



QUESTIONS FOR WRITTEN RESPONSE before the FWLNA Forum

- 1. Please answer each of the following in writing in 250 words or less.**
- 2. Please return written responses NO LATER THAN 5 p.m., Tuesday, April 12, 2011 to libby59@sbcglobal.net.**
- 3. Written responses will be posted on the FWLNA website (www.fwlna.org) and distributed at the April 14 Mayoral Candidate Forum.**

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1. For at least 10 years, the City has been pursuing a plan to halt sprawl and densify the Central City (through mixed use zoning and mixed use growth centers, etc.) with the thought of increasing revenues and making it more efficient to provide city services.

We represent single family neighborhoods. What is your plan to preserve our single family neighborhoods?

I don't perceive encouraging central city density as necessarily antagonistic to single family neighborhoods – it is more a recognition of diversity in the desires of different demographic groups. The problem arises when there is only one choice in a city with a population the size of Fort Worth's. In fact, given the fact that the revenues generated from higher density centers so far exceed the revenues necessary to deliver services in those areas, increasing densities in the core areas will provide more funds to the city for services in the more suburban, single family neighborhoods.

Moreover, if we implement a comprehensive transportation system as I have advocated, it should connect all areas of the city, including the neighborhoods. My vision is a city that recognizes and celebrates the variety of our population and the different live/work arrangements

desired by all, while being tied together as a cohesive whole, even with its internal diversity.

2. The City now has over 2,000 gas wells within the city limits, one approximately every half mile. We have more than 800 miles of gas gathering pipelines under our streets. The City's position for many years has been that there isn't much they can do to regulate drilling. Now we are seeing gas wells in the middle of neighborhoods and even perhaps soon in the Stockyards.

What is your view of the City's role in protecting the health, safety and welfare of citizens when it comes to gas drilling? Is the City's 2008 Gas Drilling Ordinance providing for the health, safety and welfare of Fort Worth citizens? How will gas drilling impact the City's tourism and neighborhoods?

We must never – never – sacrifice our health and safety in favor of economic gain. While state law in the main does trump municipal regulation of gas drilling, it also recognizes the superiority of a city's authority when issues invoking the exercise of the city's police power are involved. If health and safety issues are at stake, the city can and should invoke that power and insist on adequate regulation.

I do not believe that the current ordinance goes far enough in protecting our citizens and would encourage the addition of at least the following requirements: membrane filtration for liquid wastes; vapor recovery systems for methane and VOCs; electric rather than internal combustion engines for compression; and use of no-bleed alternative valves in pipelines.

The gas deposits in the Barnett Shale obviously present a tremendous potential revenue source for the city and its citizens. If it can be exploited with adequate safeguards for health and safety, then it can be of benefit to the city as a whole in virtually every area from the provision of basic services to the enhancement of parks, neighborhoods and tourist attractions. Again, however, we simply cannot allow our air and water quality to be compromised.

3. A big issue for neighborhoods over the last couple of years has been the tendency of the City to issue new ordinances or new policies which affect neighborhoods – but not to include neighborhoods in the development of those policies and ordinances. What is your stance on involving the experience and knowledge of neighborhood leaders in policy development on the front end, so that neighborhoods are not always in a reactive mode?

The lack of inclusion of affected groups and general transparency in decision making at city hall has been a problem not only for

neighborhoods but also for virtually every constituent group in the city. It seems as if the same few individuals are tapped for every board, commission or other leadership position. People, feeling as if no one listens, anyway, withdraw from the process. This perpetuates the system of limited input and further narrows the field of individuals serving in leadership capacities.

Of course members of the council should look to neighborhood organizations for input; not to do so is foolish. And the Mayor should seek the advice of the affected areas' elected representatives in making commission and board appointments. It is easy to fall into the rut of repetitive appointments because it is easy and familiar. But it does not fulfill the proper role of city government. This is one reason that we need a new way for Fort Worth. Business as usual is not acceptable.

As Mayor, my goal would be for every single citizen in the city to feel empowered that their voice, should they care to exercise it, will be heard and considered by their elected officials. Once people feel so empowered, I believe that they will speak and become involved in the process of government.

4. How much tax revenue has the City given up in tax abatements and other tax expenditures? What portion of the city's deficit is represented by tax expenditures? Is this a significant issue?

What is your plan to inform the citizens about tax abatements which are working (i.e., producing promised jobs, etc.) or not working? When we don't have enough revenue to fund core neighborhood services such as libraries and parks, is it a good idea to continue tax abatements? In the case of Neighborhood Empowerment Zones, is it a good idea for neighborhoods to continue them when strategic plans for them have recently been discontinued?

I don't know how much revenue the city has given up in tax abatements and, apparently, that is not information easy to get. While it probably is subject to disclosure under the Public Information Act, I did not see it readily available on the city's website. It should be, and as Mayor, I would see to it that it is.

Tax abatements are a tool and, like any tool, can be quite useful if used properly. They are valuable in attracting business – particularly big businesses – to an area but they must be reasonable. And they should be structured so that the city will be able to recoup the money it defers in a timely fashion. It seems that Fort Worth has used abatements that are so

large and so long-lasting that it (the city) will never be able to recoup the revenues lost – they are essentially permanently deferred.

While I believe that unreasonable tax abatements are partially to blame for the general fund deficits that the city has experienced, they certainly don't tell the whole story – and therein lies the real problem. With a 200,000+ increase in the population over the last decade, our tax base should have expanded significantly and we should not be seeing the deficits that we do. Where is the money? No one seems to know. As Mayor, I will make it my business to find out.

5. Presently, the Fort Worth City Council appoints members of the City's Ethics Commission. Because of that, do members of that commission have a conflict of interest hearing cases involving ethics complaints against members of the City Council? Does the City Council have a conflict of interest in serving as the Appeals Board – even on complaints about its own members – from the Ethics Commission? How would you make the Ethics Commission more independent?

The prospect of foxes appointing the watch committee for the henhouse is troubling. The potential for abuse was aptly illustrated by the recent action in which the council overturned the decision of the ethics review committee reversing a determination that a conflict existed – in a case in which the conflict of interest could not have been clearer or fit more perfectly within the definition provided by the ordinance – and then removed the members of the committee and appointed new ones. That was wrong. It should not be tolerated. The question, though, is how to prevent it in the future.

Almost equally troubling is the prospect of an outside bureaucracy having ethics authority over the city. I am inclined to believe that the ethics system can be restructured such that the membership of the committee is still selected by the council, but the immediate appeal of committee decisions should be heard by a different body – perhaps a board composed of the municipal judges, with a final appeal to the council in which the standard for reversing the determination of the judges would be something akin to “manifest injustice.” Of course, if a sitting council member is involved in the controversy, they would be prevented from participating in the decision making process (as they are under the current ordinance).

6. If elected, will you continue to work at the job you have now? If so, can you be a fulltime mayor and also do that job?

Yes, I will continue to practice law although, obviously, my caseload will decrease. In the past eight years of representing cities, I have come to understand the demands that will be placed upon my time and believe that I will be able to manage the duties attendant to both. The good thing about my practice is that my colleagues at my firm are very good lawyers (and very supportive of my candidacy) and will be able to assist as necessary, giving me the flexibility to handle a reduced caseload, as well as discharge my duties as Mayor.