

SUMMARY OF MINUTES
CITY COUNCIL MEETING
OCTOBER 16, 1984

All members present.

Invocation given by the Reverend Weldon Haynes, Associate Pastor of First Methodist Church.

Recited Pledge of Allegiance.

Approved minutes of meeting of October 9, 1984.

Presented proclamation on Stephen Buncik Day to Mr. Stephen Bunick.

Presented proclamation on Alton McDonald Day to Mr. Alton McDonald.

Mr. Gershon Bernstein appeared and requested endorsement of Fort Worth Action Strategy Committee's process of focusing on economic development and education and task force appointments.

Reappointed Sandra Goodman Short to Fort Worth Commission on the Status of Women.

Reappointed Dr. Jo Ann Houts to Fort Worth Commission on the Status of Women.

Reappointed Mrs. Izean Davidson to the Fort Worth Commission on the Status of Women

Approved salaries of Municipal Court Judges set forth in correspondence dated October 11, 1984.

Approved liability bonds.

Authorized Texas American Bank to accept \$5,000,000 U. S. Treasury Notes pledged to secure City deposits by InterFirst Bank Fort Worth, N. A.

Notice of claim regarding alleged damages sustained by Oscar W. Trice referred to Risk Management Division.

Notice of claim regarding alleged damages sustained by Miss. Flora K. Dyche referred to Risk Management Division.

Notice of claim regarding alleged damages sustained by Charles G. Gibbs referred to Risk Management Division.

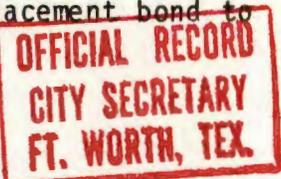
Notice of claim regarding alleged injuries sustained by Leonard Johnson referred to Risk Management Division.

Notice of claim regarding alleged damages sustained by Robert J. Sivals referred to Risk Management Division.

Authorized cancellation of Junk Dealer's Bond issued to Gordon T. Wood.

Adopted Resolution No. 1017 setting City Council Zoning Hearing for November 13, 1984.

Adopted Ordinance No. 9240 authorizing issuance of \$5,000.00 replacement bond to replace Bond No. 1808, Series 1978. (G-6135)



Adopted Ordinance No. 9241 authorizing issuance of \$5,000.00 replacement bond to replace Bond No. 12935, Series 1982. (G-6136)

Adopted Ordinance No. 9242 authorizing supplemental appropriation in amount of \$978.00 for Library Lecture Hall sculpture. (G-6137)

Authorized payment of \$38,815.80 as satisfaction of judgement in the case of Joseph E. Compton III and Timothy Polk vs. the City of Fort Worth, CA-4-82-19E. (G-6138)

Removed from agenda consideration of purchase of three air conditioning units for Water Department on-low-bid item basis totaling \$4,202.20 from Weldon Mechanical Corporation and Sears Roebuck and Company. (P-1699, Page 1)

Authorized purchase of D.C. Drive parts for Water Department, per City specifications, from Motion Industries on low total bid of \$10,762.77 net. (P-1701, Page 1)

Authorized one-year contract to purchase estimated quantities of fine paper in various grades and weights for City Print Shop from Western Paper Company on low overall bid of \$108,174.70 less 2% discount. (P-1701, Pages 2 and 3)

Authorized one-year contract to furnish small engine repair for Water Department by Earl Mitchell Service and Supply in amount not to exceed \$7,500.00 net. (P-1701, Page 4)

Authorized five-year contract with Goodyear Tire and Rubber Company on bid of \$80,714.46 estimated cost per year for lease of tires for CITRAN. (P-1702)

Authorized purchase of land from Tract 25 and 25B, Daniel Dulaney Survey, Abstract No. 411; required for Vincennes Street from Elgin to Calumet, for consideration of \$340.00. (L-8203)

Authorized purchase of land from William B. Tucker Survey Abstract No. 1515, required for Terminal Road from Blue Mound to Decatur Avenue, for consideration of \$10,000.00; authorized two bond fund transfers totaling \$26,350.00. (L-8204)

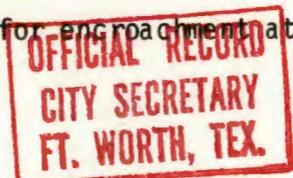
Authorized City Attorney to institute eminent domain proceedings to acquire land and improvements from Tracts 4D2 and 4D6, Abner Lee Survey, Abstract No. 931, required for Southside Fort Worth Airport. (L-8205)

Authorized City Attorney to institute eminent domain proceedings to acquire land and improvements from Tract 4C, Abner Lee Survey, Abstract No. 931, required for South Side Fort Worth Airport. (L-8206)

Authorized acquisition of easements and land from Block 1, Fossil Creek, Phase II Addition and I.N. Stapp Survey, Abstract No. 1422; required for Western Center Boulevard Reconstruction for total of \$16.00. (L-8207)

Authorized acquisition of permanent easement from Block 1, Lot 1, Frank Kent Subdivision, required for relocation of sanitary sewer main ahead of I-35W and I-30 Highway improvements, for consideration of \$1.00. (L-8208)

Authorized consent agreement with St. Andrew's Episcopal Church for encroachment at 10th and Lamar Streets. (C-8676)



Authorized revision to M&C C-8628 include a special provision and authorized City Manager to execute community facilities contract with E. A. Hott for South Oak Grove Estates, Section One. (C-8677)

Authorized contracts with Southwestern Bell Telephone, Texas Electric Service Company, and Sammons of Fort Worth for utility relocation for Crestline Road from Rip Johnson to Harley; authorized bond fund transfer of \$80,000.00. (C-8678)

Authorized contract with D.P.C. Joint Venture No. 2 for installation of community facilities to serve Briarwood Mobile Home Park; authorized two bond fund transfers totaling \$53,360.00; authorized reimbursement of City's share of costs. (C-8679)

Authorized contract with Dr. William H. Kirksey for veterinary services to Fort Worth Zoological Park for 1984-85 Fiscal Year. (C-8680)

Authorized third amendment to contract with Paul M. Deeley, Architect, Inc., for architectural services for construction plans and specifications for Fire Station Nos. 31 and 32, increasing total architectural fees to \$40,430.00. (C-8681)

Accepted as complete North Holley Water Treatment Plant Rehabilitation and authorized final payment of \$25,580.44 to Rome Corporation. (FP-1966)

Closed benefit hearing for assessment paving of East Ninth Street from Pecan Street to I-35W; denied recommendation in M&C G-6134 and instructed staff to rebid project of East Ninth Street from Pecan to railroad tracks and to submit new Mayor and Council Communication. (G-6134) (Messrs. James Tilley, Jenkins Garrentt, and Robert Langford appeared.)

Council Member Lancaster requested that City Council be provided with information regarding participants in Triad Corporation and their capitalization and extent of their personal guarantees on the rent of Northside Coliseum and the extent of the control by the City of Fort Worth on the Northside Coliseum under the plan proposed by Triad Corporation.

Council Member Lancaster requested that consideration be given to raising prostitution fines to a Class B Misdemeanor.

Police Chief Hopkins appeared and presented statistics relative to arrests and subsequent court action on prostitutes.

Recessed into executive session.

Reconvened into regular session, with all members present.

Accepted with regrets resignation of City Manager Robert L. Herchert effective November 30, 1984.

Named Mr. Vernell Sturns as Acting City Manager effective November 30, 1984.

Instructed Director of Personnel, City Manager's Office, and City Attorney to prepare contract to employ Paul A. Reaume and Associates to conduct search for qualified candidates for City Manager's position and to place such contract on agenda of October 23, 1984.

Adjourned.



The Officers and Directors of
FIRST *Southwest* COMPANY

INVESTMENT BANKERS

cordially invite you to
visit their Hospitality Room
during the

TEXAS MUNICIPAL LEAGUE

Conference

November 1-3, 1984

Hyatt Regency

Cotton Bowl Room

Second Floor

Dallas, Texas

**OFFICIAL RECORD
CITY SECRETARY
FT. WORTH, TEX.**

BONDS TO COUNCIL

OCTOBER 23, 1984

N E W B O N D S

CONTRACTOR'S BONDS

Bransom Construction Company

Hurles Cole

Four Seasons Constructors, Incorporated

General Homes Corporation

Linbeck Construction Corporation

R & B, Incorporated

T. H. Stephens

Ardie Warren

Western Surety Company

Aetna Casualty & Surety Company

Western Surety Company

National Surety Corporation

Federal Insurance Company

United States Fidelity and
Guaranty Company

State Farm Fire and Casualty
Company

Merchants Bonding Company

ITINERANT VENDOR'S BONDS

Eloise Jones

Bertha Roberts

Western Surety Company

Western Surety Company



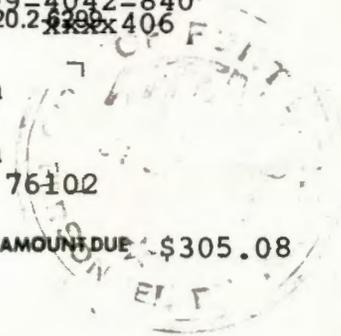


Southwestern Bell

308 South Akard
Room 2208
Dallas, TX 75202

September 18, 1984
ACCOUNT 609-4042-840
NUMBER 120.2-406

City of Ft. Worth
Attn: City Atty
1000 Throckmorton
Ft. Worth, Texas 76102



TOTAL AMOUNT DUE \$305.08

THIS BILL SHOULD BE FORWARDED TO YOUR
INSURANCE CARRIER AT ONCE. IF YOU HAVE ANY
QUESTIONS, PLEASE CALL COLLECT 214-464-8701

PLEASE RETURN THIS PORTION
OF BILL WITH YOUR PAYMENT

ACCOUNT NUMBER 609-4042-840 DATE September 18, 1984

Charge for damage to buried cable on 9/11/84 at
3918 Murry Court, Ft. Worth, Texas. Damage occur-
red by the City of Ft. Worth Water Dept. while
repairing water line.

Labor

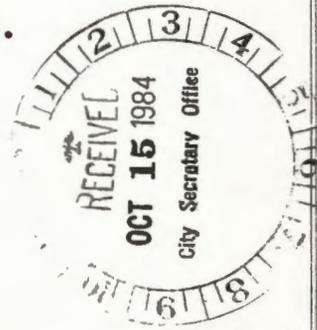
Repair buried cable-reg. 3½ hrs.

115.75

Material

- 1 - 8000 grm. Encp
- 1 - 1600A2 Closure
- 1 - 1600A Closure
- 2 - Piece Out Kit/25pr.

62.71
52.67
34.25
39.70



TOTAL AMOUNT DUE \$305.08

SOUTHWESTERN BELL

OS

DUPLICATE - ADMINISTRATIVE RETENTION ONLY



LAW OFFICES OF
DENBOW, WELLS, WILLIFORD & FELBER

A Professional Corporation

603 EAST BELKNAP

FORT WORTH, TEXAS 76102

(817) 336-7481

*Board Certified
Personal Injury Trial Law
Texas Board of Legal Specialization

†Board Certified
Specialist in Civil Trial Advocacy
National Board of Trial Advocacy

DON DENBOW
†H. G. WELLS
*KEN WILLIFORD
*MIKE FELDER

October 16, 1984

City Council
City of Fort Worth
1000 Throckmorton
Fort Worth, Texas 76102



RE: William Hunnicutt
D/Accident: o/a 8-26-84

TO WHOM IT MAY CONCERN:

Pursuant to Section 26 of the Charter of the City of Fort Worth, please find enclosed a completed Notice of Claim against the City of Fort Worth on behalf of William Hunnicutt.

Once you have reviewed this information please call me at your earliest convenience.

Sincerely,

H. G. Wells
H. G. WELLS

HGW/sl

Certified No. P06 4064534



NOTICE OF CLAIM

AGAINST THE CITY OF FORT WORTH

File this Claim Within 60 Days of the Injury or Property Damage with:

CITY COUNCIL
CITY OF FORT WORTH
1000 THROCKMORTON
FORT WORTH, TEXAS 76102



PLEASE PRINT. Please Complete Both Sides of this Form.

FULL NAME		PHONE NUMBER(S)
William Hunnicutt		HOME:267-9072 WORK:870-2333
MAIL ADDRESS	CITY, STATE AND ZIP CODE	
1612 Post Oak	Fort Worth, Texas 76180	

PLEASE NOTE: CHAPTER XXVIII, SECTION 26, CHARTER OF THE CITY OF FORT WORTH.

Before the City of Fort Worth shall become liable for damages for personal injury of any kind, or of injury to or destruction of property of any kind, the person injured or the owner of the property injured or destroyed, or some one in his behalf, shall give to the City Council notice in writing of such injury or destruction, duly verified, within sixty (60) days after the same has been sustained; stating in such written notice when, where and how the injury or destruction occurred; the apparent extent thereof; the amount of damages sustained; the amount for which the claimant will settle; the actual residence of the claimant by street and number at the date the claim is presented, and the actual residence of such claimant for six months immediately preceding the occurrence of such injury or destruction; and the names and addresses of all witnesses upon whom he relies to establish his claim. No suit shall be maintainable on any of the causes of action herein set out for a period of sixty (60) days after the notice shall have been given to the City Council, in compliance with this section, in order to enable the City Council to investigate the merits of said claim and adjust the same without suit if deemed advisable so to do.

DESCRIBE IN YOUR OWN WORDS WHERE, WHEN and HOW THE DAMAGE OR INJURY OCCURRED. ATTACH ADDITIONAL PAGES IF NECESSARY.

LOCATION OF ACCIDENT: Hunter Plaza Apartments	APPROXIMATE TIME	A.M.
DATE OF ACCIDENT: o/a 8-26-84	OF ACCIDENT:	4:30P.M.

HOW ACCIDENT HAPPENED: I was at the Hunter Plaza Apts. which is managed by the Dept. of Housing of the City of Ft. Worth. I was attempting to unplug a television from behind a dresser. A large mirror had been installed by the maintenance man for the above apts. The mirror was not attached securely or properly to the wall and fell on top of me, resulting in injuries to my left arm and other parts of my body.



NOTICE OF CLAIM

AGAINST THE CITY OF FORT WORTH

File this Claim Within 60 Days of the Injury or Property Damage with:

CITY COUNCIL
CITY OF Fort Worth
1000 THROCKMORTON
FORT WORTH, TEXAS 76102

PLEASE PRINT. Please Complete Both Sides of this Form.

FULL NAME Joseph H. Flood		PHONE NUMBER(S) HOME: 817-492-3253 WORK: 817-334-4134
MAIL ADDRESS 6045 WORMAN ST	CITY, STATE AND ZIP CODE FT WORTH TX 76133	

PLEASE NOTE: CHAPTER XXV, SECTION 27,
CHARTER OF THE CITY OF FORT WORTH.

Before the City of Fort Worth shall become liable for damages for personal injury of any kind, or of injury to or destruction of property of any kind, the person injured or the owner of the property injured or destroyed, or some one in his behalf, shall give to the City Council notice in writing of such injury or destruction, duly verified, within sixty (60) days after the same has been sustained; stating in such written notice when, where and how the injury or destruction occurred; the apparent extent thereof; the amount of damages sustained; the amount for which the claimant will settle; the actual residence of the claimant by street and number at the date the claim is presented, and the actual residence of such claimant for six months immediately preceding the occurrence of such injury or destruction; and the names and addresses of all witnesses upon whom he relies to establish his claim. No suit shall be maintainable on any of the causes of action herein set out for a period of sixty (60) days after the notice shall have been given to the City Council, in compliance with this section, in order to enable the City Council to investigate the merits of said claim and adjust the same without suit if deemed advisable so to do.

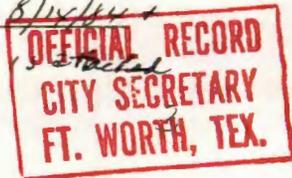
DESCRIBE IN YOUR OWN WORDS WHERE, WHEN and HOW THE DAMAGE OR INJURY OCCURRED. ATTACH ADDITIONAL PAGES IF NECESSARY.

LOCATION OF ACCIDENT: **Trail Lake Drive near Belgrade St**

DATE OF ^{incident} ACCIDENT: **8/14/84** APPROXIMATE TIME OF ~~ACCIDENT~~ ^{incident}: **7:00** A.M. ~~P.M.~~

HOW ^{incident} ~~ACCIDENT~~ HAPPENED:

I was driving to work going down Trail Lake Drive toward town going about 30 miles per hour when I hit this bump in the middle of Trail Lake Drive. I knew immediately that the jar was so pronounced ^{when} it occurred that my car front wheel alignment was affected. I came down town to S+S Wheel Alignment Shop on West 7th St & asked them to check my ^{front} wheel alignment. They did & it not only knocked the alignment but it ruined the shock absorber in the front of the car. I picked up the car at 4:30 PM on 8/14/84 & paid S+S alignment people \$65.90, which evidence



THE TOTAL AMOUNT OF YOUR CLAIM AGAINST THE CITY: \$ 65.90

GIVE DETAILS OF YOUR CLAIM AGAINST THE CITY. ITEMIZE THE AMOUNT OF YOUR CLAIM AND ATTACH COPIES OF ALL BILLS, ESTIMATES OF REPAIR, MEDICAL REPORTS, ETC.

In attached bill

LIST YOUR ACTUAL RESIDENCE FOR THE 6 MONTHS BEFORE THE DAMAGE OR INJURY.

6045 WORMAR ST FORT WORTH TEX 76133

GIVE THE NAMES, ADDRESSES AND PHONE NUMBERS OF ALL WITNESSES YOU ARE RELYING ON TO ESTABLISH YOUR CLAIM.

no witnesses except myself that was driving alone to work

HAVE YOU MADE PREVIOUS CLAIMS AGAINST THE CITY OF FORT WORTH? IF YOU HAVE, PLEASE GIVE THE TYPE OF CLAIM AND WHEN IT WAS MADE.

no N/A

WITNESS my hand this 17th day of October, 1984.

J. H. Flood
Claimant's Signature

VERIFICATION

THE STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, a Notary Public in and for Tarrant County, Texas, personally appeared J. H. Flood, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose, consideration and in the capacity therein expressed.

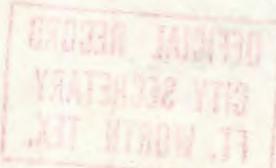
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 17th day of October, 1984.

N.S.

Welda Shultz

Notary Public in and for the State of Texas

My commission expires 10-29-85



NOTICE OF CLAIM

AGAINST THE CITY OF FORT WORTH

File this Claim Within 60 Days of the Injury or Property Damage with:

PLEASE RETURN TO CITY COUNCIL
CITY OF FORT WORTH
1000 THROCKMORTON
FORT WORTH, TEXAS 76102



PLEASE PRINT. Please Complete Both Sides of this Form.

FULL NAME		PHONE NUMBER(S)
Robert F. Watson		HOME: (817) 921-4229 WORK: (817) 335-7373
MAIL ADDRESS	CITY, STATE AND ZIP CODE	
3200 Tex. American Bank Bldg.	Ft. Worth, TX 76102	

PLEASE NOTE: CHAPTER XXVIII, SECTION 26, CHARTER OF THE CITY OF FORT WORTH.

Before the City of Fort Worth shall become liable for damages for personal injury of any kind, or of injury to or destruction of property of any kind, the person injured or the owner of the property injured or destroyed, or some one in his behalf, shall give to the City Council notice in writing of such injury or destruction, duly verified, within sixty (60) days after the same has been sustained; stating in such written notice when, where and how the injury or destruction occurred; the apparent extent thereof; the amount of damages sustained; the amount for which the claimant will settle; the actual residence of the claimant by street and number at the date the claim is presented, and the actual residence of such claimant for six months immediately preceding the occurrence of such injury or destruction; and the names and addresses of all witnesses upon whom he relies to establish his claim. No suit shall be maintainable on any of the causes of action herein set out for a period of sixty (60) days after the notice shall have been given to the City Council, in compliance with this section, in order to enable the City Council to investigate the merits of said claim and adjust the same without suit if deemed advisable so to do.

DESCRIBE IN YOUR OWN WORDS WHERE, WHEN and HOW THE DAMAGE OR INJURY OCCURRED. ATTACH ADDITIONAL PAGES IF NECESSARY.

LOCATION OF ACCIDENT: INTERSECTION OF CHERRY AND W. 7th - Ft. Worth, TX.
 DATE OF ACCIDENT: 7-3-84 APPROXIMATE TIME OF ACCIDENT: 8:50
 A.M. (P.M.)

HOW ACCIDENT HAPPENED: JULIE WATSON, DRIVING A 1981 Pontiac
Grand Prix was N BOUND ON CHERRY ST. SHE ENTERED THE
INTERSECTION WHILE HER LIGHT WAS GREEN. FT WORTH FIRE DEPT.
VEHICLE, TRAVELING EAST BOUND ON W. 7th STRUCK WATSON
VEHICLE IN INTERSECTION. A PARKING GARAGE ON THE CORNER
OBSTRUCTED VIEW OF BOTH PARTIES. TEXAS MOTOR VEHICLE
LAWS PAGE 195 ARTICLE I Sec. C. 2 GIVES EMERGENCY
VEHICLES THE PRIVILEGE OF ENTERING AN INTERSECTION
ONLY AFTER SLOWING DOWN AS MAY BE NECESSARY FOR
SAFE OPERATION. IT IS OUR CONTENTION THAT THE FIRE
DEPT VEHICLE SHOULD HAVE SLOWED DOWN BECAUSE OF
THE OBSTRUCTED VIEW OF NORTH BOUND TRAFFIC.

OFFICIAL RECORD
CITY SECRETARY
FT. WORTH, TEX.

THE TOTAL AMOUNT OF YOUR CLAIM
AGAINST THE CITY: \$ 5017.00

GIVE DETAILS OF YOUR CLAIM AGAINST THE CITY. ITEMIZE THE AMOUNT OF YOUR CLAIM AND ATTACH COPIES OF ALL BILLS, ESTIMATES OF REPAIR, MEDICAL REPORTS, ETC. OUR VEHICLE WAS A TOTAL LOSS - ACV IS 7072.

AMOUNT WE PAID 6872.00
AMOUNT OF DEDUCTIBLE 200.00
Total 7072.00 LESS SALVAGE # 2055.00 = 5017.00

LIST YOUR ACTUAL RESIDENCE FOR THE 6 MONTHS BEFORE THE DAMAGE OR INJURY. 4301 KIRKLAND

FT WORTH, TX 76109

GIVE THE NAMES, ADDRESSES AND PHONE NUMBERS OF ALL WITNESSES YOU ARE RELYING ON TO ESTABLISH YOUR CLAIM. NONE

HAVE YOU MADE PREVIOUS CLAIMS AGAINST THE CITY OF FORT WORTH? Na
IF YOU HAVE, PLEASE GIVE THE TYPE OF CLAIM AND WHEN IT WAS MADE.

WITNESS my hand this 27th day of September, 19 84.

Robert F. Watson
Claimant's Signature

VERIFICATION

THE STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, a Notary Public in and for Tarrant County, Texas, personally appeared Robert F. Watson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose, consideration and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 27 day of Sept, 19 84.

N.S.

Suzie C. Martin
Notary Public in and for Tarrant
County, Texas

OFFICIAL RECORD
CITY SECRETARY
FT. WORTH, TX

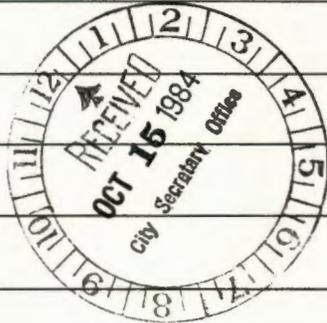
Dear Mayor Bolen,

My husband and I are very much opposed to the new animal ordinance which ^{would} permit the Ft. Worth City Council to supply unclaimed pets to laboratories for the purpose of experimentation.

Please list our voices with the many others who love and care about the animals.

Thank you,

Mr. & Mrs. Alan Hill



TCOM



October 11, 1984

Mayor Bob Bolen
1000 Throckmorton Street
Fort Worth, TX 76102

Dear Mayor Bolen:

On behalf of the Texas College of Osteopathic Medicine, we would like to thank you for your efforts during the study of the recently approved Animal Control Ordinance. When clearly opposing views on any such issue are evident, we realize that reaching a firm decision is not an easy process. However, it is reassuring to know that you put forth a substantial effort in gaining and in studying much of the background information before you reached a final decision.

During the City Council Meeting of Tuesday, October 2, it was evident that certain groups opposed the recommended animal control ordinance and desired that a statement be included in the ordinance specifically prohibiting the city from providing medical research laboratories with impounded animals. In support of this proposal, some members of these groups made certain claims and addressed certain questions to the medical researchers represented at that meeting. Because of the very professional manner in which the meeting was conducted, these questions and claims were not opened for discussion or rebuttal. However, for the record and to assure you that you have made a defensible decision, we would like to respond to the most important of these questions and claims at the present time.

(1) It was stated that the National Institutes of Health and Harvard University have now abolished the use of random source (pound) animals in their research, supporting the view that such animals are not suitable for research.

Harvard University has indeed agreed to an ordinance prohibiting the use of pound animals. However, through correspondence with Harvard University, you are familiar with the fact that Harvard did not support this ordinance. The University agreed to the ordinance under heavy pressure from animal

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City Council
Page 2
October 11, 1984

rights groups, and the agreement was made with the understanding that such groups would not attempt to further curtail their use of research animals.

The above information was obtained from Ms. Jane Corlette, Office of Government Affairs, Harvard University (Phone: 617/445-4955).

To fully understand the situation at the National Institutes of Health, it is essential to realize that the NIH maintains two broad types of research programs. First, it maintains a relatively small intramural research program on its own campus in Bethesda, Maryland. Second, it maintains a far greater extramural program through the funding of medical research in institutions throughout the country. In its intramural programs, the NIH indeed uses dogs bred at its own institutional breeding facilities. However, the NIH uses cats acquired from the pound. In this intramural program, the NIH utilizes approximately 500 dogs per year at a cost of about \$500 each (excluding cost of the breeding kennel). Some facts surrounding this decision on the part of the NIH in its own intramural programs are interesting. Thus, the choice of dogs bred for this purpose was the Fox Hound and the Irish Pointer. The Pointer was chosen because of a specific nervous trait genetically inherent in this breed and applicable to a particular research study in progress. The Fox Hound was chosen since studies showed that this particular animal was one very seldom chosen by the public as pets. Thus, public pressure due to the use of this particular dog was expected to be minimal. It is also to be emphasized that while the NIH uses bred dogs in its intramural research programs because of an intramural decision, there is no endorsement by the NIH of a policy that bred dogs are better for research purposes. The absence of an NIH policy on this matter is also clearly shown by the fact that in its major research function -- the funding of medical research in institutions throughout the country -- the NIH does not require, nor does it even recommend, that the recipient institution or researcher utilize pure bred animals. In this regard, T.C.O.M. has many research projects funded by the NIH which employ dogs or cats. The research proposals submitted to the NIH for these funded projects clearly state that mongrel animals will be employed.

The above information on the NIH use of animals was obtained from Dr. Steven Potkay, Deputy to the Chief Veterinarian of the NIH (Phone: 301/496-2527).

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(2) It was stated that systematic study has demonstrated that pure bred dogs are better for research and that the overall cost of research when employing such dogs is actually less than that with pound dogs.

We know of no such systematic study, and therefore, cannot comment on the details of such study. However, we feel it is important to recall the tremendous health benefits which have resulted from research on the mongrel, random source dog. Indeed, approximately 200,000 dogs are used each year in the United States for medical research, and of these it is estimated that 140,000 are pound dogs. The tremendous health benefits these animals have provided should be obvious to all. In regard to cost, it can be emphasized that researchers at T.C.O.M., as well as at many other medical institutions, strongly feel that when appropriate and simple screening tests are employed to avoid the use of sick dogs, the pound dog is an extremely good and low cost research subject.

(3) It was stated that several states in the United States have recently passed laws prohibiting the use of pound animals.

In regard to this claim, the following information was obtained from Ms. Frankie Truell, Director of the Association of Biomedical Research in Washington, D.C. (Phone: 202/371-6606). Five states currently have laws prohibiting the use of pound animals. These are Massachusetts, New Hampshire, Vermont, Maine and Wisconsin. From the information regarding Harvard and the animal issue, you are familiar with the background surrounding the law in the State of Massachusetts. Interestingly, in three of these states, there were no objections to the passing of the laws since there were no users of pound animals in those states. On the other hand, it is useful to also consider those states, counties, or cities in which the movement of animal rights groups (such as that in Fort Worth) has been defeated. Thus, the States of California, Arizona, Iowa, Minnesota, Ohio, Oklahoma, South Carolina, and West Virginia have all refused to include a law prohibiting the use of pound animals for research. Furthermore, the Cities of Baltimore, Washington, D.C., and Chicago as well as the County of Gwinnet, Georgia have refused to include such a prohibition in their local legislation. Recently, the City of Norfolk, Virginia actually passed an ordinance specifically requiring the City to sell animals to a medical school. An interesting story is also seen in the State of Wisconsin. In this state, a law prohibiting the use of pound animals has been on the books for a number of years. However, this state is now considering removing this prohibition from the state legislation. It may also be pointed out that the National Humane Society has attempted to force U.S. legislation prohibiting the use of Federal Funds for research in which pound animals



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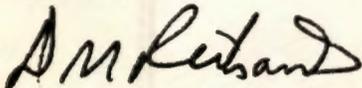
are to be utilized. Such proposals have never been able to be approved at the committee level and therefore, have never been brought before the Congress for voting.

(4) One individual specifically asked the researchers present: How long have you been doing research? What have you done?

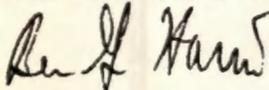
We won't attempt at this time to outline the credentials of the faculty at Texas College of Osteopathic Medicine nor to delineate the research progress which has been made at this institution. However, we are proud to say that the credentials of the faculty are excellent and that the research contributions of many of the faculty are substantial. Naturally, if you desire detailed information on these questions, we will be happy to provide it.

We hope the information included in this letter will be of value to you, both in shaping future decisions as well as in assuring you that your decision at the previous City Council Meeting was appropriate. Again, we appreciate your conscientious efforts in this matter.

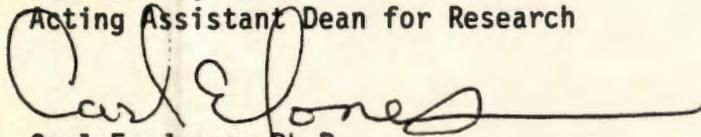
Sincerely,



David M. Richards, D.O.
Vice President/Dean for Academic Affairs



Ben Harris, Ph.D.
Acting Assistant Dean for Research



Carl E. Jones, Ph.D.
Professor and Chairman of Physiology

CEJ/pw

