CITY COUNCIL MEETING
JULY 2, 2002

Date & Time	**On the 2nd day of July, A.D., 2002, the City Council of the City of Fort Worth, Texas, met in regular session at 7:02 p.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:**
Attendance	**Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Frank Moss, Clyde Picht, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; City Secretary Gloria Pearson. Council Members Becky Haskin and Jeff Wentworth were absent. With more than a quorum present, the following business was transacted:**
Invocation	**The invocation was given by Reverend David Martinez, Polytechnic UMC.**
Pledge	**The Pledge of Allegiance was recited.**
Minutes	**On motion of Council Member Davis, seconded by Council Member Lane, the minutes of the regular meeting of June 25, 2002, were approved unanimously.**
Special Presentations	**Mayor Pro tempore McCloud presented a Proclamation for Recreation and Parks Month to Richard Zavala, Parks and Community Services Department Director, who was accompanied by a host of youth from the various programs.**
Announcements	**Council Member Davis announced that she attended a graduation June 29, 2002, at the Business Assistance Center for students of the ACORN Program. She stated that the program helped people start their own businesses and that ten graduates were from the Ripley Arnold Apartment Complex. She expressed appreciation to the Fort Worth Women's Business Center, and the donations from Bank of America and the Helen Irwin Littauer Trust.**
Continued/ Withdrawn By Staff	**City Manager Jackson requested that Mayor and Council Communication No. G-13662 be continued until July 23, 2002.**
Consent Agenda	**On motion of Council Member Silcox, seconded by Council Member Lane, the consent agenda was adopted unanimously.**
C.P. #221 – <u>Newdow vs. U.S. Congress</u> and Pledge of Allegiance Tabled	**There was presented Council Proposal No. 221 by the City Council, proposing that the City Council adopt a resolution expressing the sense of the Council that the case of <u>Newdow v. U.S. Congress, et al</u>, holding the use of the words "under God" in the Pledge of Allegiance is unconstitutional, was wrongly decided and should be reversed; and copies of this resolution be forwarded to the offices of both Texas and local congressional**

representatives. Council Member Silcox made a motion, seconded by Council Member Picht, that the recommendation be adopted.

Council Member Lane made a substitute motion, seconded by Council Member Davis, to table Council Proposal No. 221. The motion carried by the following vote:

AYES:	Mayor Barr; Mayor Pro tempore McCloud; Council Members Lane, Moss, and Davis
NOES:	Council Members Silcox and Picht
ABSENT:	Council Members Haskin and Wentworth

OCS-1291 Claims

There was presented Mayor and Council Communication No. OCS-1291 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 Department. It was the consensus of the City Council that the recommendation be adopted.

G-13662 Continued Until July 23, 2002

It was the consensus of the City Council that Mayor and Council Communication No. G-13662, Amendments to the Neighborhood Empowerment Zone Basic Incentives, be continued until July 23, 2002. The motion carried unanimously.

G-13663 Res. #2850 Street Closure (VA-02-022)

There was presented Mayor and Council Communication No. G-13663 from the City Manager recommending that the City Council adopt Resolution No. 2850 closing a 60-foot wide by 240-foot long street in the 1000 Block of Forest Street, Blocks 4 and 5, from a point at Hart Street to a point at east Lancaster Street containing 14,400 square feet, Handley Addition, Fort Worth, Texas. Actual physical closure is recommended adjacent to both sides of the Texas and Pacific Railroad crossing. Council Member Moss made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.

P-9628 Signs and Sign Installation

There was presented Mayor and Council Communication No. P-9628 from the City Manager recommending that the City Council:

1. Authorize a purchase agreement with multiple vendors for signs and sign installation for the Transportation and Public Works Department; and

CDR Signs & Engraving, Inc.	Item Nos. 1, 2, 4 and 5
Benchmark Signs	Item Nos. 3, 6 and 7

2. Authorize this agreement to begin July 9, 2002, and expire July 8, 2003, with options to renew for two additional one-year periods.

It was the consensus of the City Council that the recommendation be adopted.

L-13339 Lease Agreement

There was presented Mayor and Council Communication No. L-13339 from the City Manager recommending that the City Council authorize the City Manager to execute a lease agreement with Steven B. Simpson and Bobby D. Garner for City-owned property at 650 Harmon Road (DOE 0668) for $1,200.00 per month; and authorize this agreement to begin July 1, 2002, and expire June 30, 2003, with options to renew the lease for two one-year periods, with the provision that the City may terminate this lease at the conclusion of each term. It was the consensus of the City Council that the recommendation be adopted.

L-13340 Permanent Sanitary Sewer Easement

There was presented Mayor and Council Communication No. L-13340 from the City Manager recommending that the City Council approve the acceptance of one permanent sanitary sewer easement described as A-815, Tract 2C, Y. K. Hamby Survey, and A-816, Tracts 1C and 1D, W. J. Howard Survey, both in Tarrant County, Texas, from Cooks Lane Joint Venture at the intersection of Cooks Lane and IH30 (DOE 3553) in the amount of $1.00. It was the consensus of the City Council that the recommendation be adopted.

L-13341 Acquisition of Property for Highway Improvement of North Tarrant Parkway from IH35W to US377 (Project #0902-48-194)

There was presented Mayor and Council Communication No. L-13341 from the City Manager recommending that the City Council authorize the City Manager to approve the acquisition of one property described as A-1455, Eli Shriver Survey, Coventry Hills Addition, Tarrant County, Texas, located on Old Denton Road east of IH35W, near the existing right-of-way of North Tarrant Parkway for highway improvement of North Tarrant Parkway from IH35W to US377 (DOE 3577) (Project No. 0902-48-194), for a total cost of $13,400.00. It was the consensus of the City Council that the recommendation be adopted.

L-13342 Purchase of Property for Future Development of Fort Worth Nature Center and Refuge	**There was presented Mayor and Council Communication No. L-13342 from the City Manager recommending that the City Council approve the purchase of one parcel of property described as Lot 14R1, Block 2, Lakeland Addition for the future development of the Fort Worth Nature Center and Refuge; and authorize the City Manager to execute the appropriate documents to complete the purchase. It was the consensus of the City Council that the recommendation be adopted.**
L-13343 Accept Avigation Easements for Fort Worth Meacham International Airport Noise Mitigation Program	**There was presented Mayor and Council Communication No. L-13343 from the City Manager recommending that the City Council authorize the acceptance of avigation easements described as Lot 5, Block 96 (3109 Refugio Avenue) and Lot 17, Block 93 (3118 Lee Avenue), M. G. Ellis Addition, from Anthony Vasquez and Pado, Inc., respectively, for the Fort Worth Meacham International Airport Noise Mitigation Program for a total cost of $2.00; and authorize the acceptance and recording of appropriate instruments. Council Member Lane made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.**
L-13344 Lease Agreement	**There was presented Mayor and Council Communication No. L-13344 from the City Manager recommending that the City Council authorize the City Manager to execute a lease agreement with Bobby Ray Franks d/b/a Justin Built Fencing for the property located at 680 Harmon Road (DOE 0668) for $300.00 per month; and authorize this agreement to begin June 1, 2002, and expire May 31, 2003, with options to renew for two one-year periods. Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.**
PZ-2392 Continued for One Week	**There was presented Mayor and Council Communication No. PZ-2392 from the City Manager recommending that the City Council approve the annexation timetable for annexation of Far West Area No. 2, Far West Area No. 3, and Far West Area No. 6 for limited purposes in compliance with the requirements of Chapter 43 of the Local Government Code of the State of Texas; and direct the City Manager to prepare an amendment to the City's annexation plan to include Far West Area No. 2 for consideration by the City Council; and direct staff to comply with statutory requirements for limited purpose annexation of the subject properties. Council Member Lane made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. PZ-2392 be continued for one week.**

Jack Jefferson

Mr. Jack Jefferson, 3924 Linkcrest Drive, Aledo, Texas, appeared before Council in opposition of the annexation and provided a group presentation from Linkwood Estates relative to the City's Annexation Cost Benefit Analysis.

Mayor Barr thanked Mr. Jefferson for his presentation and asked City Manager Jackson to direct staff to address issues raised in Mr. Jefferson's presentation and provide a report to Council.

Willa Cassaday

Ms. Willa Cassaday, 12125 Linkway, Aledo, Texas, appeared before Council and stated her opposition to the proposed annexation.

Darlia Hobbs

Ms. Darlia Hobbs, 8113 Anchorage Place, Fort Worth, appeared before Council in opposition of the annexation. She stated that she had submitted a Public Information request for all criteria and information on how to be disannexed, and was very disappointed with the response received from the Law Department. She expressed appreciation to everyone who attended the Texas Tea Party on June 29, 2002.

City Attorney Yett stated that, in his opinion, the Law Department was responsive to her Public Information request.

Council Member Silcox requested that he be provided a copy of Ms. Hobbs request and the reply from the Law Department.

Stephanie Pivec

Ms. Stephanie Pivec, 1608 Impala, Crowley, Texas, appeared before Council in opposition of the annexation. She stated that limited purpose annexation would create a second-class citizen and that forced annexation was wrong.

The motion carried unanimously.

PZ-2393 Continued for One Week

There was presented Mayor and Council Communication No. PZ-2393 from the City Manager recommending that the City Council approve the annexation timetable for annexation of Far West Area No. 2, Far West Area No. 3, and Far West Area No. 6 for full purposes in compliance with the requirements of Chapter 43 of the Local Government Code of the State of Texas; and direct staff to prepare a service plan that provides for the extension of full municipal services to the subject properties; and direct staff to comply with all other statutory requirements for full purpose annexation of the subject properties. Council Member Lane made a motion, seconded by Mayor Pro tempore McCloud, that Mayor and Council Communication No. PZ-2393 be continued for one week. The motion carried unanimously.

C-19136
Paragon Project Resources, Inc.

There was presented Mayor and Council Communication No. C-19136 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering services contract with Paragon Project Resources, Inc. for engineering services related to bridge deficiencies identified by City Staff and the Texas Department of Transportation bridge inspections, with hourly costs and reimbursable costs not to exceed $80,000.00. It was the consensus of the City Council that the recommendation be adopted.

C-19137
Ord. #14145
Peachtree Construction, Ltd.

There was presented Mayor and Council Communication No. C-19137 from the City Manager recommending that the City Council:

1. **Authorize the City Manager to transfer $544,943.50 from the General Fund to the Contract Street Maintenance Fund; and**

2. **Adopt Appropriation Ordinance No. 14145 increasing estimated receipts and appropriations in the Contract Street Maintenance Fund in the amount of $544,943.50 from available funds for the purpose of funding a portion of the 2001-2002 Street Maintenance Program; and**

3. **Authorize the City Manager to execute a contract with Peachtree Construction, Ltd. in the amount of $461,816.50 for 55 working days for HMAC (hot mix asphaltic concrete) Surface Overlay 2002-15.**

It was the consensus of the City Council that the recommendation be adopted.

C-19138
Durable Specialties, Inc.

There was presented Mayor and Council Communication No. C-19138 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Durable Specialties, Inc. in the amount of $228,000.00 for the construction of new traffic signals at the intersections of Basswood Boulevard/Buttonwood Drive, Highway 183/Garza Avenue, Meacham Boulevard/North Sylvania Avenue, and Spoonwood Lane/Western Center Boulevard (Project No. TPW-TE-2002-0014). It was the consensus of the City Council that the recommendation be adopted.

C-19139 .COM ENTERTAINMENT, INC.	**There was presented Mayor and Council Communication No. C-19139 from the City Manager recommending that the City Council authorize the City Manager to enter into a contract with .COM ENTERTAINMENT, INC. for the production of an animated video at a total cost not to exceed $54,800.00. It was the consensus of the City Council that the recommendation be adopted.**
C-19140 Engineering Services Supplemental Agreement #1 to CSC #26686 – Huitt-Zollars, Inc.	**There was presented Mayor and Council Communication No. C-19140 from the City Manager recommending that the City Council authorize the City Manager to execute Supplemental Agreement No. 1 to City Secretary Contract No. 26686 with Huitt-Zollars, Inc. for the preparation of construction plans, specifications, and construction administration services for Evans Avenue urban design from East Rosedale Street to Terrell Avenue for a total fee of $100,062.50. It was the consensus of the City Council that the recommendation be adopted.**
Citizen Presentations Charles Cole	**Mr. Charles Cole, 6125 Riviera Drive, appeared before Council and recommended that the Modern Art Museum be used as a venue to exhibit the works of local artists. He added that this would enhance the Cultural District and promote tourism to the City.**
Adjournment	**There being no further business, the meeting was adjourned at 8:00 p.m.**