

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
JULY 29, 2008**

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**Present**

Mayor Mike Moncrief  
Mayor Pro tem Kathleen Hicks, District 8  
Council Member Salvador Espino, District 2  
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

**Absent**

Council Member Chuck Silcox, District 3

**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 10:15 a.m. on Tuesday, July 29, 2008, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, with Council Member Silcox absent.

**Agenda Item II  
Invocation**            The invocation was given by Reverend Tom Faile, Faith United Methodist Church.

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

**Agenda Item IV  
Approval of  
Minutes**                Upon a motion of Council Member Burns, seconded by Council Member Burdette, the minutes of the Joint Rail Tour to Dallas on July 17, 2008, and the regular meeting of July 22, 2008, were approved unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**Agenda Item V  
Special  
Presentations**        Mayor Pro tem Hicks recognized students from ROOTS (Raising Our Own to Succeed) Academy.

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
JULY 29, 2008  
PAGE 2 of 20**

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**Agenda Item VI  
Announcements**

Mayor Pro tem Hicks announced that a Police Forum would be held tonight for the Highland Hills neighborhood at the Highland Hills Community Center, 1600 Glasgow Road, from 7:00 p.m. to 8:00 p.m. She also announced that she and the West Meadowbrook Neighborhood Association were sponsoring a meeting on Wednesday, July 30, 2008, at 6:00 p.m., at Meadowbrook United Methodist Church to discuss the proposed Thomas drill site and the accompanying pipeline along I-30. She added that she was concerned with some of the e-mails she and other Council Members had received relative to the Council's perceived advanced knowledge of the pipeline being built and stated that the first time she heard about the proposal was when she was contacted by the media and residents of the community. She pointed out that she immediately started to look at alternatives and that she had always expressed her concerns about pipelines going through neighborhoods. She added that the City would need some assistance from the state on this issue as the City did not have a lot of control over eminent domain. She added that in the meeting she hoped to offer some alternatives to the company, including trying to work with the Texas Department of Transportation, to have another entrance to the drill site and keep the pipeline out of the neighborhood. She encouraged everyone in the community to attend the meeting.

Council Member Moss expressed appreciation to Dr. Gleniece Robinson, Library Department Director and Acting Assistant City Manager Carl Smart for addressing the need to replace the worn chairs at the East Berry Library. He stressed the positive impact replacing the chairs had to the customers of the library and that it was very much appreciated. He also expressed appreciation to Reverend Sample of the Holy Tabernacle Church of God in Christ, for hosting the Time to Talk meeting on July 28, 2008. He announced that an East Rosedale Street Widening public meeting would be conducted on July 31, 2008, at 6:30 p.m. at the MLK Community Center on Truman Drive. He encouraged everyone to attend and provide input for the alternative alignment and potential right-of-way requirements from Miller Avenue to the Rosedale exchange on Loop 820.

Council Member Espino announced that a Town Hall meeting for the Diamond Hill Community would be conducted tonight at 7:00 p.m., at the Diamond Hill Jarvis High School. He added that he, Mayor Moncrief and various City staff members would be in attendance at the meeting and encouraged everyone interested to attend. He also announced that on August 2, 2008, the 10<sup>th</sup> Annual Hispanic Wellness Fair would be held at the Will Rogers Memorial Center from 9:00 a.m. to 3:00 p.m. He added that there would be free health screenings, health education services, tests for various health concerns and an

**Agenda Item VI  
(Continued)**

opportunity to donate blood. He expressed appreciation to Mr. Dan Reimer, Public Health Department Director, and his staff for their work with the health community to provide assistance for the health fair.

Council Member Scarth stated that on July 19, 2008, the Annual 2008 Citizens on Patrol Seminar was conducted and expressed appreciation to Council Member Silcox for being present and supporting the program. He added that several members of District 4 were recognized and congratulated them on their achievements.

Council Member Burns announced that the Fort Worth Police Department would conduct the next Citizens Police Academy on August 7, 2008, at 6:00 p.m. at the Police and Fire Training Center, 1000 Calvert. He added that the 36-hour course would highlight hands-on instruction on how citizens could work with the Police Department and for anyone desiring more information to please call (817) 871-6559.

Mayor Moncrief noted the absence of Council Member Silcox due to illness. He asked that everyone extend their thoughts and prayers to Council Member Silcox and his wife Brenda. He announced that the next two Let's Talk Fort Worth meetings would be conducted on July 31, 2008, from 6:30 p.m. to 8:00 p.m. at the Tarrant County College Northwest Campus and then on August 7, 2008, from 6:30 p.m. to 8:00 p.m. at the North Crowley High School. He added that the final meeting would be held on September 25, 2008, at the Will Rogers Memorial Center Auditorium from 6:00 p.m. to 10:00 p.m. and pointed out that many state, federal and school officials would be attending that meeting also. He encouraged everyone to attend the meetings and participate in the discussions.

**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 No. G-16208 be withdrawn from consideration.

**Agenda Item IX  
Consent Agenda**

Upon a motion made by Council Member Espino, seconded by Council Member Burdette, the Council voted eight (8) ayes to zero (0) nays, with Council Member Silcox absent, to approve and adopt all items on the Consent Agenda as recommended and as follows:

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
JULY 29, 2008  
PAGE 4 of 20**

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- OCS-1674  
Claims** M&C OCS-1674 - 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-16211  
Ord. No. 18193-07-2008  
Amend Ord. No. 15575 to Correct Metes and Bounds Description for ZC-03-095** M&C G-16211 – Adopting Ordinance No. 18193-07-2008 amending Ordinance No. 15575 to reflect the correct metes and bounds description for Tract 11 only for Zoning Case ZC-03-095 for property located west of John Day Road and 4,500 feet north of Keller Haslet Road.
- G-16212  
Ord. No. 18194-07-2008  
Suspending Rates Proposed by Oncor Electric Delivery Company LLC** M&C G-16212 – Adopting Ordinance No. 18194-07-2008 suspending implementation of the rate schedule proposed by Oncor Electric Delivery Company, LLC, as reflected in the “Application of Oncor Electric Delivery Company, LLC, for Authority to Change Rates” filed by Oncor Electric Delivery Company, LLC, on June 27, 2008 (i) until November 6, 2008, or otherwise for the maximum period permitted by law, or (ii) the effectiveness of a rate order adopted by the City Council, whichever date is earlier; establishing rates to be charged by Oncor Electric Delivery Company, LLC, during the period of suspension; authorizing the participation in a Steering Committee of other cities analyzing similar rate change filings by Oncor Electric Delivery Company, LLC, and the hiring of consultants and attorneys therewith; directing that Oncor Electric Delivery Company, LLC, reimburse the City for all such reasonable expenses; adopting declarations and findings in preamble; and authorizing the City Manager to cooperate with other cities in the Steering Committee of cities served by Oncor Electric Delivery Company to hire and direct legal counsel and consultants, negotiate with the Company, make recommendations to the City regarding reasonable rates, and direct any administrative proceedings or litigation associated with the rate adjustments filed with the City or with the Public Utility Commission.
- G-16213  
Relocation and Moving Expenses for LeBow Channel Floodway Project** M&C G-16213 – Authorizing payment of relocation and moving expenses to Lupe and Ruby Govea, previously running Govea Auto Body and Paint located at 1406 and 1408 Northeast 28<sup>th</sup> Street up to the amount of \$22,000.00 for the LeBow Channel Floodway Project (DOE No. 4623, Project No. 00084).
- G-16214  
Relocation and Moving Expenses for LeBow Channel Floodway Project** M&C G-16214 – Authorizing payment of relocation and moving expenses to Pravin M. Masters, Padmini P. Masters, Kaushik M. Masters and Daxa K. Masters, previously running The Diamond Motel located at 1501 Northeast 28<sup>th</sup> Street, up to the amount of \$24,800.00 for the LeBow Channel Floodway Project (DOE No. 4623, Project No. 00084).

- G-16215**  
**Provide Water and Sewer Services to 1321 Avondale Haslet Outside the City Limits**
- M&C G-16215 – Authorizing the Water Department to provide water and sewer service at 1.25 times the retail rate to Ms. Sheila M. Kennedy-Jordan for the property located at 1321 Avondale Haslet, west of Willow Springs and south of Avondale Haslet, in Tarrant County, outside of the Fort Worth City limits pursuant to City Code Section 35-60B “Uses Outside City”; and authorizing the City Manager to execute an agreement for such services.
- G-16216**  
**Provide Water and Sewer Services to Everman ISD McPherson Road Addition Outside the City Limits**
- M&C G-16216 – Authorizing the Water Department to provide water and sewer service at 1.25 times the retail rate to Everman ISD McPherson Road Addition for the future elementary school located east of Forest Hill-Everman Road and south of McPherson Road, in Tarrant County, outside of the Fort Worth city limits pursuant to City Code Section 35-60B “Uses Outside City”; and authorizing the City Manager to execute an agreement for such services.
- G-16217**  
**Ord. No. 18195-07-2008**  
**Water Main Capacity Charge**
- M&C G-16217 – Adopting Ordinance No. 18195-07-2008 adopting a water main capacity charge for a developer initiated 24-inch water main for Vista Crossroads in Avondale-Haslet Road, Willow Springs and future Canyon Way to be \$71,787.12 per million gallons per day in accordance with City Code Sections 35-90 and 35-92; and establishing the boundary area for the water main to allow the Water Department to assess a reimbursement to the City pursuant to Section 35-93(b).
- G-16218**  
**Ord. No. 18196-07-2008**  
**Log Cabin Village Improvements**
- M&C G-16218 – Authorizing the transfer of \$242,800.00 of Gas Well Royalty Revenue from the Unspecified Project in the Park Gas Lease Project Fund to the Log Cabin Village Improvements Project for structural repairs of the Howard Cabin and additional assessments for six structures located at Log Cabin Village; and adopting Appropriation Ordinance No. 18196-07-2008 increasing estimated receipts and appropriations in the Park Gas Lease Projects Fund in the amount of \$242,800.00 from Gas Well Royalty Revenues for structural repairs of Howard Cabin and additional assessments for six structures located at Log Cabin Village.
- P-10817**  
**Saw Blades**
- M&C P-10817 – Authorizing a purchase agreement for saw blades with Diteq Corporation for the City of Fort Worth for a projected cost not to exceed \$150,000.00 with payments due within 30 days of receipt of the invoices.
- L-14602**  
**Water Pipeline Crossing License Agreement with Burlington Northern Railroad**
- M&C L-14602 – Authorizing the City Manager to execute a Water Pipeline Crossing License Agreement with Burlington Northern Railroad with a 25-year term for a one time cost of \$2,850.00 for installation of a 16-inch water pipeline encased in a 30-inch steel casing for the purpose of the Hicks Field Water Project located at Line Segment 0485, Milepost 13.32 (DOE No. 5580, BNSF Tracking No. 08-35867). Burlington Northern Railroad has accepted the City’s Certificate of Self-Insurance and the City will incur all costs associated with this agreement.

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
JULY 29, 2008  
PAGE 6 of 20**

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**L-14603  
Water Pipeline  
Crossing License  
Agreement with  
Union Pacific  
Railroad**

M&C L-14603 – Authorizing the City Manager to execute a Water Pipeline Crossing License Agreement with Union Pacific Railroad for the installation of a 16-inch water pipeline encased in a 30-inch steel casing in the amount of \$1,500.00 with a 25-year term for the purpose of the Hicks Field Water Project located at Milepost 600.5 Duncan Subdivision (DOE No. 5580, Folder No. 2436-38). Union Pacific Railroad has accepted the City’s Certificate of Self-Insurance and the City will incur all costs associated with this agreement.

**L-14604  
Conveyance of  
Electric Utility  
Easement and  
Right-of-Way to  
Oncor Electric  
Delivery Company**

M&C L-14604 – Authorizing the conveyance of an Electric Utility Easement and right-of-way to Oncor Electric Delivery Company on City-owned property located at 6288 Salt Road, described as being a strip of land situated in the Shelby County School Land Survey, Abstract No. 1375, and being a portion of Lot 1, Block 1, Southeast Landfill Facility, City of Fort Worth, Tarrant County, Texas (DOE No. 4953).

**PZ-2791  
Ord. No. 18197-07-  
2008  
Vacate and  
Extinguish a Portion  
of an Alley**

M&C PZ-2791 – Adopting Ordinance No. 18197-07-2008 vacating and extinguishing a portion of an alley, located adjacent to Lots 1-8 and 13-20 in Block 9, near the intersection of Crockett Street and Norwood Street, Van Zandt Park Addition, an addition to the City of Fort Worth, Tarrant County, Texas, containing approximately 6,400 square feet of land; providing for reversion of fee in said land, providing that the City shall retain all existing utilities easements; and waiving any and all purchase fee value of the vacated land in accordance with City policy (M&C G-15624).

**PZ-2792  
Ord. No. 18198-07-  
2008  
Vacate and  
Extinguish a Portion  
of an Alley**

M&C PZ-2792 – Adopting Ordinance No. 18198-07-2008 vacating and extinguishing a portion of an alley, located in Block 15 near the intersection of 5<sup>th</sup> Street and Foch Street, of the K. M. Van Zandts 2<sup>nd</sup> Addition, an addition to the City of Fort Worth, Tarrant County, Texas, containing approximately 0.184 acres of land, providing that the City shall retain all existing utilities easements; and waiving any and all purchase fee value of the vacated land in accordance with City Policy (M&C G-15624).

**PZ-2793  
Ord. No. 18199-07-  
2008  
Vacate and  
Extinguish a Portion  
of the cul-de-sac**

M&C PZ-2793 – Adopting Ordinance No. 18199-07-2008 vacating and extinguishing a portion of the cul-de-sac for Avenue C, Block 5R, in the Boaz & Dillow Addition, an addition to the City of Fort Worth, Tarrant County, Texas, containing approximately 0.131 acres of land; providing that the City shall retain all existing utility easements.

**C-22937  
Tower Software,  
Inc.**

M&C C-22937 – Authorizing the City Manager to execute an agreement with Tower Software, Inc., for the Enterprise Information Management System pilot project for the Information Technology Solutions Department at a cost not to exceed \$196,616.00.

- C-22938**  
**Job Order**  
**Contractor, Alpha**  
**Building**  
**Corporation**
- M&C C-22938 – Authorizing the City Manager to execute a work order in the amount of \$29,978.98 with Job Order Contractor, Alpha Building Corporation, to renovate Fire Station No. 25 to provide a female restroom facility.
- C-22939**  
**Ord. No. 18200-07-**  
**2008**  
**Amendment No. 3 to**  
**CSC No. 27614**  
**Lopez Garcia**  
**Group**
- M&C C-22939 – Authorizing the transfer of \$24,833.00 from the Water and Sewer Operating Fund to Sewer Capital Projects Fund; adopting Appropriation Ordinance No. 18200-07-2008 increasing the estimated receipts and appropriations in the Sewer Capital Projects Fund in the amount of \$24,833.00 for the purpose of executing Amendment No. 3 to City Secretary Contract No. 27614 with Lopez Garcia Group for Sanitary Sewer Rehabilitation Contract LXVI (66) north of IH-30 between Clover Lane and Montgomery Street; and authorizing the City Manager to execute Amendment No. 3 to City Secretary Contract No. 27614 with Lopez Garcia Group in the amount of \$24,833.00 thereby increasing the contract amount to \$194,914.65.
- C-22940**  
**Amendment No. 2 to**  
**CSC No. 34354**  
**DMJM Aviation,**  
**Inc.**
- M&C C-22940 – Authorizing the City Manager to execute Amendment No. 2 to City Secretary Contract No. 34354 with DMJM Aviation, Inc., in the amount of \$22,321.60, thereby revising the contract to \$176,922.08 for Phase 5 On-Call Engineering Services at Fort Worth Alliance Airport.
- C-22941**  
**Weingarten**  
**Investments, Inc.**
- M&C C-22941 – Authorizing the execution of one Storm Water Facility Maintenance Agreement from Weingarten Investments, Inc., for property located at 2740 Horne Street, in west Fort Worth, at no cost to the City of Fort Worth (DOE No. 5733).
- C-22942**  
**Ord. No. 18201-07-**  
**2008**  
**Paul Coverdell**  
**Forensic**  
**Improvement Grant**
- M&C C-22942 – Authorizing the City Manager to apply for a grant not to exceed \$94,184.00 from the National Institute of Justice for the Crime Laboratory; authorizing the City Manager to execute a contract with the National Institute of Justice for the purpose of acceptance of the Paul Coverdell Forensic Science Improvement Grant; and adopting Appropriation Ordinance No. 18201-07-2008 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$94,184.00 subject to receipt of the Paul Coverdell Forensic Science Improvement Grant from the National Institute of Justice for the purpose of funding training, equipment and supplies for the Crime Laboratory.

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
JULY 29, 2008  
PAGE 8 of 20**

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**C-22943  
Ord. No. 18202-07-  
2008  
Texas Department  
of State Health  
Services**

M&C C-22943 – Authorizing the City Manager to execute a grant contract with the Texas Department of State Health Services (DSHS) for \$286,874.00 to be used for public health emergency preparedness, including planning for and establishing response capabilities for bioterrorism, pandemic influenza and other public health emergencies from August 1, 2008, through July 31, 2009; adopting Appropriation Ordinance No. 18202-07-2008 increasing estimated receipts and appropriations in the Grants Fund by \$286,874.00, subject to receipt of the grant from the Texas Department of State Health Services, for the purpose of funding the Public Health Preparedness and Bioterrorism Response Grant from August 1, 2008, through July 31, 2009; approving an indirect cost rate of ten percent of salaries, as approved by DSHS; and authorizing a non-interest bearing inter-fund loan from the General Fund to the Grants Fund (if necessary) in the amount of \$25,000.00 for the interim financing of this grant pending contract execution transition from one grant funding period to the next.

**C-22944  
Ord. No. 18203-07-  
2008  
Amendment No. 3 to  
CSC No. 33784  
Texas Commission  
on Environmental  
Quality**

M&C C-22944 – Authorizing the City Manager to execute Amendment No. 3 to City Secretary Contract No. 33784 with the Texas Commission on Environmental Quality extending the contract time through August 31, 2009, and increasing the not to exceed amount from \$895,181.00 to \$1,268,146.00; adopting Appropriation Ordinance No. 18203-07-2008 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$372,965.00 subject to receipt of an executed Interlocal Agreement Amendment with the Texas Commission on Environmental Quality for the purpose of funding the operation of local air pollution monitors; and applying indirect cost at the rate of 21.48 percent in accordance with the terms of the interlocal agreement.

**C-22945  
Ord. No. 18204-07-  
2008  
Ord. No. 18205-07-  
2008  
Amendment No. 3 to  
CSC No. 32354  
Texas Commission  
on Environmental  
Quality**

M&C C-22945 – Authorizing the City Manager to execute Amendment No. 3 to City Secretary Contract No. 32354 with the Texas Commission on Environmental Quality extending the contract time through August 31, 2009, and increasing the not-to-exceed amount from \$830,576.00 to \$1,108,589.00; authorizing a non-interest bearing inter-fund loan from the Environmental Operating Fund to the Grant Fund in the amount of \$69,503.00 for interim financing for this grant, pending contract execution, to secure program continuation from one grant funding period to the next; authorizing the use of \$136,932.00 from the General Fund as an in-kind match for this amendment; adopting Appropriation Ordinance No. 18204-07-2008 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$278,013.00 subject to receipt of an executed contract amendment with the Texas Commission on Environmental Quality for the purpose of funding the FY 2008-2009 Local Air Program; adopting Appropriation Ordinance No. 18205-07-2008 increasing estimated receipts and appropriations in-kind in the Grants

**C-22945**  
**(Continued)** Fund in the amount of \$136,932.00 subject to receipt of an executed contract amendment with the Texas Commission on Environmental Quality for the purpose of funding the FY 2008-2009 Local Air Program; and applying indirect cost at the most recently approved rate of 21.48 percent for the Environmental Management Department.

**C-22946**  
**Ord. No. 18206-07-2008**  
**Amendment No. 1 to CSC No. 35652**  
**Texas Commission on Environmental Quality** M&C C-22946 – Authorizing the City Manager to execute Amendment No. 1 to City Secretary Contract No. 35652 with the Texas Commission on Environmental Quality extending the contract time through August 31, 2009, and increasing the not to exceed amount from \$60,000.00 to \$120,000.00; adopting Appropriation Ordinance No. 18206-07-2008 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$60,000.00 subject to receipt of an executed contract amendment with the Texas Commission on Environmental Quality for the purpose of funding the operation of ozone monitoring stations through August 31, 2009; and applying indirect cost at the rate of 21.48 percent in accordance with the terms of the interlocal agreement.

**C-22947**  
**Ord. No. 18207-07-2008**  
**Amendment No. 2 to CSC No. 33768**  
**Texas Commission on Environmental Quality** M&C C-22947 – Authorizing the City Manager to execute Amendment No. 2 to City Secretary Contract No. 33768 with the Texas Commission on Environmental Quality extending the contract time through August 31, 2009, and increasing the not to exceed amount from \$70,727.00 to \$107,455.00; adopting Appropriation Ordinance No. 18207-07-2008 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$36,728.00 subject to receipt of an executed contract amendment with the Texas Commission on Environmental Quality for the purpose of executing Amendment No. 2 to the City Secretary Contract No. 33768 to fund the operation of local air pollution particulate emission monitoring sites through August 31, 2009; and applying indirect cost at the most recently approved rate of 21.48 percent for the Environmental Management Department.

**C-22948**  
**Amendment No. 2 to CSC No. 27797**  
**Camp Dresser and McKee, Inc.** M&C C-22948 – Authorizing the City Manager to execute Amendment No. 2 to the engineering agreement with Camp Dresser and McKee, Inc., City Secretary Contract No. 27797, for the design of the Trinity River Pipeline Crossing at the Village Creek Wastewater Treatment Plant, in the amount of \$91,700.00, thereby increasing the contract cost to \$724,442.00.

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.

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
JULY 29, 2008  
PAGE 10 of 20**

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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. 3639-07-  
2008**      There was presented a resolution requesting financial assistance in an amount not to exceed \$74,515,000.00 from the Texas Water Development Board for improvements to the City's water and sewer system.

**Financial Assistance  
for the Texas Water  
Development Board**      Mayor Pro tem Hicks made a motion, seconded by Council Member Espino, that Resolution No. 3639-07-2008 be adopted with appreciation to City staff. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**Res. No. 3640-07-  
2008**      There was presented a corrected resolution of the City Council of the City of Fort Worth, Texas, appointing the membership of the Board of Directors of the Fort Worth Crime Control and Prevention District for a term beginning July 30, 2008 and to run concurrently with the 2007-2009 Council terms, as follows:

Council District #1	David Vasquez
Council District #2	Carlos Flores
Council District #3	Evelyn Stearman
Council District #4	James Russell
Council District #5	Torchy V. White
Council District #6	Eric Brown
Council District #7	Tommie Henton
Council District #8	Cynthia Mass
Council District #9	Joseph DeLeon

Mayor Pro tem Hicks made a motion, seconded by Council Member Jordan, that Resolution No. 3640-07-2008 be adopted as corrected. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

Council Member Moss recognized his appointment, Ms. Torchy White, in the audience.

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

**G-16208  
Increase Positions in  
Municipal Court  
Department for Red  
Light Enforcement  
Program –  
Withdrawn from  
Consideration**      It was the consensus of the City Council that Mayor and Council Communication No. G-16208, Authorize Allocation of Two Full-Time Positions, One from Transportation and Public Works and the One from Finance Department, to Municipal Court for the Automated Red Light Enforcement Program and Adopt Supplemental Appropriation Ordinance Transferring Funds to the Municipal Court Department from the Transportation and Public Works and Finance Departments, be withdrawn from consideration.

**G-16219**  
**Construction of East**  
**Rosedale Street**  
**from Interstate**  
**Highway 35W to US**  
**Highway 287**

There was presented Mayor and Council Communication No. G-16219 from the City Manager recommending that the City Council authorize a non-interest bearing inter-fund loan from the unrestricted TPW Gas Well Revenues Fund to the 2007 Critical Capital Projects Fund in the amount of \$1,500,000.00, to be repaid upon receipt of funds from the 2008 sale of Certificates of Obligation; and authorize payment to the Texas Department of Transportation in the amount of \$4,776,045.79 for the construction of East Rosedale Street from Interstate Highway 35W to US Highway 287 (Project No. 00138).

Mayor Pro tem Hicks made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. G-16219 be approved with appreciation to City staff. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**L-14605**  
**Lease Agreement**  
**with Range**  
**Resources**  
**Corporation for**  
**Natural Gas Drilling**  
**at Ed Collet Park,**  
**4800 W. Vickery**  
**Blvd.**

There was presented Mayor and Council Communication No. L-14605 from the City Manager recommending that the City Council authorize execution of a lease agreement with Range Resources Corporation with a bonus amount of \$135,852.05 and a twenty-five percent royalty, for natural gas drilling under 7.697 acres more or less of City-owned properties located in Tarrant County, Texas, known as Ed Collett Park located at 4800 West Vickery Boulevard, for a two-year primary term.

Council Member Burdette made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. L-14605 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**L-14606**  
**Lease Agreement**  
**with XTO Energy,**  
**Inc., for Natural**  
**Gas Drilling at Fire**  
**Station Park, 1601**  
**Lipscomb Street**

There was presented Mayor and Council Communication No. L-14606 from the City Manager recommending that the City Council authorize execution of a lease agreement with a bonus of \$35,404.00 and a twenty-six percent royalty for natural gas drilling under 1.7702 acres, more or less, of City-owned properties located in Tarrant County, Texas, known as Fire Station Park located at 1601 Lipscomb Street to XTO Energy, Inc., for a two-year primary term.

Council Member Burns made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. L-14606 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
JULY 29, 2008  
PAGE 12 of 20**

---

**L-14606  
(Continued)**

Council Member Jordan advised that he had filed Conflict of Interest Affidavits with the City Secretary's Office relative to Mayor and Council Communication Nos. L-14607, L-14608, L-14609, L-14611, L-14613 and L-14615, and would abstain from voting on those issues.

**L-14607  
Lease Agreement  
with Chesapeake  
Exploration, LLC  
for Natural Gas  
Drilling at Gid  
Hooper Park, 814  
Retta Street**

There was presented Mayor and Council Communication No. L-14607 from the City Manager recommending that the City Council authorize execution of a lease agreement with a bonus amount of \$13,125.01 and a twenty-five percent royalty, for natural gas drilling under 1.277 acres more or less of City-owned properties located in Tarrant County, Texas, known as Gid Hooper Park located at 814 Retta Street to Chesapeake Exploration, LLC, for a two-year primary term.

Mayor Pro tem Hicks made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. L-14607 be approved. The motion carried seven (7) ayes to zero (0) nays, with Council Member Silcox absent and with one (1) abstention by Council Member Jordan.

**L-14608  
Lease Agreement  
with Chesapeake  
Exploration, LLC  
for Natural Gas  
Drilling at Jefferson  
Davis Park, 4001  
Townsend  
Drive/2000 West  
Bolt Street**

There was presented Mayor and Council Communication No. L-14608 from the City Manager recommending that the City Council authorize execution of a lease agreement with Chesapeake Exploration, LLC, with a bonus amount of \$109,596.91 and a twenty-five percent royalty for natural gas drilling under 8.577 acres, more or less, of City-owned properties located in Tarrant County, Texas, known as Jefferson Davis Park located at 4001 Townsend Drive/2000 West Bolt Street, for a two-year primary term.

Council Member Burns made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. L-14608 be approved. The motion carried seven (7) ayes to zero (0) nays, with Council Member Silcox absent and with one (1) abstention by Council Member Jordan.

**L-14609  
Lease Agreement  
with Chesapeake  
Exploration, LLC  
for Natural Gas  
Drilling at Marine  
Park, 303 Northwest  
20<sup>th</sup> Street**

There was presented Mayor and Council Communication No. L-14609 from the City Manager recommending that the City Council authorize execution of a lease agreement with Chesapeake Exploration, LLC, with a bonus amount of \$131,997.60 and a twenty-five percent royalty for natural gas drilling under 10.8 acres, more or less, of City-owned properties located in Tarrant County, Texas, known as Marine Park located at 303 Northwest 20<sup>th</sup> Street for a two-year primary term.

Council Member Espino made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. L-14609 be approved. The motion carried seven (7) ayes to zero (0) nays, with Council Member Silcox absent and with one (1) abstention by Council Member Jordan.

**L-14610**  
**Lease Agreement**  
**with XTO Energy,**  
**Inc. for Natural Gas**  
**Drilling at**  
**Normandy Place**  
**Park, 3421 Panola**  
**Avenue**

There was presented Mayor and Council Communication No. L-14610 from the City Manager recommending that the City Council authorize execution of a lease agreement with a bonus amount of \$28,332.24 and a twenty-five percent royalty for natural gas drilling under 1.3728 acres, more or less, of City-owned properties located in Tarrant County, Texas, known as Normandy Place Park located at 3421 Panola Avenue to XTO Energy Inc., for a two-year primary term.

Mayor Pro tem Hicks made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. L-14610 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**L-14611**  
**Lease Agreement**  
**with Chesapeake**  
**Exploration, LLC**  
**for Natural Gas**  
**Drilling at Sandy**  
**Lane Park, 2001**  
**Sandy Lane Drive**

There was presented Mayor and Council Communication No. L-14611 from the City Manager recommending that the City Council authorize execution of a lease agreement with Chesapeake Exploration, LLC, with a bonus amount of \$602,700.00 and a twenty-five percent royalty for natural gas drilling under 28.7 acres, more or less, of City-owned properties located in Tarrant County, Texas, known as Sandy Lane Park located at 2001 Sandy Lane Drive for a two-year primary term.

Council Member Moss made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. L-14611 be approved. The motion carried seven (7) ayes to zero (0) nays, with Council Member Silcox absent and with one (1) abstention by Council Member Jordan.

**L-14612**  
**Underground**  
**Pipeline License**  
**Agreement with**  
**Energy Transfer**  
**Fuel, LP**

There was presented Mayor and Council Communication No. L-14612 from the City Manager recommending that the City Council authorize the execution of an Underground Pipeline License Agreement with Energy Transfer Fuel, LP, for a 36-inch natural gas pipeline across six tracts of City-owned property on or near Spinks Airport in an area located east of Interstate 35W, west of Stone Road and south of Abner Lee Drive, in the amount of \$216,798.75 for a term of 20 years.

Mayor Pro tem Hicks made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. L-14612 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
JULY 29, 2008  
PAGE 14 of 20**

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**L-14613  
Lease Agreement  
with Chesapeake  
Exploration, LLC,  
for Natural Gas  
Drilling at Sunset  
Hills Park, 7017  
Ellis Road**

There was presented Mayor and Council Communication No. L-14613 from the City Manager recommending that the City Council authorize execution of a lease agreement with a bonus of \$100,988.80 and a twenty-five percent royalty for natural gas drilling under 7.6 acres, more or less, of City-owned properties located in Tarrant County, Texas, known as Sunset Hills Park located at 7017 Ellis Road to Chesapeake Exploration, LLC, for a two-year primary term.

Council Member Scarth made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. L-14613 be approved. The motion carried seven (7) ayes to zero (0) nays, with Council Member Silcox absent and with one (1) abstention by Council Member Jordan.

**L-14614  
Lease Agreement  
with XTO Energy,  
Inc. for Natural Gas  
Drilling at Traders  
Oak Park, 1206  
Samuels Avenue**

There was presented Mayor and Council Communication No. L-14614 from the City Manager recommending that the City Council authorize execution of a lease agreement with XTO Energy, Inc., with a bonus amount of \$50,554.84 and a twenty-five and a half percent royalty for natural gas drilling under 2.7609 acres, more or less, of City-owned properties located in Tarrant County, Texas, known as Traders Oak Park located at 1206 Samuels Avenue for a two-year primary term.

Council Member Burns made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. L-14614 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**L-14615  
Lease Agreement  
with Chesapeake  
Exploration, LLC,  
for Natural Gas  
Drilling at Worth  
Heights Park, 3812  
South Jones Street**

There was presented Mayor and Council Communication No. L-14615 from the City Manager recommending that the City Council authorize execution of a lease agreement with Chesapeake Exploration, LLC, with a bonus of \$6,600.08 and a twenty-five percent royalty for natural gas drilling under .057392 acres, more or less, of City-owned properties located in Tarrant County, Texas, known as Worth Heights Park located at 3812 South Jones Street, for a two-year primary term.

Council Member Burns made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. L-14615 be approved. The motion carried seven (7) ayes to zero (0) nays, with Council Member Silcox absent and with one (1) abstention by Council Member Jordan.

**C-22949**  
**Tarrant County**  
**HMAC Resurfacing**

There was presented Mayor and Council Communication No. C-22949 from the City Manager recommending that the City Council authorize the City Manager to execute an interlocal agreement with Tarrant County for HMAC Resurfacing for Wagley Robertson Road from Bonds Ranch Road to Savanna Estates, Harmon Road from Highway 287 to south of Heritage Trace Parkway, and Harmon Road from Golden Triangle Boulevard north in Fort Worth and Tarrant County, Precinct No. 3, with City participation in the amount of \$353,887.38 which includes \$32,390.16 for necessary traffic controls, such as barricades to redirect traffic flow during the construction phase and other incidentals.

Council Member Burdette made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-22949 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**C-22950**  
**S. J. Louis**  
**Construction of TX,**  
**Ltd.**

There was presented Mayor and Council Communication No. C-22950 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with S. J. Louis Construction of TX, Ltd., in the amount of \$2,369,519.90 for Northside III 36-inch water transmission main (City Project No. 00368).

Council Member Espino made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. C-22950 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**C-22951**  
**Wells Framing**  
**Contractors, Inc.**

There was presented Mayor and Council Communication No. C-22951 from the City Manager recommending that the City Council authorize the City Manager to execute a Community Facilities Agreement with Wells Framing Contractors, Inc., with City participation in the amount of \$77,832.00 for the installation of water services to serve Veraison Village located in the southern part of Fort Worth, Texas.

Mayor Pro tem Hicks made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-22951 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**AGENDA ITEM XVA – ZONING HEARINGS: CASES RECOMMENDED FOR APPROVAL**

**ZC-08-035A/B**  
**Approved**

It appeared that the City Council, at its meeting of July 15, 2008, continued the Text Amendment for Parking Surfaces (Residential and Non Residential), Zoning Docket No. ZC-08-035A/B. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

There being no one present desiring to be heard in connection with the Text Amendment for Parking Surfaces (Residential and Non Residential), Council Member Burdette made a motion, seconded by Council Member Scarth, that the hearing be closed and that Zoning Docket No. ZC-08-035A/B be approved.

Ms. Dana Burghdoff, Planning and Development Department Deputy Director, advised the Council that the motion should be to adopt the ordinance as amended and presented in the Pre-Council Work Session.

There being no one present desiring to be heard in connection with the Text Amendment for Parking Surfaces (Residential and Non Residential), Council Member Burdette made a motion, seconded by Council Member Scarth, that the hearing be closed, that Zoning Docket No. ZC-08-035A/B be approved with appreciation to City staff and the following ordinance adopted as amended and presented in the Pre-Council Work Session:

**ORDINANCE NO. 18208-07-2008**

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH (1986), TO AMEND SUBSECTION 6.200A "APPLICABILITY" OF ARTICLE 2. "OFF-STREET PARKING AND LOADING" OF CHAPTER 6 "DEVELOPMENT STANDARDS" TO PROVIDE THAT THE REGULATIONS OF ARTICLE 2 APPLY TO ONE AND TWO FAMILY DISTRICTS; TO AMEND SECTION 6.202.E "PARKING SURFACE" TO INCLUDE TYPES OF SURFACES REQUIRED IN RESIDENTIAL DISTRICTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**ZC-08-041**  
**Continued Until**  
**August 12, 2008**

It appeared that the City Council, at its meeting of July 8, 2008, continued the hearing of the application of Ben and Peggy Kates/Destructors Inc., for a change in zoning of property located at 4900 Esco Drive and 4801 Freeman Drive from "J" Medium Industrial to "PD/J" Planned Development for all uses in "J" Medium Industrial, plus concrete crushing and recycling, with site plan included, Zoning Docket No. ZC-08-041. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Mayor Pro tem Hicks advised that she had met with the City leadership of the City of Forest Hill, the applicant and staff from the Law Department on this issue. She added that the applicant had requested a continuance of two weeks to allow them time to address compromise issues with the neighborhood.

There being no one present desiring to be heard in connection with the application of and Peggy Kates/Destructors Inc., Mayor Pro tem Hicks made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-08-041 be continued until the August 12, 2008, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

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

Mr. Joe Don Brandon, P.O. Box 1155, appeared before Council relative to slum lord ministries in Fort Worth. He first commended the City on the opportunities provided by the Day Labor Center and also of his concern relative to the operations of a business in Fort Worth relative to the safety of employees traveling in their vans. He stated that he learned that slum lords felt they could get away with anything with their tenants and he felt that the City had very little understanding on how to deal with these issues. He advised of a church in Dallas called Community Missionary Baptist Church of Dallas who had a minister who lived in Fort Worth that ran water hoses and electricity from his house at 924 S. Freeway to 922 S. Freeway. He added that he felt the City needed to have a task force to determine the rights of residents in these types of homes. He advised the Council of various activities of the slum lords in violation of their residents asked that the City investigate his assertions.

Mayor Moncrief advised that Code Compliance would look into this issue and that the Council would look into the possibility of a task force.

Mayor Pro tem Hicks stated that Code Compliance worked on the Rental Registration Ordinance and advised City Manager Fisseler and Mr. Brandon Bennett, Code Compliance Department Director, that it may be a good idea to provide a briefing to the Council on the effectiveness of the ordinance over the past year. She also suggested that the City get the Human Rights Commission involved to ensure that people were not being taken advantage of.

**John Whittington**

Mr. John Whittington, 5118 Norma, appeared before Council relative to illegal activity at a half-way house located at 5135 Norma. He first expressed appreciation to Council Member Moss and City staff for assisting with the placement of speed humps and street lights in this area. He advised the Council of illegal and inappropriate activities at the half-way house and expressed concerns for the safety of the neighborhood. He stated that the owner of the half-way house was also charging rent to tenants and added that the community was concerned that something more serious could happen at this location in the future. He submitted documents to support assertions.

Mayor Pro tem Hicks stated that her aide, Devan Allen, spoke with Mr. Whittington several times a week on this issue. She advised that the Police Department and Code Compliance Department were very aware of the location and would determine if the owner was in violation of any City code. However, she added that half-way houses were regulated by the state and according to the owner of the property he did not receive funding from the state or federal government.

**Jim Ashford**

Mr. Jim Ashford, 6209 Riverview Circle, appeared before Council relative to the Gas Drilling Task Force. He presented his observation of actions taken during the meetings, his inability to communicate with the Task Force or obtain information that was provided to the Task Force by City staff. He advised that he was not allowed to share his view point during the meetings and added that there was still no information available on the City's website relative to proceedings of the Gas Well Task Force. He distributed handout material to the Council.

Council Member Jordan stated that he, as well as the other Council Members, had received numerous phone calls and e-mails on this issue. He pointed out that the Gas Well Task Force was an advisory committee who made policy recommendations to the Council for consideration. He pointed out that there would be public hearings on these issues and ensured the public they would be protected by the Council.

**Grayson Harper**  
**Nel LaBar**

Mr. Grayson Harper, 3605 Bellaire Drive South and Ms. Nel LaBar, 1609 Willow Lane, Euless, Texas, appeared before Council relative to the impeachment of the President and Vice President of the United States.

**Grayson Harper**  
**Nel LaBar**  
**(Continued)**

Mayor Moncrief advised Mr. Harper and Ms. LaBar that he had met with each Council Member about this issue and asked if there was any interest in bringing the issue before the Council for a vote; however, none of them indicated it would be an appropriate matter for the Council to consider. He stated that the Council was an "A" political body and as such, Council did not vote on democratic or republican issues; the Council voted for the people's issues. He pointed out that the Council respected Mr. Harper's and Ms. LaBar's rights to address the Council; however, they should not question the Council's understanding of the Constitution under which the Council took an oath and their expectations under that oath.

**Jerry Horton**

Ms. Jerry Horton, 2608 Carter Avenue, appeared before Council relative to gas drilling on Carter Avenue. She advised that she had received a letter from Chesapeake stating that they would take her to the Eminent Domain Board and sue her if she did not allow them to place pipelines in her front yard. She stated that no one in the City had protected or supported the community relative to this issue.

Mayor Moncrief advised Ms. Horton that the City Council and Mayor Pro tem Hicks had done everything possible to try and find middle ground on this pipeline issue.

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

It was the consensus of the City Council that they recess into Executive Session at 11:22 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) Ashlee Lynn Cherry v. City of Fort Worth, Texas, et al, Cause No. 4:08-CV-00426-A;
  - b) Legal issues concerning animal care and control;
  - 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

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
JULY 29, 2008  
PAGE 20 of 20**

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**Agenda Item XVI  
(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 12:05 p.m.

**Agenda Item XVII  
Adjournment**

There being no further business, the meeting was adjourned at 12:05 p.m. in memory of Police Officer Dean Christensen who passed on July 19, 2008. He added that visitation would be on July 31, 2008, from 3:00 p.m. to 8:00 p.m. at Greenwood Funeral Homes and the funeral would be on August 1, 2008, at 11:30 a.m. at Greenwood Chapel.