

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
FEBRUARY 26, 2008**

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**Present**

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

**City Staff**

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

With a quorum of the City Council Members present, Mayor Moncrief called the regular session of the Fort Worth City Council to order at 10:13 a.m. on Tuesday, February 26, 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 Pastor Laird Duran, Grace Evangelical Lutheran Church.

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

**Agenda Item IV  
Approval of  
Minutes**                Upon a motion of Council Member Silcox, seconded by Council Member Jordan, the minutes of the regular meeting of February 19, 2008, were approved unanimously nine (9) ayes to zero (0) nays.

**Agenda Item V  
Special  
Presentations**        Mr. Richard Roper, U.S. Attorney for the Northern District of Texas (Department of Justice), presented the Eagle Award to Fort Worth Police Chief Ralph Mendoza on behalf of the Department of Justice. He stated that Chief Mendoza stood as a leader among leaders in his profession and that his efforts had been truly appreciated.

Chief Mendoza expressed appreciation for the award and stated that his work was about building partnerships and leveraging resources of many agencies to be successful.

Mr. Anthony Meyers, Parks and Community Services Assistant Director, presented a history of the Cowboy Santa Program and recognized the following Cowboy Santa sponsors:

- Chesapeake Energy Corporation
- Freeman Toyota
- The U.S. Marines Toys-for-Tots Program
- Mark Spencer
- The Ranch Radio (95.9FM)
- WFAA Channel 8
- Downtown Fort Worth, Inc.
- Sundance Square
- Mattel, Inc.
- Park Place Dealership
- Lockheed Martin Aero Club
- CH2M Hill

Ms. Sharon Armstrong, Board President for Cowboy Santas, recognized Mayor Moncrief and Rosie Moncrief, Honorary Chair for Cowboy Santas, and presented each of them with official red Cowboy Santa's jackets. Ms. Armstrong also recognized Ms. Carol Brown, Como Community Center Coordinator for the Parks and Community Services Department, for her many contributions to the program.

Mayor Moncrief expressed appreciation to all the volunteers and sponsors for their support of this program. He asked Police Officer Jeffery Bryan, Fort Worth Police Department, to provide an update to the Council of the Cycles for Success Program.

Officer Bryan stated that Cycles for Success was a program that the City assisted the Fort Worth Independent School District (FWISD) with, along with efforts of the Fort Worth Police and Fire Department personnel, to identify at risk children who wanted to improve their attendance in FWISD by providing bicycles to these children. He stated that this year the program was tasked with addressing 165 students that would win bicycles for good attendance and that the program would be conducted on May 7, 2008, at the Fort Worth Police and Fire Training Center. He added that anyone interested in donating bicycles could contact him at the Police Department.

Mayor Moncrief encouraged Council Members to support this program by donating a bicycle towards this effort.

Mr. Kenneth Barr, Chairman of Fort Worth Sister Cities International, introduced Ms. Judith Dillard, representing the Walk the Nation Initiative in Swaziland. He advised that Walk the Nation was a groundbreaking initiative coordinated by several organizations that was designed to educate and empower the Swazi people about the HIV/AIDS pandemic gripping their country. He advised that over 100,000 participants will walk 200 kilometers in 12 days across the Kingdom of Swaziland to bring awareness to this effort.

Council Member Moss presented Ms. Dillard with a Molly pin to wear in the Walk the Nation event.

Ms. Dillard, a survivor of HIV, stated that it was an honor to be selected to represent the City in this effort and that she was proud to be an ambassador for Fort Worth and Fort Worth Sister Cities International.

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

Council Member Burns announced that he had received an e-mail from the Linwood Neighborhood Association commending Code Compliance Officer Becky Leal. He stated that the e-mail cited Ms. Leal's commitment to the community by finding sponsors to provide smoke alarms, translating neighborhood flyers, donating efforts toward neighborhood clean up efforts, Christmas gifts for the community's children, and painting low income and elderly homes. He expressed appreciation to Ms. Leal for her efforts and stated that the City was very proud of her commitment to the community.

Council Member Silcox stated that during the Pre-Council Work Session a report was brought forward by staff relative to gas well revenues over the next 25 years. He stated that he asked for the report as a number of citizens were concerned that the bond package election on May 10, 2008, contained a controversial issue regarding raising funds for the repair of streets in neighborhoods and arterial streets. He added that some of the concern centered around Barnett Shale revenues and utilizing that revenue to repair the streets. He explained that the City was projected to receive \$1,058,000,000.00 over 25 years; however, the greatest percentage of that was already earmarked by federal and state law and reverter clauses that restricted the City from using those funds. He pointed out that over 25 years, projected at today's prices of gas and regulations, the City would only have accumulated \$49.8 million which was less than \$2 million per year for that 25-year period. He added that the \$2 million would help, but it was not available to do a massive street bond program to build streets, drainage systems, etc., and was not available to be used for a long time down the road.

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Mayor Moncrief advised that today's meeting would be adjourned in the memory of *Dallas Morning News* Journalist Carl L. Freund and Dallas Police Officer Senior Corporal Victor Lozado.

**Agenda Item VII  
Withdrawn from  
Consent Agenda**

There were no items removed from the Consent Agenda.

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

There were no items continued or withdrawn by the staff.

**Agenda Item IX  
Consent Agenda**

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

**OCS-1647  
Claims**

M&C OCS-1647 - from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance/Risk Management Department.

**G-16063  
Res. No. 3587-02-  
2008  
Execute Agreement  
for Construction,  
Maintenance and  
Operation of Safety  
Lighting Systems  
within City**

M&C G-16063 - Adopting Resolution No. 3587-02-2008 authorizing the execution of an agreement with the Texas Department of Transportation (TxDOT) for construction, maintenance and operation of the safety lighting systems within the City of Fort Worth, as follows:

The seven locations currently maintained by TxDOT are:

1. State Highway 183 (Airport Freeway) and State Highway 360;
2. Interstate Highway 35W (North Freeway) and Interstate Highway 820 North;
3. Business 287 and Interstate Highway 820 North;
4. Interstate Highway 820 (Northwest) and State Highway 199;
5. Interstate Highway 30 (West Freeway) and Interstate Highway 820 West;
6. Interstate Highway 820 and Spur 580 (Camp Bowie West); and
7. Interstate Highway 35W and State Highway 170.

The three proposed locations on State Highway 121 to be maintained by TxDOT are:

1. State Highway 121/Sycamore School Road intersections/ramps;
2. State Highway 121/Future McPherson Road intersections/ramps; and
3. State Highway 121/Fort Worth and Western Railroad bridge underpass lighting.

**P-10731**  
**Software Licenses and Maintenance Support**      M&C P-10731 - Authorizing the purchase agreement for the Police Department for software licenses and maintenance support of the Computer Aided Dispatch System with Oracle USA, Inc., through the State of Texas Department of Information Resources Contract.

**P-10732**  
**After-School Snacks Program**      M&C P-10732 - Authorizing a purchase agreement with Dean's Nutritional Food Service for the After-School Snacks Program for the Parks and Community Services Department.

**P-10733**  
**Cobra Head Street Light Luminaires**      M&C P-10733 - Authorizing a purchase agreement with Dealers Electrical Supply for cobra head street light luminaires for the Transportation and Public Works Department based on lowest responsive bid, with payment due 30 days after receipt of an invoice.

**P-10734**  
**Agricultural Pesticides**      M&C P-10734 - Authorizing purchase agreements for agricultural pesticides with BWI Companies, Helena Chemicals Company, Lesco, Inc., CWC Chemical, Inc., and Univar USA for the Parks and Community Services Department based on the low bid by line items meeting specifications as follows, with payments due 30 days from receipt of invoices.

<u>Vendors</u>	<u>Line Items</u>	<u>Estimated Expenditures</u>
BWI Companies	1, 13, 14 and 18	\$ 8,255.35
Helena Chemical Company	3-10, 12, 15, 20, 22-24, 28 and 30	\$102,473.20
Lesco, Inc.	2, 16, 21, 25, 27 and 29	\$155,043.95
CWC Chemical, Inc.	17 and 19	\$7,785.00
Univar USA	11 and 26	\$13,366.08

**P-10735**  
**Lab Supplies and Replacement Parts**      M&C P-10735 - Authorizing a sole source purchase agreement with Horizon Technology, Inc., to provide lab supplies and replacement parts for existing Horizon Technology, Inc., equipment for the Water Department. The shipping cost will be prepaid and added to the invoice with payment due 30 days after receipt of invoices.

**P-10736**  
**Surveillance Equipment**      M&C P-10736 - Authorizing the sole source purchase of surveillance equipment from Gans and Pugh Associates, Inc., for the Police Department.

**P-10737**  
**Translation Services**      M&C P-10737 - Authorizing a purchase agreement with Language Line Services, LLC, for translation services using a Texas Department of Information Resources contract for the Police Department.

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- P-10738  
Precast Reinforced  
Concrete Box  
Culverts** M&C P-10738 - Authorizing a purchase agreement for precast reinforced concrete box culverts with Hanson Pipe and Products, Inc., through a City of Denton, Texas, cooperative purchasing agreement.
- P-10739  
Microbiological  
Supplies** M&C P-10739 - Authorizing a sole source purchase agreement with IDEXX Distribution, Inc., to provide microbiological supplies for the Water Department on the basis of documented sole source. The shipping cost will be prepaid and added to the invoice with payments due 30 days after receipt of invoices.
- L-14474  
Work Order to  
Renovate Previous  
Fire Station No. 25  
Located at 2911  
Schwartz Avenue** M&C L-14474 - Authorizing the City Manager to execute a work order with Job Order Contractor, Yeagen Construction Company-The Mark IV Construction Group, in the amount of \$46,959.64, to renovate the previous Fire Station No. 25 located at 2911 Schwartz Avenue.
- L-14475  
Acquire of Right-of-  
Way Easement for  
Construction of  
Golden Triangle  
Boulevard  
Improvements** M&C L-14475 - Approving the acquisition of one Right-of-Way Easement described as a portion of Tract 12D, William McCowan Survey, Abstract No. 999, Fort Worth, Tarrant County, Texas, from The Estate of Wauldine Harrington Luna, located in north Fort Worth, for the construction of Golden Triangle Boulevard improvements (DOE 5773); finding that the price offered in the amount of \$175,488.00, plus an estimated closing cost of \$2,000.00, is just compensation; and authorizing the acceptance and recording of appropriate instruments.
- C-22680  
Signature  
Technology Group,  
Inc.** M&C C-22680 - Authorizing the City Manager to execute an agreement for mainframe computer peripheral equipment maintenance with Signature Technology Group, Inc., for the Information Technology Solutions Department.
- C-22681  
Cole Construction,  
Inc.** M&C C-22681 - Authorizing the City Manager to execute a contract with Cole Construction, Inc., in the amount of \$183,818.00 for the installation of granite plaques at the Evans Avenue Plaza (DOE 5866).
- C-22682  
Change Order No. 2  
to CSC No. 32304 -  
Peachtree  
Construction, Ltd.** M&C C-22682 - Authorizing the City Manager to execute Change Order No. 2 to City Secretary Contract No. 32304 with Peachtree Construction, Ltd., for H.M.A.C. Surface Overlay 2005-18 at various locations, in the amount of \$72,011.55, thereby increasing the contract amount to \$551,518.55.

**C-22683**  
**Change Order No. 2**  
**to CSC No. 35227 -**  
**Stabile and Winn,**  
**Inc.**

M&C C-22683 - Authorizing the City Manager to execute Change Order No. 2 to City Secretary Contract No. 35227, a construction contract with Stabile and Winn, Inc., for pavement reconstruction and water and sanitary sewer replacements on Wesleyan Drive South and Strong Avenue (Project No. 00171), in the amount of \$42,600.00 thereby revising the contract amount to \$1,206,293.40.

**C-22684**  
**Amendment No. 1 to**  
**CSC No. 33943 -**  
**One SR, L.P.,**  
**Sendera Ranch,**  
**LTD., and Two SR,**  
**L.P.**

M&C C-22684 - Authorizing the City Manager to execute Amendment No. 1 to City Secretary Contract No. 33943, a Community Facilities Agreement with One SR, L.P., Sendera Ranch, LTD., and Two SR, L.P., for the installation of the Sendera Ranch Pump Station and Ground Storage Tank to serve Sendera Ranch, Sendera Ranch East, and other adjacent developments increasing City Participation by \$42,975.04 to \$4,530,275.04.

The motion carried. End of Consent Agenda.

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

Council Member Burns made a motion, seconded by Council Member Jordan, that Ms. Penny McCook be appointed to Place 9 on the Community Development Council effective February 26, 2008, and with a term expiring October 1, 2009. 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 – REPORT OF THE CITY MANAGER**

**G-16064**  
**Appoint Hearing**  
**Officer and**  
**Substitute Hearing**  
**Officer for**  
**Automated Red**  
**Light Enforcement**  
**Program**

There was presented Mayor and Council Communication No. G-16064 from the City Manager recommending that the City Council appoint Mark Weibel as a hearing officer with the authority to administer oaths and issue orders compelling the attendance of witnesses and the production of documents to conduct administrative hearings pursuant to the Automated Red Light Enforcement Ordinance No. 17677; and expand the duties of Parking Violation Bureau Hearing Officer David Westen to include those of a substitute hearing officer for the Automated Red Light Enforcement Program administered by the Transportation and Public Works Department.

Council Member Silcox made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-16064 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

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**G-16065  
Ord. No. 17997-02-  
2008  
Accept Grant to  
Promote and  
Execute FitFuture  
KIDS Fest**

There was presented Mayor and Council Communication No. G-16065 from the City Manager recommending that the City Council authorize the City Manager to execute one grant contract with the United Way of Metropolitan Tarrant County and accept funding in the amount of \$15,284.82 for the promotion and execution of the FitFuture KIDS Fest for a period to begin January 1, 2008, and end December 31, 2008; adopt an appropriation ordinance increasing estimated receipts and appropriations in the Grants Fund in the amount of \$15,284.82 upon execution of the contract with the United Way of Metropolitan Tarrant County for FitFuture KIDS Fest funds; waive any indirect cost to allow maximum use of funds toward delivery of this community event; and deposit any interest accrued, resulting from the lump sum payment, to the FitFuture KIDS Fest Special Trust Account at the end of 2008 to be used for funding of future events.

Mayor Pro tem Hicks advised that she had filed a Conflict of Interest Affidavit with the City Secretary's Office and would abstain from voting on this issue.

Council Member Scarth made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-16065 be approved and Appropriation Ordinance No. 17997-02-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, and with one abstention by Mayor Pro tem Hicks.

**G-16066  
Ord. No. 17998-02-  
2008  
Accept Grant for  
Diamond Hill  
Coalition After-  
School Program**

There was presented Mayor and Council Communication No. G-16066 from the City Manager recommending that the City Council authorize the City Manager to apply for and accept, if awarded, a grant in the amount of up to \$78,500.00 from the Texas Education Agency to operate the Diamond Hill Coalition After-School Program for the 2007-2008 program year; authorize the City Manager to designate an Assistant City Manager as the authorized official for the Diamond Hill Coalition After-School Program to accept, reject, or alter the grant, if awarded; authorize the City Manager, contingent upon receipt of the grant award, to execute contracts with the YMCA of Metropolitan Fort Worth and Camp Fire USA First Texas Council to conduct the Diamond Hill Coalition After-School Program; and adopt an appropriation ordinance increasing estimated receipts and appropriations in the Grants Fund in the amount of \$78,500.00 subject to receipt of the grant from the Texas Education Agency to fund the Diamond Hill Coalition After-School Program for the 2007-2008 program year.

Council Member Espino made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. G-16066 be approved and Appropriation Ordinance No. 17998-02-2008 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Public Hearing  
G-16067  
Amend Section 23-  
19 of the City Code,  
Curfew Hours for  
Minors –  
Continued Until  
March 4, 2008**

It appeared that the City Council set today as the date for a public hearing for review and reinstatement of the Curfew Ordinance for Minors and adopt the ordinance for three years. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Ms. Patricia Kneblick, Executive Deputy Chief, Police Department, appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. G-16067 as follows:

There was presented Mayor and Council Communication No. G-16067 from the City Manager recommending that the City Council hold public hearings on February 26, 2008, and March 4, 2008, on the curfew ordinance; review the effect of the Curfew Ordinance for Minors on the community and on the problems the ordinance was intended to remedy, and make a determination that the purposes of the ordinances are met; and adopt an ordinance amending Section 23-19, "Curfew Hours for Minors" of the Code of the City of Fort Worth, as amended, by revising the effective date and by adding an amended sunset provision; providing a penalty not to exceed \$500.00.

There being no one present desiring to be heard in connection with the public hearing, Council Member Silcox made a motion, seconded by Council Member Jordan, that the public hearing and Mayor and Council Communication No. G-16067 be continued until the March 4, 2008, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

City Attorney Yett advised that the Council was required to hold two discrete public hearings on this ordinance. He added that the second public hearing would be next week whereby the Council could continue the public hearing once again or take action on the ordinance.

**L-14476  
Lease for Natural  
Gas Drilling of City-  
Owned Properties**

There was presented Mayor and Council Communication No. L-14476 from the City Manager recommending that the City Council approve the acceptance of a lease agreement for natural gas drilling under 2.1703 mineral acres, more or less, of City-owned properties located in Tarrant County, Texas, known as Eagle Mountain Ranch Park located at 7200 Bunk House Drive to XTO Energy, Inc., for a two-year primary term.

Council Member Burdette made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. L-14476 be approved.

Council Member Silcox asked for clarification of what wells under consideration on today's agenda were high impact wells.

Assistant City Attorney Sarah Fullenwider clarified that all the wells on today's agenda were just for conversion of the park properties and the City would not know at this time which wells would be high impact wells until the City received bid proposals. She pointed out that the M&Cs were requesting permission to allow subsurface drilling and the extraction of natural gas from an offsite location and that no high impact issues would be part of the motion.

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

**Public Hearing**  
**L-14477**  
**Convert Parkland**  
**for Purpose of**  
**Subsurface Drilling**  
**and Extraction of**  
**Natural Gas**

It appeared that the City Council set today as the day for a public hearing to authorize conversion of parkland at Ed K. Collett Park for the purpose of subsurface drilling and extraction of natural gas from an offsite location. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Mr. Harold Pitchford, Assistant Director, Parks and Community Services Department, appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. L-14477, as follows:

There was presented Mayor and Council Communication No. L-14477 from the City Manager recommending that the City Council conduct a public hearing under the guidelines set forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; find that no feasible or prudent alternative exists to drilling and extracting gas from underneath this park site; find that the proposed conversion includes all reasonable planning to minimize harm to the parkland; and close the public hearing and authorize the City Manager to convert the following park for subsurface drilling and the extraction of natural gas from an offsite location:

- Ed K. Collett Park - 4800 West Vickery Boulevard, approximately 7.69 acres, located to the southwest of Driskell Boulevard, and northeast of Vickery Boulevard.

There being no one present desiring to be heard in connection with the public hearing, Council Member Burdette made a motion, seconded by Council Member Jordan, that the public hearing be closed and Mayor and Council Communication No. L-14477 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Public Hearing  
L-14478  
Convert Parkland  
for Purpose of  
Subsurface Drilling  
and Extraction of  
Natural Gas**

It appeared that the City Council set today as the day for a public hearing to authorize conversion of parkland at Ellis Park, Gid Hooper Park and Louella Bales Baker Park for the purpose of subsurface drilling and extraction of natural gas from an offsite location. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Mr. Harold Pitchford, Assistant Director, Parks and Community Services Department, appeared before Council, gave a staff report. He advised that during the review of the request for the conversion of Louella Bales Baker Park, issues were discovered that required further legal review prior to the conversion and recommended that Louella Bales Baker Park be removed from consideration. He called attention to Mayor and Council Communication No. L-14478, as follows:

There was presented Mayor and Council Communication No. L-14478 from the City Manager recommending that the City Council conduct a public hearing under the guidelines set forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; find that no feasible or prudent alternative exists to drilling and extracting gas from underneath these park sites; find that the proposed conversions include all reasonable planning to minimize harm to the parkland; and close the public hearing and authorize the City Manager to convert the following parks for subsurface drilling and the extraction of natural gas from an offsite location:

- Ellis Park - 3400 Riverside Drive, approximately 10.51 acres, located to the south of Devitt Street, west of South Riverside Drive, and east of Yuma Avenue;
- Gid Hooper Park - 814 Retta Street, approximately 1.24 acres, located to the south of LaSalle Street, west of Retta Street, and east of Versia L. Williams Elementary School;
- Louella Bales Baker Park - 3101 East First Street, approximately 0.96 acres, located to the west of Riverside Drive, north of East First Street, and east of Chandler Drive.

City Attorney Yett advised that staff had recommended the M&C be approved without the consideration of Louella Bales Baker Park to allow staff to perform further research on legal issues.

Mayor Pro tem Hicks stated that Mr. Richard Zavala, Parks and Community Service Department, provided a very good presentation during the Pre-Council Work Session that showed the benefits to the City parks as a result of the drilling. She added however, that she had previously expressed her concern relative to high impact wells and urged staff to ensure these wells did not become high impact wells and impact the community in a negative manner.

There being no one present desiring to be heard in connection with the public hearing, Mayor Pro tem Hicks made a motion, seconded by Council Member Silcox, that the public hearing be closed and Mayor and Council Communication No. L-14478 be approved as amended. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Public Hearing**  
**L-14479**  
**Convert Parkland**  
**for Purpose of**  
**Subsurface Drilling**  
**and Extraction of**  
**Natural Gas**

It appeared that the City Council set today as the day for a public hearing to authorize conversion of parkland at Fire Station Park, Jefferson Davis Park, Linwood Park, Traders Oak Park and Worth Heights Park for the purpose of subsurface drilling and extraction of natural gas from an offsite location. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Mr. Harold Pitchford, Assistant Director, Parks and Community Services Department, appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. L-14479, as follows:

There was presented Mayor and Council Communication No. L-14479 from the City Manager recommending that the City Council conduct a public hearing under the guidelines set forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; find that no feasible or prudent alternative exists to drilling and extracting gas from underneath these park sites; find that the proposed conversions include all reasonable planning to minimize harm to the parkland; and close the public hearing and authorize the City Manager to convert the following parks for subsurface drilling and the extraction of natural gas from an offsite location:

- Fire Station Park - 1601 Lipscomb Street, approximately 1.70 acres, located to the south of Maddox Avenue, west of Hemphill Street, north of Allen Avenue and east of Lipscomb Street;

- Jefferson Davis Park - 4001 Townsend Drive/2000 West Bolt Street, approximately 6.50 acres, located to the south of Drew Lane, west of Burlington Northern Santa Fe Railroad, north of Flint Street, and east of Townsend Drive;
- Linwood Park - 301 Wimberly Street, approximately 4.00 acres, located to the south of Wingate Street, west of Foch Street, north of Merrimac Street, and east of Wimberly Street;
- Traders Oak Park - 1206 Samuels Avenue, approximately 3.27 acres, located to the south of 10<sup>th</sup> Street, north of Poindexter Street, and east of Samuels Avenue; and
- Worth Heights Park - 3812 South Jones Street, approximately 0.58 acres, located to the south of Dickson Street, north of Pafford Street, west of Jones Street, and east of Stuart Drive.

**Vicki Bargas**

Ms. Vicki Bargas, 301 E. Drew, appeared before Council in opposition of the conversion of park land at Worth Heights Park. She stated that Worth Heights Park was small and requested that the Council not let the park become a high impact drilling site. She asked for assurance that any revenues derived from the drilling of the park site be returned to the park for improvements. She also inquired about an interest of several companies who expressed an interest of drilling at the park and if only one company would be selected to drill.

Ms. Susan Alanis, Planning and Development Department Acting Director, stated that when the City leased the property the drilling was placed in a public bid process and that staff reviewed the offers provided. She added that the bids were often received from the same lease holders of other properties surrounding the park that were interested in drilling at a particular park. She further stated that for this park, only one operator would be selected.

Council Member Burns reiterated that this issue was to allow the conversion of the park to permit drilling underneath the park and that no permit for drilling on the park had been issued.

There being no one else present desiring to be heard in connection with the public hearing, Council Member Burns made a motion, seconded by Council Member Silcox, that the public hearing be closed and Mayor and Council Communication No. L-14479 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

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**Public Hearing  
L-14480  
Convert Parkland  
for Purpose of  
Subsurface Drilling  
and Extraction of  
Natural Gas**

It appeared that the City Council set today as the day for a public hearing to authorize conversion of parkland at Fox Run Park for the purpose of subsurface drilling and extraction of natural gas from an offsite location. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Mr. Harold Pitchford, Assistant Director, Parks and Community Services Department, appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. L-14480, as follows:

There was presented Mayor and Council Communication No. L-14480 from the City Manager recommending that the City Council conduct a public hearing under the guidelines set forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; find that no feasible or prudent alternative exists to drilling and extracting gas from underneath this park site; find that the proposed conversion includes all reasonable planning to minimize harm to the parkland; and close the public hearing and authorize the City Manager to convert the following park for subsurface drilling and the extraction of natural gas from an offsite location:

- Fox Run Park - 8777 Fox Meadow Way, approximately 9.79 acres, located to the south of Hunters Point Way, north of Country Lane and east of Fox Meadow Way.

There being no one present desiring to be heard in connection with the public hearing, Council Member Jordan made a motion, seconded by Council Member Espino, that the public hearing be closed and Mayor and Council Communication No. L-14480 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Public Hearing  
L-14481  
Convert Parkland  
for Purpose of  
Subsurface Drilling  
and Extraction of  
Natural Gas**

It appeared that the City Council set today as the day for a public hearing to authorize conversion of parkland at Sylvania Park for the purpose of subsurface drilling and extraction of natural gas from an offsite location. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Mr. Harold Pitchford, Assistant Director, Parks and Community Services Department, appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. L-14481, as follows:

There was presented Mayor and Council Communication No. L-14481 from the City Manager recommending that the City Council conduct a public hearing under the guidelines set forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; find that no feasible or prudent alternative exists to drilling and extracting gas from underneath this park site; find that the proposed conversion includes all reasonable planning to minimize harm to the parkland; and close the public hearing and authorize the City Manager to convert the following park for subsurface drilling and the extraction of natural gas from an offsite location:

- Sylvania Park - 3700 East Belknap Street, approximately 29.22 acres, located to the southeast of Belknap Street, west of Sylvania Park Drive, north of Maurice Avenue, and east of Eagle Drive.

There being no one present desiring to be heard in connection with the public hearing, Council Member Scarth made a motion, seconded by Council Member Silcox, that the public hearing be closed and Mayor and Council Communication No. L-14481 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22685**  
**Barnett Gathering,**  
**LP**

There was presented Mayor and Council Communication No. C-22685 from the City Manager recommending that the City Council authorize the City Manager to execute a Public Right-of-Way Use agreement with Barnett Gathering, LP, that grants Barnett Gathering, LP, a license to use certain public rights-of-way of the City of Fort Worth for the purpose of constructing, maintaining and operating a natural gas pipeline which will cross Will Rogers Boulevard, Oak Grove Road, Joel East Road and Wichita Street.

Mayor Pro tem Hicks made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22685 be approved with appreciation to the staff. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22686**  
**Barnett Gathering,**  
**LP**

There was presented Mayor and Council Communication No. C-22686 from the City Manager recommending that the City Council authorize the City Manager to execute a Public Right-of-Way Use Agreement with Barnett Gathering, LP, that grants Barnett Gathering, LP, a license to use certain public rights-of-way of the City of Fort Worth for the purpose of constructing, maintaining and operating a natural gas pipeline which will cross Enon Road, Oak Grove Road and Everman Parkway.

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Mayor Pro tem Hicks made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22686 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22687  
AIL Investment,  
L.P., and State of  
Texas**

There was presented Mayor and Council Communication No. C-22687 from the City Manager recommending that the City Council authorize the execution of an Exchange Agreement between AIL Investment, L.P., the State of Texas and the City of Fort Worth concerning the exchange of certain real property to allow the realignment of a section of the state highway facility known as Farm to Market Road 156 in connection with the extension of runways at Alliance Airport; authorize the acceptance of a 36.33-acre segment of real property from AIL Investment, L.P.; authorize the conveyance of the 36.33-acre segment of real property to the State for the construction of the new Farm to Market Road 156; authorize the acceptance of a 21.375-acre tract of real property from the State after the decommissioning of old Farm to Market Road 156 as a state highway; and authorize the conveyance of the 21.375-acre tract of real property to AIL Investment, L.P., pursuant to Local Government Code 272.001(b)(1).

Council Member Espino made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22687 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**C-22688  
Health Care Service  
Corporation, d/b/a  
Blue Cross Blue  
Shield of Texas**

There was presented Mayor and Council Communication No. C-22688 from the City Manager recommending that the City Council authorize the City Manager to execute the Tax Abatement Agreement with Health Care Service Corporation, d/b/a Blue Cross Blue Shield of Texas, subject to non-material changes acceptable to the City; and find that the statements set forth in the recitals of the Tax Abatement Agreement are true and correct.

Council Member Espino made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22688 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**Agenda Item XIV  
Citizen  
Presentations  
Jim Ashford**

Mr. Jim Ashford, 6209 Riverview Circle, appeared before Council relative to the excessive noise in his community created from gas well compressors. He provided handout materials to the City Council. He advised the Council of various noise sources near his home and expressed concerns that he had not received any assistance from the City; however, he did receive creative obstacles.



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Mr. Louis McBee 5513 Aspen Lane  
(Represented the Eastside Sector Alliance and provided handout  
information. )

Ms. Darlia Hobbs 8113 Anchorage Place, Tarrant  
(Represented Marine Creek Hills) County

Mr. Clyde Picht 5016 Monarda Way  
(Represented the Citizens for Responsible Government)

**Grayson Harper** Mr. Grayson Harper, 3605 Bellaire Drive South, appeared before Council requesting support for the impeachment of the President and Vice President of the United States.

**Diane Wood** Ms. Diane Wood, 2308 Aster Avenue, appeared before Council requesting her support for a resolution to impeach the President and Vice President of the United States. She submitted the wording for the resolution and petitions from citizens requesting the Council endorse the resolution.

Ms. Wood also spoke on her opposition to urban gas drilling and the negative impact it had on air quality and water. She advised that residents do not receive all the facts on drilling before they sign leases and urged the Council to not allow drilling in urban areas.

**Agenda Item XV  
Executive Session** It was the consensus of the City Council that they recess into Executive Session at 11:49 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) Abder El Hamad v. Commercial Board of Adjustment, a Division of the Zoning Board of Adjustment of the City of Fort Worth, Cause No. 96-226346-07;
  - b) Legal issues concerning any item listed on today's City Council meeting agendas; and
2. Deliberate the purchase, sale, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and

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

**Reconvened**           The City Council reconvened into regular session at 1:15 p.m.

**Agenda Item XVI**       There being no further business, the meeting was adjourned at 1:15 p.m. in the  
**Adjournment**           memory of *Dallas Morning News* Journalist Carl L. Fruend and Dallas Police  
Officer Senior Corporal Victor Lozado.