

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
DECEMBER 9, 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

**Staff Members Present:**

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

**I. CALL TO ORDER**

With a quorum of the City Council Members present, Mayor Moncrief called the regular session of the Fort Worth City Council to order at 7:07 p.m. on Tuesday, December 9, 2008, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

Mayor Moncrief requested that, after the Pledge of Allegiance was recited, everyone wish Council Member Espino a Happy Birthday.

**II. INVOCATION - Reverend Darrell Turner, Wesley Chapel African-American Episcopal Church**

The invocation was provided by Council Member Espino in the absence of Reverend Darrell Turner, Wesley Chapel African-American Episcopal Church.

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

The Council and audience sang Happy Birthday to Council Member Espino.

**IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF TUESDAY, DECEMBER 02, 2008**

Motion: Council Member Jordan made a motion, seconded by Council Member Espino, that the minutes of the regular meeting of December 2, 2008, be approved. The motion carried unanimously eight (8) ayes to zero (0) nays.

**V. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.**

**1. Council Member Jordan Presented a Proclamation for "The T Day" to Bob Parmalee, Chairman of the Board, and Dick Ruddell, Director of the Fort Worth Transportation Authority.**

**2. Mr. James Nader, Representing Partners for Sacred Places, Presented the Architecture in America's 150 Anniversary Book to the City.**

Mayor Moncrief accepted the book on behalf of the City.

**3. Mr. Mike Guyton, Vice President, Oncor Electric, Presented a Check in the Amount of \$240,000.00 for the Weatherization Program.**

The check was accepted on behalf of the City by Jerome Walker, Deputy Director, Housing and Economic Development and Jay Chapa, Director, Housing and Economic Development.

**4. Council Member Jordan presented a Certificate of Recognition to Mr. Jon Wise for his service on the City Zoning Commission from July 5, 2005, through October 9, 2008.**

Mr. Wise expressed appreciation to the Council for the recognition and stated it had been an honor to serve the City.

City Secretary Hendrix advised that the following former boards and commission members were not able to attend the Council meeting:

Ms. Gerri Combest for her service on the Library Advisory Board from October 16, 2007, through October 28, 2008.

Mr. Larry Walther for his service on the Community Development Council from February 20, 2007, through September 3, 2008.

Mr. Albert Komatsu for his service on the Art Commission from February 26, 2002, through September 30, 2008.

**(V. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC Continued)**

Mr. Robert Beardsley for his service on the Building Standards Commission from July 10, 2007, through July 28, 2008.

Mr. Randall Gideon for his service on the Art Commission from October 10, 2006, through September 9, 2008.

Ms. Keith Reardon for her service on the Library Advisory Board from December 10, 2002, through October 21, 2008.

**VI. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF**

**1. Upcoming and Recent Events**

Council Member Moss announced he attended the National Forum for Black Public Administrators, North Texas Chapter, and the Hispanic Leadership Organizations 2008 graduation of Executive Leaders and Development Institute on December 6, 2008. He stated that the 10-month course was dedicated to grooming minority managers for the rigors of executive positions and public service organizations. He added that there were a total of 30 individuals and that Fort Worth employees had the majority of the seats in the class.

Council Member Espino expressed appreciation to everyone for the birthday wishes. He thanked his wife, Elizabeth, their children, Sal Jr., Robert, Alyssa and Dan Dan for their support. He stated that he had the honor of attending the Nolan Catholic High School State Championship final against Dallas Bishop Lynch and was proud that Fort Worth continued to be champions. He stated that his son, Robert, attended the school and was in the band. He congratulated the Nolan Catholic High School Vikings for the State Championship win.

Mayor Pro tem Hicks thanked everyone present for the Citizens Advisory Committee and Code Blue dinner that took place last week. She expressed appreciation to NPD #5 and Neighborhood Police Officers Green, Laman, Speed, Perez and Cook for a great party. She announced that this would be the last Council meeting for First Assistant City Manager Joe Paniagua, who would retire at the end of the year. She thanked him for being a mentor and friend to her and wished Mr. Paniagua and his family the best and expressed appreciation for all his years of service.

**(VI. ANNOUNCEMENTS BY CITY COUNCIL MEMEBERS AND STAFF Continued)**

Council Member Burns announced that, in honor of friend and colleague, former District 3 Council Member Chuck Silcox, he wanted to let the citizens know that his Council Aide Sandy Breaux was collecting items for the Humane Society of Texas and the Fort Worth Animal Shelter throughout December. He added that there were urgent needs at both facilities for various items and added that if citizens had any of those items, to please deliver them to the City Council offices or Ms. Breaux. He also announced that Historic Fort Worth would be having their Quality Hill Christmas at Thistle Hill on December 13-14, 2008. He stated that if anyone wanted to participate in the event to please visit the website [www.historicfortworth.org](http://www.historicfortworth.org) for more information.

Council Member Scarth stated that there had been a regional meeting for Vision North Texas and recognized Assistant City Manager Fernando Costa as the Chair for the Executive Committee. He stated that Vision North Texas was sponsored by the Urban Land Institute, North Texas District Council, the North Texas Council of Governments and the University of Texas at Arlington. He further stated that Vision North Texas was dedicated to planning for the future in terms of infrastructure, design and the way the City would develop within the next 20-50 years. He expressed appreciation to Mr. Costa, Council Member Jordan and everyone involved in Vision North Texas.

Council Member Burdette requested that the meeting be adjourned in honor of Ms. Evelyn Stearman, who had devoted years of service to the City. He stated that Ms. Stearman had been a member of Citizens on Patrol, the Crime Control and Prevention District Board of Directors, and was active in the local neighborhood association.

Council Member Jordan expressed appreciation to Captain Deborah Pullium and Lieutenant Edwin Kraus for opening the doors to the new NPD #8 storefront building on McCart Avenue this past weekend. He thanked 45 of the community leaders for attending the meeting. He added a special thanks to his Council aide, Cindy Caldwell, for the hard work in organizing the event.

**2. Recognition of Citizens**

Council Member Burdette introduced his oldest grandson, Chris Burdette, who was present in the Council Chamber and visiting from Florida.

**VII. SWEARING IN AND REMARKS BY INCOMING CITY OF FORT WORTH POLICE CHIEF, JEFFREY W. HALSTEAD**

Mayor Moncrief administered the Oath of Office to Fort Worth Police Chief Jeffrey W. Halstead and presented Chief Halstead with a badge to signify his new role as the chief law enforcement officer for the City of Fort Worth.

**(VII. SWEARING IN AND REMARKS BY INCOMING CITY OF FORT WORTH POLICE CHIEF, JEFFREY W. HALSTEAD Continued)**

Chief Halstead stated that it was a historic night for everyone and that the City would be moving forward with many new things. He referred to the Meet and Confer agreement with the Police Officers' Association and the challenging times that the City and nation were facing. He further stated that the Fort Worth Police Department was in great hands because of the great employees and citizens. He also stated that the past success of the position made it a great challenge, but that he was ready because he had a team of people that would help support the mission.

Mayor Moncrief, Mayor Pro tem Hicks and the Council Members welcomed Chief Halstead to the City of Fort Worth. Each stated that there would be challenges ahead with rapid growth, economic conditions and the changing cultures. They added that they were excited about the Meet and Confer agreement with the Police Officers' Association as well. They expressed appreciation for the Chief's diversity and his commitment to making Fort Worth the nation's safest city.

**VIII. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA**

City Manager Fisseler requested that Mayor and Council Communication No. C-23225 be withdrawn from the Consent Agenda.

**IX. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF**

City Manager Fisseler requested that Mayor and Council Communication Nos. G-16385 and C-23225 be continued until the December 16, 2008, Council meeting.

**X. CONSENT AGENDA**

Motion: Council Member Jordan made a motion, seconded by Mayor Pro tem Hicks, that the Consent Agenda be approved as amended and as follows. The motion carried unanimously eight (8) ayes to zero (0) nays.

**OCS - 1699 - Notice of Claims for Alleged Damages and/or Injuries**

**M&C G-16382 - Authorizing the City Manager to Initiate Rezoning of Certain Properties in the 900-1300 Blocks of Sycamore School Road and in the 7900 Block of Hemphill Street, from "B" Two-Family, "CR" Low Density Multi-Family, "C" Medium Density Multi-Family and "E" Neighborhood Commercial to "A-5" One-Family, in Accordance with the 2008 Comprehensive Plan.**

**(X. CONSENT AGENDA Continued)**

**M&C G-16383 - Authorizing the City Manager to Initiate Rezoning of Certain Properties in the Stop Six Neighborhood and the Berry/Stalcup Urban Village, from “A-5” One-Family, “B” Two-Family, “D” High Density Multi-Family, “ER” Neighborhood Commercial Restricted, “ER/HC” Neighborhood Commercial Restricted/Historical and Cultural Overlay, “E” Neighborhood Commercial, “E/HC” Neighborhood Commercial/Historical and Cultural Overlay, “F” General Commercial and “I” Light Industrial to “A-10” One-Family, “A-5” One-Family, “B” Two-Family, “CF” Community Facilities, “MU-1” Low Intensity Mixed-Use and “MU-1/HC” Low Intensity Mixed-Use/Historical and Cultural Overlay, in Accordance with the 2008 Comprehensive Plan.**

**M&C P-10892 - Authorizing a Purchase Agreement for Chemical Toilet Rental with United Site Services for an Amount Not to Exceed \$90,000.00.**

**M&C L-14684 - Authorizing the City Manager to Execute a Second Amendment to the Lease Agreement for the First Floor and Mezzanine Floor of the Oil and Gas Building Located at 307 West 7th Street Between the City of Fort Worth and RYLB FW Properties, LP, City Secretary Contract No. 29391, to Reduce the Rentable Square Feet of Office Space, Shorten the Term of the Lease Until September 30, 2010, and to Remove the Early Cancellation Penalty Charge; and Authorizing the City Manager to Execute a New Lease Agreement for a Portion of the Basement Level of the Oil and Gas Building, for a Term of Five Years with an Option to Renew One Three Year Term.**

**M&C L-14685 - Authorizing the Acquisition of an Improved Lot from Jesus Lopez, Described as 2904 Decatur Avenue, Lot 10 S 230', Block 0, of the Martin Roddy Survey, Abstract No. 1370, an Addition to the City of Fort Worth, Tarrant County, Texas for the Lebow Channel Drainage Project; Finding that the Price Offered in the Amount of \$15,000.00, Plus an Estimated Closing Cost of \$3,000.00 is Just Compensation; and Authorizing the Acceptance and Recording of Appropriate Instruments.**

**M&C L-14686 - Authorizing the City Manager to Execute a Three-Year Hangar Lease Agreement with Tarrant County College in the Amount of \$47,037.01 Annually, for Hangar 51S at Fort Worth Meacham International Airport.**

**M&C C-23217 - Authorizing the City Manager to Execute Amendment No. 2 in the Amount of \$18,520.00 to City Secretary Contract No. 35189 with Dunaway Associates, L.P., for Storm Water Utility Project-Citywide Seepage Study, Thereby Revising the Total Cost to \$81,425.00.**

**(X. CONSENT AGENDA Continued)**

**M&C C-23218 - Authorizing the City Manager to Execute Amendment No. 4 in the Amount of \$24,750.00 to City Secretary Contract No. 34093 an Engineering Agreement with Dunaway Associates, L.P., for Street Reconstruction and Water and Sanitary Sewer Main Replacement on College Avenue, Orange Street, Lipscomb Street and Wayside Avenue, Thereby Increasing the Contract Amount to \$263,627.00.**

**M&C C-23219 - Authorizing the City Manager to Execute Change Order No. 1 in the Amount of \$93,394.00 to City Secretary Contract No. 35806 with Conatser Construction Texas, LP, for Pavement Reconstruction and Water and Sanitary Sewer Replacements on Portions of Andrew Avenue, Dallas Avenue, Hiatt Court and Liberty Street, Thereby Revising the Total Cost to \$3,409,141.50.**

**M&C C-23220 - Authorizing the City Manager to Enter into a Final Design and Artwork Commission Agreement with Artist Jeff Gottfried in the Amount of \$50,000.00 for a Metal Wall-Mounted Sculptural Installation Commemorating the Former "Colored Waiting Room" and Honoring African-American Railroad Workers, Including State Representative Garfield Thompson, at the Texas and Pacific Terminal Building; Authorizing the City Manager to Enter into an Easement Agreement with Wood Partners, Owner of the Texas and Pacific Terminal Building, for Placement of the Sculpture on a Wall in the Publicly Accessible Outdoor Area at the T and P Lofts; Accepting Funds from the Lancaster Corridor Tax Increment Reinvestment Zone (TIF) in the Amount of \$50,000.00; and Adopting Appropriation Ordinance No. 18391-12-2008 Increasing Estimated Receipts and Appropriations in the Specially Funded Capital Projects Fund in the Amount of \$50,000.00.**

**M&C C-23221 - Authorizing the City Manager to Execute a Lease Agreement with Southside Shopping Center, a Joint Venture, for Office Space of Approximately 806 Square Feet Located at 3023 South Freeway for the Police Department.**

**M&C C-23222 - Authorizing the City Manager to Apply for and Accept, if Awarded, an Impaired Driving Mobilization Grant in the Amount of \$61,000.00 from the Texas Department of Transportation; Authorizing the City Manager to Enter into a Contract with the Texas Department of Transportation for Grant Implementation During Fiscal Year 2009; and Adopting Appropriation Ordinance No. 18392-12-2008 Increasing Estimated Receipts and Appropriations in the Grants Fund in the Amount of \$61,000.00 Upon Receipt of the Fiscal Year 2009 Impaired Driving Mobilization Grant From the Texas Department of Transportation for the Purpose of Funding Driving While Intoxicated (DWI) Enforcement.**

**(X. CONSENT AGENDA Continued)**

**M&C C-23223 - Authorizing the City Manager to Apply for and Accept, if Awarded, Project Safe Neighborhood Grant from the North Texas Crime Commission in the Amount of \$21,995.00; Authorizing the City Manager to Enter into a Contract with the North Texas Crime Commission for Implementation of the Grant Funded Project; and Adopting Appropriation Ordinance No. 18393-12-2008 Increasing Estimated Receipts and Appropriations in the Grants Fund in the Amount of \$21,995.00 Subject to Receipt of the Grant for the Purpose of Funding the Project Safe Neighborhood Program.**

**M&C C-23224 - Authorizing an Interlocal Agreement with the North Central Texas Council of Governments for the Fire Department to Receive Hazardous Materials Training, in an Amount Not to Exceed \$11,780.85, Seeking Reimbursement from a Homeland Security Grant, Before December 29, 2009.**

End of Consent Agenda.

**XI. PRESENTATIONS BY THE CITY COUNCIL**

**1. Changes in Membership on Boards and Commissions**

Motion: Council Member Scarth made a motion, seconded by Council Member Espino, that Mr. Kirk Millican, Architect, Place No. 6, be reappointed and Mr. Joe Self, Architect, Place No. 2 and Ms. Sandra Espinoza, Architect, Alternate, be appointed to the Downtown Design Review Board, effective December 9, 2008, and with terms expiring October 1, 2010. The motion carried unanimously eight (8) ayes to zero (0) nays.

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Hicks, that Ms. Tracey Michol be appointed to Place 5 on the Human Relations Commission, effective December 9, 2008, and with a term expiring October 1, 2009. The motion carried unanimously eight (8) ayes to zero (0) nays.

Ms. Michol, through a sign language interpreter, thanked the City Council for their consideration and appointment as a Commissioner for the Human Relations Commission. She stated that it was an honor to serve the Commission and the citizens of the City of Fort Worth.

Ms. Muriel Buie, 1001 Remington Drive, appeared before Council in support of Ms. Michol's appointment to the Human Relations Commission. She explained that the term "audism" described the discrimination against a person based on their ability to hear. She expressed appreciation the Mayor and Council for taking the chance and opening up a venue for citizens to speak and also to Council Member Scarth for his support on the tough subject of being deaf. She added that the City had given people opportunity for hope and stated that the Fort Worth/Dallas area was the 3rd largest city to have the highest population of the deaf and those hard of hearing in the State of Texas. She stated that the appointment of Ms. Michol was proof that Fort Worth was on its way to be the all-American city.

**(XI. PRESENTATIONS BY THE CITY COUNCIL Continued)**

Mayor Moncrief stated that Fort Worth needed to be deaf friendly. He added that he had never heard the term of audism to describe a deaf person and that it was a descriptive term. He further stated that the Council was very sensitive to the citizens of Fort Worth and that the Council had equal responsibility to make sure every citizen had a quality of life. He welcomed Ms. Michol to the Human Relations Commission.

Mayor Moncrief advised that the Council needed to reconsider the Consent Agenda.

Motion: Council Member Jordan made a motion, seconded by Council Member Espino, that the Consent Agenda be reconsidered. The motion carried unanimously eight (8) ayes to zero (0) nays.

City Manager Fisseler requested that Mayor and Council Communication G-16381 be removed from the Consent Agenda.

Motion: Council Member Jordan made a motion, seconded by Council Member Espino, to approve the Consent agenda as amended. The motion carried unanimously eight (8) ayes to zero (0) nays.

**2. Council Proposal No. 277 - Designation of the Oakland Corners Area as a Neighborhood Empowerment Zone**

Mayor Pro tem Hicks advised that there was no Council action needed at this time.

**XII. PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS, COMMISSIONS AND/OR CITY COUNCIL COMMITTEES**

There were no presentations and/or communications from boards, commissions and/or City Council committees.

**XIV. RESOLUTIONS**

**1. A Resolution Adopting the City of Fort Worth's 2009 State Legislative Program (Continued from December 2, 2008)**

**(XIV. RESOLUTIONS Continued)**

Council Member Jordan requested, with Council Member Scarth's approval, to make an amendment to the parenthetical phrase that was drafted by staff as follows:

Add under Regional Transit Initiative, "(See attached City of Fort Worth Council Resolutions No. 3677-11-2008 Approving a Legislative Position on Rail North Texas: A Primary Rail Legislative Program with Supplemental Roadway Improvements and No. 3676-11-2008 Approving a Regional Transportation Legislative Program for the 81st Texas Legislature.)"

Council Member Scarth stated that along with the amendments, there was also language added in the Support Section under "Adequate Public Facilities" to "Support passage of legislation which permits cities to enact adequate public facilities ordinances that will allow Cities to ensure responsible development." He further stated that with the amendments he suggested that Council move for approval.

Motion: Council Member Scarth made a motion, seconded by Council Member Espino, that Resolution No. 3688-12-2008 be adopted as amended. The motion carried unanimously eight (8) ayes to zero (0) nays.

**2. A Resolution Naming the Animal Care and Control Center the Chuck Silcox Animal Care and Control Center**

Mr. Brandon Bennett, Code Compliance Director, presented the resolution to name the new spay and neuter clinic in honor of the late City Council Member Chuck Silcox. He stated that because of Council Member Silcox's time, energy and persistent compassion for animals, the City was able to fund and build the spay and neuter clinic which should bear Council Member Silcox's name. He stated that Council Member Silcox understood that every pet owner had a moral responsibility to protect the health, welfare and safety of animals. He further stated that Council Member Silcox was an advocate for the City's civic duty to take swift and appropriate action whenever and wherever an animal's well being was in jeopardy. He stated that Council was joined by family members, friends and professionals to support the resolution and remember Council Member Silcox's noble contributions to the City of Fort Worth.

Ms. Brenda Silcox, wife of Council Member Silcox, brought attention to the bulldog pins being worn by family and friends, which represented Council Member Silcox. She stated that the Silcox Family and all the animals of Fort Worth sincerely appreciated the honor.

Brandi Loar, daughter of Council Member Silcox, thanked everyone for their thoughts and prayers when the family needed them the most.

**(XIV. RESOLUTIONS Continued)**

Mayor Moncrief stated that everyone remembered Council Member Silcox for his tenacity. He added that he had requested the Council to take the action of naming the spay and neuter clinic in honor of Council Member Silcox and that it was the proper and fitting thing to do. He further stated that the Council was honored to take action on approving the naming of the facility.

Mayor Moncrief read the resolution into the record.

Motion: Mayor Pro tem Hicks made a motion, seconded by Council Member Espino, that Resolution No. 3689-12-2008 be adopted with appreciation. The motion carried unanimously eight (8) ayes to zero (0) nays.

**3. A Resolution Concurring in Transfer of Duties Relating to Maintenance of Birth and Death Records from the City of Fort Worth to Tarrant County**

Motion: Council Member Jordan made a motion, seconded by Council Member Burdette, that Resolution No. 3690-12-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays.

**4. A Resolution Urging Legislative Action to Require the Railroad Commission of Texas to Prepare an Environmental Impact Statement and Gather Data on Chemicals Used for Gas Production in the Barnett Shale**

City Secretary Hendrix read the resolution into record.

Council Member Espino stated that this was an important resolution. He requested that the energy company's look at ways to fund a Fort Worth based environmentally packed statement as the Council moved forward on the legislative issue. He requested that Council move forward and adopt the resolution.

Motion: Council Member Burns made a motion, seconded by Council Member Jordan, that Resolution No. 3691-12-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays.

**5. A Resolution Urging Legislative Action to Appropriate Funds to the Railroad Commission of Texas to Improve Inspection and Oversight of Existing, Proposed and Abandoned Natural Gas Wells and Pipelines in the Barnett Shale**

Motion: Council Member Espino made a motion, seconded by Council Member Burdette, that Resolution No. 3692-12-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays.

**6. A Resolution Nominating DCFS USA, LLC, as a Enterprise Project Pursuant to the Texas Enterprise Zone Act, Chapter 2303, of the Texas Government Code**

Motion: Council Member Burdette made a motion, seconded by Council Member Jordan, that Resolution No. 3693-12-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays.

**XV. REPORT OF THE CITY MANAGER**

**A. General**

**1. M&C G-16321 - Conduct a Public Hearing on the Application of Rodanco Partners, Ltd., for Approval of a Municipal Setting Designation for the Property Located at 400 South Jennings Avenue, an Approximately 4.391 Acre Tract, More Fully Described as Jennings South Addition, Lot 1-R, Block 36, Fort Worth, Tarrant County, Texas, to Allow the Public the Opportunity to Give Testimony; Adopt a Resolution in Support of the Application of the Rodanco Partners, Ltd., to the Texas Commission on Environmental Quality for a Municipal Setting Designation at 400 South Jennings Avenue, Fort Worth, Texas; and adopt an Ordinance Amending the Code of the City of Fort Worth (1986), as Amended, Chapter 12.5, "Environmental Protection and Compliance", Article IV "Groundwater and Surface Water Quality", by Amending Appendix "A" "Municipal Setting Designation Sites in Fort Worth", by the Addition of Section 16; Designating CFW-MSD-0016, Providing for the Prohibition of the Use of Groundwater for Potable and Irrigation Purposes in CFW-MSD-0016; Providing a Fine of up to \$2,000.00 for Each Offense in Violation of the Ordinance (Continued from November 11, 2008).**

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

**a. Report of City Staff**

Brian Boerner, Director of Environmental Management, appeared before Council and provided a staff report.

(M&C G-16321 Continued)

**b. Citizen Presentations**

There were no citizen presentations.

**c. Council Action**

Motion: Mayor Pro tem Hicks made a motion, seconded by Council Member Jordan, that the public hearing be closed and Mayor and Council Communication No. G-16321 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays.

**2. M&C G-16381 - Authorizing the City Manager to Initiate Rezoning of Certain Properties in the 9900, 10100, 10200 and 10700 Blocks of Trinity Boulevard, 3000 Block of Greenbelt Road and the 3100 Block of Bell Spur Drive, from "O-1" Floodplain and "K" Heavy Industrial to "A-5" One-Family, in Accordance with the 2008 Comprehensive Plan.**

Mr. Clyde Picht, 5016 Monarda Way appeared before Council in opposition of the rezoning. He expressed concern with contamination in the fracturing fluid and added that the rezoning to "A-5" One-Family would be inconsistent with the current zoning.

Ms. Susan Alanis, Director, Planning and Development Department, provided clarification that the frac pits contain fresh water and no chemicals. She also advised that it would be the responsibility of the operator to restore the site to the previous condition after the conclusion of the drilling activities.

Motion: Council Member Moss made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. G-16381 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays.

**5. M&C G-16384 - Approve the Proposed Settlement of the Claims of Marshall T. Robinson and Michael Ann Robinson in this Lawsuit; Authorize the Payment of \$1,400,000.00 to the Robinson's, Consisting of \$1,210,651.00 Previously Deposited in the Registry of the Court and a Check Made Payable for \$189,349.00 to Harris, Finley & Bogle, P.C. on Behalf of Marshall T. Robinson and Michael Ann Robinson; and Authorize the Attorney for the City to Approve the Agreed Judgment Necessary to Complete the Settlement.**

Motion: Council Member Jordan made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. G-16384 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays.

**6. It was the Consensus of the City Council that Mayor and Council Communication No. G-16385, Establish a Minority and Women Business Enterprise Advisory Committee, be Continued Until the December 16, 2008, Council Meeting.**

Mr. Clyde Picht, 5016 Monarda Way, appeared before Council in opposition of the establishment of a MWBE Advisory Committee, because he felt the City was close to be a minority majority.

Jay Chapa, Director, Housing and Economic Development Department, clarified that the MWBE Advisory Committee was charged as the City's citizen input on the City's MWBE ordinance that deals with the City's contracting and making sure it reflects the use of MWBE.

Council Member Scarth stated that the City still required the MWBE Advisory Committee. He stated that the MWBE could create the competitive environment the City needs. He also stated that the Black Chamber of Commerce and the Hispanic Chamber of Commerce would help create competition and capacity within the minority community.

Council Member Moss stated that he appreciated Mr. Picht's comments, but the reality is that Fort Worth was a minority city when you look at the population. He stated that the various contracts that the Council awards that there was still a struggle to have the minimum minority participation set by the MWBE office.

**7. M&C G-16386 - Receive the Petition for Establishment of Fort Worth Public Improvement District No. 14, Known as the Trinity Bluff District; Accept the Application Fee of \$150.00 to be Used by City Staff for Petition Verification and Establishing a Proposed Assessment Roll; Direct the City Manager and City Attorney to Review the Petition to Determine Whether the Petition Includes the Necessary Signatures and Meets the Other Requirements of Chapter 372, Subchapter A, Section 372.005 of the Local Government Code; and Schedule the Petition for Further Consideration at a Future City Council Meeting.**

Motion: Council Member Burns made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-16386 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays.

**8. M&C G-16387 - Authorize the City Manager to Transfer \$17,211,334.00 from the General Fund to the Contract Street Maintenance Fund; and Adopt an Appropriation Ordinance Increasing Estimated Receipts and Appropriations in the Contract Street Maintenance Fund in the Amount of \$17,211,334.00 from Available Funds for the Purpose of Funding a Portion of the Fiscal Year 2008-2009 Street and Bridge Maintenance Programs.**

Motion: Council Member Burns made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. G-16387 be approved and Ordinance No. 18395-12-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays.

**9. M&C G-16388 - Hold a Public Hearing and Adopt an Ordinance Designating Property at 2908 Cullen Street and 2909 Shamrock Avenue, City of Fort Worth as “Tax Abatement Reinvestment Zone Number Sixty-Six, City of Fort Worth, Texas”, Pursuant to and in Accordance with Chapter 312 of the Texas Tax Code.**

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

**a. Report of City Staff**

Anna Montamez, Housing and Economic Development Department, appeared before Council and provided a staff report.

**b. Citizen Presentations**

There were no citizen presentations.

**c. Council Action**

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Hicks, that the public hearing be closed and Mayor and Council Communication No. G-16388 be approved and Ordinance No. 18396-12-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays.

**10. M&C G-16389 - Hold a Public Hearing and Adopt an Ordinance Enlarging the Boundaries of Tax Increment Reinvestment Zone Number Ten (Lone Star TIF), City of Fort Worth, Texas, Pursuant to Tax Increment Financing Act, Texas Tax Code, Chapter 311 and Containing Specific Findings of Fact in Support Thereof.**

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

**a. Report of City Staff**

Shallah Hatch, Housing and Economic Development Department, appeared before Council and provided a staff report.

**b. Citizen Presentations**

There were no citizen presentations.

(M&C G-16389 Continued)

**c. Council Action**

Motion: Council Member Espino made a motion, seconded by Council Member Moss, that the public hearing be closed and Mayor and Council Communication No. G-16389 be approved and Ordinance No. 18397 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays.

**11. M&C G-16390 - Hold a Public Hearing and Adopt an Ordinance Enlarging the Boundaries of Tax Increment Reinvestment Zone Number Seven (North Tarrant Parkway TIF), City of Fort Worth, Texas, Pursuant to Tax Increment Financing Act, Texas Tax Code, Chapter 311 and Containing Specific Findings of Fact in Support Thereof.**

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

(Council Members Jordan and Burns left their places at the dais.)

**a. Report of City Staff**

Shallah Hatch, Housing and Economic Development Department, appeared before Council and provided a staff report.

**b. Citizen Presentations**

There were no citizen presentations.

**c. Council Action**

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Hicks, that the public hearing be closed and Mayor and Council Communication No. G-16390 be approved and Ordinance No. 18398-12-2008 be adopted. The motion carried unanimously six (6) ayes to zero (0) nays, with Council Members Jordan and Burns absent.

**12. M&C G-16391 - Adopt an Ordinance Amending the Code of Ordinances of the City of Fort Worth, by Amending Article II of Chapter 15, "Gas", Entitled, "Gas Drilling and Production," Regulating the Drilling and the Production of Gas Wells within the City to Provide Revised Regulations (PUBLIC HEARING).**

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

**(M&C G-16391 Continued)**

(Council Members Jordan and Burns return to their places at the dais.)

**a. Report of City Staff**

Sarah Fullenwider, Assistant City Attorney of the Law Department, appeared before Council and provided a staff report.

Mayor Pro tem Hicks advised that the Council would be holding a workshop and delaying the multiple-well site item until December 16, 2008. She added that she would make a motion to adopt the ordinance except Section 15-34L regarding multiple-well site permits with the following revisions:

- 15-42 D.B.3. Amend: All lift compressors shall be set back a minimum of 200 feet from any protected use or habitable structure or 100 feet from the property line, whichever is greater.
- 15-42 D.C.2. Add: The setback may be reduced to 300 feet from any protected use provided the line compressor is fully enclosed.
- 15-43 D.1.d. This section will only apply to trees greater than six inches. Add: The operator may choose to plant a 20 percent tree canopy in lieu of payment into the Tree Fund.
- 15-43 D.1.9. Substitute: Landscaping shall be planted within 180 days of completion of the first well.
- Insert section 15-34 (m) from Ordinance No. 16986-06-2006 to reference existing regulations regarding pad site permits. Restore language to 15-35C that states "A copy of the approved Commission permit to drill together with attachments and survey plats which are applicable to the drill sites."

Mayor Pro tem Hicks also included in the motion to move the December 16, 2008, Pre-Council meeting to 3:00 p.m. and the City Council meeting to 7:00 p.m. to allow the Council to consider the issue of the multiple-well site permits further and to also hold a workshop to further discuss this issue.

**b. Citizen Presentations**

Mr. Jim Bradbury, 2337 Mistletoe Avenue, appeared before Council in support of the ordinance but expressed concern for multiple-well pad site permits, the protection of Trinity Trails, the elimination of three words from the definition of a public building, which were stores, restaurants and shopping malls and he expressed concern for the insurance coverage being changed from \$10 million to \$5 million.

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**(M&C G-16391 Continued)**

Mr. Bob Manthei, 810 Houston Street, XTO Energy, Inc., appeared before Council in support of the ordinance and expressed concern with the multiple well site permit. He stated that XTO Energy, Inc., disagreed with the requiring of permits for existing well sites for multiple wells. He stated that if public notice was a concern that he believed adequate measures were already in place. He requested that all existing well pad sites be grandfathered and permits be required for new multiple well pad sites. He also stated that the setback for line compressors was excessive.

The following individuals also appeared before Council in support of the ordinance:

Mr. Randy Means, 1941 Berkeley Place  
Ms. Tolli Thomas, 5341 Wooten Drive

Mayor Moncrief recognized Bishop Kenneth B. Spears, 6400 Briarcliff Court, however he was not present in the Council Chamber

The following individuals appeared before Council in opposition of the ordinance. They expressed concern with sound levels, the ordinance being to restrictive, need for safety and environmental studies, quality of life issues and salt water pipelines. They also addressed the benefits of the Barnett Shale and the responsibility of the Council to protect citizens who did not understand the ordinance.

Ms. Margaret Forbes, 4120 Mattison Avenue  
Mr. Jim Ashford, 6209 Riverview Circle  
Mr. Greg Ricks, 720 Oakwood Trail  
Mr. Charlie Murphy, 2005 Thomas Place  
Mr. Gordon Appleman, Bellaire Circle  
Ms. Rita Vinson, 6216 Dovenshire Terrace  
Mr. Billy Bradbury, 23 Legend  
Ms. Esther McElfish, 7112 Martha Lane  
Mr. Louis McBee, 5513 Aspen Lane  
Mr. Clyde Picht, 5016 Monarda Way

Mayor Moncrief stated that everyone on the Council was working hard to find middle ground and that no matter what they did they could not make everyone happy. He stated that the ordinance would not be perfect, and would be a work in progress.

Council Member Burns acknowledged everyone who had a role in the public hearings and committees, especially Jim Bradbury, who served on the committee. He acknowledged staff, Ms. Susan Alanis, Planning and Development Director and Assistant City Attorney, Ms. Sarah Fullenwider, for their hard work. He expressed concern for the failure to include the protection of the Trinity Trails and the elimination of stores, restaurants and shopping malls from the definition of a public building.

**(M&C G-16391 Continued)**

Mayor Pro tem Hicks expressed concern for the decrease in insurance coverage and requested clarification from staff.

Assistant City Attorney Sarah Fullenwider clarified that the insurance coverage was not decreased and had not changed. She stated that the insurance was written to reflect the way insurance was now issued. She added that the coverage was \$5 million and the City required \$5 million.

Mayor Pro tem Hicks advised that she was ready to move forward with the two exceptions the Council will discuss in their workshop next week. She stated that she appreciated the Council delaying the decision on multiple well pad sites. She added that it was important for the Council move forward with as much of the ordinance as they could.

Council Member Jordan stated that District 6 was the only district entirely outside Loop I 820. He added that there was a need for a master plan, and that he had worked very closely with neighborhoods and with gas well companies. He further stated that he had turned down many well sites before they ever came before Council for consideration. He also stated that he worked with the neighborhoods to make sure they knew the location of the well pipelines. He expressed concern about multiple well sites and advised of the impact to his district relative to major arterial streets, railroad tracks or medians where the pipelines are placed.

Council Member Scarth clarified that the pipelines were heavy duty plastic pipes, not steel pipes like in Parker County for the salt water pipelines. He also stated that one of the primary causes for aggravation after a well site was complete, were the trucks and that the pipelines would replace the truck traffic.

Council Member Espino wanted to thank everyone for attending the Council meeting. He acknowledged Wendy Vann, the District 2 appointment of the Gas Well Task Force. He stated that the Council wanted to protect the neighborhoods and that the ordinance provided the strength and protection for the neighborhoods. He commended Mr. Jim Bradbury for his presentation on the gas ordinance at the Council meeting.

**(M&C G-16391 Continued)**

**c. Council Action**

Motion: Mayor Pro tem Hicks made a motion, seconded by Council Member Scarth, that the public hearing be closed and Mayor and Council Communication No. G-16391 be approved and Ordinance No. 16399-12-2008 be adopted as amended and as follows:

-15-42 D.B.3. Amend: All lift compressors shall be set back a minimum of 200 feet from any protected use or habitable structure or 100 feet from the property line, whichever is greater.

- 15-42 D.C.2. Add: The setback may be reduced to 300 feet from any protected use provided the line compressor is fully enclosed.

- 15-43 D.1.d. This section will only apply to trees greater than six inches. Add: The operator may choose to plant a 20 percent tree canopy in lieu of payment into the Tree Fund.

- 15-43 D.1.9. Substitute: Landscaping shall be planted within 180 days of completion of the first well.

- Insert section 15-34 (m) from Ordinance No. 16986-06-2006 to reference existing regulations regarding pad site permits. Restore language to 15-35C that states "A copy of the approved Commission permit to drill together with attachments and survey plats which are applicable to the drill sites."

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- Mayor Pro tem Hicks also included in the motion to move the December 16, 2008, Pre-Council meeting to 3:00 p.m. and the City Council meeting to 7:00 p.m.

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- The motion carried seven (7) ayes to (1) nay, with Council Member Burdette casting the dissenting vote.

**E. Award of Contract**

**9. It was the consensus of the City Council that Mayor and Council Communication No. C-23225, Award a Contract to Carter and Burgess for Consulting Services in an Amount of \$96,836.00 to Conduct a Safety Management System Pilot Study at Fort Worth Alliance Airport, be Continued until the December 16, 2008, Council Meeting.**

**10. M&C C-23226 - Authorize the City Manager to Execute a Contract with Vendigm Construction, LLC, in the Amount of \$323,310.00 for 80 Working Days for Bridge Repair at Various Locations (2008-18).**

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Hicks, that Mayor and Council Communication No. C-23226 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays.

**11. M&C C-23227 - Authorize the City Manager to Execute a Work Order in the Amount of \$209,420.00 with Job Order Contractor, Yeargan Construction Company-The Mark IV Construction Group, to Structurally Repair the Howard Cabin Located at the Log Cabin Village.**

Motion: Council Member Burns made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-23227 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays.

**12. M&C C-23228 - Authorize the City Manager to Execute a Contract with Burnesco Construction, Inc., in the Amount of \$265,469.00 for Construction of the Lost Creek Phase 2 Drainage Improvements.**

Motion: Council Member Burdette made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-23228 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays.

**13. M&C C-23229 - Authorize the City Manager to Execute a Work Order in the Amount of \$195,299.90 with Job Order Contractor, Yeargan Construction Company-The Mark IV Construction Group, to Construct Two Restroom Facilities at the Meadowbrook Golf Course, City Project No. 01209.**

Motion: Council Member Scarth made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. C-23229 be approved. The motion carried eight (8) ayes to zero (0) nays.

**14. M&C C-23230 - Authorize the City Manager to Execute Amendment No. 1 to City Secretary Contract No. 34252 with Intercon Environmental, Inc., for Asbestos Abatement and Demolition of Structures Located in the Vickery Corridor for Right-of-Way for the Southwest Parkway Project Area in the Amount of \$264,037.54.**

Motion: Council Member Burns made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-23230 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays.

**15. M&C C-23231 - Authorize the City Manager to Execute a Professional Services Agreement in the Amount of \$84,000.00 with Animal Hospital of Southwest Fort Worth for the Provision of Veterinarian Services in Support of the City's Animal Shelter and Newly-Constructed Spay/Neuter Clinic.**

Motion: Council Member Jordan made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-23231 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays.

**16. M&C C-23232 - Authorize the City Manager to Apply for and Accept, if Awarded, a Donation from Atmos Energy, Inc., in an Amount up to \$340,000.00 Annually for a Low-Income Weatherization Program; Authorize the Execution of a Contract with Atmos Energy, Inc., for the Keeping the Warmth Program Beginning on the Effective Date and Ending One Year thereafter with Automatic Successive One-Year Period Renewals; and Adopt an Appropriation Ordinance Increasing Estimated Receipts and Appropriations in the Special Trust Fund in an Amount up to \$340,000.00, Subject to Receipt of Funds from Atmos Energy, Inc., for the Purpose of Funding the Program.**

Motion: Council Member Moss made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-23232 be approved and Appropriation Ordinance No. 18400-12-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays.

**XVI. PUBLIC HEARING**

**1. Second Public Hearing for a Proposed City-Initiated Annexation of Approximately 54.9 Acres of Land in Tarrant County, Located North of Golden Triangle Boulevard and East of Interstate 35W (AX-08-005 Keller Hicks Road).**

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

**(XVI. PUBLIC HEARING Continued)**

**a. Report of City Staff**

Beth Knight, Senior Planner, Planning and Development Department, appeared before Council and provided a staff report. She advised that no Council action was required at this time.

**b. Citizen Presentations**

There were no citizen presentations.

**2. Second Public Hearing for a Proposed City-Initiated Annexation of Approximately 193.0 Acres of Land in Tarrant County, Located South of Park Drive and West of Old Decatur Road (AX-08-006 8800 Block of Boat Club Road).**

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

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

**a. Report of City Staff**

Beth Knight, Senior Planner, Planning and Development Department, appeared before Council and provided a staff report. She advised that no Council action was required at this time.

**b. Citizen Presentations**

There were no citizen presentations.

**3. Second Public Hearing for a Proposed City-Initiated Annexation of Approximately 25.7 Acres of Land in Tarrant County, Located South of Cromwell Marine Creek Parkway and East of Boat Club Road (AX-08-007 6400 Block of Boat Club Road).**

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

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

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

**(XVI. PUBLIC HEARING Continued)**

**a. Report of City Staff**

Beth Knight, Senior Planner, Planning and Development Department, appeared before Council and provided a staff report. She advised that no Council action was required at this time.

**b. Citizen Presentations**

There were no citizen presentations.

**4. Second Public Hearing for a Proposed City-Initiated Annexation of Approximately 1.5 Acres of Land in Tarrant County, Located North of Chapin Road and West of Chapel Creek Boulevard (AX-08-009 10598 Chapin Road).**

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

**a. Report of City Staff**

Beth Knight, Senior Planner, Planning and Development Department, appeared before Council and provided a staff report. She advised that no Council action was required at this time.

**b. Citizen Presentations**

Mayor Moncrief recognized Ms. Donna Adams, 10598 Chapin Road, as desiring to speak in opposition of the annexation; however, Ms. Adams was not present in the Council Chamber.

**XVII. ZONING HEARING**

**a. Cases Recommended for Approval**

**1. Zoning Docket No. ZC-08-163 - (CD 6) - Hillside Memorial Christian Church, 6410 South Freeway; from "CF" Community Facilities District to "PD/F" Planned Development for All Uses in "F" General Commercial and Excluding the Following Uses: Ambulance Dispatch Station, Center, Community Recreation or Welfare, Government Operated or Controlled, Center, Community Recreation or Welfare, Private or Non-Profit, Telecommunications Antenna (on Structure), Telecommunications Tower; Amusement, Indoor, Drive in Restaurant or Business, Convenience Store, Firewood Sales, Large Retail Store, Liquor or Package Store, Pawn Shop, Mortuary or Funeral Home, Taxidermist Shop, Veterinary Clinic with Indoor Kennel, Paint and Body Shop, Automotive Repair, Car Wash, Full or Self Service, Gasoline Sales, Amusement, Outdoor (Temporary), Batch Plant, Concrete or Asphalt (Temporary),**

**Trailer, Portable; Sales or Storage, Vendor Food, Non-Potentially Hazardous, Vendor, Merchandise, Temporary, Vendor, Transient, Vendor, Transient Door to Door, Bar, Tavern, Cocktail Lounge, Massage Parlor, Tattoo Parlor with a Masonry Screening Wall Required. Site Plan Required. (Continued From November 11, 2008).**

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

Mr. Christopher Bonilla, 3204 S. Main Street, representing the applicant appeared before Council in support of the rezoning. He explained that the site would remain as it currently was, with only updates to the buildings. He stated that the long-term development of the property included restaurants, lease spaces and a hotel. He added that City staff informed him that the proposed zoning was appropriate and that the site was in compliance with the 2008 Comprehensive Plan.

Council Member Jordan asked Mr. Bonilla to clarify the plan for the site. He pointed out that when he met with Mr. Bonilla, he was told that the site would be used for an upscale restaurant and did not mention the hotel.

Mr. Bonilla stated that initially the site would contain a hotel, restaurant and commercial leased spaces. He added that when he was before the Council on November 11, 2008, he stated that it would be a restaurant and commercial lease space.

Council Member Burdette requested clarification from Mr. Bonilla whether the property faced the frontage of Interstate 35 and if the use would be the same zoning as the property south to this property. He also asked if anyone expressed concern about the rezoning.

Mr. Bonilla clarified that the property did face Interstate 35 and that the property would be rezoned the same as the property directly next to it. He stated that one individual expressed concern, but no one else had contacted him. He advised that he did meet with the neighborhood association.

The following Individuals appeared before Council in support of the rezoning:

Mr. Jim Parr, 5336 Collinwood, stated that he was hired by the church to market their property and that he had formed the opinion that best use for the property was for a commercial tract. He added that the Comprehensive Plan called for the site to be redeveloped as a commercial site and pointed out that the City Zoning Commission had approved the rezoning. He further stated that the requested commercial use would provide jobs and services for the neighborhood as well as tax revenue. He added that the applicant had made many concessions for the development and requested the Council approve the rezoning.

**(ZC-08-163 Continued)**

Ms. Sandy Bouldin, 1208 Florentine Drive, stated that she was a member of the church and that the main reason the church was moving was a decline in membership. She advised that the church was looking for a place to relocate and the sale of the property would benefit that endeavor.

Ms. Lisa Genzer, 316 Cotillion Road, appeared before Council in opposition of the rezoning and expressed concern that Mr. Bonilla misinformed the neighborhood association of his intentions. She stated that several hotels and apartment complexes were in the area causing a concern for high crime. She was also concerned with an increase in noise, traffic, crime and property values decreasing with the amount of hotels in the area.

Council Member Jordan stated that it was a difficult case. He stated that he had met with Mr. Parr and a representative of the church. He further stated that there were no less than eight (8) motels in the area and recommended to deny the rezoning without prejudice and requested that the Planning Department look at the property and consider rezoning the entire corner of the properties.

Mayor Moncrief stated that he hoped that the miscommunication was not intentional and that there were legitimate concerns.

Motion: Council Member Jordan made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-163 be denied without prejudice. The motion carried unanimously eight (8) ayes to zero (0) nays.

**XVIII. CITIZEN PRESENTATIONS**

There were no citizen presentations.

**XX. ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:47 p.m. in memory of Ms. Evelyn Stearman who recently passed.