



**The Summerfields Neighborhood Association
PO Box 161488
Fort Worth, Texas 76161
817-808-4604**

March 31, 2009

**To: Wade Adkins, City Attorney
1000 Throckmorton Street
Fort Worth, Texas 76102**

Subject: Possible improper use of 2004 CIP Bond Funds to build a YMCA in north Fort Worth

**Attachments: (1) Our original prioritized list to District 4 Councilwoman Becky Haskin identifying a community center as our area's top candidate for the 2004 CIP Bond Package
(2) City document showing a community center located between Western Center and North Tarrant Parkway for inclusion in preliminary bond package
(3) Copy of the Community Center Bond Proposal as formally presented to and approved by the City Council and approved by the voters
(4) Fee Comparison Table
(5) Program and Services Comparison Table**

Mr. Adkins,

The Summerfields Neighborhood Association (SNA) formally requests an opinion from your office as to the legality of the City of Fort Worth (City) using \$2.5 million in 2004 Capital Improvement Program (CIP) Bond funds to help construct a YMCA in lieu of the Community Center that was approved by Fort Worth voters.

Our Association originally proposed a community center (Attachment 1) for our area to Councilwoman Haskin because of the high population of latch-key children with income restrictions and senior citizens that lived in our neighborhood. She concurred and worked successfully with us to get a community center included in the 2004 CIP bond package to help meet those needs. These children needed a place to go after school and during the summer and a community center seemed a viable option to all. Additionally, the community center would offer senior services and programs which are totally lacking in our area. Since a YMCA was built instead of a community center, these two needs now remain unmet.

In the 2004 Capital Improvement Program (CIP) Bond Election, Fort Worth voters approved \$2.5 million to build a Community Center in City Council District 4. Per preliminary City documents the Community Center was to be named the Summerglen Community Center and was to be located in City Council District 4 in the area between North Tarrant Parkway and Western Center Boulevard (Attachments 2 and 3). Funds were also projected to cover operating expenses for the facility.

Without returning the issue to the voters, the City subsequently used these bond funds to partner with the YMCA to build a new YMCA facility on park land located on North Beach Street at Shiver, in City Council District 2 north of North Tarrant Parkway. This facility replaced a smaller YMCA facility that already existed on Basswood Boulevard about two miles from this new YMCA. Even if this new facility was a community center, its location effectively placed it too far away to be used by the children of Summerfields, which was the original target neighborhood.

In conversations with Councilman Scarth, we have been told that the YMCA offers essentially the same services as a community center. We strongly disagree with that contention and feel Attachments 4 and 5 show substantial differences that refute that assertion. Besides not offering services deemed important to our area and typically found in other City Community Centers, the YMCA fee structure is in no way comparable to those of a Community Center. Their fee structure, even with YMCA "scholarships", is still



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many multiples higher than those of a Community Center. Their fees are comparable or even higher than those of many of the commercial fitness centers located in our area.

Without result I have twice asked Councilman Scarth to obtain an opinion from you as to the legality of using bond funds for a purpose other than what was presented to the citizens of Fort Worth and approved by the voters. Per Mayor Moncrief at a Town Hall meeting in our area last year, he basically said this was a done deal and we should go do something constructive like welcome returning soldiers at the airport. Well, with all due respect to the mayor and especially to the returning soldiers, we will not go away on this issue.

Our Association strongly disagrees with the City's position and feels the attached documentation clearly details why the City's actions were incorrect. We consider the City's actions in regards to The North Park YMCA and Community Center to be a misappropriation of 2004 CIP Bond Package funds.

In summary, our Association believes the North Park YMCA and Community Center is a community center in name only. Adding a couple of meeting rooms for neighborhood use does not make it a community center. The YMCA not only does not offer the same services as other City community centers, but its fee structure is substantially higher. The YMCA services and location simply do not meet the original intent or serve the purposes that led to the inclusion of the community center in the 2004 CIP Bond Package and the subsequent approval by the voters of Fort Worth. We firmly believe substituting the YMCA for the voter-approved community center violates not only the letter of the law but also the spirit and original purposes for including it in the bond package.

We think that the City has simply subsidized the construction of an upscale fitness center which does not meet the requirements of a Community Center. We believe the attachments to this letter document what was presented to and approved by the citizens of Fort Worth and the City Council, what was to be built, where it was to be built, and the many substantial differences between the services and fees of a YMCA and a community center. We believe these attachments clearly show where substituting the YMCA deviates from the bond package content presented during the bond package approval process and what was ultimately approved by the voters of Fort Worth.

Our Association is formally requesting an opinion by the City Attorney as to the legality of using voter approved bond funds to help construct the North Park YMCA and Community Center. Since we are considering legal action on this issue, we need the legal opinion not later than April 15, 2009. Your opinion will dictate our next step.

Sincerely,

**Lance R. Griggs, President
Summerfields Neighborhood Association**

cc: Mayor Mike Moncrief
Councilman Sal Espino
Councilman Danny Scarth
Councilman Frank Moss
Councilman Jungus Jordon
Councilman Carter Burdette
Councilwoman Kathleen Hicks
Councilman Joel Burns
Fort Worth League of Neighborhoods