

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
JANUARY 22, 2008**

Present

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

City Staff

Charles Boswell, 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 10:03 a.m. on Tuesday, January 22, 2008, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

**Agenda Item II
Invocation** The invocation was given by Chaplain Mitch Felder, Fort Worth Police Department.

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

**Agenda Item IV
Approval of
Minutes** Upon a motion of Council Member Silcox, seconded by Council Member Jordan, the minutes of the regular meeting of January 15, 2008, were approved unanimously nine (9) ayes to zero (0) nays.

**Agenda Item V
Special
Presentations** Preceding the following presentation Mayor Moncrief raised awareness to the plight of hunger in Tarrant County. He stated that the Souper Bowl of Caring was an exciting and new way to fight hunger and poverty in the City. He added that the food drive began on January 9, 2008 and would continue through February 3, 2008. He encouraged everyone to participate in this effort and that the goal of the program was to raise 2M pounds in food donations that would benefit the Tarrant Area Food Bank. He added that anyone interested in donating cash or non-perishable food items could do so at Albertson's, Tom Thumb, Central Market or Kroger food stores or to access the program's website at www.souperbowl.org.

Mr. Bo Soderberg, representing the Tarrant Area Food Bank, expressed appreciation to the Mayor and Council for their support of the Tarrant Area Food Bank. He pointed out that there were over 700,000 individuals living in poverty in the Metroplex and expressed appreciation for the City of Fort Worth for setting the example of donations during the Food Bank's annual food drives.

Mayor Moncrief and Council Members presented canned goods to Mr. Soderberg to show their support of the event.

Scott LaChance, Tarrant County Manager for Half Price Books, announced the Kicking-Off of the Tenth Annual Half Price Books Half Pint Library Book Drive. He stated that the drive began on February 11, 2008, and would continue through March 21, 2008. He added that most of the gently used books were taken to Cook's Children's Hospital for the children to read and encouraged everyone to donate new or gently used books. Mayor Moncrief presented books to kick off the campaign.

Agenda Item VI
Announcements

Council Member Scarth expressed appreciation to City staff for doing an excellent job providing information during the District 4 Town Hall meeting on January 17, 2008. He also announced that on January 24, 2008, beginning at 6:00 p.m. at the Inn Suites, the Corps of Engineers would be taking public comment on the Gateway Park Addition to the Trinity Uptown Project and encouraged everyone to attend.

Council Member Jordan reminded everyone that a District 6 Town Hall meeting would be conducted on February 4, 2008, at 7:00 p.m. at North Crowley High School. He added there would be updates provided by City staff on various topics ranging from the 2008 Bond Program, parks, natatorium and other issues. Council Member Jordan also stressed the importance of the Half Price Books Half Pint Library Book Drive and stated that introducing children to books at an early age was critical to their development.

Council Member Moss expressed appreciation to everyone who participated in the workshop on making healthy food choices that was conducted at the Minyard's Food Store at 4245 East Berry Street on January 19, 2008. He stated that the workshop was excellent and that people participated from all over the City. He also announced that a Community Police Forum would be conducted on January 28, 2008, from 7:00 p.m. to 8:00 p.m. at Dunbar High School, 5700 Ramey Avenue, and encouraged all District 5 residents to attend and provide input.

Council Member Espino stated that on January 18, 2008, during the Stock Show, the Hispanic Chamber of Commerce celebrated its 25th Anniversary Fiesta Night. He congratulated the Chamber and the Stock Show for the great tradition that celebrated the City's western culture and heritage. He also announced that on January 26, 2008, Latinos Unidos, an association of eleven elected Hispanic officials in Tarrant County, and the Fort Worth Hispanic Chamber were sponsoring a breakfast at the Intermodal Transportation Center. He added that registration would begin at 8:30 a.m. with the breakfast at 9:00 a.m. and stated that Fernando Costa, Planning and Development Department Director, would provide a presentation. He encouraged all interested citizens to participate and to secure a reservation by contacting contact the Fort Worth Hispanic Chamber of Commerce at (817) 625-5411.

City Manager Boswell announced that after 17 years of dedicated service to the City, Assistant City Manager Libby Watson would retire on January 31, 2008. He stated that today was supposed to be the last Council meeting she attended; however, she was unfortunately attending to another crisis at her home. He expressed appreciation to her for her many years of service to the City and to him personally, especially the past three years while he had been City Manager. He praised her expertise on Emergency Management issues and her passionate involvement with Early Childhood Development. He extended well wishes to her in future endeavors.

Mayor Moncrief stated that he had been pleased to work with someone of Assistant City Manager Watson's caliber and made special note of her expertise during Hurricane Katrina efforts. He added that she would leave very big shoes for her replacement to fill.

**Agenda Item VII
Withdrawn from
Consent Agenda**

Council Member Silcox requested that Mayor and Council Communication No. P-10715 be withdrawn from the consent agenda.

**Agenda Item VIII
Continued/
Withdrawn By
Staff**

City Manager Boswell requested that Mayor and Council Communication Nos. G-16018 and the original G-16019 be withdrawn from consideration. He advised that Council would take action on Mayor and Council Communication G-16019 (Revised).

**Agenda Item IX
Consent Agenda**

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

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OCS-1641 M&C OCS-1641 - from the Office of the City Secretary recommending that the
Claims City Council refer notices of claims regarding alleged damages and/or injuries to
the Finance/Risk Management Department.

OCS-1642 M&C OCS-1642 from the Office of the City Secretary recommending that the
Liability Bonds City Council authorize the acceptance of these liability bonds as follows:

PARKWAY CONTRACTOR

INSURANCE COMPANY

| | |
|--------------------------------|--|
| Acoustical Control, Inc. | Old Republic Insurance Company |
| Affordable Concrete | Merchants Bonding Company |
| Cheldan Homes, LP | RLI Insurance Company |
| Cowboy Concrete | Merchants Bonding Company |
| Diego Gomez Construction | CNA Surety |
| Dwain Montanez | Merchants Bonding Company |
| Enterprise Concrete, LP | United Fire & Casualty Company |
| Felipe Aguillon | RLI Insurance Company |
| Five Ladies Construction | RLI Insurance Company |
| Flint Energy Services, Inc. | American Casualty Company |
| Flornoral Young | Western Surety Company |
| Gabreil Perez | RLI Insurance Company |
| Gene's Concrete | RLI Insurance Company |
| JM Builders | RLI Insurance Company |
| JMC Concrete, Inc. | Western Surety Company |
| Kaufman Company | Merchants Bonding Company |
| Kenneth Burkham | State Farm Fire and Casualty Company |
| Kevin Kopf Masonry | Western Surety Company |
| LR Concrete Construction | RLI Insurance Company |
| Luis Gonzalez | Western Surety Company |
| Maraqa Construction, Inc. | Western Surety Company |
| Mechanical Partners, Inc. | Merchants Bonding Company |
| RJM Contractors, LP | Fidelity and Deposit Company of Maryland |
| Ruben Zubia | Western Surety Company |
| S&B Concrete | CNA Surety |
| S&S Concrete Contractors, Inc. | SureTec Insurance Company |
| Stovall Construction, Inc. | RLI Insurance Company |
| Striland Construction, Inc. | First National Insurance Company of America |
| Vector Builders, Ltd. | Old Republic Surety Company |
| Vendigm, LLC | American States Insurance Company |

- G-16023**
Ord. No. 17951-01-2008
Ord. No. 17952-01-2008
Upgrade Vent-a-Hoods at Various Fire Stations
- M&C G-16023 - Adopting Appropriation Ordinance No. 17951-01-2008 increasing estimated receipts and appropriations in the Capital Projects Reserve Fund in the amount of \$27,500.00 from available funds for the purpose of transferring said funds to the General Fund; authorizing the transfer of \$27,500.00 from the Capital Projects Reserve Fund to the General Fund; adopting Supplemental Appropriation Ordinance No. 17952-01-2008 increasing estimated receipts and appropriations in the General Fund in the amount of \$27,500.00 from available funds, for the purpose of funding upgrades to vent-a-hoods at various fire stations; and approving the use of up to \$27,500.00 for upgrades to vent-a-hoods at various fire stations.
- G-16024**
Extend Permanent Electric Service to Sendera Ranch Pump Station and Ground Storage Tank Facility
- M&C G-16024 - Authorizing the City Manager to execute an agreement in the amount of \$113,810.22 with ONCOR Electric Delivery Company for the extension of permanent electric service to the newly-constructed Sendera Ranch Pump Station and Ground Storage Tank Facility.
- P-10716**
Hazardous Tree Removal and Disposal Services
- M&C P-10716 - Authorizing primary and secondary purchase agreements for hazardous tree removal and disposal services with Big Bird Tree Service, Inc., and Shawnee Mission Tree Service, Inc., respectively, for the Parks and Community Services Department; and authorizing the City Manager to execute interlocal agreements allowing other local governments to participate in this bid award in accordance with Local Government Code, Chapter 271.102, "Cooperative Purchasing Program Participation."
- P-10717**
Ord. No. 17953-01-2008
SVI Spartan Mobile Fire Command Center
- M&C P-10717 - Authorizing the purchase of one new SVI Spartan Motors Mobile Fire Command Center through Houston-Galveston Area Council Contract No. FS12-05 with Metro Fire Apparatus Specialist, Incorporated, for the Fire Department for a cost not to exceed \$881,621.00 with payment due within 30 days of the date of the invoice; and adopting Appropriation Ordinance No. 17953-01-2008 increasing estimated receipts and appropriations in the New Equipment Purchase Fund in the amount of \$881,621.00 to be obtained through the City's Equipment Notes Program approved by City Council on February 9, 1999, (M&C G-12462) by Ordinance No. 13701, for the purpose of funding the purchase of one new SVI Spartan Motors Fire Command Center through a Houston-Galveston Area Council Contract with Metro Fire Apparatus Specialist, Inc., for the Fire Department.

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- P-10718
John Deere 544J
Front Loader** M&C P-10718 - Authorizing the purchase of one new John Deere 544J front loader from RDO Equipment Company using Texas Association of School Boards contract for the Transportation and Public Works Department for an amount not to exceed \$126,158.60, with payment due 30 days of receipt of the invoice.
- L-14463
Convey Electric
Utility Easement
and Right-of-Way
on City-Owned
Property** M&C L-14463 - Authorizing the conveyance of one Electric Utility Easement and right-of-way described as being a portion of Lots 1 and 2, Ross Heights Addition, Tarrant County, Texas, to Oncor Electric Delivery Company on City-owned property on Gendy Street in the Cultural District of Fort Worth (DOE 5608), required for the installation, operation, maintenance, upgrade and repair of transmission, distribution and communication cables to serve the Fort Worth Museum of Science and History and the Will Rogers Memorial Center Complex and find the amount of \$10.00 is just compensation.
- L-14464
Sale of Tax-
Foreclosed
Property** M&C L-14464 - Authorizing the direct sale of two tax-foreclosed properties, one described as the south 50 feet of Lots 9 and 10, Block 19, Harlem Hills Addition I, located at 4709 Horne Street for the amount of \$6,016.00 and the other described as Lots 31 and 32, Block 47, Chamberlain Arlington Heights 2nd Addition, located at 5516 Wellesley Avenue, for the amount of \$4,036.60, both properties in Fort Worth, Tarrant County, Texas, in accordance with Section 34.05 of the Texas Property Tax Code to Opening Doors for Women in Need; and authorizing the City Manager to execute and record the appropriate instruments (DOE 920) conveying the properties to complete the sale.
- L-14465
Pipeline Crossing
License Agreement
for Water Pipeline** M&C L-14465 - Authorizing the City Manager to enter into a Pipeline Crossing License Agreement with Union Pacific Railroad Company for a 12-inch water pipeline located at Milepost 241.73 (DOE 5630, No. 02449-29), for a one-time cost of \$2,540.00.
- C-22626
Alpha Building
Corporation** M&C C-22626 - Authorizing the City Manager to execute a work order with Job Order Contractor, Alpha Building Corporation, in the amount of \$25,733.00 to repair the parking garage on 10th Street and Taylor Street.
- C-22627
TranSystems
Corporation, d/b/a
TranSystems
Corporation
Consultants of Fort
Worth, Texas** M&C C-22627 - Authorizing the City Manager to execute an Engineering Services Agreement with TranSystems Corporation, d/b/a TranSystems Corporation Consultants of Fort Worth, Texas, for engineering services related to the Bridge Maintenance Program based on hourly rates not to exceed \$150,000.00.

- C-22628**
Change Order No. 1 to CSC No. 35377 - McClendon Construction Company, Inc. M&C C-22628 - Authorizing the City Manager to execute Change Order No. 1 to City Secretary Contract No. 35377 with McClendon Construction Company, Inc., for Pavement Reconstruction and Water and Sanitary Sewer Replacement on Clinton Avenue and Gould Avenue (Project No. 00297) in the amount of \$39,259.50, thereby increasing the contract amount to \$741,467.50.
- C-22629**
Amendment No. 9 to CSC No. 27553 - Prime Strategies, Inc. M&C C-22629 - Authorizing the City Manager to execute Amendment No. 9 to City Secretary Contract No. 27553 with Prime Strategies, Inc., in the amount of \$800,000.00 for State Highway 121 Southwest Parkway project management services.
- C-22630**
Estate of Dwight Chandler, Acting By and Through Linda Gail Grimes, Executrix M&C C-22630 - Authorizing the City Manager to execute a lease agreement for approximately 12,900 square feet of improved property located at 2822 West 5th Street and unimproved property located at 2901 Merrimac Street, from the Estate of Dwight Chandler, acting by and through Linda Gail Grimes, Executrix, for the Police Fleet Operations Center at a cost of \$5,106.25 per month.
- C-22631**
SecureWorks, Inc., Formerly LURHQ, Inc. M&C C-22631 - Authorizing the City Manager to execute an agreement for enterprise security monitoring, intrusion prevention, firewall management, vulnerability scanning and threat intelligence services with SecureWorks, Inc., formerly LURHQ, Inc., for the Water Department network infrastructure at an estimated cost of \$132,479.00; and authorizing this agreement to begin January 22, 2008, and expire January 21, 2009, with one option to renew for an additional one-year period.
- C-22632**
Alan Plummer Associates, Inc. M&C C-22632 - Authorizing the City Manager to execute an engineering agreement with Alan Plummer Associates, Inc., for the Regional Wastewater Treatment Plant Sites Evaluation and Selection Study, in the amount of \$145,751.00; and authorizing entering into an interlocal agreement with the City of Aledo (City Project No. 00970) to provide for cost participation of 35 percent of this engineering agreement.
- C-22633**
Ord. No. 17954-01-2008
Northstar Construction, Inc. M&C C-22633 - Authorizing the City Manager to execute a contract with Northstar Construction, Inc., in the amount of \$670,000.00 for Splash Pad Improvements at Sycamore Park; and adopting Appropriation Ordinance No. 17954-01-2008 increasing estimated receipts and appropriations in the Park Gas Lease Project Fund in the amount of \$206,174.00 from Gas Well Royalty Revenue for the purpose of executing a contract with Northstar Construction, Inc., for Splash Pad Improvements at Sycamore Park.

The motion carried. End of Consent Agenda.

**Agenda Item X
Presentations by
City Council**

Mayor requested Council consideration for the following appointments:

- a. Council Member Scarth as Chair of the Legislative and Intergovernmental Affairs Committee
- b. Council Member Burns to the Legislative and Intergovernmental Affairs Committee
- c. Council Member Espino as Chair of the Infrastructure and Transportation Committee
- d. Council Member Burns to the Infrastructure and Transportation Committee
- e. Mayor Pro tem Hicks as Vice Chair of the Audit and Finance Committee
- f. Council Member Silcox to the Audit and Finance Committee
- g. Council Member Silcox to the Municipal Court Committee
- h. Council Member Espino to the Regional Transportation Council

Council Member Burns made a motion, seconded by Council Member Espino, that the appointments of Council Members to the various committees as indicated above be approved effective January 22, 2008. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Agenda Item XI
Committee
Presentations**

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

**Agenda Item XIII
Res. No. 3573-01-
2008
Appoint Council
Member Moss to
Board of Directors
for Various
Corporations and
Authorities**

There was presented a resolution of the City Council of the City of Fort Worth, Texas, appointing Frank Moss, Council Member in District 5, to the Board of Directors for the following corporations and authorities, effective January 22, 2008, and with terms expiring July 1, 2009:

Service Center Relocation, Inc.
Trinity Housing Finance Corporation

Council Member Espino made a motion, seconded by Council Member Jordan, that Resolution No. 3573-01-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Res. No. 3574-01-
2008
Appoint Council
Member Burns to**

There was presented a resolution of the City Council of the City of Fort Worth, Texas, appointing Joel Burns, the newly elected Council Member in District 9, to the Board of Directors for the following corporations and authorities, effective January 22, 2008, and with terms expiring as indicated:

| Board of Directors for Various Corporations and Authorities | <u>Corporation/Authority</u> | <u>Expiration of Term</u> |
|--|--|----------------------------------|
| | Fort Worth Housing Finance Corporation | July 1, 2009 |
| | Fort Worth Local Development Corporation | July 1, 2009 |
| | Service Center Relocation, Inc. | July 1, 2009 |
| | Sunbelt Industrial Development Authority | May 31, 2009 |
| | Trinity Housing Finance Corporation | July 1, 2009 |

Council Member Silcox made a motion, seconded by Council Member Espino, that Resolution No. 3574-01-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

AGENDA ITEM XIV – REPORT OF THE CITY MANAGER

- G-16018
Reliable Paving,
Inc. – Withdrawn
from
Consideration**
- It was the consensus of the City Council that Mayor and Council Communication No. G-16018, dated January 15, 2008, Authorizing Execution of a Contract with Reliable Paving, Inc., through a Tarrant County Contract to Repair the Parking Lots for the Police Department West Division Headquarters Located at 3525 Marquita, be withdrawn from consideration.
- G-16019
Initiate Rezoning
of Certain
Properties in
Accordance with
Six Points Urban
Village Master
Plan – Withdrawn
from
Consideration**
- It was the consensus of the City Council that Mayor and Council Communication No. G-16019, dated January 15, 2008, Authorize the City Manager to Initiate Rezoning of Certain Properties in the Six Points Urban Village in Accordance with the Six Points Urban Village Master Plan and the Comprehensive Plan, be withdrawn from consideration.
- G-16019 Revised
Initiate Rezoning
of Certain
Properties in
Accordance with
Six Points Urban
Village Master
Plan and
Comprehensive
Plan**
- There was presented Mayor and Council Communication No. G-16019 Revised from the City Manager recommending that the City Council authorize the City Manager to initiate certain zoning changes from “CF” Community Facilities, “B” Two Family, “C” Medium Density Multifamily, “E” Neighborhood Commercial, “MU-1” Low Intensity Mixed Use, “F” General Commercial, “I” Light Industrial, “J” Medium Industrial and “PD” Planned Development to “MU-1” Low Intensity Mixed Use for the Six Points Urban Village in accordance with the Six Points Urban Village Master Plan and the Comprehensive Plan.

Council Member Espino made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. G-16019 Revised be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**G-16025
Ord. No. 17955-01-
2008
Amend Chapter 6,
Article I, Section 6-
1 and Article II,
Section 6-13 of
City Code -
Linda Schulko**

There was presented Mayor and Council Communication No. G-16025 from the City Manager recommending that the City Council adopt an ordinance amending Chapter 6 "Animals and Fowl" of Article I, Section 6-1 "Definitions" of the City Code to add definitions and Article II, Section 6-13 "Restraint of Animals" of the City Code to provide additional requirements and regulations for unattended tethering of dogs; providing specifications; providing for exceptions.

Ms. Linda Schulko, 6329 Wallingford Drive, appeared before Council in support of the ordinance. She summarized the abuse of animals she had observed from unattended tethering and pointed out the injuries and deaths caused by tethering. She expressed appreciation to the Council and City staff for their proactive action on this issue.

Mayor Moncrief recognized Ms. Schulko for her caring attitude and contribution to the City. He added that anyone caught tethering an animal should be tethered themselves.

Mayor Moncrief recognized the following individuals in the audience who did not wish to speak but supported the ordinance:

**Suzette Watkins,
Jay Sabatucci,
James Sheppard**

Ms. Suzette Watkins
Mr. Jay Sabatucci
Mr. James Sheppard

1801 Bomar Avenue
6815 Manhattan Blvd., Ste 102
159 Parkway Drive

Council Member Silcox stated that better enforcement of this issue needed to be done by the Code Compliance Department. He stressed the importance of having animals spayed or neutered to reduce the amount of unwanted or stray animals and pointed out that having animals spayed or neutered would assist in decreasing housing costs at the Animal Control Center.

Mayor Pro tem Hicks stated that the pictures she had seen of tethered animals were horrific and expressed appreciation to City staff for moving forward on this issue so quickly.

Council Member Scarth stated that he would like to see the City pursue an educational campaign to advise citizens on this new ordinance and on the proper care of pets, licensing, etc.

Council Member Silcox made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-16025 be approved and Ordinance No. 17955-01-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

Public Hearing
G-16026
Ord. No. 17956-01-
2008
Renew Rolling
Hills
Neighborhood
Empowerment
Reinvestment Zone
No. 8

It appeared that the City Council set today as the date for a public hearing to adopt an ordinance concerning renewal of the Rolling Hills Neighborhood Empowerment Reinvestment Zone No. 8. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Ms. Sarah Odle, Administrative Assistant, Housing Department, appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. G-16026, as follows:

There was presented Mayor and Council Communication No. G-16026 from the City Manager recommending that the City Council hold a public hearing concerning the renewal of the Rolling Hills area as Fort Worth Neighborhood Empowerment Reinvestment Zone No. 8; and adopt an ordinance renewing and re-designating a certain area in the City of Fort Worth as "Neighborhood Empowerment Reinvestment Zone No. 8, City of Fort Worth, Texas"; providing the effective and expiration dates for the Zone and a mechanism for renewal of the Zone; and containing other matters related to the Zone.

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, Mayor and Council Communication No. G-16026 be approved and Ordinance No. 17956-01-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

P-10715
Mowing and
Clean-Up Services

There was presented Mayor and Council Communication No. P-10715 from the City Manager recommending that the City Council authorize non-exclusive purchase agreements to provide mowing and clean-up services for private-owned properties with R.E. Scroggins, New Era Contract-Services and Lawn Patrol Services, Inc., for the Code Compliance Department, based on the three lowest bids received with payments due 30 days after receipt of invoices.

Council Member Silcox stated that he hoped the Code Compliance Department had included in the agreement that the company would be responsible for ensuring that grass clippings and leaves debris were not blown into the streets and if they were that the contractor had to clean up the debris.

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Mr. Brandon Bennett, Code Compliance Department Assistant Director, confirmed that such a provision was in the contract and added that the department had planned on having an annual briefing with the contractors in March to remind them of that contract requirement.

Council Member Silcox stated that he had seen citizens and contractors blow grass clippings and leaves into the streets and stated that there needed to be a way of getting the message out to residents about this illegal activity that was punishable by a fine. He added that it also was a burden on the taxpayers of the City to clean out storm drainage system that had been clogged by grass clippings and leaves.

Council Member Silcox made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. P-10715 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**PZ-2769
Ord. No. 17957-01-
2008
Street and Alley
Vacation
(VA-07-009)**

There was presented Mayor and Council Communication No. PZ-2769 from the City Manager recommending that the City Council adopt an ordinance vacating and extinguishing a portion of East Daggett Avenue between South Calhoun Street and the alley in Blocks 5 and 10, Daggett's Second Addition, out of the J.H. Childress Survey, Abstract No. 250, City of Fort Worth, Tarrant County, Texas; and waive any and all purchase fee value of the vacated land in accordance with City policy (M&C G-15624).

Mayor Pro tem Hicks made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. PZ-2769 be approved and Ordinance No. 17957-01-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**PZ-2770
Res. No. 3575-01-
2008
Remove Land from
Annexation Plan**

There was presented Mayor and Council Communication No. PZ-2770 from the City Manager recommending that the City Council approve a resolution amending the City of Fort Worth's annexation plan to remove an approximately 23 acre tract of land located south of Timberland Boulevard and west of Ridgeview Circle, situated in the Francisco Cuella Survey, Abstract No. 266, Tarrant County, Texas, from the plan.

Council Member Espino made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. PZ-2770 be approved and Resolution No. 3575-01-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

PZ-2771
Ord. No. 17958-01-
2008
Owner Initiated
Annexation
(AX-07-008, Keller
ISD)

There was presented Mayor and Council Communication No. PZ-2771 from the City Manager recommending that the City Council institute and consider the adoption of an ordinance declaring certain findings; providing for the extension of certain boundary limits of the City of Fort Worth; providing for the annexation of an approximately 23.0 acre tract of land situated in the Francisco Cuella Survey, Abstract No. 266, situated about 13.0 miles north 10 degrees east of the courthouse, Tarrant County, Texas (Case No. AX-07-008, Keller ISD), which said territory lies adjacent to and adjoins the present corporate boundary limits of Fort Worth, Texas; providing that the territory annexed shall bear its pro rata part of taxes; providing that the inhabitants thereof shall have all the privileges of all the citizens of Fort Worth, Texas; providing that this ordinance shall amend every prior ordinance in conflict herewith.

Council Member Espino made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. PZ-2771 be approved and Ordinance No. 17958-01-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

C-22634
Range Production
Company

There was presented Mayor and Council Communication No. C-22634 from the City Manager recommending that the City Council authorize the City Manager to execute a Public Right-of-Way Use Agreement with Range Production Company that grants Range Production Company a license to use a certain public right-of-way of the City of Fort Worth for the purpose of constructing, maintaining and operating a natural gas pipeline across Will Rogers Boulevard.

Mayor Pro tem Hicks made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. C-22634 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

C-22635
Oscar Renda
Contracting, Inc.

There was presented Mayor and Council Communication No. C-22635 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Oscar Renda Contracting, Inc., in the amount of \$2,146,057.50 for M-244B Emergency Sanitary Sewer Rehabilitation (City Project No. 00834).

Council Member Moss made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. C-22635 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

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**C-22636
Ord. No. 17959-01-
2008
Huitt-Zollars, Inc.**

There was presented Mayor and Council Communication No. C-22636 from the City Manager recommending that the City Council authorize the City Manager to execute a professional services agreement with Huitt-Zollars, Inc., in the amount of \$34,731.00 for the master planning of Mallard Cove Park; and adopt an appropriation ordinance increasing estimated receipts and appropriations in the Park Gas Lease Project Fund in the amount of \$38,731.00 from Gas Well Bonus Revenues for the purpose of executing a professional services agreement with Huitt-Zollars, Inc., for the master planning of Mallard Cove Park.

Council Member Scarth made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22636 be approved and Appropriation Ordinance No. 17959-01-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

AGENDA ITEM XVA – ZONING HEARINGS: CASES RECOMMENDED FOR APPROVAL

**Continued Zoning
Case
ZC-07-216
SP-07-059
Continued Until
January 29, 2008**

It appeared that the City Council, at its meeting of January 15, 2008, continued the hearing of the application of RP Partners, Ltd., et al., for a change in zoning of property located at 1651 South University Drive, 1605 West Bank Circle and 1701 River Run from “G” Intensive Commercial to “PD/G” Planned Development for “G” Intensive Commercial, plus hotel and residential with waivers to the off street parking and loading requirements, and allow for 50 percent of the south and west facades of Building “C” (parking garage) to be used as a projection surface for art or signage; no electric changeable copy sign, and with site plan required for retail, office, hotel and residential, Zoning Docket No. ZC-07-216 and Site Plan No. SP-07-059. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

There being no one present desiring to be heard in connection with the application of RP Partners, Ltd., et al., Council Member Burns made a motion, seconded by Council Member Silcox, that Zoning Docket No. ZC-07-216 and Site Plan No. SP-07-059 be continued until the January 29, 2008, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Agenda Item XVI
Citizen
Presentations
Charles J. Walch**

Mayor Moncrief recognized Mr. Charles J. Walch, 2706 Treeview Drive, Arlington, Texas, as wishing to appear before the Council relative to \$100,000,000.00 for the dredging of Lake Worth; however, Mr. Walch was not present in the Council Chamber.

Joe Waller

Mr. Joe Waller, 2533 Castle Circle, President of the Lake Worth Alliance, appeared before Council and advised that Mr. Walch and other individuals who were curious about the dredging of Lake Worth should access the Alliance's website at www.LakeWorthAlliance.net to obtain more information and learn about studies done on this process. He also inquired if it would make sense to have different type of requirements for gas drilling for environmentally sensitive areas such as Lake Worth. He pointed out that gas drillers were required to use closed loop systems for high impact gas wells and there may be situations where the harvesting of minerals where closed loop systems were not used because the drilling did not fall within a particular category.

Council Member Silcox stated that Mr. Waller's suggestion needed to be forwarded to the Gas Well Task Force as an item for review.

Mayor Pro tem Hicks concurred with Council Member Silcox's suggestion and expressed appreciation to Mr. Waller for his nice message to her last week.

Agenda Item XVII
Executive Session

It was the consensus of the City Council that they recess into Executive Session at 10:46 a.m. to:

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules as authorized by Section 551.071 of the Texas Government Code:
 - a) City of Fort Worth v. Arcadia Park, L.P., and Site Concrete, Inc., Cause No. 153-222641-07;
 - b) Legal issues concerning premature street failures;
 - c) Legal issues concerning gas drilling and related activities;
 - d) Legal issues related to code enforcement;
 - e) Legal issues related to the City of Fort Worth Employees' Retirement Fund;
 - f) Legal issues concerning meet and confer negotiations;
 - g) Legal issues concerning any item listed on today's City Council meeting agendas; and

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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 12:15 p.m.

**Agenda Item XVIII
Adjournment** There being no further business, the meeting was adjourned at 12:15 p.m.

These minutes approved by the Fort Worth City Council on the ____ day of _____, 2008.

Attest:

Approved:

Marty Hendrix
City Secretary

Michael J. Moncrief
Mayor