

**CITY OF FORT WORTH, TEXAS  
REGULAR CITY COUNCIL MEETING  
OCTOBER 7, 2008**

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**Present:**

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

**Staff:**

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

**I. CALL TO ORDER**

With a quorum of the City Council Members present, Mayor Moncrief called the regular session of the Fort Worth City Council to order at 7:03 p.m. on Tuesday, October 7, 2008, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

**II. INVOCATION - Pastor Jason Williams, Solid Rock Baptist Church**

The invocation was given by Pastor Jason Williams, Solid Rock Baptist Church.

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

Mayor Moncrief advised that it was Council Member Silcox's 65th birthday tomorrow and asked everyone present to join the Council and sing Happy Birthday to Council Member Silcox.

**IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF TUESDAY, SEPTEMBER 30, 2008**

Motion: Mayor Pro tem Hicks made a motion, seconded by Council Member Silcox, that the minutes of the regular meeting of September 30, 2008, be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

V. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Certificate of Appreciation to Mr. Frank Devaull. Fire Chief Rudy Jackson advised the Council of the heroic and unselfish actions of Mr. Devaull that saved the life of a citizen. Battalion Chief Bobby Taylor detailed the events of August 21, 2008, that resulted in Mr. Devaull being recognized for his efforts.

2. Council Member Jordan presented a Proclamation for Texans Against Crime Night to Deputy Police Chief Larry Curtis and members of Code Blue.

3. Council Member Silcox presented a Proclamation for Citizens on Patrol Day to Deputy Police Chief Larry Curtis and members of Citizens on Patrol.

4. Council Member Jordan presented Certificates of Recognition to Former Board and Commission Members as follows:

Mr. George Petrovich, Jr. for his service on the Board of Adjustment - Commercial, from June 13, 2006, to October 1, 2008

Mr. Cody Pace for his service on the Construction and Fire Prevention Board of Appeals from May 8, 2007, to September 12, 2008

City Secretary Hendrix also advised that the following individuals were not able to attend the Council meeting this evening:

Ms. Sandra Reed for her service on the Library Advisory Board from September 13, 2005, to August 12, 2008

Ms. Jerre Miller for her service on the Urban Design Commission from September 21, 2004, to August 19, 2008

VI. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

Council Member Scarth announced that Library Fest would be held on October 12, 2008, at the Central Library. He added that it would be a fun-filled family event and encouraged everyone to attend.

Mayor Pro tem Hicks announced that the 10th Annual Historic Handley Street Festival and Car Show would be held on October 11, 2008, from 10:30 a.m. to 10:30 p.m. Ms. Wanda Conlin and Ms. Gigi Gosling provided more information on the festival.

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

Council Member Silcox advised that almost every week he had made announcements to try and save the City's drainage system by notifying landscaping companies not to blow grass and leaves into the streets. He added that the political season was coming up and politicians would be putting signs out and advised that under the current City ordinances, all signs placed in the City's right-of-way were prohibited. He added that exceptions were signs approved by the City. He then provided specific instances where exceptions were issued by the City. He pointed out that it was also against state law to place political signs in medians.

Mayor Moncrief expressed appreciation to everyone involved in the preparation of the Council and other representatives to visit the Northwest to look at how they operate streetcars. He added that he felt streetcars were a real option in the City and would give citizens an option on how to travel and make the City more pedestrian friendly. He stated that he was very excited at this possibility. He announced that the October 14, 2008, Council meeting would begin at 8:30 a.m. in the Council Chamber to welcome home City employees who were temporarily assigned to assist the City of Houston in the aftermath of Hurricane Ike. He added that all employees who assisted with the efforts of Hurricanes Gustav and Ike would also be recognized. He advised that the Pre-Council meeting would be held at 9:00 a.m. and reminded everyone that the Joint Meeting of the City Council and the Gas Well Task Force would be conducted at 1:30 p.m. at the Will Rogers Memorial Center Stagecoach Room.

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

There were no items withdrawn from the consent agenda.

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

City Manager Fisseler requested that Mayor and Council Communication No. G-16314 be withdrawn from consideration and that C-23014 be continued until the December 2, 2008, Council meeting.

**IX. CONSENT AGENDA**

Motion: Council Member Silcox made a motion, seconded by Council Member Espino, that the Consent Agenda be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

**OCS - 1689 - Notices of Claims for Alleged Damages and/or Injuries**

**IX. CONSENT AGENDA (Continued)**

**M&C G-16306 - Authorizing the City Manager to Initiate Rezoning of Certain Properties in the 9900 Block of Crowley Road, from Various Districts to “A-5” One-Family and “CF” Community Facilities, in Accordance with the 2008 Comprehensive Plan.**

**M&C G-16307 - Authorizing the City Manager to Initiate Rezoning of Certain Properties in the 8100 through 8400 Blocks of West Cleburne Road, from Various Districts to “A-5” One-Family and “CF” Community Facilities, in Accordance with the 2008 Comprehensive Plan.**

**M&C G-16308 - Approving the Execution of a Settlement and Release Agreement with RYLB FW Properties, LP, for Matters Relating to Rent Dispute for Lease at 307 West Seventh Street.**

**M&C L-14652 - Authorizing the Direct Sale of Tax-Foreclosed Property Located at 3006 East Rosedale Street to TSC Poly Retail, LLC, in Accordance with Section 34.05 of the Texas Property Tax Code for the Total Amount of \$6,397.00; and Authorizing the City Manager to Execute and Record the Appropriate Instruments Conveying the Property to Complete the Sale.**

**M&C L-14653 - Authorizing the Acquisition of One Permanent Drainage Facility Easement from Ruth R. Bravanec at 4001 Fain Street, Described as a Portion of Lot 1, Block 1, Green Acres Addition in East Fort Worth, Tarrant County, Texas, for the Construction of Drainage Infrastructure Improvements; Finding that the Price Offered in the Amount of \$49,500.00, Plus an Estimated Closing Cost of \$2,000.00, is Just Compensation; and Authorizing the Acceptance and Recording of Appropriate Instruments (DOE No. 5398).**

**M&C L-14654 - Approving the Correction of M&Cs L-14628, L-14629, L-14630 and L-14631 Pertaining to Union Pacific Pipeline Crossing License Agreements to Delete the Reference to a 25-Year Term.**

**M&C C-23112 - Authorizing the City Manager to Enter into a Public Art Master Plan/Final Design Agreement with Anitra Blayton for Lake Como Park in the Amount of \$25,000.00; and Authorizing the City Manager to Enter into a Public Art Master Plan/Final Design Agreement with Melvin L. Ziegler for Lake Como Park in the Amount of \$25,000.00.**

**M&C C-23113 - Authorizing the City Manager to Execute a Contract with the Fort Worth Metropolitan Black Chamber of Commerce for an Amount Not to Exceed \$163,134.00 to Assist Minority and Women Business Enterprise Small Businesses.**

**M&C C-23114 - Authorizing the City Manager to Execute a Contract with the Fort Worth Hispanic Chamber of Commerce for an Amount Not to Exceed \$182,710.00 to Assist Minority and Women Business Enterprise Small Businesses.**

**(IX. CONSENT AGENDA Continued)**

**M&C C-23115 - Authorizing the City Manager to Execute Amendment No. 1 to City Secretary Contract No. 30976 with J. B. Davies, Inc., in the Amount of \$7,000.00, Revising the Total Cost to \$31,100.00 (Project No. 00087).**

**M&C C-23116 - Authorizing the City Manager to Execute a Terminal Building Office Lease Agreement for Suite 130, and Additional Common Space Known as Counter, with American Flyers, Inc., at Fort Worth Meacham International Airport in the Amount of \$20,779.20 Per Year.**

**M&C C-23117 - Authorizing the City Manager to Execute an Unimproved Ground Lease Agreement with Mandatory Improvements with Vaisala, Inc., for a Lightning Detection and Ranging Sensor at Fort Worth Meacham International Airport in the Amount of \$88.00 Per Year.**

End of Consent Agenda

**X. PRESENTATIONS BY THE CITY COUNCIL**

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

Motion: Council Member Burdette made a motion, seconded by Council Member Jordan, that the following reappointments to various boards/commissions/ committees be approved effective October 7, 2008, and with terms expiring as reflected:

<u>Board/Commission/Committee</u>	<u>Name</u>	<u>Term Expiring</u>
Board of Adjustment, Residential	Nick Genua	10/1/09
Building Standards Commission	Robert Hawley	9/30/09
Fort Worth Commission for Women	Vicki Wilkie	10/1/09
Parks & Community Services Advisory Board	Gale Cupp	10/1/09
Capital Improvements Advisory Committee for Transportation	Dennis Shingleton	10/1/09

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

**1. Fort Worth Commission for Women**

Joy Thomas, Chair, Fort Worth Commission for Women, presented the Commission's Annual Report on the State of Family Violence in Tarrant County. Ms. Rona Lambden, Place 1, provided a report on health issues.

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Mayor Moncrief stated that Mayor and Council Communication No. G-16313 would be heard at this time being that there was a significant number of citizens who wanted to speak relative to this issue.

**8. M&C G-16313 - Consider a Waiver for a High-Impact Gas Well Permit and a Gas Well Pad Site Permit Requested by Chesapeake Operating, Inc., for the 8th Avenue Railroad Lease Located at 2592 8th Avenue (PUBLIC HEARING)**

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

City Attorney Yett advised that the test for requirement of recusing for a vote was a substantial interest test. He added that the City Charter required Council Members to participate and vote on matters unless they have a legal conflict or are otherwise excused. He stated that based on Council Member Jordan's situation because of his wife's interest, he was required to recuse, and added that no other member of the Council had a substantial interest and therefore was required to participate in the vote.

**a. Report of City Staff**

Ms. Susan Alanis, Planning and Development Department Director, appeared before Council and provided a staff report. She introduced Ms. Julie Wilson, from Chesapeake Operating, Inc., to present additional facts on the case.

Ms. Julie Wilson, representing Chesapeake, referred to her appearance about a year ago relative to the Pearson site. She added that the citizens at that meeting had similar concerns about the well and pointed out that the land had still remained for public enjoyment. She added that many residents were not opposed to drilling; however, they were opposed to drilling in their back yard. She also pointed out that many citizens enjoyed the benefits of the Barnett Shale, but just did not want it in their back yard which was understandable. She provided a PowerPoint presentation noting Chesapeake's compliance with all seven expectations in the ordinance. She concluded by advising she did not believe there were alternative drill sites that could be used to develop the minerals at this location.

Council Member Burns stated that a lot of arguments would be heard for and against drilling on the 8th Avenue drill site. He noted that the night he was elected, a former City Council member advised him that if he supported the neighborhoods everything else would work out. He added that it was his intent to support the neighborhoods and would vote against this issue. He then asked his colleagues to support him in his vote.

**(M&C G-16313 Continued)**

**b. Citizen Presentations**

The following individuals appeared before Council in support of the waiver:

Mayor Ted Reynolds, 5105 Westhill Drive, Cleburne, Texas  
Mr. Wendyl E. Moates, 532 Evergreen Drive, Hurst, Texas  
Mr. Billy D. Wallace, 7116 Sweet Briar Court, North Richland Hills, Texas  
Mr. Doug Widge, 2735 5th Avenue (Did not speak)  
Mr. Walter N. Morosky, Jr., 2517 Ryan Place Drive  
Mr. William B. Wathen, 2041 Glenco Terrace  
Mr. Ben Breunig, 3300 Lincoln Plaza, Dallas, Texas  
Mr. Alex Veigel, 3221 Collinsworth, Suite 210  
Mr. Robert C. Roberson, 7917 Highland Park Circle  
Mr. George Jensen, 2615 Forest Park Boulevard  
Mr. Greg Ricks, 720 Oakwood Trail  
Mr. Robert Ginsburg, 777 Main Street #1300  
Ms. Martha Criado, 2700 Livingston  
Ms. Ginger Hoffmann, 2517 Ryan Place Drive

The following individuals appeared before Council in opposition of the waiver:

Mr. Randell P. Means, 1941 Berkeley Avenue  
Mr. Bill Campbell, 2236 Hawthorne Avenue  
Mr. Eugene Acosta, 2311 Stanley Avenue  
Mr. Keith Head, 1316 Elizabeth Boulevard, President, Ryan Place Improvements Assoc.  
Mr. Bill Conley, 2900 6th Avenue, Chair, Ryan Place Gas Drilling Committee  
Ms. Patti Randul, 1716 S. Adams Street  
Mr. James Hawks, 2933 Livingston  
Mr. Bill Hall, 2308 Medford Court West (President of Park Hill)  
Mr. Jim Bradbury, 2337 Mistletoe Avenue  
Mr. Christian Ellis, 1925 Dartmoor Court  
Mr. David Thrapp, 1418 Washington Avenue  
Ms. Linda Hanratty, 4236 Oak Park Court (Represented League of Women Voters)  
Ms. Susan Acosta, 3013 Stanley Avenue  
Ms. Janice Imrich, 1101 Elizabeth Boulevard  
Mr. Frank Cain, 2417 Stanley Avenue  
Ms. Carol Stripling, 2036 Windsor Place (Was not present in Council Chamber)  
Mr. Vance Laminack, 2019 Glenco Terrace (Was not present in Council Chamber)  
Mr. Nick Riccelli, 2216 Wilshire Boulevard (Was not present in Council Chamber)

**(M&C G-16313 Continued)**

During the speakers' presentations, Council Members Burdette and Scarth posed various questions for clarification. Council Member Burdette advised that the reason this issue was before the Council for consideration was that the well was within 600 feet of several homes. He pointed out that Council now had to consider giving a waiver when the well's location affected approximately 40 residences in opposition of the drilling and whether there were alternate drilling locations available. He added that the real issue was that the people who owned the mineral rights in the City were the ones who made the decision whether there would be drilling in that area or not.

Council Member Scarth clarified that the 600 foot restriction was written into the ordinance to give the Council an opportunity to approve a waiver, and that was only for special circumstances. He added that it gave the 40 residents an opportunity to express their support or opposition of whether they wanted the well.

Mayor Moncrief stated that he had received a request by Council Member Burns to be recognized for a motion on this issue.

**c. Council Action**

Council Member Burns expressed appreciation for everyone coming to the Council meeting to speak on this issue. He pointed out that technology was changing and his hope was that the City would continue to look for ways to produce all neighborhood minerals and to have everyone reap the benefit of the Barnett Shale. He pointed out that staff had advised that a very small number of high impact wells had been permitted to date and that Council had never approved a high impact gas well application for anything less than 440 feet from a protected use; this site had houses within 225 feet of the proposed well--only 25 feet more than the absolute bare minimum required by the state. He asked his colleagues to support the neighborhoods in voting "no" on this site and made a motion to deny Mayor and Council Communication No. G-16313. The motion was seconded by Mayor Pro tem Hicks.

Mayor Moncrief and each Council Member advised of their support of Council Member Burns's motion and reasons they would not support the waiver.

Council Member Silcox made a recommendation that the City remove the waiver provision from the ordinance and added that he would support the motion because the ordinance stated that there must be 100% support from the residents in the neighborhood to drill the well.

Council Member Burns expressed appreciation to the Council for their unanimous support and asked the citizens who did not speak for their indulgence to allow the Council to vote on this issue without objection.

**(M&C G-16313 Continued)**

The motion carried unanimously eight (8) ayes to zero (0) nays, and with one abstention by Council Member Jordan.

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

Mayor Moncrief recessed the meeting at 10:49 p.m. and reconvened at 10:55 p.m. and considered Mayor and Council Communication No. C-23014 next.

**XIV. REPORT OF THE CITY MANAGER**

**[1. M&C C-23014 - Authorize Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, LLC, a License to Use Certain Public Right-of-Way for the Purpose of Constructing, Maintaining and Operating a Natural Gas Pipeline Along the Eastside of Alton Road Crossing Bellaire Drive South, West Berry Street, Westcliff Road South, Hilltop Drive, West Biddison Street and South Hills Avenue \(Continued from a Previous Meeting\)](#)**

Motion: Council Member Silcox made a motion, seconded by Mayor Pro tem Hicks, that Mayor and Council Communication No. C-23014 be continued until the December 2, 2008, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

Mayor Moncrief advised that Zoning Docket No. ZC-08-115 would be considered at this time.

**[4. Zoning Docket No. ZC-08-115 - \(CD 3\) - Kwi Hwa Kim, 4400 Benbrook Highway; from "FR" General Commercial Restricted to "E" Neighborhood Commercial \(Continued from a Previous Meeting\)](#)**

Mr. Jason Choe, 1301 Commerce, appeared before Council in support of the zoning change. He provided a summary of the zoning change and requested the zoning be amended to "PD/E" to meet the concerns of the neighborhood and minimize beer and wine sales.

Council Member Silcox advised that the neighborhood did not want any more liquor sales of any kind in this area. He made a motion, seconded by Mayor Pro tem Hicks that Zoning Docket No. ZC-08-115 be denied with prejudice. The motion carried unanimously nine (9) ayes to zero (0) nays.

Mayor Moncrief advised that Zoning Docket No. ZC-08-064 would be considered at this time. He requested that Council suspend the rules in order to allow Council Member Silcox to be reflected as voting in support of this issue when it was considered by the Council.

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**(ZC-08-115 Continued)**

Motion: Council Member Burdette made a motion, seconded by Mayor Pro tem Hicks, that the rules be suspended to allow the recording of a vote in support of Zoning Docket No. ZC-08-064 by Council Member Silcox at the time it would be considered by the Council. The motion carried unanimously nine (9) ayes to zero (0) nays.

Motion: Council Member Silcox made a motion, seconded by Council Member Burns, that the record reflect a vote by Council Member Silcox in support of Zoning Docket No. ZC-08-064 upon consideration of the item. The motion carried unanimously nine (9) ayes to zero (0) nays.

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

**3. Zoning Docket No. ZC-08-064 - (CD 9) - Lynda Hanna, Animal Works, LLC, 2523 and 2527 West Dickson Street and 2524 Waggoman Street; from "I" Light Industrial to "K" Heavy Industrial (Continued from a Previous Meeting)**

(Council Member Espino and Mayor Pro tem Hicks left their place at the dais.)

Lynda Hanna, 8117 Sundale Court, the applicant, appeared before Council in support of the zoning change. She summarized the history of the zoning case and advised the Council of efforts taken to mitigate odors resulting from the rodent factory.

(Mayor Pro tem Hicks returned to her place at the dais.)

Mr. Curtis Franklin, 3312 Derby Court, appeared before Council in support of the zoning change. He addressed odor reduction and operational changes that had occurred at the location to mitigate the odors and requested Council's favorable consideration.

Ms. Cathy Dougherty, 1405 Chestnut Drive, Rowlette, Texas, appeared before the Council in support of the zoning change. She advised that she was the professional engineer that provided the report before Council and addressed equipment used to reduce odor and measurements. She pointed out that air permeating studies reflected that the business did not exceed any hazardous substance monitored by the State of Texas. She added that the business location area was significantly industrial and the business met the City's master plan.

Mr. Knox Ross, 101 Beech Court, Hudson Oaks, Texas, appeared before Council in opposition of the zoning change. He stated that people did not want to work or live near hundreds of thousands of rodents and requested the Council deny the zoning change.

**(ZC-08-064 Continued)**

Mr. Tom Farris, 616 Arch Adams Street, representing F.A. Wilson Constructing, appeared before Council in opposition of the zoning change. He advised that this was not proper zoning for the area and requested the Council deny the zoning change.

Mr. Randell P. Means, 1941 Berkeley Place, appeared before Council in opposition of the zoning change. He asked when would somebody hold this company accountable for not complying with City rules. He pointed out that the owners of the company created this situation and requested that Council deny the zoning.

Mr. Robert Bodoin, appeared before Council in opposition of the zoning change. He advised that if the zoning was approved, the facility would be able to expand by three times its present size. He requested that Council deny the zoning change.

Council Member Burns stated that he had become very familiar with this business. He added that there were environmental issues with this operation; however, he pointed out that the company had spent a lot of money to mitigate the issue. He added that the real issue was not environmental and pointed out that if the business did not take care of the environmental element by November 1, 2008, the business would be shut down. He pointed out that the land use was compatible and it was consistent with the Comprehensive Plan. He stated that he would compromise on the zoning and ask for the zoning to be changed to PD based on "I" Light Industrial with the additional use of an animal breeding facility. He pointed out that this zoning would protect the neighborhood from future heavy industrial zoning. He advised that the business was not seeking expansion and if the business wanted to expand they would have to return to the Council once again for consideration.

Motion: Council Member Burns made a motion, seconded by Council Member Jordan, that Zoning Docket No. ZC-08-064 be approved by amending the zoning to "PD" Planned Development based on "I" Light Industrial with the additional use of an animal breeding facility.

Mayor Moncrief advised that Council that a super majority vote was required to approve this zoning change.

Ms. Dana Burghdoff, Planning and Development Department Deputy Director, clarified the "...not being able to expand business" statement by Council Member Burns and stated that if the zoning was approved the business would be able to use that use throughout their property covered by that zoning to include any expansion. However, she added that the Council could include a provision for a site plan to be required and that would require the site plan to go before the City Zoning Commission for their consideration prior to being considered by the Council. She added that Assistant City Manager

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**(ZC-08-064 Continued)**

Fernando Costa advised that the site plan could also be made subject to administrative review according to the development standards of the "I" Light Industrial district.

Motion: Council Member Burns amended his motion, and Council Member Jordan amended his second that Zoning Docket No. ZC-08-064 be approved by amending the zoning to "PD" Planned Development based on "I" Light Industrial with the additional use of an animal breeding facility and a site plan required and subject to administrative review for "I" Light Industrial development standards.

Mayor Moncrief reminded the Council that there was a previous suspension of the rules to allow Council Member Silcox's vote to be recorded as voting "aye" in support of this motion and therefore a super majority vote had been achieved.

The motion carried seven (7) ayes to one (1) nay, with Council Members Espino absent and with Mayor Pro tem Hicks casting the dissenting vote.

(See consideration of this item on Page 10.)

Mr. Bodoin, from the audience, noted a point of order and stated that he did not believe that amended motion was before the Council at the time Council Member Silcox voted in support of the zoning change.

City Attorney Yett advised the Mayor that suspension of the rules was proper and that the vote of Council Member Silcox could be counted as in favor of the motion.

Mayor Moncrief advised Mr. Bodoin that his exception would be noted.

Mayor Moncrief returned to the regular agenda to consider Item XIII.

**XIII. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, TO CHANGE THE TIME OF THE CITY COUNCIL MEETING OF TUESDAY, NOVEMBER 11, 2008, TO ACCOMMODATE THE COUNCIL MEMBERS TRAVELING FOR NATIONAL LEAGUE OF CITIES**

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

Mayor Moncrief recognized Mr. Greg Hughes, 2544 Stadium Drive, who desired to address the Council in opposition of this issue; however, Mr. Hughes was not present in the Council Chamber.

Motion: Mayor Pro tem Hicks made a motion, seconded by Council Member Scarth, that Resolution No. 3665-10-2008 be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Silcox and Burns absent.

**A. General**

**4. M&C G-16309 - Adopt Financial Management Policy Statements for Fiscal Year 2008-2009.**

Motion: Council Member Burdette made a motion, seconded by Council Member Espino that Mayor and Council No G-16309 be adopted. The motion carried seven (7) ayes to zero (0) nays, with Council Members Silcox and Burns absent.

**5. M&C G-16310 - Adopt an Ordinance Directing Publication of Notice of Intention to Issue Combination Tax and Will Rogers Memorial Center Complex Parking Revenue Certificates of Obligation, Series 2008, in an Amount Not to Exceed \$35,000,000.00; Approve the Form of Notice Marked "Exhibit A" Attached to the Ordinance; Authorize the City Manager to Cause Said Notice to be Published, in Substantially the Form Attached Hereto, in a Newspaper of General Circulation in the City of Fort Worth, Texas, for Two Consecutive Weeks, the Date of the First Publication to be Prior to the Thirtieth Day Before the Day Tentatively Proposed for Authorizing the Issuance of the Certificates of Obligation as Shown in Said Notice; and Authorize the Proceeds to be Used for Construction of a Parking Garage and Related Improvements at the Will Rogers Memorial Center Complex as Well as Related Costs.**

Motion: Council Member Burdette made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-16310 be approved and Ordinance No. 18328-10-2008 be adopted. The motion carried unanimously seven (7) ayes to (0) nays, with Council Members Silcox and Burns absent.

**6. M&C G-16311 - Authorize the City Manager to Pay \$250,000.00 to the Texas Commission on Environmental Quality for the Abatement of an Illegal Dump Site Located at 3120 Precinct Line Road.**

Motion: Council Member Moss made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. G-16311 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Silcox and Burns absent.

**7. M&C G-16312 - Adopt an Appropriation Ordinance Increasing Estimated Receipts and Appropriations in the Water Capital Projects Fund in the Amount of \$10,575,565.00 and \$4,016,663.00 in the Sewer Capital Projects Fund from Impact Fees for the Purpose of Transferring Said Funds to the Water and Sewer Fund; and for the Purpose of Paying Debt Associated with Impact Fee Eligible Projects.**

Motion: Mayor Pro tem Hicks made a motion, seconded by Council Member Espino, that Mayor and Council Communication No. G-16312 be approved and Ordinance No. 18329-10-2008 be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Members Silcox and Burns absent.

**9. It was the consensus of the City Council that Mayor and Council Communication No. G-16314, Consider a Waiver for a High-Impact Gas Well Permit Requested by XTO Energy, Inc., for Three Wells on the Ritchie Lease Located at 4591 Huffines Road, be withdrawn from consideration.**

**B. Purchase of Equipment, Materials, and Services**

**1. M&C P-10860 - Authorize a Five-Year Lease Agreement for Copiers and Multi-functional Devices with Denitech Corporation Through a Collin County Purchaser's Forum Interlocal Cooperative Contract for Citywide Service with a Projected Not to Exceed Amount of \$1,890,150.00.**

Motion: Mayor Pro tem Hicks made a motion, seconded by Council Member Burdette, that Mayor and Council Communication No. P-10860 be approved.

Mr. Philip Fleming, 1607 Stagecoach Drive, Pantego, Texas, Vice President of Sales for Datamax Corporation of Irving, Texas, appeared before Council in opposition of this contract. He advised of his company's response to the Request for Information by the City and addressed process used in the award of contract. He also pointed out that Denitech was sold to Xerox Corporation several months ago.

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

Jack Dale, Purchasing Manager, stated that process was to locate information on cooperative purchasing to select copiers for the City. He explained that the City went through an extensive process and received 13 responses to the Request for Information (RFI) and all were evaluated. He added that lowest price offered and best evaluated company for this contract was before the Council for consideration. He pointed out that five years spread the cost over a five-year period versus three years at a considerable savings to the Council.

**(M&C P-10860 Continued)**

Council Member Moss expressed concern that the written terms the 13 companies initially responded to in the RFI were different when changed to a five-year period. He added that based on that fact, he would not support this issue.

Mr. Dale stated that the RFI was not a competitive bid process; it was seeking information. He added that the City's RFI was seeking information on copier companies with cooperative agreements in place and that is how Denitech and other companies were located for comparison purposes. He pointed out that the RFI was a negotiable process and as the City determined that a five-year period would be a better deal, the City moved in that direction.

Motion: The motion carried seven (7) ayes to one (1) nay, with Council Member Silcox absent and with Council Member Moss casting the dissenting vote.

**C. Land**

**4. M&C L-14655 - Declare that Negotiations Between the City, its Agents and Subagents and the Landowners to Acquire a Combined Total of Approximately 14,245 Square Feet, Owned by JW Construction and Demolition, Known as 2910 Hardy Street, Lot 1, Block 63, Morgan Heights, an Addition to the City of Fort Worth, Tarrant County, Texas, were Unsuccessful; Declare the Necessity to Take by Condemnation the Subject Property for the Lebow Channel Drainage Project; Authorize the City Attorney to Institute Condemnation Proceedings to Acquire Fee Simple Interest in the Surface Estate, but Not the Mineral Estate, of the Property; and Authorize the Acceptance and Recording of Appropriate Instruments.**

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Hicks, that Mayor and Council Communication No. L-14655 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**5. M&C L-14656 - Declare that Negotiations Between the City, its Agents and Subagents and the Landowners to Acquire Approximately 5,400 Square Feet, Owned by Lewis Johnson, Known as 3461 Lebow Street, Lot 11, Block 17, Dixie Wagon Manufacturing Company, an Addition to the City of Fort Worth, Tarrant County, Texas, were Unsuccessful; Declare the Necessity to Take by Condemnation the Subject Property for the Lebow Channel Drainage Project; Authorize the City Attorney to Institute Condemnation Proceedings to Acquire Fee Simple Interest in the Surface Estate, but Not the Mineral Estate, of the Property; and Authorize the Acceptance and Recording of Appropriate Instruments.**

**(L-14656 Continued)**

Motion: Council Member Espino made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. L-14656 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**E. Award of Contract**

**8. M&C C-23118 - 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 Gathering Pipeline Across Trinity Boulevard, Approximately 540 Feet North of Grand River Street.**

Motion: Council Member Moss made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-23118 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**9. M&C C-23119 - Authorize the City Manager to Execute a Public Right-of-Way Use Agreement with Energy Transfer, 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 Transmission Pipeline Across Alsbury Road, Approximately 782 Feet East of Interstate Highway 35 and a Second Crossing at Old FM 1187, Approximately 836 Feet North of Rendon Crowley Road.**

Motion: Mayor Pro tem Hicks made a motion, seconded by Council Member Jordan, that Mayor and Council Communication No. C-23119 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**XV. 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 September 18, 2008. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

**a. Cases Recommended for Approval**

**1. Zoning Docket No. ZC-07-187 - (CD-ALL) - Text Amendment: ER District Regulations: An Ordinance amending the Comprehensive Zoning Ordinance by Amending Section 4.900, "Neighborhood Commercial Restricted District," "District Regulations" to amend uses and development standards; and by Amending Section 4.803, "Non-Residential District Use Table" of Chapter 4, "District Regulations" to add and remove uses from the "ER District."**

Motion: Council Member Burdette made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-07-187 be continued until the November 4, 2008, Council meeting.

Mayor Pro tem Hicks advised that the November 4, 2008, Council meeting was also election night and suggested the zoning item be continued until December 2, 2008.

Motion: Council Member Burdette amended his motion and Council Member Espino amended his second that Zoning Docket No. ZC-07-187 be continued until the December 2, 2008, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**2. Zoning Docket No. ZC-07-208B - (CD 4) - City of Fort Worth, 650 and 800 John T. White Road North; from "C" Medium Density Multifamily Residential to "A-10" One-Family Residential (Continued from September 2, 2008).**

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Hicks, that Zoning Docket No. ZC-07-208B be continued until the October 14, 2008, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**5. Zoning Docket No. ZC-08-117 - (CD 5) - Ollie Parker, Jr., 11424 South Pipeline Road; from "AG" Agricultural to "I" Light Industrial.**

Motion: Council Member Moss made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-117 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**6. Zoning Docket No. ZC-08-121 - (CD 7) - Hunter Crossroads, L.P., 2100 through 2300 blocks of Avondale Haslet Road; from "A-5" One-Family Residential to "PD" for all uses in "E" Neighborhood Commercial (Tracts 1 and 2), all uses in "C" Medium Density Multifamily Residential (Tract 3), all uses in "F" General Commercial (Tract 4) and all uses in "I" Light Industrial (Tract 5) with restrictions. Waiver of Site plan recommended.**

Motion: Council Member Burdette made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-121 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**7. Zoning Docket No. ZC-08-136 - (CD 5) - Pedro Solis, 5427 Anderson Street; from "E/HC" Neighborhood Commercial/Historic and Cultural Overlay to "A-5/HC" One-Family Residential/Historic and Cultural Overlay.**

Motion: Council Member Moss made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-136 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**8. Zoning Docket No. SP-08-009 - (CD 2) - Mithull, LLC, 6501 Old Denton Road; site plan to amend PD-781 to add another story to the previously approved three story hotel. A monument sign shall be required.**

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Hicks, that Site Plan No. SP-08-009 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**9. Zoning Docket No. ZC-08-140 - (CD 5) - Eastland Real Estate Investors, 5500 Eastland Street and 4133 Nelms; from "B" Two-Family Residential and "CR" Low Density Multifamily Residential to "I" Light Industrial.**

Motion: Council Member Moss made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-140 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**10. Zoning Docket No. ZC-08-141 - (CD 9) - Catholic Diocese of Fort Worth, 100 block of East Hammond Street; from "K" Heavy Industrial to "PD/CF" Planned Development for all uses in "CF" Community Facilities, plus children's shelter center. Site plan included.**

Motion: Council Member Burns made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-141 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**11. Zoning Docket No. ZC-08-143 - (CD 4) - Emerging Properties, 6750 Fossil Bluff Drive; from "G" Intensive Commercial to "PD/G" Planned Development for all uses in "G" Intensive Commercial, plus hotel. Site plan included.**

Motion: Council Member Scarth made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-143 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**12. Zoning Docket No. ZC-08-144 - (CD 8) - N. Lucille Gilkey, 821 E. Terrell, 810 and 812 Kentucky Avenue; from "A-5" One-Family Residential and "A-5/HC" One-Family Residential/Historical and Cultural Overlay to "PD/MU-1" Planned Development for all uses in "MU-1" Low Intensity Mixed Use, excluding alcohol sales or consumption and "PD-MU-1/HC" Low Intensity Mixed Use/Historic and Cultural Overlay, excluding alcohol sales for on-premises consumption. Site plan waiver recommended.**

Motion: Mayor Pro tem Hicks made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-144 be approved with zoning as "PD" based on "MU-1" standards for office, retail, and community meeting space excluding alcohol sales or consumption and excluding funeral home use, with site plan waived and "PD" based on "MU-1" standards with Historic and Cultural Overlay for office, retail and community meeting space, excluding alcohol sales or consumption. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**13. Zoning Docket No. ZC-08-145 - (CD 6) - Pounds Investments, Inc., 7004 and 7006 South Freeway; from "E" Neighborhood Commercial to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial, plus hotel. An eight foot fence shall be required along the north property line. Site plan included.**

Council Member Jordan stated that there had been administrative changes since he was a member of the City Zoning Commission and clarified with Deputy Director Dana Burghdoff that typically in the past there had been a separate site plan number. He inquired if the site plan was included in the ordinance.

Ms. Burghdoff responded affirmatively and added that a copy of the site plan was in the docket so by approving the "PD" zoning the Council was approving the zoning and site plan. She advised that City staff had streamlined the process as the City wanted the site plan to be part of the "PD" zoning decision process as a normal course of action. She also clarified the language in the ordinance relative to the height of the fence and added that the City required the screening fence to be made out of wood; however, the Council could request a masonry fence as a condition of the zoning.

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**(ZC-08-145 Continued)**

Council Member Jordan advised the applicant that he would prefer to see a masonry fence on the north and west side of the property and asked if the applicant would have any problem with that issue.

Mr. John Green, 8805 Glen Hollow Drive, applicant, appeared before Council in support of the zoning change. Mr. Green consulted with his architect relative to Council Member Jordan's inquiry on the masonry fence; however, additional time was needed to provide an appropriate response.

Motion: Council Member Jordan made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-145 be continued until the November 4, 2008, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**14. Zoning Docket No. ZC-08-147 - (CD 2) - Nitinbhui Bhugubhat Patel, 3107 and 3109 North Main Street; from "I" Light Industrial to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial, plus hotel. Site plan included.**

Motion: Council Member Espino made a motion, seconded by Mayor Pro tem Hicks, that Zoning Docket No. ZC-08-147 be continued until the October 21, 2008, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**15. Zoning Docket No. ZC-08-150 - (CD 5) - City of Fort Worth, Fairhaven Area, North of Wilbarger, east of Edgewood Terrace, south of Eastland Street and west of Carey Street; from "A-5" One-Family Residential, "B" Two-Family Residential, "E" Neighborhood Commercial, "I" Light Industrial and "PD-173" Planned Development to "A-21", "A-5" One-Family Residential and "E" Neighborhood Commercial.**

Motion: Council Member Moss made a motion, seconded by Mayor Pro tem Hicks, that Zoning Docket No. ZC-08-150 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**16. Zoning Docket No. ZC-08-152 - (CD 5) - Curtis Winston, 4808 and 4812 Richardson Street; from "FR" General Commercial Restricted to "A-5" One-Family Residential.**

Motion: Council Member Moss made a motion, seconded by Mayor Pro tem Hicks, that Zoning Docket No. ZC-08-152 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**b. Cases Recommended for Approval/Denial**

**1. Zoning Docket No. ZC-08-151 - (CD 5) - City of Fort Worth, Portion of Hillside Morningside Neighborhood.**

Recommended for Approval

North of Ramsey, East of IH-35W South, South of Rosedale Street and West of Riverside Drive; from "A-5" One-Family, "B" Two-Family Residential, "B/HC" Two-Family Residential/Historic and Cultural Overlay, "B/HSE" Two-Family Residential/Highly Significant Endangered, "C" Medium Density Multifamily Residential, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "F" General Commercial, "I" Light Industrial, "J" Medium Industrial and "PD" Planned Development to "A-5/HC" One-Family Residential/Historical and Cultural Overlay, "A-5/HSE" One-Family Residential/Highly Significant Endangered, "CF" Community Facilities and "E" Neighborhood Commercial.

Recommended for Denial

2318 Evans Avenue, from "E" Neighborhood Commercial to "A-5" One-Family Residential.

Ms. Dana Burghdoff, Planning and Development Department Deputy Director, advised that rezoning from "B" Two Family Residential to "A-5" One Family Residential would allow any existing duplexes to remain occupied until such time the duplex ceased its use for two or more years.

Mr. Freddy L. Dobbins, 6213 Forest Hill Drive, appeared before Council in opposition of the rezoning. Mayor Pro tem Hicks advised Mr. Dobbins that his property would remain a commercial property.

Mr. Sam Sherrard, 4905 Boulder Lake Road, appeared before Council in opposition of the rezoning. He advised that he had property on Rosedale located at 1310 and 1324 and he purchased it as commercial and the City wanted to change the zoning to residential.

Ms. Burghdoff advised that the property would most likely be "E" Neighborhood Commercial.

Mr. Sherrard stated that he was still in opposition to that rezoning.

Mayor Pro tem Hicks made a motion, seconded by Council Member Jordan, that Zoning Docket No. ZC-08-151 be approved with the exception of 1310 and 1324 Rosedale.

**(ZC-08-151 Continued)**

After further discussion on this issue including comments from Ms. Opal Lee relative to the rezoning of her property, Mayor Pro tem Hicks withdrew her original motion and Council Member Espino withdrew his second.

Motion: Mayor Pro tem Hicks made a motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-08-151 be continued until the October 14, 2008, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**c. Cases Recommended for Denial**

**1. Zoning Docket No. ZC-08-093 - (CD 9) - Jack in the Box Restaurant, 2851 W. Berry Street and 3112 Waits Avenue; from "MU-1" Low Intensity Mixed Use to "PD/MU-1" Planned Development for all uses in "MU-1" Low Intensity Mixed Use, plus a drive-thru restaurant. Site plan included (Continued from September 2, 2008).**

Council Member Burns advised that the site plan was completely different than what the City Zoning Commission voted on and that numerous meetings had been held with the Berry Street initiative. He stated that everyone involved with this zoning case was happy with the outcome.

Motion: Council Member Burns made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-093 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**2. Zoning Docket No. ZC-08-105 - (CD 4) - Randol Mill Partners II, Ltd., 650 and 800 John T. White Road North; from "C" Medium Density Multifamily Residential and "ER" Neighborhood Commercial Restricted to "A-5" One-Family Residential and "C" Medium Density Multifamily Residential.**

Motion: Council Member Scarth made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-105 be continued until the October 14, 2008, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

**3. Zoning Docket No. ZC-08-149 - (CD 6) - City of Fort Worth, 10300 block of West Cleburne Road; from "B" Two-Family Residential, "R-1" Zero Lot Line/Cluster Residential, "CR" Low Density Multifamily Residential and "E" Neighborhood Commercial to "A-5" One-Family Residential.**

Motion: Council Member Jordan made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-08-149 be denied without prejudice. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Silcox absent.

Motion: 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 Jordan made a motion, seconded by Council Member Espino, that the hearing be closed and that the following ordinance be adopted:

ORDINANCE NO. 18330-10-2008

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

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

**XVI. CITIZEN PRESENTATIONS**

Mrs. Maria Macias, 1711 Lee Avenue, appeared before Council relative to the City foreclosing on her property at 3800 North Grove Street. She advised the Council of circumstances surrounding a commercial loan and asked the City to provide an extension to the October 10, 2008, deadline imposed.

Council Member Espino advised that the property was in tax foreclosure. He added that he had learned today that her relatives might be able to get a loan for the property and recommended that she meet with City staff on this issue.

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**XVI. CITIZEN PRESENTATIONS (Continued)**

Mayor Moncrief requested Mrs. Macias meet with Assistant City Manager Tom Higgins on this issue.

Mayor Moncrief recognized Ms. Rebecca Langston, 1008 Clarence Street West, as desiring to address the Council relative to jobs, the reduction in work force and money; however, Ms. Langston was not present in the Council Chamber.

Mr. George Barnes, 5317 Bonnell, appeared before Council relative to a polling location in the Como area at the Lake Como Area Council Building at 3507 Horne Street. He stated that the usual polling location had been moved without any community input and advised that the new location did not provide sufficient parking. Using photographs he had taken of the area, he expressed his concern with the location and parking on the street and traffic.

Council Member Burdette stated that the polling location was previously at the elementary school and it did not have sufficient parking either. He advised that the polling location had to be moved because of a request by the Fort Worth Independent School District. He spoke about the building and advised if there were safety issues, the City could possibly place a policeman at the location during the times the polling location was open.

City Secretary Hendrix stated that meetings with election workers in the Como area were conducted and the Tarrant County Election Administration had gone to the site and the recommendation was to move to that location.

Mayor Moncrief recognized Ms. Jerry Horton as desiring to address the Council relative to a gas pipeline on Carter Avenue; however, Ms. Horton was not present in the Council Chamber.

**XVIII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 12:31 a.m.

These minutes approved by the Fort Worth City Council on the 14<sup>th</sup> day of October, 2008.

Attest:

Approved:

\_\_\_\_\_  
Marty Hendrix  
City Secretary

\_\_\_\_\_  
Michael J. Moncrief  
Mayor