and amending Ordinance No. 17873 to reflect the correct zoning lot and block information for Zoning Case ZC-07-164.  
  
Council Member Burdette made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. G-16161 be approved and Ordinance Nos. 18113-05-2008, 18114-05-2008, 18115-05-2008, 18116-05-2008 and 18117-05-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Public Hearing  
G-16162  
Ord. No. 18118-05-2008  
Approve Mid-Year  
Amendment to FY 2007-  
2008 CCPD Budget for  
Range Training  
Simulator, Police  
Vehicles and Accelerant  
Detection Equipment**            It appeared that the City Council set today as the date for a public hearing for approval and appropriation of mid-year adjustments for Fiscal Year 2007-2008 Crime Control and Prevention District budget for a range training simulator, police vehicles and accelerant detection equipment. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Acting Police Chief Patricia Kneblick appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. G-16162,

**Public Hearing  
G-16162  
(Continued)**

as follows:

There was presented Mayor and Council Communication No. G-16162 from the City Manager recommending that the City Council conduct a public hearing to approve a mid-year adjustment of \$897,803.00 to the Fiscal Year 2007-2008 Crime Control and Prevention District (CCPD) budget to fund a range training simulator in the amount of \$242,848.00, which reflects the acquisition cost for software, portable double classroom and related electrical materials and labor cost; police vehicles in the amount of \$650,155.00 which reflects the cost of adding supplemental marked units to the existing vehicle fleet; and accelerant detection equipment in the amount of \$4,800.00 which reflects the acquisition cost of five (5) instruments to equip each Arson/Bomb Unit; and adopt a supplemental appropriation ordinance increasing appropriations in the Crime Control and Prevention District Fund in the amount of \$897,803.00 and decreasing the reserved, undesignated fund balance by the same amount for the purpose of funding various programs in the Police Department.

There being no one present desiring to be heard in connection with the public hearing, Council Member Silcox made a motion, seconded by Council Member Espino, that the public hearing be closed, Mayor and Council Communication No. G-16162 be approved and Supplemental Appropriation Ordinance No. 18118-05-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**P-10791  
Buyout of Leased  
Caterpillar  
Excavator, Leased  
Wheel Loader,  
Rented Track  
Loader, Rented Soil  
Compactor and  
Rented Tractor-  
Type Loader**

There was presented Mayor and Council Communication No. P-10791 from the City Manager recommending that the City Council authorize the buyout of a leased Caterpillar excavator, a leased wheel loader, a rented track loader, a rented soil compactor and a rented tractor-type loader from Holt Cat using a Texas Association of School Boards Cooperative Contract for the Transportation and Public Works Department for a cost not to exceed \$1,429,620.58. Payments are due within 30 days of receipt of the invoices.

<u>Qty. &amp; Description</u>	<u>New Purchase Price</u>	<u>Discount Buyout Price</u>
<u>TASB, 205-04, Holt Cat</u>		
Lease Buyout of 1 Caterpillar 330DL Excavator	\$ 299,503.00	\$ 287,183.21
Lease Buyout of 1 Caterpillar 938G Wheel Loader	\$ 150,821.00	\$ 146,284.37
Rental Buyout of 1 Caterpillar 963D Track Loader	\$ 265,570.00	\$ 253,720.00
Rental Buyout of 1 Caterpillar 815FZ Soil Compactor	\$ 426,603.00	\$ 411,153.00

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<b>P-10791 (Continued)</b>	Rental Buyout of 1 Caterpillar D6T Tractor Type Loader Total	<u>\$ 346,580.00</u>  \$1,489,077.00	<u>\$ 331,280.00</u>  \$1,429,620.58
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Council Member Scarth made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. P-10791 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**L-14566  
Lease of Parkland  
for Natural Gas  
Drilling**

There was presented Mayor and Council Communication No. L-14566 from the City Manager recommending that the City Council authorize the execution of a lease agreement for natural gas drilling with a bonus amount of \$89,631.00 and a 25 percent royalty under 9.959 acres, more or less, of City-owned properties located southwest of Alta Vista Road, east of Dove Ranch in Tarrant County, Texas, known as Lost Spurs Park to Chief Resources, LLC, for a two-year primary term.

Council Member Espino made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. L-14566 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**PZ-2781  
Owner-Initiated  
Annexation  
(AX-08-002, Old  
Decatur Road  
Right-of-Way)  
Continued Until  
June 17, 2008**

It was the consensus of the City Council that Mayor and Council Communication No. PZ-2781, Institution and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 2.7 Acres of Land in Tarrant County, Texas, Existing Old Decatur Road Right-of-Way Between Longhorn Road and Mosaic Drive with an Estimated Maintenance Cost of \$150,000.00 (AX-08-002, Old Decatur Road Right-of-Way), be continued until the June 17, 2008, Council meeting.

**PZ-2782  
Owner-Initiated  
Annexation  
(AX-08-003,  
Roaring Springs  
Road Right-of-Way)  
Continued Until  
June 17, 2008**

It was the consensus of the City Council that Mayor and Council Communication No. PZ-2782, Institution and Adoption of Ordinance for the Owner-Initiated Annexation of Approximately 3.0 Acres of Land in Tarrant County, Texas, Existing Roaring Springs Road Right-of-Way, North of Westover Drive and West of Burton Hill Road with an Estimated Maintenance Cost of \$69,000.00 (AX-08-003, Roaring Springs Road Right-of-Way), be continued until the June 17, 2008, Council meeting.

**C-22824  
Res. No. 3620-05-2008  
Ord. No. 18119-05-  
2008  
Texas Department of  
Transportation**

There was presented Mayor and Council Communication No. C-22824 from the City Manager recommending that the City Council authorize the City Manager to adopt a resolution authorizing the execution of a Local Transportation Project Advance Funding Agreement with the Texas Department of Transportation for the division of costs and responsibilities associated with

**C-22824**  
**(Continued)**

replacement of a hydraulically inadequate culvert at State Highway 183 and a tributary to West Fork of the Trinity River, Northeast 28<sup>th</sup> Street and Decatur Avenue; authorize the City Manager to accept \$759,360.00 in in-kind federal funds and \$189,840.00 in in-kind state funds; authorize the use and transfer of \$791,779.00 from the 2004 Street Improvements Fund to the Grants Fund for the City's match; adopt an appropriation ordinance increasing estimated receipts and appropriations in the Grants Fund in the amount of \$1,740,979.00 subject to receipt of funds and execution of a Local Project Advance Funding Agreement with the Texas Department of Transportation for replacement of a hydraulically inadequate culvert at SH 183 and a tributary to the West Fork of the Trinity River (Project No. 00778); and authorize payment in the amount of \$677,090.00 to Texas Department of Transportation representing the City's participation according to the agreement.

Council Member Espino made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. C-22824 be approved and Resolution No. 3620-05-2008 and Appropriation Ordinance No. 18119-05-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22825**  
**Amendment No. 1 to**  
**CSC No. 36479 -**  
**Columbus Trail 94,**  
**Ltd., through**  
**Windfall**  
**Investments, Inc.,**  
**and Summer**  
**Sycamore I, Ltd.,**  
**through Legacy**  
**Capital Company 11**

There was presented Mayor and Council Communication No. C-22825 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 1 to City Secretary Contract No. 36479, a Community Facilities Agreement, with Columbus Trail 94, Ltd., through Windfall Investments, Inc., its General Partner, and Summer Sycamore I, Ltd., through Legacy Capital Company 11, a Texas Corporation, its manager, and the City of Fort Worth for the construction of a signal at Summer Creek Road and Sycamore School Road in the amount of \$114,942.80 for a total City participation in an amount not to exceed \$803,885.22.

Council Member Jordan explained this was adding funds to the current construction of Summer Creek Road to install the signaling. He stated that initially the City intended to install the signaling, but felt it was more expeditious for the contractor to perform the installation.

Council Member Jordan made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. C-22825 be approved with appreciation. The motion carried unanimously nine (9) ayes to zero (0) nays.

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**C-22826  
LopezGarcia  
Group, Inc.**

There was presented Mayor and Council Communication No. C-22826 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering services agreement with LopezGarcia Group, Inc., in the amount of \$120,405.80 for the design of East Rosedale Street from Interstate Highway 35W to US Highway 287 (Project No. 00138R).

Mayor Pro tem Hicks made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. C-22826 be approved with appreciation to City staff. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22827  
Ord. No. 18120-05-  
2008  
Ord. No. 18121-05-  
2008  
City of Burleson**

There was presented Mayor and Council Communication No. C-22827 from the City Manager recommending that the City Council authorize the City Manager to execute an interlocal agreement with the City of Burleson with Fort Worth participation not to exceed \$125,000.00 for engineering design of street improvements on McAlister Road from its intersection with the southbound frontage road of Interstate 35W then west approximately 1,466 feet to the improved roadway 100 feet west of the Union Pacific Railroad; adopt an appropriation ordinance increasing estimated receipts and appropriations in the Future Improvements Projects of the Special Assessments Fund in the amount of \$125,000.00 from prior developer contributions for the purpose of transferring said funds to the New Development Fund; authorize the transfer of \$125,000.00 from the Special Assessments Fund to the New Development Fund; and adopt an appropriation ordinance increasing estimated receipts and appropriations in the New Development Fund in the amount of \$125,000.00 from developer contributions for the purpose of authorizing execution of an interlocal agreement with the City of Burleson for engineering design for street improvements on McAlister Road.

Council Member Jordan made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. C-22827 be approved and Appropriation Ordinance Nos. 18120-05-2008 and 18121-05-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22828  
Res. No. 3621-05-2008  
Ord. No. 18122-05-  
2008  
Terminate CSC No.  
33526 and Replace  
Advance Funding  
Agreement - Texas  
Department of  
Transportation**

There was presented Mayor and Council Communication No. C-22828 from the City Manager recommending that the City Council:

1. Authorize termination of City Secretary Contract No. 33526, an Advance Funding Agreement with the Texas Department of Transportation for the reconstruction and rehabilitation of the West 7<sup>th</sup> Street bridge;
2. Adopt a resolution authorizing the execution of an Advance Funding

**C-22828**  
**(Continued)**

Agreement with the Texas Department of Transportation, with City participation not to exceed \$11,622,000.00, for the division of costs and responsibilities associated with reconstruction of the West 7<sup>th</sup> Street bridge over the Clear Fork Trinity River and Forest Park Boulevard; and \$1,578,000.00 for the reconstruction of the Cravens Road bridge over Wildcat Branch, and removal of the Vickery Boulevard bridge over Henderson Street and the Nine Mile bridge over tributary of Lake Worth;

3. Authorize the City Manager to accept \$12,000,000.00 in federal funds from the Highway Bridge Replacement and Rehabilitation Program;
4. Authorize the transfer of \$1,200,000.00 from the Street Improvements Fund to the Capital Grants Fund for reconstruction of Cravens Road bridge over Wildcat Branch, removal of the Vickery Boulevard bridge over Henderson Street and removal of Nine Mile bridge over tributary of Lake Worth as the City's 10 percent required Equivalent Match for this project;
5. Authorize the remainder of costs associated with Recommendation No. 4 above, estimated at \$378,000.00 to be paid from the Street Improvements Fund;
6. Authorize the use of up to \$12,000,000.00 consistent with the West 7<sup>th</sup> Street Bridge Replacement Project listed on the detailed summary of bridge projects of the approved 2008 Bond Program; and
7. Adopt an appropriation ordinance increasing estimated receipts and appropriations in the Grants Fund in the amount of \$13,200,000.00 from available funds for the purpose of funding the reconstruction and rehabilitation of the West 7<sup>th</sup> Street bridge.

Council Member Burns made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. C-22828 be approved with appreciation and Resolution No. 3621-05-2008 and Appropriation Ordinance No. 18122-05-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22829**  
**Laughley Bridge**  
**and Construction,**  
**Inc.**

There was presented Mayor and Council Communication No. C-22829 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Laughley Bridge and Construction, Inc., in the amount of \$1,963,720.00 for Briarhaven-Fieldcrest Drainage Improvements (Project No. 00085).

Council Member Silcox made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-22829 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

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**C-22830  
The Omega Group,  
Inc.**

There was presented Mayor and Council Communication No. C-22830 from the City Manager recommending that the City Council authorize the City Manager to execute an agreement with The Omega Group, Inc., for Crime View Web Based Crime Mapping and Research Solution for the Police Department for an amount not to exceed \$180,000.00.

Council Member Silcox made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22830 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22831  
MAW River's Edge,  
LP**

There was presented Mayor and Council Communication No. C-22831 from the City Manager recommending that the City Council authorize the City Manager to execute a Community Facilities Agreement with MAW River's Edge, LP, acting herein, by and through MAW River's Edge Holdings, LLC, its General Partner, for construction of a 24-inch approach main along State Highway 114 with City participation not to exceed \$541,469.10.

Council Member Espino made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-22831 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22832  
Quality Excavation,  
LTD.**

There was presented Mayor and Council Communication No. C-22832 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Quality Excavation, LTD., in an amount of \$678,672.20 for park road and drainage improvements at Trinity Park.

Council Member Burns made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-22832 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Agenda Item XV  
Citizen  
Presentations  
Grayson Harper  
Joe Don Brandon**

Mr. Grayson Harper, 3605 Bellaire Drive South, appeared before Council relative to a resolution to impeach the President and Vice President of the United States.

Mr. Joe Don Brandon, P.O. Box 1155, appeared before Council relative to Sports Labor Service and Sylvania Labor Service City Code violations. He advised that on June 10, 2008, the Texas Black Workers Awards would be given out at City Hall and that the Texas black workers would also start their first cable television show and would also have a 2009 calendar. He also advised of Sylvania Labor Service's efforts to correct code violations, but suggested that a criminal investigation was needed. He stated that the company

**Agenda Item XV**  
**(Continued)**

had changed names 13 times to escape law suits and had just changed names again. He pointed out that company employees had been forced to ride in vans that they knew were illegal to be on the streets; the vans had two seat belts but could seat up to 15 passengers; and that the vans had been in numerous accidents. He added that an investigation was needed into the endangerment of lives and safety over the years as a lot of people had been killed over the years. He stated that he felt there were more than code violations to be looked in to relative to this company.

Mayor Moncrief requested that Mr. Brandon provide a copy of the promotional material from the company to First Assistant City Manager Joe Paniagua.

**Joe Waller**

Mr. Joe Waller, 2523 Castle Circle, appeared before Council relative to the "Lake Worth Monster Dash", 1K Fun Run and 5K Chip-Timed Run, Saturday, May 31, 2008, at 8:30 a.m. He added that proceeds would support the Lake Worth Alliance's efforts to preserve the lake. He played the "Lake Worth Monster Dash" song.

Council Member Burdette stated that he looked forward to the festivities and encouraged everyone to participate.

**Leaverne Rollerson**

Ms. Lavearne Rollerson, 5653 Ramey Avenue, appeared before Council relative to a civil penalty of a substandard structure by the Building Standards Commission. She asked if Stephanie Martinez, Code Compliance Supervisor for the Abatement Unit, had the power and authority to suggest a penalty on personal property.

City Attorney Yett advised Ms. Rollerson that Ms. Martinez had the authority to suggest a penalty on property and informed her that the City Council did not have the jurisdiction to review directly any cases by the hearing officer of the Building Standards Commission.

**Diane Wood**

Ms. Diane Wood, 2308 Aster Avenue, appeared before Council relative to urban gas drilling and a resolution to impeach the President and Vice President of the United States. She submitted another petition signed by citizens in support of the resolution and a sample resolution for the City's use and advised the Council that she would continue to address the Council on these issues as it was her right to exercise her freedom of speech. She pointed out that it was insulting to come before the Council time after time and not receive a response to these issues.

**Agenda Item XV**  
**Diane Wood**  
**(Continued)**

Council Member Scarth responded to Ms. Wood and Mr. Harper by stating that the Council's lack of response to them was not because the Council was not interested in the subject; it was because they did not share the same opinion. He pointed out that much of what had been said by Ms. Wood and Mr. Harper had been their opinion and was not fact; however, he would not argue that issue. He added that if they felt that the Council's attentiveness was not as intense as it was the first time the information was presented, to please understand that the Council had heard the information many times previously. He stated that he was grateful that the number of terrorist attacks around the world had decreased by 40 percent in the last six years and that he was grateful that there had not been another attack on a U.S. city since 2001. He pointed out that as people responsible for this City, the Council might have a slightly different opinion than she and Mr. Harper did about what the Council needed to be doing to keep the citizens of the City safe. He acknowledged their right to be at the meeting and also those who fought every day in the military to protect that right for them.

The City Council adjourned into the Local Development Corporation Executive Session at 11:10 a.m. to be immediately followed by the Council's Executive Session.

**Agenda Item XVI**  
**Executive Session**

It was the consensus of the City Council that they recess into Executive Session at 11:30 a.m. to:

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules as authorized by Section 551.071 of the Texas Government Code:
  - a) City of Fort Worth v. 6000 Boca Raton Boulevard, Fort Worth, Texas (In Rem); Brian Ray Humphreys, John Baker, Yadira Castaneda, and Alma Campos, Cause No. 07-55378-3;
  - b) Legal issues concerning tax foreclosed properties;
  - c) Legal issues concerning any item listed on today's City Council meeting agendas; and
2. Deliberate the purchase, sale, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and

**Agenda Item XVI**  
**Executive Session**  
**(Continued)**

3. Deliberate concerning economic development negotiations as authorized by Section 551.087 of the Texas Government Code; and
4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

**Reconvened**

The City Council reconvened into regular session at 11:47 a.m.

**Agenda Item XVII**  
**Adjournment**

There being no further business, the meeting was adjourned at 11:47 a.m.