

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
AUGUST 19, 2008**

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**Present**

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

**Absent**

Mayor Mike Moncrief (Arrived at 11:00 a.m.)

**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 10:07 a.m. on Tuesday, August 19, 2008, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, with Mayor Moncrief temporarily absent.

**Agenda Item II  
Invocation**            The invocation was given by Reverend A. V. Fisher, Salem Missionary Baptist Church.

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

**Agenda Item IV  
Approval of  
Minutes**                Upon a motion of Council Member Jordan, seconded by Council Member Burdette, the minutes of the regular meeting of August 12, 2008, were approved unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

**Agenda Item V  
Special  
Presentations**        Wayne Corum, Equipment Services Department Director, presented the results of the 2008 Fort Worth City Employee Food Drive to benefit the Tarrant Area Food Bank. Vanessa Boling, Director of the Community Relations Department, accepted the Traveling Trophy as her department won the most pounds of food per employee donated.

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**Agenda Item VI  
Announcements**

Council Member Burns announced that Thursday, September 4, 2008, from 6:00 p.m. to 10:00 p.m. would be the next training opportunity for Citizens on Patrol which would be held at the Fort Worth Police Central Division at 501 Jones Street, and for anyone desiring more information to please call (817) 392-8809. He also announced that Friday, September 5, 2008, the Arts Goggle, which is a twice a year observance right before the Fort Worth Gallery Night, would be held from 5:00 p.m. until 12:00 midnight, and stated that they were still looking for artists and that any one interested could contact his Council office at (817) 392-8809 or Michelle at Fort Worth South.

Council Member Moss announced that on last Thursday, August 14, 2008, was a ribbon cutting ceremony for the joint collaboration between the Texas Parks and Wildlife, City of Arlington, and the City of Fort Worth for the first Urban Paddling Trail on Lake Arlington.

Council Member Espino announced that the Heritage Neighborhood Association held its annual meeting and expressed appreciation to Ardina Washington, Jenny Townsend, Sylvia Flores, and Henry Day for their attendance after the budget retreat on Thursday; and that on August 16, 2008, a meeting was held for the Far North Fort Worth Alliance for discussion of a Fort Worth zip code for residents in the City of Fort Worth who had Keller, Texas mailing addresses. He expressed appreciation to Jay Chapa, Ardina Washington, and Cristi Lemon for their assistance with this meeting.

Council Member Silcox reminded everyone to stop blowing grass and leaves into City streets. He also commented that the individuals who were continuing to do this were probably not watching and hearing this announcement or were refusing to adhere to it. He inquired as to whether or not the property owner could be fined if the officer could determine where the clippings came from that were out in the street.

City Attorney Yett stated that he would check the status of the report that was to be provided to Council on this topic.

Mayor Pro tem Hicks announced that Council Member Silcox requested that the City Council meeting be adjourned in memory of W.R. "Bob" Ellis, founding member of South Hills Neighborhood Association, graduate of the first C.O.P Class in Fort Worth, and was a dedicated City and community volunteer.

**Agenda Item VII  
Withdrawn from  
Consent Agenda**      City Manager Fisseler requested that Mayor and Council Communication Nos. C-22975 and L-14624 be withdrawn from the consent agenda.

**Agenda Item VIII  
Continued/  
Withdrawn By Staff**      City Manager Fisseler requested that Mayor and Council Communication No. L-14624 be continued for one week and Mayor and Council Communication No. C-22979 be withdrawn from consideration.

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

**OCS-1679  
Claims**      M&C OCS-1679 - 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.

**OCS-1680  
Liability Bonds**      M&C OCS-1680 - from the Office of the City Secretary recommending that the City Council authorize the acceptance of these liability bonds, as follows:

**PARKWAY CONTRACTOR**

**INSURANCE COMPANY**

D S Acquisitions, LLC

Western Surety Company

T.A.S. Commercial Concrete Construction, LLC

Liberty Mutual Insurance Company

Gary Farris dba Farris Concrete Placement  
Raindance Irrigators, Inc.

Western Surety Company

Altura Companies, Inc.

RLI Insurance Company

Western Surety Company

**G-16231  
Res. No. 3646-08-  
2008  
Ord. No. 18221-08-  
2008  
Employment of  
Michael J. Booth,  
with the Law Firm  
of Booth, Ahrens  
and Werkenthin,  
P.C.**      M&C G-16231 – Adopting Resolution No. 3646-08-2008 for the employment of Michael J. Booth with the law firm of Booth, Ahrens and Werkenthin, P.C., as outside legal counsel pursuant to Chapter VI, Section 3, of the City Charter to advise the City Attorney concerning the negotiation and drafting of the new Wholesale Water Contracts, and designating in advance, as far as practicable, the compensation to be paid to Booth, Ahrens and Werkenthin, P.C., in an amount not to exceed \$14,700.00; and adopting Supplemental Appropriation Ordinance No. 18221-08-2008 increasing estimated receipts and appropriations in the Water and Wastewater Fund by \$14,700.00 and decreasing the unaudited, unreserved, undesignated fund balance by the same amount for the purpose of retaining outside legal counsel to assist and advise the City on legal issues related to the negotiation and drafting of the wholesale water contracts.

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- G-16232  
Payment to Atmos  
Gas Cities Steering  
Committee** M&C G-16232 – Authorizing the City Manager to authorize the payment of \$34,342.50 to the Atmos Gas Cities Steering Committee to fund participation in current and upcoming dockets, rate cases and other proceedings related to gas utility regulation.
- G-16233  
Municipal Airports  
Fund** M&C G-16233 – Authorizing the City Manager to transfer \$350,000.00 from the Aviation Improvements Capital Project Fund to establish a fund balance in the Municipal Airports Fund.
- G-16234  
Ord. No. 18222-08-  
2008  
Fiscal Year 2008  
Summer Food  
Service Program** M&C G-16234 – Authorizing the City Manager to accept additional grant funds from the Texas Department of Agriculture in an amount up to \$100,000.00 for the Fiscal Year 2008 Summer Food Service Program; applying indirect costs to the additional grant funds at a rate of 19.18 percent, which represents the most recently approved rate for this department, and apply the new approved rate when available; and adopting Appropriation Ordinance No. 18222-08-2008 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$100,000.00 subject to receipt of additional grant funds from the Texas Department of Agriculture for the Year 2008 Summer Food Service Program.
- P-10826  
Work Out Clothing  
for the Fire  
Department** M&C P-10826 – Authorizing the City Manager to authorize a purchase agreement with Action Sportswear, Inc., to furnish workout clothing for the Fire Department for a projected amount not to exceed \$27,600.00 based on best value, freight included, with payments due 30 days after receipt of invoices.
- P-10827  
Traffic Signal  
Preemption  
Equipment** M&C P-10827 – Authorizing the City Manager to authorize a purchase agreement for traffic signal preemption equipment with 3M Company and Consolidated Traffic controls, Inc., through Houston-Galveston Area Council, contract PE05-07 for the Transportation and Public Works Department for an annual projected amount not to exceed \$85,000.00.
- P-10828  
Ford Crown  
Victoria Patrol  
Units** M&C P-10828 – Authorizing the purchase of Ford Crown Victoria Patrol Units from Philpott Motors using a Tarrant County contract and prisoner transport vans from Philpott Motors using a Houston-Galveston Area Contract for the Police Department for a cost not to exceed \$354,970.28, with payments due within 30 days of receipt of the invoices.
- P-10829  
Tennant 810  
Sweepers** M&C P-10829 – Authorizing the City Manager to authorize the purchase of Tennant 810 Sweepers from Olmsted Kirk Equipment and Supplies using Texas Multiple Award Schedules Cooperative Contract for the Public Events Department for a cost not to exceed \$107,183.06 with payment due 30 days after receipt of the invoice.

**P-10830**  
**Eclox Water Test**  
**Kits and Eclox**  
**Reagent Sets**

M&C P-10830 – Authorizing the City Manager to authorize a sole source purchase of nine Eclox Water Test Kits and nine Eclox Reagent Sets with Hach Company for the Water Department for an amount not to exceed \$106,895.61. The shipping will be prepaid and added to invoice with payment due 30 days after receipt of invoice.

**L-14623**  
**Direct Sale of a Tax-**  
**Foreclosed Property**  
**Located at 2501**  
**Oakland Boulevard**

M&C L-14623 – Authorizing the direct sale of a tax-foreclosed property located at 2501 Oakland Boulevard for the amount of \$15,657.57, to Mary Ann Pate, in accordance with Section 34.05 of the Texas Property Tax Code; and authorize the City Manager to execute and record the appropriate instruments conveying the property to complete the sale (DOE No. 920).

**C-22976**  
**Change Order No. 2**  
**to CSC No. 34871**  
**Austin Bridge and**  
**Road, LP**

M&C C-22976 – Authorizing the City Manager to execute Change Order No. 2 to City Secretary Contract No. 34871, in the amount of \$96,669.22, with Austin Bridge and Road, LP, for additional pay item quantities thereby increasing the contract amount to \$1,786,600.52 for drainage and paving improvements to portions of Arborlawn Drive.

**C-22977**  
**Amendment No. 1 to**  
**CSC No. 29732**  
**WTW Properties,**  
**Inc.**

M&C C-22977 – Authorizing the City Manager to execute an amendment to City Secretary Contract No. 29732, an unimproved ground lease agreement with mandatory improvements with WTW Properties, Inc., in the amount of \$1,243.44 annually, for an additional 5,652 square feet at Fort Worth Meacham International Airport.

The motion carried. End of Consent Agenda.

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

Council Member Silcox made a motion, seconded by Council Member Scarth, that Ms. Bunny Gardner be appointed to Place 3 on the Library Advisory Board effective August 19, 2008, and with a term expiring October 1, 2009. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

Council Member Moss made a motion, seconded by Council Member Jordan, that Ms. Bevelia Curley be reappointed to Place 5 on the Fort Worth Commission for Women effective August 19, 2008, and with a term expiring October 1, 2009. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

Council Member Moss made a motion, seconded by Council Member Jordan, that Mr. Maurice Barnes be appointed to Place 5 on the City Zoning Commission and Fort Worth Alliance Airport Zoning Commission effective August 19, 2008, and with a term expiring October 1, 2009. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

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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. 3647-08-  
2008  
Approve FY 2008-  
2009 Tax Revenue  
from Ad Valorem  
Tax Rate**

There was presented a corrected Resolution No. 3647-08-2008 of the City Council of the City of Fort Worth, Texas, proposing the increase of Tax Revenue from the Ad Valorem tax rate for the Fiscal Year 2008-2009 and setting public hearing dates on the increased tax rate.

City Attorney Yett explained the rationale behind change to the resolution caption was simply to explain more clearly what Council was proposing to do, which was not raising the actual tax rate or the effective tax rate as defined in the statute, but to keep the tax rate the same as last year because the average valuations have increased, resulting in an increase in tax revenues. He stated that the body of the resolution would not change, it was just to make the proposal more clear.

Council Member Moss made a motion, seconded by Council Member Espino, that Resolution No. 3647-08-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

**Res. No. 3648-08-  
2008  
Nominate  
Millercoors, LLC,  
as Enterprise  
Project Pursuant**

There was presented Resolution No. 3648-08-2008 nominating Millercoors, LLC, as an Enterprise Project Pursuant to the Texas Enterprise Zone Act, Chapter 2303, of the Texas Government Code.

Council Member Jordan made a motion, seconded by Council Member Espino, that Resolution No. 3648-08-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

**Agenda Item XIV  
Introduction of  
Fiscal Year 2008-  
2009 Budget  
Appropriation  
Ordinance**

City Secretary Hendrix introduced an ordinance on first reading setting forth an itemized estimate of the expense of conducting each department, division and office of the Municipal Government of the City of Fort Worth for the ensuing fiscal year beginning October 1, 2008, and ending September 30, 2009, and appropriating estimate; providing for public hearings upon this ordinance before the entire City Council sitting as a committee of the whole; and providing a savings clause for the repeal of all ordinances and appropriations in conflict with the provisions of this ordinance; and for the publication and final passage thereof.

**Introduction of  
Fiscal Year 2008-  
2009 Debt  
Ordinance**

City Secretary Hendrix introduced an ordinance on first reading setting forth an estimate of the expense of the General Debt Service Fund of the Municipal Government of the City of Fort Worth for the ensuing fiscal year beginning October 1, 2008, and ending September 30, 2009, and appropriating money for the General Debt Service Fund and purpose of such estimate; appropriating money to pay interest and principal sinking fund requirement on all outstanding general indebtedness; providing for public hearings upon this ordinance before the entire City council sitting as a whole; and providing a savings clause for the repeal of all ordinances and appropriations in conflict with the provisions of this ordinance; and for the publication and final passage thereof.

**Introduction of  
Fiscal Year 2008-  
2009 Ad Valorem  
Tax Ordinance**

City Secretary Hendrix introduced an ordinance on first reading providing for the levy and collection of an annual Ad Valorem Tax on all property, real, personal and mixed, situated within the territorial limits of the City of Fort Worth, Texas, and all personal property owned in said City of Fort Worth, Texas, on the first day of January, A.D. 2008, except such property as may be exempt from taxation by the Constitution and laws of the State of Texas.

City Manager Fisseler stated that Council action was not necessary at this time and that the items would remain open until adoption of the budget and tax rate.

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

**G-16235  
Install Street Lamps  
for the Morningside  
Lights Up Project**

There was presented Mayor and Council Communication No. G-16235 from the City Manager recommending that the City Council authorize a change in the use of unprogrammed Community Development Block Grant Year XXXII funds in the amount of \$50,000.00 to install ten street lamps for the Morningside Lights Up Project; and authorize the expenditure of \$50,000.00 in unprogrammed Community Development Block Grant funds to install ten street lamps for the Morningside Lights Up Project.

Mayor Pro tem Hicks expressed appreciation and stated that the Morningside residents really appreciated the funding for the street lights.

Council Member Jordan made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-16235 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

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**G-16236  
Historic Site Tax  
Exemption for 1301  
Hurley Avenue,  
1400 Washington  
Avenue, 2218  
Harrison Avenue  
and 2201 6<sup>th</sup> Street**

There was presented Mayor and Council Communication No. G-16236 from the City Manager recommending that the City Council authorize the City Manager to approve the applications from multiple property owners for partial approval of the Historic Site Tax Exemption for properties located at 1301 Hurley Avenue, 1400 Washington Avenue, 2218 Harrison Avenue and 2201 6<sup>th</sup> Street.

Council Member Burns made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-16236 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

**G-16237  
Rural Class Gas  
Well Drilling Permit  
for Chesapeake  
Operating, Inc.**

There was presented Mayor and Council Communication No. G-16237 from the City Manager recommending that the City Council consider granting approval for Chesapeake Operating, Inc., to apply for a Rural Class Gas Well Drilling Permit to drill and operate one or more gas wells on their TXI Pad-3 site located in the West Fork Trinity River floodway near the intersection of Trinity Boulevard and Precinct Line Road, in the William C. Trammell Survey, Abstract 1509, Tract 1, on the east side of Fort Worth.

Council Member Jordan advised Council that he had filed a Conflict of Interest Affidavit with the City Secretary's Office and that he would abstain from voting on this issue.

Council Member Moss made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-16237 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with one (1) abstention by Council Member Jordan, and with Mayor Moncrief absent.

**G-16238  
Verification of the  
Historic Site Tax  
Exemption for  
Properties Located  
at 800 Ingram  
Street and 1408  
South Henderson  
Street**

There was presented Mayor and Council Communication No. G-16238 from the City Manager recommending that the City Council authorize the City Manager to approve the applications from multiple property owners for verification of the Historic Site Tax Exemption of City property taxes on properties located at 800 Ingram Street and 1408 South Henderson Street.

Council Member Burns made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. G-16238 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

**G-16239  
Ord. No. 18223-08-  
2008  
Require AT&T to  
relocate its facilities  
for the widening of  
Cromwell Marine  
Creek Road**

There was presented Mayor and Council Communication No. G-16239 from the City Manager recommending that the City Council adopt an ordinance requiring Southwestern Bell Telephone Co., d/b/a AT&T Texas to relocate its utility facilities located in City right-of-way in or along Cromwell Marine Creek Road at AT&T's sole cost and expense within 30 days of the adopted date of the ordinance to allow the widening of Cromwell Marine Creek Road and authorizing the City Attorney's Office to pursue legal action against AT&T if it does not relocate within the time period.

Council Member Burdette stated that this action was necessary to make some improvements in the right-of-way along Cromwell Marine Creek Road because of the construction of the Northwest Library and the Eagle Mountain and Saginaw School District had already completed construction of a new elementary school. He stated that it was essential to get the road changes made and requested Council support on this project.

Council Member Burdette made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-16239 be approved and Ordinance No. 18223-08-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

**G-16240  
2008 General  
Obligation and  
Certificate of  
Obligation**

There was presented Mayor and Council Communication No. G-16240 from the City Manager recommending that the City Council approve a one-time exception to the Financial Management Policy Statements to allow the use of bond structures involving balloon payments for the sole purpose of accepting proposed funding for 2008 General Obligation and Certificate of Obligation issues.

Council Member Jordan made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. G-16240 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

**G-16241  
Fiscal Year 2008-  
2009 Schedule of  
Rates and Charges  
for City of Fort  
Worth Airports**

There was presented Mayor and Council Communication No. G-16241 from the City Manager recommending that the City Council authorize the City Manager to adopt the proposed Fiscal Year 2008-2009 Schedule of Rates and Charges for City of Fort Worth airports.

Council Member Burdette made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. G-16241 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

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**Public Hearing  
G-16242  
Fiscal Year 2008-  
2009 Budget and  
Five-Year Service  
Plan for Fort Worth  
Public Improvement  
District No. 1  
(Downtown)**

It appeared that the City Council set today as the date for a public hearing regarding proposed Fiscal Year 2008-2009 Budget and Five-Year Service Plan for Fort Worth Public Improvement District No. 1 (Downtown). Mayor Pro tem Hicks opened the public hearing and asked if there was anyone present desiring to be heard.

Henry Day, representing the Economic and Community Development Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-16242 as follows:

There was presented Mayor and Council Communication No. G-16242 from the City Manager recommending that the City Council conduct a public hearing to receive comments on the proposed budget and five-year service plan for Fort Worth Public Improvement District No. 1 Advisory Board; and set a public Benefit Hearing for September 9, 2008, at 7:00 p.m., for final consideration of Public Improvement District No. 1's Fiscal Year 2008-2009 budget and the 2008 assessment roll for Public Improvement District No. 1 (Downtown).

There being no one present desiring to be heard in connection with the public hearing, Council Member Burns made a motion, seconded by Council Member Silcox, that the public hearing be closed and Mayor and Council Communication No. G-16242 be adopted setting the public benefit hearing for September 9, 2008, at 7:00 p.m. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

**Public Hearing  
G-16243  
Fiscal Year 2008-  
2009 Budget and  
Five-Year Service  
Plan for Fort Worth  
Public Improvement  
District No. 6 (Park  
Glen)**

It appeared that the City Council set today as the date for a public hearing regarding proposed Fiscal Year 2008-2009 Budget and Five-year Service Plan for Fort Worth Public Improvement District No. 6 (Park Glen). Mayor Pro tem Hicks opened the public hearing and asked if there was anyone present desiring to be heard.

Henry Day, representing the Economic and Community Development Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-16243 as follows:

There was presented Mayor and Council Communication No. G-16243 from the City Manager recommending that the City Council conduct a public hearing to receive comments on the proposed budget and five-year service plan for Fort Worth Public Improvement District No. 6 (Park Glen) for Fiscal Year 2008-2009, which was approved by the Public Improvement District No. 6 Advisory Board; and set a public Benefit Hearing for September 9, 2008, at 7:00 p.m., for

**G-16243**  
**(Continued)**

final consideration of Public Improvement District No. 6's Fiscal Year 2008-2009 budget and the 2008 assessment roll for Public Improvement District No. 6.

**Peter Webb**

Mr. Peter Webb, 5600 Swords Drive, appeared before the City Council and stated that he owned 25 properties in the Park Glen area. He stated that he had not seen any improvements to the northeast portion of Park Glen and advised that he had already paid half a million dollars in taxes.

Mayor Pro tem Hicks advised Mr. Webb that this was the forum to address his concerns and that a final vote would not take place until the Council meeting of September 9, 2008.

Council Member Scarth stated that he would be happy to visit with Mr. Webb to find out his specific concerns. He also advised him that he attended the annual meeting of Park Glen last week and stated that he could see the additional mowing, additional security lighting, landscaping and markers, water for the landscaping and irrigation and the painting and maintenance of the fence. He further stated that those improvements were evident when driving through the PID No. 6 as compared to outside of the PID. He requested that Mr. Webb set an appointment with his Council Aide, Jeanine Ricks.

**Caroline Sherman**

Ms. Caroline Sherman, 1034 Canterbury Lane, PID No. 6 Manager, appeared before Council and stated that there were 4,500 homes and over 204 acres of parkland in PID No. 6. She advised that Mr. Webb was speaking of the northeast corner of the PID. She stated that they had given more attention to this area in this year's and last year's budget. She stated that a sidewalk was installed along Lake Wood Hill and also landscaping had been provided in the median. She stated that a dry median was provided to experiment with landscaping that was water conservation friendly.

There being no one else present desiring to be heard in connection with the public hearing, Council Member Scarth made a motion, seconded by Council Member Espino, that the public hearing be closed and Mayor and Council Communication No. G-16243 be adopted setting the public benefit hearing for September 9, 2008, at 7:00 p.m. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

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**Public Hearing  
G-16244  
Fiscal Year 2008-  
2009 Budget and  
Five-Year Service  
Plan for Fort Worth  
Public Improvement  
District No. 7  
(Heritage)**

It appeared that the City Council set today as the date for a public hearing regarding proposed Fiscal Year 2008-2009 Budget and Five-year Service Plan for Fort Worth Public Improvement District No. 7 (Heritage). Mayor Pro tem Hicks opened the public hearing and asked if there was anyone present desiring to be heard.

Henry Day, representing the Economic and Community Development Department, appeared before Council, gave a staff report, and called attention to the revised Mayor and Council Communication No. G-16244 as follows:

There was presented Mayor and Council Communication No. G-16244 from the City Manager recommending that the City Council conduct a public hearing to receive comments on the proposed budget and five-year service plan for Fort Worth Public Improvement District No. 7 (Heritage) for Fiscal Year 2008-2009, which was approved by the Public Improvement District No. 7 Advisory Board; and set a public Benefit Hearing for September 9, 2008, at 7:00 p.m., for final consideration of Public Improvement District No. 7's Fiscal Year 2008-2009 budget and the 2008 assessment roll for Public Improvement District No. 7.

Council Member Espino recognized Scott Minke, Linda Hay, Cary Moon and Steve Kosek, members of the Heritage Homeowners Association and expressed appreciation for their efforts. He also expressed appreciation to the Hillwood Group for their assistance, Premier Management for their great presentation, and to City staff Henry Day, Peter Vaky, Ardina Washington, Jenny Townsend, and Sylvia Flores.

Mayor Pro tem Hicks stated that she had appearance cards in support of M&C G-16244 from Scott Minke, Linda Hay, and Ashlynn Wells.

There being no one present desiring to be heard in connection with the public hearing, Council Member Espino made a motion, seconded by Council Member Scarth, that the public hearing be closed and Mayor and Council Communication No. G-16244 be adopted setting the public benefit hearing for September 9, 2008, at 7:00 p.m. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

**Public Hearing  
G-16245  
Fiscal Year 2008-  
2009 Budget and  
Five-Year Service  
Plan for Fort Worth  
Public Improvement  
District No. 11  
(Stockyards)**

It appeared that the City Council set today as the date for a public hearing regarding proposed Fiscal Year 2008-2009 Budget and Five-year Service Plan for Fort Worth Public Improvement District No. 11 (Stockyards). Mayor Pro tem Hicks opened the public hearing and asked if there was anyone present desiring to be heard.

Henry Day, representing the Economic and Community Development Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-16245 as follows:

There was presented Mayor and Council Communication No. G-16245 from the City Manager recommending that the City Council conduct a public hearing to receive comments on the proposed budget and five-year service plan for Fort Worth Public Improvement District No. 11 (Stockyards) for Fiscal Year 2008-2009, which was approved by the Public Improvement District No. 11 Advisory Board; and set a public Benefit Hearing for September 9, 2008, at 7:00 p.m., for final consideration of Public Improvement District No. 11's Fiscal Year 2008-2009 budget and the 2008 assessment roll for Public Improvement District No. 11.

**Carlos Flores**

Mr. Carlos Flores, 1415 Circle Park Boulevard, appeared before Council in support of PID 11. He stated that he and his family owned property in this area and that he understood that a ten percent ad valorem tax would be added and assessed against their property. He stated he had seen the following needed improvements: to clear out over grown vegetation behind Ellis Avenue along alleyways; replace a manhole cover that had been missing for one and a half years; construct sidewalks along the 1400 block of Ellis Avenue, directly across from the Vaqueros statue; security lights to be installed which would aid in law enforcement in the Stockyards area; and help with the picking up of litter.

There being no one else present desiring to be heard in connection with the public hearing, Council Member Espino made a motion, seconded by Council Member Moss, that the public hearing be closed and Mayor and Council Communication No. G-16245 be adopted setting the public benefit hearing for September 9, 2008, at 7:00 p.m. The motion carried unanimously eight (8) ayes to zero (0) nays, with Mayor Moncrief absent.

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**Public Hearing  
G-16246  
Fiscal Year 2008-  
2009 Budget and  
Five-Year Service  
Plan for Fort Worth  
Public Improvement  
District No. 12  
(Chapel Hill)**

It appeared that the City Council set today as the date for a public hearing regarding proposed Fiscal Year 2008-2009 Budget and Five-year Service Plan for Fort Worth Public Improvement District No. 12 (Chapel Hill). Mayor Pro tem Hicks opened the public hearing and asked if there was anyone present desiring to be heard.

Henry Day, representing the Economic and Community Development Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-16246 as follows:

There was presented Mayor and Council Communication No. G-16246 from the City Manager recommending that the City Council conduct a public hearing to receive comments on the proposed budget and five-year service plan for Fort Worth Public Improvement District No. 12 (Chapel Hill) for Fiscal Year 2008-2009, which was approved by the Public Improvement District No. 12 Advisory Board; and set a public Benefit Hearing for September 9, 2008, at 7:00 p.m., for final consideration of Public Improvement District No. 12's Fiscal Year 2008-2009 budget and the 2008 assessment roll for Public Improvement District No. 12.

(Mayor Moncrief assumed his seat at the dais.)

There being no one present desiring to be heard in connection with the public hearing, Council Member Burdette made a motion, seconded by Council Member Silcox, that the public hearing be closed and Mayor and Council Communication No. G-16246 be adopted setting the public benefit hearing for September 9, 2008, at 7:00 p.m. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Public Hearing  
G-16247  
Ord. No. 18224-08-  
2008  
Fiscal Year 2008  
Edward Byrne  
Memorial Justice  
Assistance Grant  
from the United  
States Department  
of Justice, Office of  
Justice Programs,  
Bureau of Justice  
Assistance**

It appeared that the City Council set today as the date for a public hearing and authorize the application for and acceptance of a \$228,362.00 Fiscal Year 2008 Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; authorize the execution of an Interlocal Agreement with Tarrant County and the City of Arlington; authorize the City of Fort Worth to serve as the Cognizant Fiscal Agency; and adopt an appropriation ordinance. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Interim Chief Patricia Kneblick, representing the Police Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-16247 as follows:

**G-16247**  
**(Continued)**

There was presented Mayor and Council Communication No. G-16247 from the City Manager recommending that the City Council conduct a public hearing regarding the application for the Fiscal Year 2008 Edward Byrne Memorial Justice Assistance Grant to allow the public an opportunity to comment as required under the grant application; authorize the City Manager to apply for and accept, if awarded, a grant from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for Fiscal Year 2008 Edward Byrne Memorial Justice Assistance Grant, not to exceed \$228,362.00; authorize the City Manager to execute an Interlocal Agreement to have the City of Fort Worth serve as the Cognizant Fiscal Agency for the purpose of administering this grant; and adopt an appropriation ordinance increasing estimated receipts and appropriations in the Grants Fund in the amount of \$228,362.00 subject to receipt of the Fiscal Year 2008 Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice, a portion of which will be expended to purchase Law Enforcement Staffing Software and Radios for use by the City of Fort Worth, and the remainder of which will be disbursed by the City of Fort Worth, as the Cognizant Fiscal Agency with regard to applying for and disbursing funds in connection with the grant, to Tarrant County and the City of Arlington pursuant to an Interlocal Agreement.

There being no one present desiring to be heard in connection with the public hearing, Mayor Pro tem Hicks made a motion, seconded by Council Member Espino, that the public hearing be closed and Mayor and Council Communication No. G-16247 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Public Hearing**  
**L-14621**  
**Conversion of**  
**Parkland at**  
**Greenway Park for**  
**the Installation of a**  
**Gas Pipeline**

It appeared that the City Council, at its meeting of August 12, 2008, continued the public hearing of the conversion of approximately .31 acres of parkland at Greenway Park located at 2013 East Belknap Street, for the installation of a gas pipeline and authorize the execution of a license agreement with Texas Midstream Gas Services in the amount of \$31,067.10. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Mr. Harold Pitchford, Parks and Community Services Department Assistant Director, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. L-14621 as follows:

**L-14621**  
**(Continued)**

There was presented Mayor and Council Communication No. L-14621 from the City Manager recommending that the City Council conduct a public hearing under the guidelines set forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; find that no feasible or prudent alternative exists for the location of the proposed gas pipeline for and including that the pipeline will be constructed in Greenway Park; and close the public hearing and authorize the City Manager to convert approximately .31 acres of dedicated parkland for a pipeline license agreement for a 24-inch gas pipeline.

**Suzie Jary**

Ms. Suzie Jary, 6416 Locke Avenue, appeared before Council and expressed opposition to the installation of gas pipelines in the parks. She also stated her concern that no minutes were being taken at the Gas Well Task Force meetings and suggested that the current task force be reorganized as it was heavily weighed with gas industry representation. She stated that it was up to the City Council to ensure the safety and quality of life for Fort Worth.

There being no one else present desiring to be heard in connection with the public hearing, Council Member Espino made a motion, seconded by Council Member Burdette, that the public hearing be closed and Mayor and Council Communication No. L-14621 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

Mayor Pro tem Hicks announced that she would be continuing to address the pipeline going through the neighborhood and would be scheduling another public meeting.

Mayor Moncrief explained that the Gas Well Task Force has a charge set forth by Council and those recommendations would be brought to Council from their findings and the Council has authority to change those recommendations.

Council Member Silcox also advised that there would also be a minority report presented to Council, thus there would be two sides to the issue that Council could review.

Council Member Jordan added that the Council was very aware of the issues that need to be addressed and that due deliberation would be provided. He stated he would personally be considering whether the Planning or the Zoning Commission would be involved with the process.

**L-14624**  
**Continued until**  
**August 26, 2008**

It was the consensus of the City Council that Mayor and Council Communication No. L-14624 – Authorize the Acquisition of One Permanent Water Main Easement and One Temporary Construction Easement from the Amon G. Carter, Jr., Estate for the Amount of \$12,500.00, Plus an Estimated Closing Cost of \$2,000.00, on the Property Located at the Intersection of Campus Drive and Seminary Drive, Fort Worth, Tarrant County, Texas; for the construction of the South Side II Water Transmission Main; and Authorize Acceptance And Recording of Appropriate Instruments (DOE No. 4083), be continued until August 26, 2008.

**L-14625**  
**Golden Triangle**  
**Boulevard**  
**Improvements**

There was presented Mayor and Council Communication No. L-14625 from the City Manager recommending that the City Council declare the necessity of taking an interest for the construction of Golden Triangle Boulevard improvements, on a portion of land in the South Needham Survey, Abstract No. 1171, Tarrant County, Texas, owned by MBS Holdings, Inc., Alfred Lee Finley and Susan Newton Finley, on Golden Triangle Boulevard located adjacent to the Fort Worth City Limits; and authorize the City Attorney to institute condemnation proceedings to acquire the interest in the land (DOE No. 5773).

Council Member Espino made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. L-14625 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Public Hearing**  
**L-14626**  
**Conversion of**  
**Parkland at Cobb**  
**Park for the**  
**Installation of a Gas**  
**Pipeline**

It appeared that the City Council set today as the date for a public hearing to authorize the conversion of approximately .0137 acres of parkland at Cobb Park located at 1600-3000 Cobb Drive, for the installation of a gas pipeline and authorize the execution of a license agreement with Texas Midstream Gas Services in the amount of \$26,946.90. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Mr. Harold Pitchford, Parks and Community Services Department Assistant Director, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. L-14626 as follows:

There was presented Mayor and Council Communication No. L-14626 from the City Manager recommending that the City Council conduct a public hearing under the guidelines set forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; find that no feasible or prudent alternative exist for the location of the proposed gas pipeline for Cobb Park; find that the proposed gas pipeline includes all reasonable planning to minimize harm to the parkland, and including that the pipeline will be

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**L-14626  
(Continued)**

constructed in Cobb Park per certain guidelines; close the public hearing and authorize the City Manager to convert approximately .0137 acres of dedicated parkland for the installation of a 24-inch gas pipeline; and authorize the execution of a license agreement with Texas Midstream Gas Services in the amount of \$26,946.90.

There being no one present desiring to be heard in connection with the public hearing, Mayor Pro tem Hicks made a motion, seconded by Council Member Silcox, that the public hearing be closed and Mayor and Council Communication No. L-14626 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Public Hearing  
L-14627  
Conversion of  
Parkland at  
Rockwood Park for  
the Installation of a  
Gas Pipeline**

It appeared that the City Council set today as the date for a public hearing to authorize the conversion of approximately 0.0099 acres of parkland for Rockwood Park at 701 North University Drive, for the installation of a gas pipeline and authorize the execution of a license agreement with Texas Midstream Gas Services in the amount of \$967.50. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Mr. Harold Pitchford, Parks and Community Services Department Assistant Director, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. L-14627 as follows:

There was presented Mayor and Council Communication No. L-14627 from the City Manager recommending that the City Council conduct a public hearing under the guidelines set forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; find that no feasible or prudent alternative exist for the location of the proposed gas pipeline for Rockwood Park; find that the proposed gas pipeline includes all reasonable planning to minimize harm to the parkland, and including that the pipeline will be constructed in Rockwood Park per certain guidelines; close the public hearing and authorize the City Manager to convert approximately 0.0099 acres of dedicated parkland for the installation of a 24-inch gas pipeline; and authorize the execution of a license agreement with Texas Midstream Gas Services in the amount of \$967.50.

There being no one present desiring to be heard in connection with the public hearing, Council Member Espino made a motion, seconded by Council Member Burdette, that the public hearing be closed and Mayor and Council Communication No. L-14627 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22975**  
**The Carnegie**  
**Building, L.P.**

M&C C-22975 – Authorizing the City Manager to execute a standard encroachment agreement in the amount of \$575.00 with The Carnegie Building, L.P., for the installation of underground conduits to install emergency generator lines to service the Carnegie and Chase Bank buildings beneath the Taylor Street right-of-way.

Council Member Jordan disclosed that he had a financial relationship with Chase Bank, but stated that it did not preclude him from voting on this issue.

Mayor Pro tem Hicks and Council Member Burns also disclosed that they also had a financial relationship with Chase Bank.

Council Member Burns made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-22975 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22978**  
**United States**  
**Department of**  
**Housing and Urban**  
**Development**

There was presented Mayor and Council Communication No. C-22978 from the City Manager recommending that the City Council authorize the City Manager to execute contracts for Community Development Block Grant Year XXXIV, Emergency Shelter Grant Year 2008-2009 and Housing Opportunities for Persons with AIDS Year 2008-2009 with the listed organizations to administer their respective programs, contingent upon approval and receipt of adequate funding from the United States Department of Housing and Urban Development, for a term beginning June 1, 2008, and ending May 31, 2009; extend or renew the contracts for up to one year if an organization requests an extension and such extension is necessary for completion of the project; and amend the contract, if necessary, to achieve program goals, provided the amendment is within the scope of the project and in compliance with all applicable laws and regulations governing the use of federal grant funds.

Mayor Pro tem Hicks made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. C-22978 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22979**  
**PNL Fort Worth,**  
**L.P. - Withdrawn**

It was the consensus of the City Council that Mayor and Council Communication No. C-22979, Authorize Execution of an Amended and Restated Economic Development Agreement with PNL Fort Worth, L.P., for the Redevelopment of the South Tower and Central Block of the Former Tandy Center, be withdrawn from consideration.

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**C-22980  
C. Green Scaping  
Company, L.P.  
d/b/a Green Scaping  
Company**

There was presented Mayor and Council Communication No. C-22980 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with C. Green Scaping Company, L.P., d/b/a Green Scaping Company, in the amount of \$175,175.00 for 90 working days for Brick Pavement Repair 2008-2 for Camp Bowie Boulevard.

Council Member Burdette made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. C-22980 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22981  
Amendment No. 2 to  
CSC No. 32378  
Ord. No. 18225-08-  
2008**

There was presented Mayor and Council Communication No. C-22981 from the City Manager recommending that the City Council authorize the transfer of \$126,900.00 from the Water and Sewer Operating Fund to the Water Capital Projects Fund; adopt appropriation ordinance increasing estimated receipts and appropriations in the Water Capital Projects fund in the amount of \$126,900.00 for the purpose of executing Amendment No. 2 to City Secretary Contract No. 32378 with Teague Nall and Perkins, Inc., for the design of Golden Triangle Boulevard from IH-35W to US 377; and authorize the City Manager to Execute Amendment No. 2 in the amount of \$126,900.00 to City Secretary Contract No. 32378 with Teague Nall and Perkins, Inc., for the design of waterline improvements along Golden Triangle Boulevard from Interstate Highway 35W to US 377 thereby increasing the contract amount to \$2,193,606.00.

Council Member Espino made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-22981 be approved and Appropriation Ordinance No. 18225-08-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22982  
Joseph Yammine**

There was presented Mayor and Council Communication No. C-22982 from the City Manager recommending that the City Council declare unsuccessful the negotiations between the City, its agents and subagents and the landowners to acquire a combined total of approximately 27,000 square feet of land, owned by Joseph Yammine, known as 2900, 2902, 2904 and 2906 Hardy Street, Lots 3 through 6, Block 63, Morgan Heights Addition, City of Fort Worth, Tarrant County, Texas; declare the necessity to take by condemnation the described property for the Lebow Channel Drainage Project; authorize the City Attorney to institute condemnation proceedings to acquire fee simple interest in the surface estate, but not the mineral estate, of the property; and authorize the accepting and recording of appropriate instruments (DOE No. 4623, Project No. 00084).

**C-22982**  
**(Continued)** Council Member Espino made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22982 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22983**  
**Ord. No. 18226-08-**  
**2008**  
**R. W. Beck, Inc.** There was presented Mayor and Council Communication No. C-22983 from the City Manager recommending that the City Council adopt a supplemental ordinance increasing estimated receipts and appropriations in the Water and Sewer fund in the amount of \$256,586.00 from available funds and decreasing the unreserved retained earnings by the same amount for the purpose of executing a contract with R. W. Beck, Inc., to conduct a review and negotiation of new uniform wholesale water contracts; and authorize the City Manager to execute a contract with R. W. Beck, Inc., in the amount not to exceed \$256,586.00 to conduct a review and negotiation of new wholesale water contracts.

Mayor Pro tem Hicks made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. C-22983 be approved and Supplemental Ordinance No. 18226-08-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Agenda Item XVI**  
**Budget Hearing** It appeared that the City Council set today as the date for a hearing in connection with the proposed Fiscal Year 2008-2009 Appropriation Ordinance, Debt Service Ordinance and Ad Valorem Tax Levy Ordinance. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Joe Komisarz, Acting Assistant Director for Budget and Management Services, appeared and gave a staff report on the 2008/2009 FY budget.

**Sister Mary**  
**Fulbright** Sister Mary Fulbright, 6632 Normandy, appeared before the City Council in opposition to the proposed budget relative to the reduction of hours at the libraries, reduction of hours at the community centers, and the closing of the Health Department. She stated that other ways to reduce the budget needed to be explored. She suggested that money could be used from the Barnett Shale as a partial solution to these financial problems.

**Judy Harman** Ms. Judy Harman, 2222 Winton Terrace East, appeared before Council and stated that she agreed with Sister Mary Fulbright and spoke in favor of keeping the Tree Farm program in the Parks and Community Services Department. She stated that this would cost the City of Fort Worth in the next three to five years if in fact this was being cut.

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**Agenda Item XVI  
(Continued)  
Courtney Blevins**

Mr. Courtney Blevins, 6405 Country Day Trail, Regional Forester with the Texas Forest Service, a State Agency out of Texas A & M University, appeared before Council and expressed opposition to cutting the Forestry Program. He reminded Council that Fort Worth was a Tree City U.S.A. recipient for almost 30 years and other cities looked at this City as a leader in this area throughout the State. He advised Council of the value of trees paying for themselves, having landscape value, reducing energy consumption, helping the environment with the reduction of ozone and temperature, reducing pollution and even reducing storm water runoff, and also they increase property value. He stated that with the proposed decrease it would also mean the loss of two staff members under Ms. Adams.

There being no one else present desiring to be heard, Mayor Moncrief stated that the public hearing would remain open until final adoption of the subject ordinances.

City Secretary Hendrix advised that the two public hearings regarding annexation of areas 15 and 12 would be combined with one presentation from City staff.

**Agenda Item XVII  
Second Public  
Hearing for  
Proposed Service  
Plan of  
Approximately 304  
Acres in Tarrant  
County, Located  
South of Keller  
Hicks Road and  
East of North Beach  
Street (AX-07-005,  
Annexation Area  
15)**

It appeared that the City Council set today as the date for the second public hearing for Proposed Service Plan of approximately 304 acres of land in Tarrant County, located south of Keller Hicks Road and east of North Beach Street (AX-07-005, Annexation Area 15).

**Second Public Hearing for Proposed Service Plan of Approximately 380 Acres in Tarrant County, Located South of Timberland Boulevard and East of Old Denton Road (AX-07-006, Annexation Area 12)**

It appeared that the City Council set today as the date for the second public hearing for Proposed Service Plan of approximately 380 acres of land in Tarrant County, located south of Timberland Boulevard and east of Old Denton Road (AX-07-006, Annexation Area 12). Mayor Moncrief opened the public hearings and asked if there was anyone present desiring to be heard.

Beth Knight, Planning and Development Department, Senior Planner, appeared before Council, and provided a staff report.

There being no one present desiring to be heard in connection with the second public hearing for the proposed service plan, Council Member Espino made a motion, seconded by Council Member Burdette, that the public hearing be closed. The motion carried unanimously nine (9) ayes to (0) nays.

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

**ZC-08-041  
Continued Until  
August 26, 2008**

It appeared that the City Council, at its meeting of August 12, 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.

**Jim Schell**

Mr. Jim Schell, 901 Fort Worth Club Building, representing the applicant appeared and advised Council that his client had basically agreed to everything that had been requested of them, even the 25 percent per ton royalty that was requested by the City of Forest Hill.

Mayor Pro tem Hicks advised that she had planned to approve this zoning case today, however, there was another request for one additional week delay from the City of Forest Hill, and she stated that their City Council would be meeting this evening and that this would hopefully be the last delay.

There being no one else present desiring to be heard in connection with the application of Ben and Peggy Kates/Destructors Inc., Mayor Pro tem Hicks made a motion, seconded by Council Member Silcox, that the hearing for Zoning Docket No. ZC-08-041 be continued until the August 26, 2008, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Zoning Hearing**

It appeared to the City Council that the Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the Fort Worth Star-Telegram, the official newspaper of the City of Fort Worth, on July 23, 2008. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

**ZC-08-077  
Approved**

There was presented Zoning Docket No. ZC-08-077, application of WGK Development, Inc., for a change in zoning of property located at 6351 North Freeway from "G" Intensive Commercial to "PD/G" Planned Development for all uses in "G" Intensive Commercial, plus hotel, and two adjustable illumination lights in the front only with site plan included.

**Noah Boydston**

Noah Boydston, 222 W. Exchange Avenue, representing the applicant appeared before Council in support of the rezoning request. He advised that there was some questions as to whether the hotel would be a three or four-story structure but this had been cleared up.

Council Member Espino expressed appreciation to Mr. Boydston and Mr. Patel and their entire team for their patience and stated that they were going to add two adjustable illumination lights in the front and they were a four-story hotel. Council Member Espino made a motion, seconded by Council Member Silcox, that Zoning Docket No. ZC-08-077, be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

(Council Member Moss left his place at the dais.)

**ZC-08-119  
Approved**

There was presented Zoning Docket No. ZC-08-119, application of Clifford Center Retail Center Hotel, L.P., for a change in zoning of property located at 229 Clifford Center Drive from "G" Intensive Commercial to "PD/G" Planned Development for all uses in "G" Intensive Commercial, plus hotel with site plan included.

**Richard Metersky**

Richard Metersky, 1418 Elizabeth Boulevard, agent for this case and explained that their property was located adjacent to a utility easement which was zoned A-5, so that at the request of the City they took it upon themselves to change their usage to "PD/G" for all uses in "G" Intensive for use for the hotel.

Council Member Burdette made a motion, seconded by Council Member Burns, that Zoning Docket No. ZC-08-119, be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

(Council Member Moss assumed his place at the dais.)

**ZC-08-123**  
**Approved**

There was presented Zoning Docket No. ZC-08-123, application of Shaw Stites Partnership and Levys Properties Inc., for a change in zoning of property located at 5200 through 5216 Pershing Avenue from "E" Neighborhood Commercial and "F" General Commercial to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial with site plan included.

Council Member Burdette made a motion, seconded by Mayor Pro tem Hicks, that Zoning Docket No. ZC-08-123, be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

There being no one else present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Council Member Burdette made a motion, seconded by Mayor Pro tem Hicks, that the hearing be closed and that the following ordinance be adopted:

ORDINANCE NO. 18227-08-2008

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

The motion carried unanimously nine (9) ayes to zero (0) nays.

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- Agenda Item XV  
Citizen  
Presentations  
Paul Felts** Mr. Paul Felts, 4315 Golden Triangle Boulevard, Keller, Texas, was recognized as desiring to address the Council relative to solid waste pickup in the ETJ of Fort Worth. City Secretary Hendrix advised that Mr. Felts informed staff that he would not be present.
- Ashley Blackman** Mr. Ashley Blackman, 2690 Keller Hicks Road, was recognized as desiring to address the Council relative to solid waste pickup in the ETJ of Fort Worth and gas well dbi versus aircraft noise levels; however, Mr. Blackman was not present in the Council Chamber.
- Steve Russell** Mr. Steve Russell, 1503 NE 23<sup>rd</sup> Street, Mineral Wells, Texas, appeared before Council relative to police officer interference and harassment with valet parking at Piranha's Restaurant. Mr. Russell reviewed all of the citations that had been issued to him while trying to run the valet service. Mr. Russell was referred by Mayor Moncrief to visit with Police Captain Billy Cordell in the audience and to give him the information and let him review the information and to make sure that Mr. Russell also understood what the City ordinance requirements are in this regard.
- Mr. Russell advised Council that the City had changed significantly and just about everyone offers valet service in downtown and perhaps the five minute rule in the ordinance should be revisited due to the fact that it might require more time when valet parking for a disabled person.
- Charlesetta Davis** Ms. Charlesetta Davis, 2714 N. W. 35<sup>th</sup> Street, was recognized as desiring to address the Council relative to harassment; however, Ms. Davis was not present in the Council Chamber.
- Joe Don Brandon** Mr. Joe Don Brandon, P. O. Box 1155. appeared before Council relative to the Bus Stop Santa coming back to town; Texas Black Workers Award; 922 South Freeway church slum lord; WP Union struggling to form in Fort Worth relative to the Jack Brown Labor Hall; and the good job that the Code Compliance Office is doing.
- Jim Ashford** Mr. Jim Ashford, 6209 Riverview Circle, appeared before the Council regarding the noise level from the gas well site. He informed Council that he had called the police several times because he and his wife were unable to sleep.

**Jim Ashford**  
**(Continued)**

Susan Alanis, Director of the Planning and Development Department, appeared and gave an overview from the action from the Gas Well Pipeline Workshop. She spoke specifically to the Thomas Well and Carter Avenue pipeline issues. She stated that staff had met with Chesapeake to discuss all of the possible truck routes and pipeline routes. They have been working on getting confirmation from the Corp of Engineers on the viability routes north of I-30. In addition, they have provided information to Chesapeake on the estimated cost of reconstruction for Scott Avenue as a truck route and a solicitation for a proposed access route off of I-30 which was acceptable to TxDOT.

She added another meeting was scheduled on August 20, 2008 with Chesapeake and staff would report the results back to Mayor Pro tem Hicks and the neighborhood as information becomes available.

Mayor Pro tem Hicks requested that after the meeting tomorrow that she would inform the citizens in West Meadowbrook what occurred.

Council Member Jordan stated that his district was the only district outside of I-820, and stated that he had sat down with the drillers and managed the requested locations of every well site. He also informed the neighborhoods that where those wells have been placed would be where the gathering pipeline would go. He encouraged everyone to ask these types of questions.

**Jerry Horton**

Jerry Horton, 2608 Carter Avenue, appeared before Council relative to keeping the pipelines out of the front yard and that she and her neighbors stated that they did not want to go to condemnation court and had requested that she go ahead and negotiate with Chesapeake. She stated that she had set two meetings with the representative from Chesapeake and that he did not show up for either meeting. She stated the taking of her property should have been stopped before it got started.

Mayor Pro tem Hicks stated that the Council will continue to work on this issue and would look at all other alternatives. She advised Ms. Horton that staff would let her know as soon as the meeting was over tomorrow what the latest information. She further stated that the entire Council shared her concern and did not want this pipeline to go through the neighborhood.

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**Agenda Item XVI  
Executive Session**

It was the consensus of the City Council that they recess into Executive Session at 12:19 p.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) 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
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 1:15 p.m.

**Agenda Item XVII  
Adjournment**

There being no further business, the meeting was adjourned at 1:15 p.m. in memory of W.R. "Bob" Ellis, founding member of South Hills Neighborhood Association, graduate of the first C.O.P Class in Fort Worth, and was a dedicated City and community volunteer.