

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
JULY 8, 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

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 7:10 p.m. on Tuesday, July 8, 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 Reverend Sultan Cole, Revealed Word Ministries.
- Agenda Item III
Pledge** The Pledge of Allegiance was recited.
- Agenda Item IV
Approval of
Minutes** Upon a motion of Mayor Pro tem Hicks, seconded by Council Member Silcox, the minutes of the regular meeting of June 17, 2008, were approved unanimously nine (9) ayes to zero (0) nays.
- Agenda Item V
Special
Presentations** Council Member Scarth presented a Proclamation for Recreation and Parks Month to Mr. Steve Relyea, Parks and Community Services Advisory Board Chair.

Mayor Moncrief advised anyone present in the Council Chamber to address the Council on the 8th Avenue well site that the issue had been postponed by the affected party indefinitely. He also advised that the meeting agenda was very lengthy and to facilitate two citizen presentations on sensitive issues and reduce the capacity of attendees in the Council Chamber, he would exercise the prerogative of the chair and move those presentations to this portion of the agenda.

**Citizen
Presentations
Richard Van
Houten**

Corporal Richard Van Houten, 904 Collier Street, representing the Fort Worth Police Officers' (FWPOs') Association, appeared before Council and expressed frustration with the negotiation process for Meet and Confer issues. He stated that Association representatives had full decision making authority during the meetings but that City representatives did not appear to have the authority to negotiate and make decisions. He added that after 12 months of meetings, a solution was not even close to being achieved. He asked the following questions:

1. Does the City's team have authority to make decisions and if so, why had the City's team been unable to agree on any issues without having the consent of the Council?
2. Has the City team been given instructions to avoid an agreement and if not, why has the City's team only tentatively agreed to a preamble after 12 months of meetings?
3. Is the City Manager's Office authorized to make decisions in this process and if not, should the FWPOs' Association be meeting with the City Council instead?

Corporal Van Houten pointed out that the answers to the questions did not mean as much to the Association as did the solutions. He added that City's representatives needed the same authorization as the FWPOs' Association representatives for the process to be successful. He added that completion of the process would make the Fort Worth Police Department the best in the nation.

Council Member Espino commended the FWPOs' Association for addressing the Council on this issue. He stated that the negotiations for Meet and Confer required a good faith effort for all parties involved for the process to be successful. He recommended that representatives take a 30-day cooling-off period to refocus and reprioritize efforts before restarting negotiations.

Council Member Jordan stated that he agreed with Council Member Espino's recommendation; however, it did not mean that discussions needed to be suspended as this process was not at the Council level yet. He added that representatives for the FWPOs' Association and City could count on the Council for support and encouraged them to continue to cooperate with one another.

Council Member Silcox advised that he supported Council Member Espino's recommendation for a 30-day cooling-off period.

**Richard Van
Houten
(Continued)**

Mayor Pro tem Hicks pointed out that the City already had the best Police Department in the nation and advised that without their involvement in southeast Fort Worth there would be no development or progress in that area. She added that the negotiations needed to be completed sooner rather than later.

Mayor Moncrief stated that the City was very proud of the City's Police Department. He provided the following statement in response to Corporal Van Houten's comments:

“The City's negotiation team, as directed by the meet and confer statute, is authorized to negotiate directly with the Police Officers' Association. Y'all helped pass that bill, you know how it reads. Once an agreement is reached, it is then, and only then, subject to ratification by this City Council, as well as your police organization.

The City has a commitment to open communication, and to make a reasonable attempt to address issues, find solutions, and ensure that compensation is fair, reasonable, and competitive. Fort Worth has a long tradition of rewarding value and creating incentives—a tradition that we have every intention to keep.

Fort Worth also has a reputation of working together to find win-win solutions on behalf of the greater good of this community we all serve. In this case, that would mean the final product of these negotiations would be balanced. It would be a contract that meets both the city's needs and the needs of the POA. Everyone should have skin in this game. That is what local control is all about, and that is what this Council—and ultimately, the citizens of Fort Worth—are looking for in a contract.

According to meet and confer statute—that you supported before the Texas Legislature—the POA is required to negotiate with the team selected by the City Manager and the Police Chief. The statute doesn't provide for negotiations with this Council.

The management team has continually expressed its willingness to negotiate, but let me be clear: The City is working in the shadow of an extremely difficult and challenging budget process. It would be unwise and irresponsible for the City to agree on a contract it can't pay for. Moreover, this would be unfair to the tax payers of this City to whom we are directly responsible.

The safety of this City and all who call it home is a major priority for me...for the members of this Council...our City Manager and his staff. So while we talk about a 30-day cooling off period, it is my hope that your Association will return to the bargaining table on July 21, as was originally scheduled, because by then we will have our financial information in hand to craft a compromise that will be acceptable to you, this City, and our tax payers.”

Martha Chambers Ms. Martha Chambers, 3112 Tanglewood Trail, appeared before Council relative to the construction of an adoption room at the Fort Worth Animal Care and Control Center. She provided a history of efforts to fund the construction of an adoption room and advised of the current inadequate practice used by the Animal Care and Control Center to provide citizens an area to look at animals eligible for adoption. She pointed out that sick animals and adoptable animals were housed in the same cage and that capacity for caging animals was exceeded at various times of the year and especially during the summer months. She advised that a new adoption room would cost approximately \$900,000.00 and suggested various ways to fund the construction of the facility. She commended the efforts of the staff at the Animal Care and Control Center and emphasized that she did not see this as an economic issue, but one of a basic function of the City. She asked that the Council find a way to fund the construction of the adoption center.

Council Member Silcox expressed appreciation to Ms. Chambers for her presentation. He added that he had raised this issue several times during his tenure on the Council and provided a history of efforts used to fund construction of the adoption room. He inquired as to the status of the surgery clinic at the Animal Care and Control Center and was advised by City Manager Fisseler that the clinic was approximately 60 percent completed. He pointed out that 18,000 animals were euthanized annually and that once the spay and neuter clinic was operating, that number would be substantially reduced and a cost savings realized by the City.

Mayor Pro tem Hicks expressed appreciation to everyone who was present in the Council Chamber in support of this issue and commended Ms. Chambers for spearheading the effort. She advised of the problem of stray animals in southeast Fort Worth and agreed that the Council needed to find a way to support the construction of the adoption room.

Council Member Scarth concurred with his colleagues' comments and that the City would continue to search for a way to fund the adoption room. However, he advised of the City's current budget situation and the possibility of employee layoff's to meet budget demands.

Council Member Espino stated that this was really a public health and safety issue. He added that educating the community would assist with reducing the number of stray animals as well as the benefit of spaying or neutering pets. He pointed out that the City needed to find a capital funding stream to support the construction of the facility.

Martha Chambers
(Continued)

Mayor Moncrief stated that this issue had very strong support of the Council; however, the facility's construction was a budget matter and a matter of supply and demand of City needs. He added that the City needed to get its financial house in order first and pointed out that the City was facing a very difficult budget challenge. He advised that the funding of the facility still had to be in line with other funding priorities and that if there was a way to fund the facility without detrimental consequences, the Council would find a way.

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

City Secretary Hendrix advised that the presentation relative to Casa Mañana's 50th birthday celebration would be rescheduled to a future Council meeting.

Agenda Item VI
Announcements

Council Member Burns announced that the Citizens on Patrol training would be conducted on June 12, 2008, from 8:00 a.m. to 4:00 p.m. at the Fire and Police Training Academy, 1000 Calvert, north of downtown. He encouraged everyone to get involved with this program and pointed out that it was a very effective way to impact crime in the neighborhood. He added that anyone needing more information could contact him through his office at (817) 392-8809.

Council Member Jordan advised all City employees that the Employees' Retirement Fund had been removed from the Texas State Pension Review Board watch list. He commended the members of the Fort Worth Employees' Retirement Fund Board and City staff for their efforts to improve to the fund. He also announced that on the afternoon of July 1, 2008, the Environmental Protection Agency signed and approved a state implementation plan on clean air for the region. He added that various organizations approved the plan and advised that it would take everyone working together to improve the air quality in the region. He further advised that a meeting to develop the District 6 charrette was held on July 7, 2008, to put together a master plan and design for the Summercreek Station, a train station in District 6. He advised of the need for commuter rail in the City and added that the train station would be the first in Fort Worth.

(Council Member Silcox returned to his place at the dais.)

Council Member Moss expressed appreciation to Attorney Robert West for presenting a briefing on gas well leasing last evening held at the Eugene McCray Center. He added there was significant attendance and appreciated the center for hosting the presentation. He announced that everyone interested in losing weight and learning about healthy food choices could attend a Healthy Food Workshop on July 12, 2008, at the Minyards Food Store on 4245 E. Berry

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**Announcements
(Continued)**

Street and Miller Avenue from 10:00 a.m. to Noon. He added that the clinic was sponsored by AgriLife Extension of Texas A&M University, Minyards and the Fort Worth Health Department. He added that attendees would learn how to reduce their grocery bills and eat healthy.

Council Member Espino announced that a Mini Town Hall meeting would be conducted for the Scenic Bluff Neighborhood on July 17, 2008, at 7:00 p.m. at the Riverside Community Center. He also advised that Latinos Unidos would be holding another breakfast meeting on July 26, 2008, at a place to be determined and the subject would be the new Tarrant County College Campus at the Radio Shack Corporate Campus. He added that he hoped there would also be information on a new voter information outreach effort that would focus on neighborhoods on the north side of the City. He also announced that another Town Hall meeting would be conducted for the Diamond Hill community on July 29, 2008, at 7:00 p.m. at Diamond Hill Jarvis High School. He recognized Mr. Ron Shear, President of the Diamond Hill Neighborhood Association, in the audience and commended him on his leadership in the community.

Mayor Moncrief advised that he would exercise the prerogative of the chair to move to Zoning Docket Nos. ZC-08-090 and ZC-08-092 to allow Council Member Silcox to be excused from the remainder of the meeting as he was not feeling well.

AGENDA ITEM XVA – ZONING HEARINGS: CASES RECOMMENDED FOR APPROVAL

Zoning Hearing

It appeared to the City Council that the Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the Fort Worth Star-Telegram, the official newspaper of the City of Fort Worth, on June 19, 2008. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

**ZC-08-090
Approved**

There was presented Zoning Docket No. ZC-08-090, application of Patsy L. Cantrell for a change in zoning of property located at 7201 Camp Bowie Boulevard from “PD-681” Planned Development for all uses in “E” Neighborhood Commercial, plus outdoor farmer’s market, with site plan waived to amend “PD-681” to include a pub/tavern, and with site plan waiver recommended.

ZC-08-090
(Continued)
Patsy Cantrell

Ms. Patsy Cantrell, 4954 FM 1187, Crowley, Texas, applicant, appeared before Council in support of the rezoning request. She advised that the proposed use was for an Irish Pub to occupy the current storefront vacant space. She added that her family had been involved in the successful development of this area for 75 years and pointed out the success of the Edelweiss Restaurant at the location. She stated that individuals in opposition of the rezoning had concerns that were unfounded and encouraged the Council to support the rezoning request.

Jarroed Roecker

Mr. Jarrod Roecker, 7349 Brazos Avenue, appeared before Council in support of the rezoning. He reiterated that the proposed storefront for the pub was vacant and that a business in the shopping center would be of benefit to the community. He pointed out that the owner of the business was embracing the aviation heritage of Fort Worth and would name the business as the "Falcon Pub." He commended Ms. Cantrell on her community involvement and activism and emphasized that the opposition for the rezoning was routed in fear and not logic. He stated that the rezoning would not have a negative affect on the community.

Stephanie Busby

Ms. Stephanie Busby, 1501 W. Spurgeon, appeared before the Council also in support of the rezoning. She advised that the shopping center had been at this location for 30 years and alcohol use had always been present. She pointed out that much of the center had vacant storefronts which could attract criminal activity and the pub would reduce that attraction. She also advised that the applicant's family occupied a portion of the shopping center and asserted the family would not be there if they felt it was an unsafe environment.

Phyllis Ann Clark

Ms. Phyllis Ann Clark, 3716 Desert Ridge Drive, appeared before Council in opposition of the rezoning. She stated that she lived directly behind where the pub would be located and was opposed to the late hours, noise and smells that would emanate from the business. She expressed concern with increased traffic in the traffic circle adjacent to the shopping center and the safety of the children and elderly residents in the area. She also advised of the flooding to her property resulting from the runoff of the retail center and that nothing had been done by Ms Cantrell to address that issue.

Mayor Moncrief advised Ms. Clark that a staff member would work with her relative to her flooding issue.

ZC-08-090
(Continued)
Larry Keils

Mr. Larry G. Keils, 4409 Fairfax Street, appeared before Council in opposition of the rezoning. He advised that the proposed pub was 150 yards from a school which was a safety concern for the children and the community did not need a bar located that close to a school. He added that 134 people were opposed to the rezoning and requested that Council deny the rezoning.

Council Member Silcox stated the existing property presently contained the correct zoning; only the use was being changed. He advised that the storefront was previously occupied by a Mexican and then an Italian restaurant that served liquor. He further stated that a restaurant with an internal bar was an acceptable use for the location and asked staff to further clarify the need for the zoning change.

Ms. Dana Burghdoff, Planning and Development Department Deputy Director, confirmed Council Member Silcox's statement and clarified that a pub was considered to be a bar and was not allowed as a stand-alone use in "E" Neighborhood Commercial. She added that under the "PD" zoning existing today, a stand-alone bar, tavern or pub would not be allowed at the shopping center. She pointed out that a restaurant that served alcohol or a store that sold alcohol for off-premise consumption; i.e., a convenience store or similar use, would be allowed under existing zoning.

Council Member Silcox referred to the success of another business owned by the applicant, the Bull 'N Bush, in the area on Montgomery Street. He pointed out that the location had not been the site of a single criminal incident. He added that he had attended several neighborhood association meetings for this area and had a great respect for the people in opposition of this issue; however, he believed the reasons for the opposition did not warrant a denial of the rezoning.

Council Member Silcox made a motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-08-090, be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

ZC-08-092
Approved

There was presented Zoning Docket No. ZC-08-092, application of Edwards Geren Limited for a change in zoning of property located in the 2800 block of Bryant Irvin Road from "PD-577" Planned Development for all uses in "E" Neighborhood Commercial, plus hotel, service station and retail stores over 60,000 square feet to "A-5" One Family Residential.

ZC-08-092
(Continued)
Isaac Manning

Mr. Isaac Manning, 2128 Mistletoe, representing Edwards Geren Limited, appeared before Council in support of the rezoning. He advised the Council of the proposed up scale single-family residential development and requested their favorable consideration.

Council Member Silcox pointed out that the single-family homes in this "A-5" development would not be rental properties, but owner occupied homes. He made a motion, seconded by Council Member Burns, that Zoning Docket No. ZC-08-092, be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

(Council Member Silcox left his place at the dais and left the meeting.)

Mayor Moncrief advised that he would utilize the prerogative of the chair once again and moved Zoning Docket No. ZC-08-041 forward on the agenda at this time.

ZC-08-041
Continued Until
July 29, 2008

There was presented Zoning Docket No. ZC-08-041, application of Ben & Peggy Kates/Destructors Inc., for a change in zoning of property located at 4900 Esco Drive and 4801 Freeman Drive from "J" Medium Industrial to "PD/J" Planned Development for all uses in "J" Medium Industrial, plus concrete crushing and recycling, with site plan included.

Mayor Pro tem Hicks stated that she had received a letter from the City of Forest Hill on this issue and added that she would like the opportunity to discuss the letter with staff. She made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-041, be continued until the July 29, 2008, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

Mayor Pro tem Hicks advised those individuals present to address this issue that her Council Aide would contact them to set up a meeting with them in the near future.

Agenda Item VII
Withdrawn from
Consent Agenda

City Manager Fisseler requested that Mayor and Council Communication No. G-16187 be withdrawn from the consent agenda and that M&C G-16197 be moved up on the agenda and considered at the same time as that item.

Council Member Jordan requested that Mayor and Council Communication No. C-22891 be withdrawn from the consent agenda.

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**Agenda Item VIII
Continued/
Withdrawn By Staff** City Manager Fisseler requested that Mayor and Council Communication No. C-22858 withdrawn from consideration. He advised that Council would take action on the revised version of the M&C.

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

**OCS-1669
Claims** M&C OCS-1669 - from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance/Risk Management Department.

**OCS-1670
Liability Bonds** M&C OCS-1670 - from the Office of the City Secretary recommending that the City Council authorize the acceptance of these liability bonds, as follows:

PARKWAY CONTRACTOR INSURANCE COMPANY

Dirtco dba Styles Contracting	Merchants Bonding Company (Mutual)
Adelita Construction, Inc.	RLI Insurance Company
AD Concrete	SureTec Insurance Company
Longhorn C S, LLC.	Western Surety Company
Stice Enterprises, Inc.	American States Insurance Company
AMS Company, Inc.	Western Surety Company
Dallas Concrete Contractors	SureTec Insurance Company

**G-16181
Brookside
Neighborhood –
Initiate Rezoning** M&C G-16181 – Authorizing the City Manager to initiate certain rezoning changes for the Brookside Neighborhood from “A-5” One-Family, “B” Two Family, “E” Neighborhood Commercial and “I” Light Industrial to “A-10” One-Family and “A-5” One-Family, in accordance with the 2008 Comprehensive Plan.

**G-16182
Stop Six
Neighborhood –
Initiate Rezoning** M&C G-16182 – Authorizing the City Manager to initiate certain rezoning changes for the Stop Six Neighborhood from “A-10” One-Family, “A-7.5” One-Family, “A-5” One-Family, “B” Two-Family, “C” Medium Density Multifamily, “O” High Density Multifamily, “CF” Community Facilities, “E” Neighborhood Commercial, “FR” General Commercial Restricted and “PD” Planned Development to “A-5” One-Family, “CF” Community Facilities, “E” Neighborhood Commercial and “PD” Planned Development, in accordance with the 2008 Comprehensive Plan.

G-16183
Village Creek
Neighborhood –
Initiate Rezoning

M&C G-16183 – Authorizing the City Manager to initiate certain rezoning changes for the Village Creek Neighborhood from “A-5” One-Family, “B” Two-Family, and “FR” General Commercial Restricted to “A-5” One-Family, “CF” Community Facilities and “E” Neighborhood Commercial, in accordance with the 2008 Comprehensive Plan.

G-16184
Res. No. 3631-07-
2008
Ord. No. 18152-07-
2008
Increase Maximum
Amount to be Paid
to D. Lee Thomas in
the Lawsuit Entitled
Angelo Allums, Sr.
and Janet Allums,
Individually, and on
Behalf of Minor
Angelo Allums III
vs. City of Fort
Worth et al., No.
4:07-CV-001-Y

M&C G-16184 – Adopting Resolution No. 3631-07-2008 to increase the amount to be paid to D. Lee Thomas to represent Sergeant Glenn Verrett in the lawsuit entitled Angelo Allums, Sr., and Janet Allums, Individually and on behalf of minor Angelo Allums, III vs. City of Fort Worth, et al, Civil Action No. 4:07-CV-0001-Y; authorizing the maximum amount to be paid to D. Lee Thomas to represent Sergeant Glenn Verrett in the subject lawsuit to be increased to \$50,000.00; and adopting Supplemental Appropriation Ordinance No. 18152-07-2008 increasing appropriations in the Risk Management Fund in the amount of \$25,000.00 and decreasing the unaudited, unreserved, undesignated fund balance by the same amount, for the purpose of funding the authorization to increase the maximum amount to be paid to D. Lee Thomas to represent Sergeant Glenn Verrett in the lawsuit entitled Angelo Allums, Sr., and Janet Allums, individually, and on behalf of minor Angelo Allums III vs. City of Fort Worth et al., No. 4:07-CV-001-Y.

G-16186
Ord. No. 18153-07-
2008
Arbitrage Rebate to
United States
Treasury for
General Purpose
Bonds, Series 2003

M&C G-16186 – Authorizing payment not to exceed \$50,000.00 to the United States Treasury for arbitrage rebate; and adopting Supplemental Appropriation Ordinance No. 18153-07-2008 increasing appropriations in the General Debt Service Fund in the amount of \$50,000.00 for the purpose of authorizing payment of arbitrage rebate to the U.S. Treasury for General Purpose Bonds, Series 2003 and the City’s Combined Tax and Revenue CO, Series 2003 Bonds.

G-16188
Settlement of Claim
Blanca Jaramillo

M&C G-16188 – Approving settlement for claim filed on behalf of Blanca Jaramillo for injuries resulting from a vehicular collision; authorizing the payment of \$54,000.00 to Blanca Jaramillo and Wayne Dawson, Attorney at Law, in full and complete settlement of the referenced claim; and authorizing the appropriate City personnel to execute any releases and agreements necessary to complete the settlement.

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- G-16189
Settlement of Claim
Jose Soto** M&C G-16189 - Approving settlement for claim filed on behalf of Jose Soto for injuries resulting from a vehicular collision; authorizing the payment of \$52,000.00 to Jose Soto and Wayne Dawson, Attorney at Law, in full and complete settlement of the referenced claim; and authorizing the appropriate City personnel to execute any releases and agreements necessary to complete the settlement.
- G-16190
Adopt 2008
Prevailing Wage
Rates** M&C G-16190 – Adopting the 2008 Prevailing Wage Rates for City-awarded public works projects.
- G-16191
Ord. No. 18154-07-
2008
Accept Funds for
Fiscal Year 2007
Fire Prevention and
Safety Grant
Program** M&C G-16191 – Ratifying the City Manager’s application for, and acceptance of, a one-year grant from the United States Department of Homeland Security’s Federal Emergency Management Agency Fiscal Year 2007 Fire Prevention and Safety Grant Program in the amount of \$42,400.00; authorizing the City Manager to execute a contract with the Federal Emergency Management Agency; authorizing the transfer of \$10,600.00 as required for the City’s twenty percent match from the General Fund to the Grants Fund; and adopting Appropriation Ordinance No. 18154-07-2008 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$53,000.00 subject to receipt of a grant from the Department of Homeland Security/Federal Emergency Management Agency’s FY 2007 Fire Prevention and Safety Grant Program.
- G-16192
Ord. No. 18155-07-
2008
Reimbursement
Cost for Security
Enhancements to
the A.D. Marshal
Public Safety and
Courts Building** M&C G-16192 – Authorizing the City Manager to transfer \$51,348.00 from the Municipal Court Building Security Fund to the General Fund for the reimbursement cost of two parcel x-ray machines at \$40,996.00 and \$10,352.00 for security enhancements to doors accessing the A.D. Marshal Public Safety and Courts Building; increasing estimated receipts and appropriations in the General Fund by \$51,348.00 for the purchase of two parcel x-ray machines and security enhancements for the A.D. Marshal Public Safety and Courts Building; and adopting Appropriation Ordinance No. 18155-07-2008 increasing estimated receipts and appropriations in the Special Trust Fund, Municipal Court Building Security Fund in the amount of \$51,348.00 for the purpose of transferring funds to the General Fund for security enhancements to the A.D. Marshal Public Safety and Courts Building.

G-16193
Adopt CAC Semi-Annual Progress Report for Water and Wastewater Impact Fees

M&C G-16193 – Adopting the Capital Improvements Advisory Committee (CAC) Semi-Annual Progress Report concerning the status of the Water and Wastewater Impact Fees.

G-16194
Authorize Sewer Service For 9805 Creekside Drive Located Outside the City of Fort Worth City Limits

M&C G-16194 – Authorizing the Water Department to provide sewer service at 1.25 times the retail rate to Mr. William Turrentine for the property located at 9805 Creekside Drive, west of FM 2871 and south of Creekside, in Tarrant County and outside of the Fort Worth City limits pursuant to City Code Section 35-60B “Uses Outside City”; and authorizing the City Manager to execute an agreement for such services.

P-10804
Two-Component Epoxy Adhesive

M&C P-10804 – Authorizing a purchase agreement for two-component epoxy adhesive with Roadrunner Traffic Supply, Inc., for the Transportation and Public Works Department for an amount not to exceed \$66,900.00 based on the sole bid received, with payments due 30 days after receipt of invoices.

P-10805
Audio and Visual Equipment

M&C P-10805 – Authorizing purchases for audio and visual equipment from Visual Interactive Dynamics, Tri-State Video Services, Inc., VSA, Inc., and Videotex Systems, Inc., for the Cable Communications Office for an amount no to exceed \$28,642.77 as follows:

<u>Vendor</u>	<u>Items</u>	<u>Total</u>
Videotex Systems, Inc.	1-3, 8-12, 16-18 and 20	\$16,513.71
VSA, Inc.	4, 6, 13-15 and 19	\$8,644.06
Tri-State Video Services, Inc.	5	\$2,915.00
Visual Interactive Dynamics	7	\$570.00

P-10806
Washington-Style Lanterns and Posts

M&C P-10806 – Authorizing a purchase agreement for Washington-Style lanterns and posts with Sun Valley Lighting for the Transportation and Public Works Department in an amount not to exceed \$455,000.00.

P-10807
Water Bill Envelopes

M&C P-10807 – Authorizing a purchase agreement for water bill envelopes with Texas Star Envelopes for the Water Department based on the low bid of unit prices meeting specifications in an amount not to exceed \$43,750.00. Freight is included in the unit price with payments due 30 days from receipt of invoices.

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- P-10808
ProMinent
Analyzers, Repair
Parts, Calibration
And Configuration
Tools** M&C P-10808 – Authorizing a sole source purchase agreement for ProMinent analyzers, repair parts, calibration and configuration tools with Macaulay Controls Company, for the Water Department in an amount not to exceed \$75,000.00 based on a five percent discount offered from manufacturers’ list price with payments due within 30 days after receipt of invoices and freight included in unit prices.
- P-10809
Miscellaneous
Library Supplies** M&C P-10809 – Authorizing purchases of miscellaneous library supplies from Brodart Company and Gaylord Bros., Inc., for a total amount not to exceed \$41,441.80, freight included with payments due 30 days from receipt of invoices.
- P-10810
Water Bill Paper** M&C P-10810 – Authorizing a purchase agreement with Forms World, Inc., for water bill paper for the Water Department for an amount not to exceed \$35,819.28 based on sole bid received. Freight is included in the unit price with payments due 30 days after receipt of invoices.
- P-10811
Forklifts and Wheel
Excavator** M&C P-10811 – Authorizing the purchase of forklifts from Darr Equipment Company for the Police Department and a wheel excavator from Holt Cat for the Environmental Management Department using Texas Association of School Boards Cooperative Contracts for a cost not to exceed \$235,847.00. Payments are due within 30 days of receipt of the invoices.
- P-10812
Caterpillar 120M
Motorgrader** M&C P-10812 – Authorizing the purchase of a Caterpillar 120M motorgrader from Holt Cat using a Texas Association of School Boards Cooperative Contract for the Transportation and Public Works Department for a cost not to exceed \$246,634.00. Payments are due within 30 days of receipt of the invoice.
- P-10813
Wescam Thermal
Imager Repairs,
Parts and
Components** M&C P-10813 – Authorizing a sole source purchase agreement with L-3 Communications Sonoma EO, Inc., for Wescam thermal imager repairs, parts and components for the Police Department for an annual projected cost not to exceed \$70,000.00. The shipping cost will be prepaid and added to the invoices with payments due 30 days after receipt of invoices.
- L-14579
Approve Correction
of M&C L-14241 to
Correct Property
Address to be
Acquired for the
Meacham
International
Airport Mitigation
Program** M&C L-14579 – Approving the correction to M&C L-14241 to correct the property address for a single-family residential property to be acquired for the Meacham International Airport Mitigation Program from 3410 Columbus Avenue to 3510 Columbus Avenue, described as Lot 5, Block 5, Airport Acres Addition, Fort Worth, Tarrant County, Texas (DOE No. 5101).

- L-14580**
**Sale of a Tax-
Foreclosed Property**
4108 Baylor Street
- M&C L-14580 – Authorizing the direct sale of a tax-foreclosed property at 4108 Baylor Street, described as Lots 1, 2 and 3, Block 7, Guy E. Vance Subdivision, located southeast of the intersection of US Highway 287 and Berry Street, in accordance with Section 34.05 of the Texas Property Tax Code, to Mr. Milton Curry, in the amount of \$99,145.03; and authorize the City Manager to execute and record the appropriate instruments conveying the property to complete the sale (DOE No. 920).
- L-14581**
**Permanent Utility
Easement**
- M&C L-14581 – Authorizing the Conveyance of one permanent utility easement to Charter Communications located on City property on Gendy Street described as being a portion of Lot 2, Block 2, Ross Heights Addition, Tarrant County, Texas, in the Cultural District of Fort Worth; and authorizing the acceptance and recording of appropriate instruments (DOE No. 5608).
- L-14582**
**Correct M&C L-
14540 to Correct
Name of Grantor**
- M&C L-14582 – Approving the correction of M&C L-14540 to correct the name of the grantor from Southwestern Bell Telephone Company, d/b/a AT&T Texas, to the City of Fort Worth.
- L-14583**
**Sale of a Tax-
Foreclosed Property**
**5629 Fernander
Drive**
- M&C L-14583 – Authorizing the direct sale of a tax-foreclosed property at 5629 Fernander Drive, described as Lot 8, Block 19, Harlem Hills Addition, in accordance with Section 34.05 of the Texas Property Tax Code, to Opening Doors for Women in Need, in the amount of \$2,816.00; and authorizing the City Manager to execute and record the appropriate instruments conveying the property to complete the sale (DOE No. 920).
- L-14584**
**Accept Land
Donation for
Proposed North
Riverside Drive**
- M&C L-14584 – Authorizing the acceptance of a land donation of 15.591 acres, described as a portion of I and GN RR Co Survey, Abstract No. 827, Hopkins Davidson Survey, Abstract No. 537, James H. Eastman Survey, Abstract No. 501, Tarrant County, Texas, and a portion of Hopkins Davidson Survey, Abstract No. 437, Tarrant County, Texas, in North Fort Worth from Alliance Associates, L.P., Synergy Industrial Park, Ltd., and One Prairie Meadows, Ltd., for the development of proposed North Riverside Drive; and authorizing the acceptance and recording of appropriate instruments (DOE No. 3792).
- L-14585**
**Conveyance of One
Oncor Electric
Delivery Company
Easement**
- M&C L-14585 – Authorizing the conveyance of one Oncor Electric Delivery Company easement on City property lease sites 34N and 35N, located at 240 Texas Way, Meacham International Airport, described as being a parcel of land in Block 1, Meacham Airport Addition, Tarrant County, Texas (DOE No. 5265).

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- C-22881
Ord. No. 18156-07-
2008
Acceptance of Grant
from United States
Department of
Housing and Urban
Development** M&C C-22881 – Authorizing the City Manager to apply for and accept, if awarded, a grant up to \$180,000.00 from the United States Department of Housing and Urban Development for the City’s housing counseling services; certifying that the activities to be funded with the United States Department of Housing and Urban Development Housing Counseling Grant are consistent with the City’s Consolidated Plan; authorizing the City Manager to accept private donations up to \$15,000.00 to further support the City’s housing counseling program; authorizing a non-interest bearing inter-fund loan from the General Fund to the Grants Fund in the amount of \$30,000.00 for interim financing of this grant program pending contract execution; and adopting Appropriation Ordinance No. 18156-07-2008 increasing estimated receipts and appropriations in the Grants Fund by up to \$180,000.00 and \$15,000.00 in the Special Trust Fund, subject to receipt of a grant from the U.S. Department of Housing and Urban Development for housing counseling services.
- C-22882
Tarrant County Tax
Assessor-Collector
Services for 2008
Tax Year** M&C C-22882 – Authorizing the City Manager to execute an agreement between the Tarrant County Tax Assessor-Collector and the City of Fort Worth for providing assessment and collection services of ad valorem taxes levied by the City for the 2008 tax year, Fiscal Year 2008, covering the period October 1, 2008, to September 30, 2009, in an amount not to exceed \$200,000.00.
- C-22883
Texas Department
of Transportation
and Quick Water
Productions** M&C C-22883 – Authorizing the City Manager to execute a contract with the Texas Department of Transportation to temporarily close two lanes of Interstate Highway 820 service road from 900 feet west of Marine Creek Parkway to 500 feet past Marine Creek Lake on Saturday, August 2, 2008, from 6:00 a.m. to 6:00 p.m. and Sunday, August 3, 2008, from 8:00 a.m. to 6:00 p.m.; and authorizing the City Manager to execute a contract with the Quick Water Productions to temporarily close two lanes of Interstate Highway 820 service road from 900 feet west of Marine Creek Parkway to 500 feet past Marine Creek Lake on Saturday, August 2, 2008, from 6:00 a.m. to 6:00 p.m. and Sunday, August 3, 2008, from 8:00 a.m. to 6:00 p.m. for the Annual Cowtown Drag Boat Nationals.
- C-22884
Amendment No. 2 to
CSC No. 33939
Komatsu/Rangel,
Inc., d/b/a Komatsu
Architecture** M&C C-22884 – Authorizing the City Manager to execute Amendment No. 2 in the amount of \$42,845.00 to City Secretary Contract No. 33939 with Komatsu/Rangel, Inc., d/b/a Komatsu Architecture, for additional design services to prepare construction documents for the interior finish out of the Guinn Elementary School Building located at Interstate 35 South and Rosedale Street.

- C-22885**
AA Applicators, Inc. M&C C-22885 – Authorizing the City Manager to execute a contract with AA Applicators, Inc., in the amount of \$33,180.00, to reroof the Digester Boiler Building at Village Creek Waste Water Treatment Plant located at 4500 Wilma Lane.
- C-22886**
Amendment No. 1 to
CSC No. 35497
TranSystems
Corporation
Consultants M&C C-22886 – Authorizing the City Manager to execute Amendment No. 1 in the amount of \$87,006.00 to City Secretary Contract No. 35497 with TranSystems Corporation Consultant for drainage improvements to Kermit-Bonnie Channel and Culvert, 4600 block of Merida Avenue, Sarita Channel and Waverly Park (Project No. 00484), revising the total cost to \$219,311.00.
- C-22887**
Amendment No. 1 to
CSC No. 35561
TranSystems
Corporation
Consultants M&C C-22887 – Authorizing the City Manager to execute Amendment No. 1 in the amount of \$35,480.00 to City Secretary Contract No. 35561 an Engineering Agreement with TranSystems Corporation Consultants, for Longstraw Channel improvements (Project No. 00625), revising the total cost to \$109,407.00.
- C-22888**
Amendment No. 1 to
CSC No. 35495
Stream Water
Group, Inc. M&C C-22888 – Authorizing the City Manager to execute Amendment No. 1 in the amount of \$45,250.00 to City Secretary Contract No. 35495 with Stream Water Group, Inc., for Loving Avenue Channel and Culvert Improvements (Project No. 00626), revising the total cost to \$164,547.00.
- C-22889**
BBCWO
Developers, LLC M&C C-22889 – Authorizing the execution of one Storm Water Facility Maintenance Agreement from BBCWO Developers, LLC., for maintenance of one detention pond facility located north of McPherson Road and west of Interstate Highway 35W frontage road in south Fort Worth (DOE No. 5847).
- C-22890**
Texas Christian
University M&C C-22890 – Authorizing the City Manager to execute a lease agreement with Texas Christian University for office space of approximately 902 square feet located at 2900 West Berry Street for the Police Department.
- C-22892**
Trinity Bluff
Development, Ltd. M&C C-22892 – Authorizing the City Manager to execute a lease agreement with Trinity Bluff Development, LTD, for office space of approximately 1,340 square feet located at 800 Samuels Avenue for the Police Department.
- C-22893**
Mental Health
Mental Retardation
of Tarrant County M&C C-22893 – Authorizing the City Manager to execute a professional services contract with Mental Health Mental Retardation of Tarrant County for management, coordination and administration services for the Child Mental Health Initiative for an initial term of July 1, 2008, through September 29, 2008, with a grant-funded fee of \$12,252.00, and if no cost extension funding is obtained, for a renewal term of October 1, 2008, through September 29, 2009, with a grant-funded fee of \$49,009.00.

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**C-22894
Goodwill Industries
of Fort Worth, Inc.** M&C C-22894 – Authorizing the City Manager to execute an agreement with Goodwill Industries of Fort Worth, Inc., to provide electronic waste collection, reuse, recycling and disposal services to the Department of Environmental Management for a period of one-year from July 1, 2008, to June 30, 2009, with two options to renew for additional one-year terms.

**C-22895
Greater Southwest
Aero Modelers Club** M&C C-22895 – Authorizing the City Manager to enter into a License Agreement with the Greater Southwest Aero Modelers Club for use of a portion of the closed former Northeast Landfill located at 6901 Randol Mill Road as a model airplane flying field.

**C-22896
Terminate CSC No.
33804 and
Authorize
Supplemental Lease
Agreement with
Federal Aviation
Administration** M&C C-22896 – Authorizing the City Manager to terminate City Secretary Contract No. 33804, a lease agreement with the Federal Aviation Administration for the Automated Flight Service Station at Fort Worth Meacham International Airport; authorizing the execution of a new Supplemental Lease Agreement with the Federal Aviation Administration for 1,200 square feet located at 4651 North Main Street at Fort Worth Meacham International Airport for annual revenue of \$8,400.00; and accepting the transfer of a government-owned modular building containing approximately 850 square feet with estimated value of \$645,167.00 at Fort Worth Meacham International Airport.

The motion carried. End of the Consent Agenda.

**Agenda Item X
Presentations by
City Council** There were no changes presented by the City Council in memberships in the City's boards and commissions.

**Council Proposal
No. 276
Approved** There was presented Council Proposal No. 276 proposing that the City Council authorize a waiver of the zoning change application fee in the amount of \$3,740.00 for properties located in the 9900, 10800 and 11700 blocks of Trinity Boulevard (owned by City of Hurst) and in the 11600 and 12200 blocks of Mosier Valley Road (owned by City of Euless) for an existing golf course and vacant land, subject to an application being made by August 11, 2008.

City Attorney Yett advised that in order to take action on this issue this evening, the Council would need to vote to suspend the rules of procedure.

Council Member Moss made a motion, seconded by Council Member Espino, to suspend the rules of procedure. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**Council Proposal
No. 276
(Continued)**

Council Member Moss made a motion, seconded by Council Member Espino, that Council Proposal No. 276 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**Agenda Item XI
Committee
Presentations**

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

**Agenda Item XII
OCS-1671
Ord. No. 18157-07-
2008
Records
Management**

There was presented Mayor and Council Communication No. OCS-1671 from the Office of the City Secretary recommending that the City Council adopt an ordinance revising and amending Chapter 2. "Administration," Article VIII. "Records Management" of the Code of the City of Fort Worth, Texas (1986), as amended, to update organizational placement of the City's Records Management Program and reporting chain from the City Manager's Office to the City Secretary's Office.

Council Member Moss made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. OCS-1671 be approved and Ordinance No. 18157-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**Agenda Item XIII
Res. No. 3632-07-
2008
Paying Tribute to
Mrs. Hazel Harvey
Peace**

There was presented a resolution paying tribute to Fort Worth Citizen, Mrs. Hazel Harvey Peace.

Mayor Pro tem Hicks made a motion, seconded by Council Member Espino, that Resolution No. 3632-07-2008 be adopted with appreciation to City staff. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**Res. No. 3633-07-
2008
Supporting Air
North Texas Goals
and Mission
Statement**

There was presented a resolution supporting the Air North Texas Goals and Mission Statement.

Council Member Jordan made a motion, seconded by Mayor Pro tem Hicks, that Resolution No. 3633-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**Res. No. 3634-07-2008
Appoint Alternates to Mayor's Place on the Dallas-Fort Worth International Airport Board**

There was presented a resolution appointing Mayor Pro tem Kathleen Hicks, Council Member Jungus Jordan and Council Member Carter Burdette as alternates to the Mayor's place on the Dallas-Fort Worth International Airport Board.

Mayor Pro tem Hicks made a motion, seconded by Council Member Espino, that Resolution No. 3634-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

AGENDA ITEM XIV – REPORT OF THE CITY MANAGER

Council Member Jordan requested that Mayor and Council Communication Nos. G-16187 and G-16197 be heard in succession as they related to the same subject matter.

**G-16187
Ord. No. 18158-07-2008
Additional Compensation to Deloitte and Touche, LLP, for Completion of FY 2006 Single Audit and Comprehensive Annual Financial Report**

There was presented Mayor and Council Communication No. G-16187 from the City Manager recommending that the City Council authorize an additional \$260,213.00 for independent auditing services to Deloitte and Touche, LLP., for the Fiscal Year 2006 Single Audit and Comprehensive Annual Financial Report, establishing the Fiscal Year 2006 final audit fee at \$1,463,713.00; and adopt a supplemental appropriation ordinance increasing appropriations by \$260,213.00 in the General Fund and decreasing the unreserved, undesignated General Fund balance by the same amount for the purpose of funding additional compensation to Deloitte & Touche, LLP, for the Fiscal Year 2006 Single Audit and Comprehensive Annual Financial Report.

Council Member Jordan made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-16187 be approved and Supplemental Appropriation Ordinance No. 18158-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**G-16197
Ord. No. 18159-07-2008
Ord. No. 18160-07-2008
Ord. No. 18161-07-2008
Fiscal Year 2006 Year End Budget Adjustments**

There was presented Mayor and Council Communication No. G-16197 from the City Manager recommending that the City Council adopt a supplemental appropriation ordinance increasing appropriations for FY 2006 by \$3,604,415.00 in the General Fund Departments that are over budget and decreasing the unreserved, undesignated General Fund balance by the same amount for the purpose of funding year end budget adjustments and providing a balanced budget for FY 2006; adopt a supplemental appropriation ordinance increasing receipts and appropriations for FY 2006 by \$588,929.00 in the Retirement Fund for the purpose of funding year end budget adjustments and

G-16197
(Continued)

providing a balanced budget for FY 2006; and adopt a supplemental appropriation ordinance increasing receipts and appropriations for FY 2006 by \$61,752.00 in the Culture and Tourism Fund and decreasing the unreserved, undesignated Culture and Tourism Fund balance by the same amount for the purpose of funding year end budget adjustments and providing a balanced budget for FY 2006.

Council Member Jordan made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-16197 be approved and Supplemental Appropriation Ordinance Nos. 18159-07-2008, 18160-07-2008 and 18161-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

Public Hearing
G-16185
Ord. No. 18162-07-
2008
Amend Chapter 22
“Motor Vehicles
and Traffic”

It appeared that the City Council set today as the date for a public hearing to adopt an ordinance amending Chapter 22 “Motor Vehicles and Traffic” of the City Code to add regulations for the parking of large and oversized recreational vehicles on private property and amending Article 11A-6 of Appendix B to the Code of the City of Fort Worth. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Mr. Brandon Bennett, Code Compliance Department Director, appeared before Council, gave a staff report. He advised that Section 1, under the subheading “Large recreational vehicle” needed to be amended to change “...that...” in line two to “...than...” He called attention to Mayor and Council Communication No. G-16185, as follows:

There was presented Mayor and Council Communication No. G-16185 from the City Manager recommending that the City Council adopt an ordinance amending Chapter 22 “Motor Vehicles and Traffic” of the Code of the City of Fort Worth by amending Article I “In General” to change the definition of large recreational vehicle and to amend Article VI “Stopping, Standing and Parking” to establish regulations for the parking of large and oversized recreational vehicles on private property; amending Article VI “Stopping, Standing and Parking” to provide that violations of regulations relating to the parking of oversize commercial vehicles and large and oversized recreational vehicles are criminal offenses rather than civil offenses and adding the illegal parking of oversize commercial vehicles and large and oversized recreational vehicles to the list of violations for which towing is authorized; amending Appendix B of the Code of the City of Fort Worth by adding enforcement of ordinances regulating the parking of oversized commercial vehicles and large and oversized recreational vehicles to the duties of the Director of Code Compliance in districts which are residentially zoned under the Comprehensive Zoning Ordinance or used for residential purposes.

G-16185
(Continued)

The following individuals appeared before Council in opposition of the ordinance. They expressed concerns with being unable to park their recreational vehicles (RVs) in the driveway on their personal property once the ordinance was adopted; the setback requirement of ten feet from the sidewalk; requirement of a screening fence to hide the RVs; no provision to obtain a continuous permit for RV replacement; and security and costly fees of storage facilities. They recommended the City adopt similar language used by the City of El Paso's RV ordinance that stated "...cannot be more than 26 foot in length and cannot obstruct the sidewalk..." and that the Council postpone action on this ordinance until more studying of the issue is done.

Clayton McKay,
Sherman Sickles,
Cy Francis,
Don Woodard,
Dale Connor

Mr. Clayton McKay	1962 Downey Drive
Mr. Sherman Sickles	7033 Treehaven Road
Mr. Cy Francis	2104 Bettibart Street
Mr. Don Woodard	P. O. Box 24152
Mr. Dale Connor	4212 Bonita Drive

Marion Pratt

Ms. Marion Pratt, 5116 Crown Road, appeared before Council in opposition of the ordinance. She stated that she represented everyone who did not attend meetings on this issue and advised that the ordinance needed to be stricter. She pointed out that many times it was not just the RV being unsightly; that the RV sometimes had two vehicles attached—one to drive the trailer and other vehicle towed behind the trailer to drive once the RV reached its destination. She advised that the lot line restrictions for a property should be enforced and stated that RVs were actually classified as buildings and were obtrusive. She stated that more discussion should be conducted on this issue.

Mr. Bennett responded to concerns about screening and oversized vehicles by stating that the City addressed vision clearance obstructions and advised that in the case of the 10 foot setback, the City believed that the first 10 feet was critical for both vehicles driving down the street to see vehicles backing out of the driveways and well as for people backing out of their property to see on-coming traffic. He referred to two definitions in the ordinance relative to large recreational vehicles; those greater than 26 feet but less than 40 feet, and oversized recreational vehicles which were greater than 40 feet. He pointed out a large recreational vehicle (26' to 40') could be parked in the driveway with a continuation permit as long as it was not parked within 10 feet of the curb or edge of an approved street and was not an obstruction or did not interfere with a sidewalk.

G-16185
(Continued)

Mayor Moncrief stated that no matter what action the Council took on this issue, not everyone would be happy with the decision. He pointed out that not everyone appreciated looking at an RV parked in the driveway in their neighborhood. He advised that staff reviewed requirements by other cities and provided a recommended ordinance that he believed addressed the current issues at this time. He added that he agreed with the staff's recommendation and asked for the Council's support to adopt the ordinance.

Council Member Jordan asked if some of the property owner's uses would be grandfathered under the current rules.

Mr. Brandon stated that he did not have the exact length of the vehicles of the people that spoke, but believed that one of the vehicles was about 40 feet and one was approximately a foot short of the setback from the street. He proposed that staff would work with the existing RV owners.

Council Member Jordan requested that staff work with an exception rule relative to continuous permits and for grandfathering existing RV owners.

Council Member Scarth stated that he received e-mails and telephone calls from people who owned RVs and had problems with the ordinance; however, he did not receive any e-mails from people who had problems with the RVs that were located on the driveways next to them. He added that he was not sure he could support the ordinance based on not hearing complaints from non-RV owners.

Council Member Burdette stated that there was not an ordinance that fit every interest and that the constant role of the Council was to try and accommodate everyone's viewpoint. He stated that although he supported the ordinance, staff needed to use common sense and judicious judgment when enforcing the ordinance.

Council Member Espino emphasized that the proposed ordinance did not prohibit RVs in Fort Worth and advised that staff had been very flexible when trying to find the right balance for the provisions in the ordinance. He added that he would support adoption of the ordinance.

Mayor Moncrief requested that the Code Compliance Department staff exercise judgment and flexibility when enforcing the ordinance.

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**G-16185
(Continued)**

There being no one else present desiring to be heard, Mayor Pro tem Hicks made a motion, seconded by Council Member Burns, that the public hearing be closed and Mayor and Council Communication No. G-16185 be approved and Ordinance No. 18162-07-2008 be adopted. The motion carried seven (7) ayes to one (1) nay, with Council Member Silcox absent and with Council Member Scarth casting the dissenting vote.

**G-16195
Ord. No. 18163-07-
2008
Ord. No. 18164-07-
2008
Information
Technology
Solutions Radio Lab
Shop**

There was presented Mayor and Council Communication No. G-16195 from the City Manager recommending that the City Council authorize the City Manager to execute a work order in the amount of \$129,655.00 with Job Order Contractor Alpha Building Corporation to renovate the Radio Lab Shop; adopt an appropriation ordinance increasing estimated receipts and appropriations in the Specially Funded Capital Projects Fund in the amount of \$200,000.00 from available funds, for the purpose of funding the renovations of the Information Technology Solutions Radio Lab Shop; authorize the transfer of \$200,000.00 from the Special Assessment Fund to the Specially Funded Capital Projects Fund for the renovation of the radio lab shop for the Information Technology Solutions Department; and adopt an appropriation ordinance increasing estimated receipts and appropriations in the Special Assessment Fund in the amount of \$200,000.00 from available funds for the purpose of transferring said funds to the Specially Funded Capital Projects Fund to renovate the Information Technology Solutions Radio Lab Shop.

Council Member Moss made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. G-16195 be approved and Appropriation Ordinance Nos. 18163-07-2008 and 18164-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

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

**G-16196
Res. No. 3635-07-
2008
Cantey & Hanger**

There was presented Mayor and Council Communication No. G-16196 from the City Manager recommending that the City Council adopt a resolution increasing the maximum amount to be paid to Cantey & Hanger for assisting the City with legal issues including, but not limited to, real estate concerning the Southwest Parkway (SH 121T) by \$100,000.00, thereby establishing the maximum fee at \$900,000.00.

Mayor Pro tem Hicks made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. G-16196 be approved and Resolution No. 3635-07-2008 be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Espino and Silcox absent.

G-16198
Ord. No. 18165-07-
2008
Increase CCPD
Fund to Fund
Unbudgeted
Expenditures in
Neighborhood
Patrol Officer and
Stockyards Detail
Programs

There was presented Mayor and Council Communication No. G-16198 from the City Manager recommending that the City Council adopt a supplemental appropriation ordinance increasing estimated receipts and appropriations in the Crime Control and Prevention District (CCPD) Fund in the amount of \$418,787.00 and decreasing the unreserved, undesignated CCPD Fund balance by the same amount for FY 2006-2007 for the purpose of funding unbudgeted expenditures in the Neighborhood Patrol Officer and Stockyards Detail Programs.

City Manager Fisseler advised that Section 3, Line 1 of the Ordinance needed to be amended to change Ordinance No. "17749" to "17142".

(Council Member Espino returned to his place at the dais.)

Mayor Pro tem Hicks made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. G-16198 be approved and Ordinance No. 18165-07-2008 be adopted as amended. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

Public Hearing
G-16199
2008-2009 Crime
Control and
Prevention District
Budget

It appeared that the City Council set today as the date for a public hearing to adopt the Fiscal Year 2008-2009 Crime Control and Prevention District Budget totaling \$51,341,543.00. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Interim Police Chief Patricia Kneblick appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. G-16199, as follows:

There was presented Mayor and Council Communication No. G-16199 from the City Manager recommending that the City Council conduct a public hearing as required by law, regarding the proposed Fiscal Year 2008-2009 Crime Control and Prevention District Budget totaling \$51,341,543.00; and close the public hearing and approve the Fiscal Year 2008-2009 Crime Control and Prevention District Budget.

There being no one present desiring to be heard, Council Member Espino made a motion, seconded by Council Member Jordan, that the public hearing be closed and Mayor and Council Communication No. G-16199 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

L-14586
Condemn Land for
Construction of
Golden Triangle
Boulevard and
Drainage
Infrastructure
Improvements

There was presented Mayor and Council Communication No. L-14586 from the City Manager recommending that the City Council declare the necessity of taking an interest in a portion of land known as Tract 1C, J. R. Knight Survey, Abstract No. 902, Tarrant County, Texas, owned by Realty Capital Golden Beach, Ltd., required for the construction of Golden Triangle Boulevard improvements; declare the necessity of taking an interest in a portion of land known as Tract 7B, Jesse Billingsley Survey, Abstract No. 70, Tarrant County, Texas, owned by Realty Capital Golden Triangle, L.P., required for the construction of drainage infrastructure improvement (DOE No. 5773); and authorize the City Attorney to institute condemnation proceedings to acquire the interests in the land.

Council Member Espino made a motion, seconded by Mayor Pro tem Hicks, that Mayor and Council Communication No. L-14586 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

L-14587
Acquisition of One
Permanent
Drainage, Sanitary
Sewer Facility
Easement and
Temporary
Construction
Easement

There was presented Mayor and Council Communication No. L-14587 from the City Manager recommending that the City Council approve the acquisition of one permanent drainage and sanitary sewer facility easement and temporary construction easement from Russell A. and Kathryn Wagner at 4059 Riveridge Court, described as a portion of Lot 21, Block 15, Overton West Addition, Fort Worth, Tarrant County, Texas, located in southwest Fort Worth, for the construction of drainage infrastructure improvements; find that the price offered in the amount of \$114,377.25, plus an estimated closing cost of \$5,000.00, is just compensation; and authorize the acceptance and recording of appropriate instruments (DOE No. 4716).

Mayor Pro tem Hicks made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. L-14587 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

PZ-2787
Ord. No. 18166-07-
2008
Vacating and
Extinguishing a
Portion of South
Calhoun Street

There was presented Mayor and Council Communication No. PZ-2787 from the City Manager recommending that the City Council adopt an ordinance vacating and extinguishing a portion of South Calhoun Street, abutting Lots 11 and 12, Block 4 of Daggett's Second Addition, an addition to the City of Fort Worth, Tarrant County, Texas, containing approximately 224 square feet of land; and waive any and all purchase fee value of the vacated land in accordance with City policy (M&C G-15624).

PZ-2787
(Continued)

Mayor Pro tem Hicks made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. PZ-2787 be approved and Ordinance No. 18166-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

PZ-2788
Ord. No. 18167-07-
2008
Vacating and
Extinguishing a
Portion of an Alley

There was presented Mayor and Council Communication No. PZ-2788 from the City Manager recommending that the City Council adopt an ordinance vacating and extinguishing a portion of an alley, located along lots O and P, Block 13, Hi-Mount Addition, an addition to the City of Fort Worth, Tarrant County, Texas, approximately 417 square feet of land; and waive any and all purchase fee value of the vacated land in accordance with City policy (M&C G-15624).

Council Member Burdette made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. PZ-2788 be approved and Ordinance No. 18167-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

PZ-2789
Ord. No. 18168-07-
2008
Vacating and
Extinguishing a
portion of Ferris
Street

There was presented Mayor and Council Communication No. PZ-2789 from the City Manager recommending that the City Council adopt an ordinance vacating and extinguishing a portion of Ferris Street, abutting Lot 18, Block 12 and Lot 9, Block 11 of Town of Tarrant Addition, an addition to the County of Tarrant, Texas, approximately 8,364 square feet of land; and waive any and all purchase fee value of the vacated land in accordance with City policy (M&C G-15624).

Council Member Moss made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. PZ-2789 be approved and Ordinance No. 18168-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

PZ-2790
Public Hearing
Ord. No. 18169-07-
2008
Change the Name of
“Albertsons Drive”
to “AWG Way”

It appeared that the City Council set today as the date for a public hearing to adopt an ordinance changing the name of Albertsons Drive to AWG Way, located adjacent to Blocks 7 and 8, Carter Industrial Park Addition, from Joel East Road to John Burgess Drive. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard (Note: AWG is Associated Wholesale Grocers).

Ms. Allison Gray, Development Coordinator, Planning and Development Department, appeared before Council, gave a staff report and called attention to Mayor and Council Communication No. PZ-2790, as follows:

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**PZ-2790
(Continued)**

There was presented Mayor and Council Communication No. PZ-2790 from the City Manager recommending that the City Council adopt an ordinance changing the name of "Albertsons Drive" to "AWG Way", located adjacent to Blocks 7 and 8, Carter Industrial Park Addition, from Joel East Road to John Burgess Drive.

There being no one present desiring to be heard, Mayor Pro tem Hicks made a motion, seconded by Council Member Jordan, that the public hearing be closed and Mayor and Council Communication No. PZ-2790 be approved and Ordinance No. 18169-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**C-22858
Withdrawn from
Consideration**

It was the consensus of the City Council that Mayor and Council Communication No. C-22858, dated June 17, 2008, Authorize the Application for and Acceptance of \$343,575.00 in Grant Funds from the Fiscal Year 2009 Criminal Justice Division Grant Funds, Authorize Provision of \$189,688.00 in Matching Funds and Assurances Required by the Criminal Justice Division and Adopt Appropriation Ordinance, be withdrawn from consideration.

**C-22858 Revised
Res. No. 3636-07-
2008
Ord. No. 18170-07-
2008
Office of the
Governor, Criminal
Justice Division
Grants**

There was presented Mayor and Council Communication No. C-22858 (Revised) from the City Manager recommending that the City Council adopt a resolution authorizing the application for and acceptance of \$343,575.00 in grant funds from the Fiscal Year 2009 Criminal Justice Division Grant Funds, the provision of \$189,688.00 in matching funds and the making of assurances required by the Criminal Justice Division of the Governor's Office; authorize the City Manager to apply for, accept, reject, alter, or terminate, if awarded, four 2009 grants from the Office of the Governor, Criminal Justice Division (CJD). These Fiscal Year 2009 grants include Sex Crimes and Registration Monitoring (SCRAM) Cold Case Detective, Homicide Cold Case Investigation, Domestic Assault Response Team and Enhanced Domestic Assault Response Team; authorize the City Manager to agree to provide all matching funds and to execute associated contract(s); authorize the City Manager to designate the Assistant City Manager who oversees the Police Department as the authorized official to accept, reject or alter the CJD grants after they are awarded; provide assurance that funds will be returned to the Criminal Justice Division in full in the event of loss or misuse of CJD grant funds; authorize the City Manager to transfer \$178,228.00 from the State Awarded Assets Fund to the Grants Fund for the City's match of the Homicide Cold Case Investigation, Domestic Assault Response Team, and Enhanced Domestic Assault Response Team grants; authorize the City Manager to transfer \$11,460.00 from the Federal Awarded Assets Fund to the Grants Fund for the City's match of the Sex

**C-22858 Revised
(Continued)**

Crimes and Registration Monitoring Cold Case Detective Grant; and adopt an appropriation ordinance increasing estimated receipts an appropriations in the Grants Fund in the amount of \$533,263.00 subject to receipt of the grants from the Office of the Governor, Criminal Justice Division, for the purpose of funding the Sex Crimes and Registration Monitoring (SCRAM) Cold Case Detective Grant, the Homicide Cold Case Investigations Grant, the Domestic Assault Response Team (DART) Grant, and the Enhanced Domestic Assault Response Team Grants (Enhanced DART) Grant.

Council Member Jordan made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-22858 (Revised) be approved and Resolution No. 3636-07-2008 and Appropriation Ordinance No. 18170-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**C-22891
JPMCC 2005-
CIBC13 McCart
Avenue, LLC**

There was presented Mayor and Council Communication No. C-22891 from the City Manager recommending that the City Council authorize the City Manager to execute a lease agreement for approximately 6,587 square feet of office space located at 7650 McCart Avenue with JPMCC 2005-CIBC13 McCart Avenue, LLC, for the Police Department.

Council Member Jordan made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. C-22891 be approved with appreciation. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**C-22897
Belknap Center,
LLC.**

There was presented Mayor and Council Communication No. C-22897 from the City Manager recommending that the City Council find that the statements set forth in the recitals of the Tax Abatement Agreement with Belknap Center, LLC, are true and correct; and authorize the City Manager to enter into the Tax Abatement Agreement with Belknap Center, LLC, for the property located at 3825 Yucca Avenue in the Riverside Neighborhood Empowerment Zone in accordance with the Neighborhood Empowerment Zone Tax Abatement Policy and Basic Incentives.

Council Member Scarth made a motion, seconded by Mayor Pro tem Hicks, that Mayor and Council Communication No. C-22897 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

C-22898
William Steven
Brown

There was presented Mayor and Council Communication No. C-22898 from the City Manager recommending that the City Council find that the statements set forth in the recitals of the Tax Abatement Agreement with William Steven Brown are true and correct; and authorize the City Manager to enter into the Tax Abatement Agreement with William Steven Brown for the property located at 4775 Bryant Irvin Court in the Ridglea/Como Neighborhood Empowerment Zone in accordance with the Neighborhood Empowerment Zone Tax Abatement Policy and Basic Incentives.

Council Member Burdette made a motion, seconded by Mayor Pro tem Hicks, that Mayor and Council Communication No. C-22898 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

C-22899
Barnett Gathering,
L.P.

There was presented Mayor and Council Communication No. C-22899 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, L.P., to grant 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 Hicks Field Road located 580 feet northeast of Business Hwy-287.

Council Member Burdette made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. C-22899 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

C-22900
Texas Midstream
Gas Services, LLC.

There was presented Mayor and Council Communication No. C-22900 from the City Manager recommending that the City Council authorize the City Manager to execute a Public Right-of-Way Use Agreement with Texas Midstream Gas Services, LLC., to grant a license to use certain public right-of-way of the City of Fort Worth for the purpose of constructing, maintaining and operating a natural gas pipeline across Precinct Line Road, 400 feet north of Randol Mill Road, and second crossing at Precinct Line Road, 2,000 feet south of Trammel Davis Road and across Cooks Lane approximately 800 feet south of Meadowbrook Road.

Council Member Scarth made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-22900 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

C-22901
Texas Midstream
Gas Services, LLC.

There was presented Mayor and Council Communication No. C-22901 from the City Manager recommending that the City Council authorize the City Manager to execute a Public Right-of-Way Use Agreement with Texas Midstream Gas Services, LLC., to grant a license to use certain public right-of-way of the City of Fort Worth for the purpose of constructing, maintaining and operating a natural gas pipeline across Precinct Line Road, 2,313 feet north of Randol Mill Road and across Handley Ederville Road, 64 feet north of Jack Newell Boulevard.

Council Member Scarth made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-22901 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

C-22902
Crosstex North
Texas Gathering,
LP.

There was presented Mayor and Council Communication No. C-22902 from the City Manager recommending that the City Council authorize the City Manager to execute a Public Right-of-Way Use Agreement with Crosstex North Texas Gathering, LP., to grant a license to use certain portions of Elizabethtown Cemetery Road and public right-of-way for the purpose of constructing, maintaining and operating a natural gas pipeline across Elizabethtown Cemetery Road located 2,500 feet north of Litsey Road.

Council Member Espino made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-22902 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

C-22903
Ord. No. 18171-07-
2008
North Central Texas
Council of
Governments

There was presented Mayor and Council Communication No. C-22903 from the City Manager recommending that the City Council authorize the City Manager to execute an Interlocal Agreement with the North Central Texas Council of Governments for the Local Air Quality Traffic Signal Project to improve the traffic signals along Camp Bowie Boulevard, West Berry Street and Hemphill Street in the amount of \$2,215,000.00; authorize the City Manager to accept \$1,772,000.00 in Regional Transportation Council local funds from North Central Texas Council of Governments; authorize the transfer of \$443,000.00 from the 2007 Critical Capital Projects Fund to the Grant Capital Projects Fund for the local match; adopt an appropriation ordinance increasing estimated receipts and appropriations in the Grants Capital Projects Fund in the amount of \$2,215,000.00 upon execution of Interlocal Agreement with the North Central Texas Council of Governments for the Local Air Quality Traffic Signal Project

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**C-22903
(Continued)**

to improve the traffic signals along Camp Bowie Boulevard, West Berry Street and Hemphill Street; and authorize payment of \$443,000.00 to North Central Texas Council of Governments from the prepaid expenses account in lieu of administrative fees, up front as the required 20 percent match.

Council Member Burns made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. C-22903 be approved and Appropriation Ordinance No. 18171-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**C-22904
A & F Elevator
Company, Inc.**

There was presented Mayor and Council Communication No. C-22904 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with A & F Elevator Company, Inc., in the amount of \$380,895.00 to renovate the elevators in the Public Safety Building.

Council Member Burns made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22904 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**C-22905
TCB, Inc.**

There was presented Mayor and Council Communication No. C-22905 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering agreement with TCB, Inc., in the amount of \$521,814.00 for pavement reconstruction and water and sanitary sewer main replacements on 4A – Arnold Court, Blevins Street, Clarence Street East and Clarence Street West; 4B – 29th Street, Aster Avenue, Eagle Drive, Fairview Street and Marigold Avenue; 4C – Bird Street, Bonnie Brae Street, Bonnie Brae Crossover, Clary Avenue, Concord Street and Dalford Street; 4D – Blue Flag Lane, and Bryce Canyon Drive (Project Nos. 4A-00939, 4B-00941, 4C-00942, 4D-00944).

Council Member Scarth made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22905 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**C-22906
Amendment No. 3 to
CSC No. 28404
Ord. No. 18172-07-
2008
Wade and Associates,
Inc.**

There was presented Mayor and Council Communication No. C-22906 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 3 to City Secretary Contract No. 28404 with Wade and Associates, Inc., in the amount of \$286,053.00 for additional engineering services thereby increasing the contract amount to \$621,074.90; authorize the transfer of \$329,863.00 from the Water and Sewer Operating Fund to the Water

C-22906
(Continued)

Capital Projects Fund in the amount of \$12,810.00 and Sewer Capital Projects Fund in the amount of \$317,053.00; and adopt an appropriation ordinance increasing the estimated receipts and appropriations in the Water Capital Projects Fund in the amount of \$12,810.00 and the Sewer Capital Projects Fund in the amount of \$317,053.00 from available funds, for the purpose of executing Amendment No. 3 to City Secretary Contract No. 28404 with Wade & Associates, Inc., for sanitary sewer rehabilitation on Spring Branch Road and near the Trimble Tech area.

Council Member Burns made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22906 be approved and Appropriation Ordinance No. 18172-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

C-22907
Ord. No. 18173-07-
2008
JLB Contracting,
LP.

There was presented Mayor and Council Communication No. C-22907 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with JLB Contracting, LP, in the amount of \$979,780.90 for pavement reconstruction and water and sanitary sewer main replacement on portions of Colvin Avenue, Irma Street and East Robert Street; authorize the transfer of \$304,455.04 from the Water and Sewer Operating Fund to the Water Capital Projects Fund in the amount of \$266,431.24 and Sewer Capital Projects Fund in the amount of \$38,023.80; and adopt an appropriation ordinance increasing estimated receipts and appropriations in the Water Capital Projects Fund in the amount of \$266,431.24 and the Sewer Capital Projects Fund in the amount of \$38,023.80 from available funds, for the purpose of executing a contract with JLB Contracting, LP, for pavement reconstruction and water and sanitary sewer main and replacement on portions of Colvin Avenue, Irma Street and East Robert Street (Project No. 00454).

Mayor Pro tem Hicks made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-22907 be approved and Appropriation Ordinance No. 18173-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

C-22908
Ord. No. 18174-07-
2008
Stabile and Winn,
Inc.

There was presented Mayor and Council Communication No. C-22908 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Stabile and Winn, Inc., in the amount of \$1,306,569.80 for pavement reconstruction and water and sanitary sewer replacement on Edney Street (Hemphill Street to South Adams Street and 6th

C-22908
(Continued)

Avenue to Sharondale Street) and Southcrest Drive (Townsend Drive to West Dead End); authorize the transfer of \$521,408.44 from the Water and Sewer Operating Fund to the Water Capital Projects Fund in the amount of \$276,395.93 and Sewer Capital Projects Fund in the amount of \$245,012.51; and adopt an appropriation ordinance increasing estimated receipts and appropriations in the Water Capital Projects Fund in the amount of \$276,395.93 and the Sewer Capital Projects Fund in the amount of \$245,012.51 from available funds, for the purpose of executing a contract with Stabile & Winn, Inc., for pavement reconstruction and water and sanitary sewer replacement on portions of Edney Street and Southcrest Drive (City Project No. 00448).

Council Member Burns made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22908 be approved and Appropriation Ordinance No. 18174-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

C-22909
Ord. No. 18175-07-
2008
Stabile and Winn,
Inc.

There was presented Mayor and Council Communication No. C-22909 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Stabile and Winn, Inc., in the amount of \$961,772.00 for pavement reconstruction and water and sanitary sewer replacement on Geddes Street (Horne Street to Littlepage Street) and Halloran Street (Libbey Avenue to South Dead End); authorize the transfer of \$281,638.78 from the Water and Sewer Operating Fund to the Water Capital Projects Fund in the amount of \$122,658.89 and Sewer Capital Projects Fund in the amount of \$158,979.89; and adopt an appropriation ordinance increasing estimated receipts and appropriations in the Water Capital Projects Fund in the amount of \$122,658.89 and the Sewer Capital Projects Fund in the amount of \$158,979.89 from available funds, for the purpose of executing a contract with Stabile & Winn, Inc., for pavement reconstruction and water and sanitary sewer replacement on Geddes Street and Halloran Street (Project No. 00291).

Council Member Burdette made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22909 be approved and Appropriation Ordinance No. 18175-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

C-22910
Ord. No. 18176-07-
2008
Amendment No. 1 to
CSC No. 29667
Wade and
Associates, Inc.

There was presented Mayor and Council Communication No. C-22910 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 1 in the amount of \$167,469.00 to City Secretary Contract No. 29667, an engineering agreement with Wade and Associates, Inc., for additional engineering services on 8th Avenue and Missouri Avenue thereby increasing the contract amount of \$516,225.00; authorize the transfer of \$208,669.00 from the Water and Sewer Operating Fund to the Water Capital Projects Fund in the amount of \$58,465.00 and Sewer Capital Projects Fund in the amount of \$150,204.00; and adopt an appropriation ordinance increasing the estimated receipts and appropriations in the Water Capital Projects Fund in the amount of \$58,465.00 and the Sewer Capital Projects Fund in the amount of \$150,204.00 from available funds, for the purpose of executing Amendment No. 1 to City Secretary Contract No. 29667 with Wade & Associates, Inc., for water and sanitary sewer relocations on 8th Avenue and Missouri Avenue.

Council Member Scarth made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22910 be approved and Appropriation Ordinance No. 18176-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

C-22911
RJN Group, Inc.

There was presented Mayor and Council Communication No. C-22911 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering agreement with RJN Group, Inc., in the amount of \$137,195.00 for Clear Fork Drainage Basin, M-210 Sanitary Sewer Relocation on Mockingbird Lane and Hartwood Drive (City Project No. 01022).

Mayor Pro tem Hicks made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-22911 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

C-22912
Centex Homes, Inc.

There was presented Mayor and Council Communication No. C-22912 from the City Manager recommending that the City Council authorize the City Manager to execute a Community Facilities Agreement with Centex Homes, Inc., with City participation in an amount not to exceed \$28,302.00 for the construction of a concrete drainage channel and underground storm drain system to serve the Stone Wood Addition, an existing single-family development in east Fort Worth.

**C-22912
(Continued)**

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

Council Member Moss made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. C-22912 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Member Silcox absent and with one abstention by Council Member Burdette.

**C-22913
Amendment No. 2 to
CSC No. 33249
Freese and Nichols,
Inc.**

There was presented Mayor and Council Communication No. C-22913 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 2 in the amount of \$250,038.00 to an engineering agreement with Freese and Nichols, Inc., City Secretary Contract No. 33249, for the construction management of the Eagle Mountain Water Treatment Plant Expansion, Raw Water Pump Station, Raw Water Intake and Raw Water Transmission Pipeline located between Eagle Mountain Lake and intersection of Boat Club Road and Robertson Road including the McCart Street pump station thereby increasing the amount of the contract from \$2,884,732.44 to \$3,134,770.44.

Council Member Burdette made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. C-22913 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**C-22914
Ord. No. 18177-07-
2008
Deltatek
Engineering**

There was presented Mayor and Council Communication No. C-22914 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering agreement with Deltatek Engineering in the amount of \$100,000.00 for the North Beach Street Ground Storage Tank Rehabilitation; authorize the transfer of \$100,000.00 from the Water and Sewer Operating Fund to the Water Capital Projects Fund; and adopt an appropriation ordinance increasing estimated receipts and appropriations in the Water Capital Projects Fund in the amount of \$100,000.00 from available funds for the purpose of executing an engineering agreement with Deltatek for the North Beach Street Ground Storage Tank Rehabilitation at 4809 Ray White Road.

Council Member Scarth made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. C-22914 be approved and Ordinance No. 18177-07-2008 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

AGENDA ITEM XVA – ZONING HEARINGS: CASES RECOMMENDED FOR APPROVAL
(CONTINUED)

ZC-08-007B
Approved

It appeared that the City Council, at its meeting of May 20, 2008, continued the hearing of the application of City of Fort Worth, Six Points Urban Village for a change in zoning of property located at (Area 1), 2801 East Belknap, (Area 2), 2828 and 2832 East Belknap and (Area 3) 3007 and 3009 East Belknap, from “I” Light Industrial and “J” Medium Industrial, to (Area 1) “PD/MU-1” Planned Development for Low Intensity Mixed Use, plus automotive repair and vehicles sales, (Area 2) “PD/MU-1” Planned Development for all uses in “MU-1” Low Intensity Mixed Use, plus radiator service shop, automotive repair, welding and machine shop and (Area 3) “PD/MU-1” Planned Development for all uses in “MU-1” Low Intensity Mixed Use, plus automotive repair and brake shop and outdoor car lift, with site plan waiver recommended for all three sites, Zoning Docket No. ZC-08-007B. 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 Fort Worth, Six Points Urban Village, Council Member Espino made a motion, seconded by Council Member Scarth, that the hearing be closed and that Zoning Docket No. ZC-08-007B be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

ZC-08-030
Approved

There was presented Zoning Docket No. ZC-08-030, application of McArthur and Cat Inc., for a change in zoning of property located at 3012 Altamesa Boulevard from “E” Neighborhood Commercial to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial, plus tire repair sales and service, minor auto repair, oil change, state inspection and emissions testing. No outside storage is permitted. Compliance with the sign ordinance, and with site plan included.

Council Member Jordan made a motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-08-030 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

ZC-08-035A/B
Text Amendment
Continued Until
July 15, 2008

It appeared that the City Council set today as the date for a hearing for Zoning Docket No. ZC-08-035A/B, Text Amendment for Parking Surfaces (Residential and Non Residential): Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

**ZC-08-035A/B
(Continued)**

There being no one present desiring to be heard in connection with the Text Amendment, Mayor Pro tem Hicks made a motion, seconded by Council Member Burns, that the hearing be closed, Zoning Docket No. ZC-08-035A/B be approved.

Council Member Burdette explained that he had various concerns with this issue and made a substitute motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-08-035A/B be continued until the July 15, 2008, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**ZC-08-072
Approved**

There was presented Zoning Docket No. ZC-08-072, application of Russell Fox for a change in zoning of property located at 1391 SE Loop 820 and 1029 Oak Grove Road from "PD-229" Planned Development for "E" Neighborhood Commercial uses excluding package store, tattoo parlor, outdoor amusement, and drive-in restaurant and "C" Medium Density Multifamily Residential to "C" Medium Density Multifamily Residential and "E" Neighborhood Commercial.

Dan Markson

Mr. Dan Markson, 111 Soledad, Suite 1220, San Antonio, Texas, Vice President of Development for the NRP Group, LLC, appeared before Council in support of the rezoning. He provided a handout to the Council relative to the company's experience and summarized the proposed apartment development. He explained that his company provided affordable housing for working class citizens and advised of the company's extensive experience and their many successful developments of this nature in Texas and other states throughout the country.

Mayor Moncrief advised Mr. Markson that Fort Worth supported quality affordable housing and suggested that the publication title reflected in Mr. Markson's handout be changed to "Quality Affordable Housing." Mr. Markson agreed with the Mayor and advised that the magazine was published by a private company who did an article on the NRP Group's developments in San Antonio.

Jessie Guyden, Jr.

Jessie D. Guyden, Jr., 1541 Milmo Drive, appeared before Council in support of the rezoning. He stated that he was skeptical about this development coming into his neighborhood until Mr. Markson invited him to visit similar developments in San Antonio. He added that the apartment complexes were very well maintained and appeared to be very new developments although they were five years old. He encouraged the Council to support the rezoning and submitted a number of petitions in support.

ZC-08-072
(Continued)

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

Mr. Robert Voelker	3800 Lincoln Plaza, Dallas, TX
Mr. Anthony Moore	800 Cooper Circle #260, Arlington, TX
Ms. Zenora Williams	502 Cavendish Drive, Arlington, TX

Greg Scott

Mr. Greg Scott, 1449 Glasgow Road, appeared before Council in opposition of the rezoning request. He pointed out that the developer did not need the Council's approval to build the apartment development as the property was currently zoned for that use. He added that the true nature of the rezoning was the tax incentives the developer would receive by the City and requested the Council deny the rezoning request.

Laura Meeks

Ms. Laura Meeks, 5640 Conlin Drive, appeared before Council also in opposition of the rezoning request. She stated that she had lived and served this community for many years and did not want any apartment complexes constructed. She added these developments increased traffic and safety issues and pointed out the difficulty residents of the community already had when entering and existing the area. She pointed out that what the community needed was positive development that would benefit the neighborhood.

Eunice Givens

Ms. Eunice Givens, 5500 Stafford Drive, Vice President of the Highland Hills Neighborhood Association, appeared before Council also in opposition of the rezoning. She requested she be allowed to review the petition submitted by individuals in support of the development to ascertain the legality as she knew some of the individuals who signed the petition were not residents of the community. She added that the development would create more noise and pollution, increase traffic and contribute to the rise in crime in the area. She encouraged the Council to overturn the decision of the City Zoning Commission and deny the rezoning.

Mayor Pro tem Hicks stated that the Council tried to promote quality affordable housing for all residents. She pointed out that the property was already zoned for multi-family and that the developer had agreed to reduce the density of the proposed development. She added that she opposed the viewpoint that these types of developments were only occupied by intoxicated residents. She requested that the developer meet with residents of the neighborhood to address their concerns.

ZC-08-072
(Continued)

Mayor Moncrief advised that the developer had agreed to exclude various uses as part of the rezoning to minimize concerns of the neighborhood and pointed out that the development would be beneficial to this community.

Mayor Pro tem Hicks made a motion, seconded by Council Member Burns, that Zoning Docket No. ZC-08-072 be continued one week.

Council Member Espino pointed out that the developer was decreasing the density of the apartment complex by 100 units and believed the apartment complex would be a quality development. He added that the reality was that there were people who needed to live in apartments and stated that everyone needed to work together to address quality affordable housing in the City.

Council Member Scarth advised of his experience with a similar issue whereby an apartment complex developer who had applied for tax credit incentives, but did not receive the incentives because of opposition by the neighborhood. He added that although the neighborhood opposed the complex, the apartments were built anyway. He pointed out that this developer was willing to bring in a variety of services and amenities to the area while providing quality affordable housing, while excluding unwanted uses. He indicated his support of the request and asked staff to assist with verbiage for an amendment to approve this rezoning request that would prohibit the sale of alcohol.

Ms. Dana Burghdoff, Planning and Development Department Deputy Director, advised that the approval would be for "C" Medium Density Multi-Family and a "PD" Planned Development based on "E" Neighborhood Commercial prohibiting alcohol sales and with waiver of a site plan. She advised that the City would have an administrative site plan under the multi-family zoning that would be reviewed.

Council Member Scarth made a substitute motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-072 be approved as amended by staff.

Mayor Moncrief stated that he did not want to oppose Mayor Pro tem Hicks's motion; however, he pointed out that the Council did not see enough of this type of development being built in the City. He added that the development may not be everything that everyone wanted but that the developer had made numerous concessions and encouraged support of the substitute motion.

- ZC-08-072**
(Continued) The substitute motion carried five (5) ayes to three (3) nays, with Council Member Silcox absent and Mayor Pro tem Hicks and Council Members Moss and Jordan casting the dissenting votes.
- ZC-08-075**
Denied With
Prejudice There was presented Zoning Docket No. ZC-08-075, application of Lucy Horning, et al., for a change in zoning of property located at 701 East Berry Street from “E” Neighborhood Commercial to “FR” General Commercial Restricted.
- Kenneth Alexander** Mr. Kenneth Alexander, 5821 Kilpatrick Avenue, agent representing the applicant, appeared before Council in support of the rezoning request. He advised that the City Zoning Commission unanimously approved the rezoning and that he had letters of support from the surrounding businesses and residents of the community and submitted those for the record.
- Mayor Pro tem Hicks requested to speak to the property owner about the appearance of the property. Mr. Albert Davis was in the audience.
- Albert Davis** At the request of Mayor Moncrief, Mr. Albert Davis, 3145 Lubbock Avenue, owner of the adjacent shopping center, appeared before Council. He responded to Mayor Pro tem Hick’s inquiry about the unsightly appearance of the shopping center by stating the lessee had the responsibility for the upkeep of the shopping center.
- Don Pierson** Mr. Don Pierson, 1300 S. University Drive, appeared before Council in support of the rezoning request.
- Nizar Doar** Mr. Nizar Doar, 1354 E. Berry Street, appeared before Council also in support of the rezoning request. He stated that there was enough vacant property on Berry Street and encouraged the Council to support the rezoning.
- Gayla Alston** Ms. Gayla Alston, 3204 S. Main, appeared before Council in opposition to the rezoning request. She advised that the company had been operating illegally and did not have a Certificate of Occupancy. She informed the Council that the company had several citations issued by the Code Compliance Department for violations of the Code. She added that the company was hazard to the community and quoted a City staff report that reflected that the “...occupant was operating illegally and was non-conforming...” She requested the Council deny the rezoning request.

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Monnie Gilliam Mr. Monnie Gilliam, 1100 Vicki Lane, appeared before Council in opposition of the rezoning request. He advised that the neighborhood and neighborhood associations had not been involved with the rezoning process and requested the Council deny the rezoning.

Christopher Bonilla Mayor Moncrief recognized Mr. Christopher Bonilla, 3204 S. Main, as also being in opposition to the rezoning request and noted that Mr. Bonilla did not wish to address the Council.

Mayor Pro tem Hicks expressed concern with the appearance of the shopping center and the problems experienced at the center. She pointed out that there were already numerous auto uses on Berry Street and that the area needed different types of development.

Mayor Pro tem Hicks made a motion, seconded by Council Member Jordan, that Zoning Docket No. ZC-08-075 be denied with prejudice. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

At the request of Council Member Espino, Zoning Docket No. ZC-08-094 was heard at this time.

**ZC-08-094
Approved** There was presented Zoning Docket No. ZC-08-094, application of Ramon Verduzco for a change in zoning of property located at 2206 N.E. 28th Street from "FR" General Commercial Restricted to "B" Two Family Residential.

Louis Zapata Former District 2 Council Member Louis Zapata, 2007 N. Houston, appeared before Council in support of the rezoning request.

Council Member Espino made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-08-094 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

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

ZC-08-077
(Continued) Council Member Espino made a motion, seconded by Council Member Jordan, that Zoning Docket No. ZC-08-077 be returned to the City Zoning Commission to clarify whether the hotel would be a two or three-story structure. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

ZC-08-079
Approved There was presented Zoning Docket No. ZC-08-079, application of Marine Creek of Texas Joint Venture for a change in zoning of property located at 4401 Cromwell Marine Creek Road from "E" Neighborhood Commercial to "F" General Commercial.

Council Member Burdette made a motion, seconded by Mayor Pro tem Hicks, that Zoning Docket No. ZC-08-079 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

ZC-08-088
Continued Until
July 15, 2008 There was presented Zoning Docket No. ZC-08-088, application of T. L. Kobs & R. W. Dowling, et al., for a change in zoning of property located at 2509 Merrick Street from "CF" Community Facilities to "E" Neighborhood Commercial.

Council Member Burdette made a motion, seconded by Mayor Pro tem Hicks, that Zoning Docket No. ZC-08-088 be continued until the July 15, 2008, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

ZC-08-089
Approved There was presented Zoning Docket No. ZC-08-089, application of Jackie Duran Tatum for a change in zoning of property located at 2601 East Lancaster Avenue from "F" General Commercial to "F/HC" General Commercial/Historical and Cultural Overlay.

Mayor Pro tem Hicks made a motion, seconded by Council Member Jordan, that Zoning Docket No. ZC-08-089 be approved with appreciation. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

ZC-08-091
Approved There was presented Zoning Docket No. ZC-08-091, application of Manohar Rajput for a change in zoning of property located at 13304 Violet Lane from "AG" Agricultural to "R1" Zero Lot Line/Cluster Residential.

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**ZC-08-091
(Continued)** Council Member Moss made a motion, seconded by Council Member Burdette, that Zoning Docket No. ZC-08-091 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**ZC-08-096
Approved** There was presented Zoning Docket No. ZC-08-096, application of Wall Homes of Texas, LLC., for a change in zoning of property located at 9705 and 9711 Old Granbury Road from “A-5” One Family Residential to “E” Neighborhood Commercial (Tracts 1, 2 and 3) and “FR” General Commercial Restricted (Tract 4).

Council Member Jordan made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-08-096 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**ZC-08-100
Approved** There was presented Zoning Docket No. ZC-08-100, application of Jose E. Mejia for a change in zoning of property located at 2518 Clinton Avenue from “I” Light Industrial to “A-5” One Family Residential.

Council Member Espino made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-08-100 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

AGENDA ITEM XV B – ZONING HEARINGS: CASES RECOMMENDED FOR DENIAL

**ZC-08-070
Denied
Without Prejudice** There was presented Zoning Docket No. ZC-08-070, application of Millard Tierce for a change in zoning of property located at 5700 Curzon Avenue from “A-5” One Family Residential to “E” Neighborhood Commercial.

Council Member Burdette made a motion, seconded by Council Member Burns, that Zoning Docket No. ZC-08-070, be denied without prejudice. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**ZC-08-097
Denied
Without Prejudice** There was presented Zoning Docket No. ZC-08-097, application of Southwest Basswood 35, L.P., for a change in zoning of property located at 2900 Basswood Boulevard from “G” Intensive Commercial to “PD/G” Planned Development for all uses in “G” Intensive Commercial, plus hotel, and with site plan included.

ZC-08-097
(Continued)

Council Member Espino made a motion, seconded by Mayor Pro tem Hicks, that Zoning Docket No. ZC-08-097, be denied without prejudice. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

SP-08-061
Denied
Without Prejudice

There was presented Site Plan No. SP-08-061, application of Fort Worth Midtown Village, LP., for a site plan of property located at 2222 West Rosedale Street to amend "PD-558" to change the location, size and type of buildings proposed.

Council Member Burns made a motion, seconded by Council Member Scarth, that Site Plan No. SP-08-061, be denied without prejudice. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

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

ORDINANCE NO. 18178-07-2008

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

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

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

Mr. Joe Don Brandon, P.O. Box 1155, was recognized as desiring the address the Council relative to the Texas Black Workers Awards; however, Mr. Brandon was not present in the Council Chamber.

Jerry Horton

Ms. Jerry Horton, 2608 Carter Avenue, appeared before Council relative to a proposed gas pipeline on Carter Avenue. She stated that the neighborhood was still struggling with Chesapeake relative to placement of a gas pipeline in their front yards. She added that there was a rumor that everyone on Carter had signed waivers for the pipeline and dispelled that rumor. She asked what progress Mayor Pro tem Hicks had made with the Texas Department of Transportation (TxDOT) to reroute the pipeline.

Mayor Pro tem Hicks stated that she met with representatives of TxDOT who informed her that they were not willing to look at the southern part of I-30, but encouraged Chesapeake to look at going on the northern part of I-30. She added that she received notice that Chesapeake planned a meeting for July 14, 2008, at 6:30 p.m. at the Sycamore Community Center and encouraged members of the community to attend. She added that she would also attend the meeting and hoped that there would be some discussion about moving the pipeline to the northern part of I-30.

Katie Ohayou

Ms. Katie Ohayou, 2700 Carter Avenue, appeared before Council and also expressed concerns with gas pipelines in her neighborhood. She expressed concern with the health and safety of the neighborhood and advised that the Council needed to develop guidelines for the company to prohibit them from placing pipelines underneath residential property.

Diane Wood

Ms. Diane Wood, 2308 Aster Avenue, appeared before Council in opposition of urban gas drilling in the City.

Pete Wann

Mr. Pete Wann, 2813 Ryan Place Drive, appeared before Council relative to supporting construction of the adoption room at the Animal Care and Control Center. He advised of his positive experience adopting his first dog and encouraged the Council to pursue funding of the adoption room.

The following individuals appeared before Council relative to support of a resolution to impeach the President and Vice President of the United States:

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**Agenda Item XV
(Continued)**

Ms. Nel LaBar	1609 Willow Lane, Euless, TX
Ms. Linda Sandoval Foley	1012 Barton Hill Road #148
Mr. Robert Vann	7317 Ellis Road
Mr. Bruce Payne	2724 Lubbock Avenue
Mr. Grayson Harper	3605 Bellaire Drive South
Mr. Doyle Fine	612 Upton Avenue
Mr. James Russell	6300 Troon
Ms. Veronika Terrian	2555 Via Firenze #1138

**Agenda Item XVII
Adjournment**

There being no further business, the meeting was adjourned at 11:29 p.m.