

**CITY OF FORT WORTH, TEXAS  
CITY COUNCIL MEETING  
TUESDAY, DECEMBER 10, 2019**

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**Present:**

Mayor Betsy Price  
Mayor Pro tem Jungus Jordan, District 6  
Council Member Carlos Flores, District 2  
Council Member Brian Byrd, District 3  
Council Member Cary Moon, District 4  
Council Member Gyna Bivens, District 5  
Council Member Dennis Shingleton, District 7  
Council Member Kelly Allen Gray, District 8  
Council Member Ann Zadeh, District 9

**Staff Present:**

David Cooke, City Manager  
Sarah Fullenwider, City Attorney  
Mary J. Kayser, City Secretary

**CALL TO ORDER**

With a quorum of the City Council Members present, Mayor for the Day Judge L. Clifford Davis called the regular session of the Fort Worth City Council to order 7:05 p.m. on Tuesday, December 10, 2019, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

**INVOCATION - Minister Jim DeLong, Founder of Changing Your City**

The invocation was provided by Minister Jim DeLong, Founder of Changing Your City.

**PLEDGES OF ALLEGIANCE TO THE UNITED STATES AND THE STATE OF TEXAS**

**(State of Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.")**

The Pledges of Allegiance to the United States of America and the State of Texas were recited.

**SPECIAL PRESENTATION - The Honorable Judge L. Clifford Davis**

Mayor Price honored Judge L. Clifford Davis acknowledging his influence in Fort Worth, Mansfield and the state of Arkansas with regard to segregation and the first African American to become a member of the Texas Bar Association. Council Member Bivens presented Judge Davis with a certificate of recognition plaque in honor of his years of civic service.

**CONSIDERATION OF MINUTES**

Motion: Council Member Byrd made a motion, seconded by Council Member Shingleton, the minutes of Work Session and Regular Meeting of December 3, 2019, be approved. Motion passed 9-0.

1. [19-0197](#) Minutes - December 3, 2019 Work Session

Motion: Approved.

2. [19-0198](#) Minutes - December 3, 2019 Regular Meeting

Motion: Approved.

**ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA**

City Manager Cooke requested that M&Cs 19-0375 and 19-0376 be removed from the Consent Agenda for individual consideration.

**ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF**

There were no items to be continued or withdrawn by staff.

**CONSENT AGENDA**

Motion: Council Member Shingleton made a motion, seconded by Council Member Flores, that Consent Agenda be adopted as amended. Motion passed 9-0.

**A. General - Consent Items**

1. [M&C 19-0363](#) Amend Mayor and Council Communication G-18931 to Accurately Reflect the 2015 Land and Improvement/Structure Property Values for 1300 May Street for the Purpose of Correctly Calculating its Historic Site Tax Exemption (COUNCIL DISTRICT 9)

Motion: Approved.

2. [M&C 19-0374](#) Authorize Transfer of Funds Included and Appropriated in the FY2020 Operating Budget to the Vehicle And Equipment Replacement Fund and Amend the FY20-FY24 Capital Improvement Plan (ALL COUNCIL DISTRICTS)

Motion: Approved.

3. [M&C 19-0382](#) Ratify Acceptance of a Sub-Award from the Texas State Library and Archives Commission in the Amount of \$45,072.00, Authorize Use of Interest Earnings in an Amount up to \$1,000.00 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

Motion: Approved. Appropriation Ordinance No. 23973-12-2019.

**B. Purchase of Equipment, Materials, and Services - Consent Items**

1. [M&C 19-0366](#) Authorize Execution of an Agreement with US Foods, Inc. in an Annual Amount of Up to \$400,000.00 for Perishable and Non-Perishable Food Items for All City Departments and Authorize Four Annual Renewal Options (ALL COUNCIL DISTRICTS)

Motion: Approved.

2. [M&C 19-0367](#) Authorize Execution of a Service Agreement with Origami Risk, LLC, in an Amount Up to \$109,625.00 for the First Year, \$99,450.00 for Years Two and Three and \$101,700.00 for Years Four and Five for Software Licenses and Services for the Human Resources Department (ALL COUNCIL DISTRICTS)

Motion: Approved.

3. [M&C 19-0369](#) Authorize Execution of a Purchase Agreement with DataSpan Holding Inc., for Preventative Maintenance on Three Phase Uninterruptible Power Systems for the Water Department and Information Technology Solutions Department in an Annual Amount Up to \$150,000.00 and Authorize Five One-Year Renewal Terms (ALL COUNCIL DISTRICTS)

Motion: Approved.

4. [M&C 19-0370](#) Authorize Purchase of Two Gapvax Sewer Trucks from Rush Truck Centers of Texas, LP, in an Amount Up to \$833,000.00, for the Water Department Through the Property Management Department (ALL COUNCIL DISTRICTS)

Motion: Approved.

5. [M&C 19-0371](#) Authorize Purchase of Two Rotoboam Trucks from Southwest International Trucks, Inc. in an Amount Up to \$392,023.29 for the Code Compliance Department through the Property Management Department (ALL COUNCIL DISTRICTS)

Motion: Approved.

**E. Award of Contract - Consent Items**

1. [M&C 19-0372](#) Authorize an Amendment to City Secretary Contract No. 52069 to Engage SmartLight Analytics LLC to Review City of Fort Worth Health Care Claims for Fraud and Abuse for an Amount Up To \$405,000 Per Year for an Initial One Year Term with Five One-Year Renewal Options (ALL COUNCIL DISTRICTS)

Mr. Isiah Smith, P.O. Box 2650, Austin, completed a comment card in opposition of M&C 19-0372.

Motion: Approved.

4. [M&C 19-0377](#) Authorize Execution of an Agreement with the Internal Revenue Service (Criminal Investigations), Authorize Acceptance of Funds in an Amount Up to \$15,000.00 for the Purpose of Receiving Reimbursable Costs Incurred by the City in Providing Resources to Joint Operations/Task Force and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

Motion: Approved. Appropriation Ordinance No. 23974-12-2019.

5. [M&C 19-0378](#) Authorize Execution of Amendment No. 2 in the Amount of \$79,925.00 to an Engineering Agreement with BGE, Inc. (CSC No. 50764), for a Revised Contract Amount of \$591,694.00 for the Large Diameter Pipe Bursting Contract ICAP and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

Motion: Approved. Appropriation Ordinance No. 23975-12-2019.

6. [M&C 19-0379](#) Authorize Execution of Amendment No. 4 in the Amount of \$145,919.00 to an Engineering Agreement with Parsons Water and Infrastructure, Inc., for a Revised Contract Amount of \$840,231.00 for Little Fossil Creek Interceptor Improvements at Various Locations Within the Little Fossil Creek Drainage Basin and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 2 and 4)

Motion: Approved. Appropriation Ordinance No. 23976-12-2019.

7. [M&C 19-0380](#) Authorize Execution of a Contract with S J Louis Construction of Texas, Ltd. in the Amount of \$2,600,364.20 for Sanitary Sewer Replacement Main 402B Part 1 Located within the Iron Horse Golf Course and Adopt Appropriation Ordinance (In North Richland Hills Adjacent to DISTRICT 4)

Motion: Approved. Appropriation Ordinance No. 23977-12-2019.

#### **PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS**

1. [19-0173](#) Notice of Claims for Alleged Damages and/or Injuries

##### **A. General - Removed from Consent Agenda**

2. [M&C 19-0375](#) Authorize Execution of Agreement with the United States Department of Justice, Drug Enforcement Administration to Continue Participation in the Drug Enforcement Administration Dallas/Fort Worth Airport/Interdiction Task Force, Authorize Acceptance in an Amount Up to \$55,947.00 for the Reimbursement of Overtime Costs and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

Ms. Elizabeth Maldonado, 3016 Tex Boulevard, appeared before Council in opposition of M&C 19-0375.

Motion: Council Member Bivens made a motion, seconded by Council Member Flores, that Mayor and Council Communication M&C 19-0375 be adopted. Motion passed 9-0. Appropriation Ordinance No. 23978-12-2019.

3. [M&C 19-0376](#) Authorize Execution of Agreement with the United States Department of Justice, Drug Enforcement Administration to Participate in the Drug Enforcement Administration Dallas/Fort Worth Airport/Interdiction Task Force (SURGE Funded), Authorize Acceptance in an Amount Up to \$18,649.00 for the Reimbursement of Overtime Costs and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)

The following citizens appeared before Council in opposition to M&C 19-0376:

Tabitha Williams, 5408 Westcreek Drive  
Caitlin Dowdy, 3212 River Park Lane South

Motion: Council Member Shingleton made a motion, seconded by Council Member Bivens, that Mayor and Council Communication M&C 19-0376 be adopted. Motion passed 9-0. Appropriation Ordinance No. 23979-12-2019.

### **SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.**

There were no special presentations, introduction, etc.

Council Member Allen Gray left her place at the dais and left the meeting.

### **ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF**

#### **1. Upcoming and Recent Events**

Council Members Flores and Zadeh announced upcoming and recent events within the City and various Council districts.

#### **2. Recognition of Citizens**

Mayor Price and Mayor Pro tem Jordan recognized members of Code Blue for their support and work in the community. Council Member Bivens recognized Brenda Silcox, wife of late former Council Member Chuck Silcox.

### 3. Approval of Ceremonial Travel

There was no ceremonial travel.

### PRESENTATIONS BY THE CITY COUNCIL

There were no changes in membership on boards and commissions.

### PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS, COMMISSIONS AND/OR CITY COUNCIL COMMITTEES - NONE

There were no presentation and/or communications from boards, commissions, and/or City Council committees.

### RESOLUTIONS

1. [19-0367](#) A Resolution Acknowledging and Supporting the Continued Service of Edwin J. Kraus as the Fort Worth Police Chief and Department Head of the Fort Worth Police Department

The following individuals appeared before Council in opposition of Item No. 19-0367:

Mr. Greg Hughes, View Street  
Ms. Mindia Whittier, 4108 Bellaire Drive South  
Mr. Waymond Brown, 4328 South Edgewood Terrace

The following individuals appeared before Council in support of Item No. 19-0367:

Ms. Cindy Boling, 4717 Norma Street  
Mr. Daniel Haase, 1670 Watson Road West  
Ms. Ozell Everhardt, 5537 Blackmore Avenue  
Bishop Mark Kirkland, 6425 Vel Drive

The following individuals completed a comment card in support of Item No. 19-0367:

Ms. Lucille Moskowitz, 7137 Wind Chime Drive  
Mr. Martin Moskowitz, 7137 Wind Chime Drive

Ms. Carolyn Gilmore, 4045 Peninsula Club Circle  
Mr. Michael Cohen, 4223 Altamesa  
Mr. Tony Perez, 8500 Cactus Patch Way  
Mr. Michael Phipps, 4451 Normandy Road  
Mr. Edward Sakerka, 4451 Normandy Road

Mr. Isaiah Smith, P.O. Box 8650, Austin, completed a comment card in opposition of Item No. 19-0367.

Motion: Council Member Shingleton made a motion, seconded by Council Member Byrd, that Resolution No. 5164-12-2019 be adopted. Motion passed 8-0. Council Member Allen Gray absent.

City Secretary Kayser advised that Item Nos. 19-0385 - 19-0393 would be heard together.

2. [19-0385](#) A Resolution of the City Council of the City of Fort Worth, Texas, Casting the City of Fort Worth's Allotted Votes for the Board of Directors of the Denton Central Appraisal District

Motion: Approved. Resolution No. 5165-12-2019.

3. [19-0386](#) A Resolution of the City Council of the City of Fort Worth, Texas, Casting the City of Fort Worth's Allotted Votes for the Board of Directors of the Parker County Appraisal District

Motion: Approved. Resolution No. 5166-12-2019.

4. [19-0387](#) A Resolution of the City Council of the City of Fort Worth, Texas, Casting the City of Fort Worth's Allotted Votes for the Board of Directors of the Tarrant County Appraisal District

Motion: Approved. Resolution No. 5167-12-2019.

5. [19-0393](#) A Resolution of the City Council of the City of Fort Worth, Texas, Casting the City of Fort Worth's Allotted Votes for the Board of Directors of the Wise County Appraisal District

Approved. Resolution No. 5168-12-2019.



Motion: Council Member Byrd made a motion, seconded by Council Member Moon, that Resolution Nos. 5165-12-2019, 5166-12-2019, 5167-12-2019 and 5168-12-2019 be adopted. Motion passed 8-0. Council Member Allen Gray absent.

## REPORT OF THE CITY MANAGER

### B. General

1. [M&C 19-0364](#) Consider Request for Waiver of Mandatory Twelve Month Delay in Refiling a Zoning Request at 6828 North Freeway (ZC-19-145) (COUNCIL DISTRICT 4)

Motion: Council Member Moon made a motion, seconded by Council Member Byrd, that Mayor and Council Communication M&C 19-0364 be adopted. Motion passed 8-0. Council Member Allen Gray absent.

2. [M&C 19-0365](#) Authorize Interlocal Agreement to Allow the City to Administer and Enforce the Tarrant County Game-Room Regulations (ALL COUNCIL DISTRICTS)

Mr. Daniel Haase, 1670 Watson Road West, completed a comment card in support of M&C 19-0365.

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that M&C 19-0365 be adopted. Motion passed 8-0. Council Member Allen Gray absent.

3. [M&C 19-0373](#) Adopt Ordinance Amending Chapter 22, Section 22-191 of the City Code to Modify Parking Meter Rates within West 7th Urban Village Core for On-Street Parking Meters to be Effective December 13, 2019 (COUNCIL DISTRICT 9)

Motion: Council Member Zadeh made a motion, seconded by Council Member Byrd, that Ordinance No. 23980-12-2019 be adopted. Motion passed 8-0. Council Member Allen Gray absent.

4. [M&C 19-0383](#) Adopt Ordinance Amending the City Code to Institute a Cooling Off Period by Prohibiting Former Appointed Officials and Certain Former Employees from Contracting with or Lobbying Before the City for a Period of One Year After Leaving City Employment (ALL COUNCIL DISTRICTS)

Mr. Gerald Banks, 6861 Rouff Street, appeared before Council in opposition to M&C 19-0383.

Motion: Council Member Byrd made a motion, seconded by Mayor Pro tem Shingleton, that Ordinance No. 23981-12-2019 be adopted. Motion passed 8-0. Council Member Allen Gray absent.

#### F. Award of Contract

1. [M&C 19-0381](#) Authorize Execution of a Contract for Design-Build-Operate-Maintain Services with Synagro of Texas-CDR, Inc., for the Village Creek Water Reclamation Facility Biosolids Management and Beneficial Reuse Project, Including Design-Build Costs of \$58,001,558.00 for Construction of a Dryer Facility, an Operations Charge of \$396.50 per Dry Ton prior to the Dryer Going into Service and an Operations Charge of \$169.51 per Dry Ton after the Dryer Goes into Service, Adopt Resolution Expressing Official Intent to Reimburse Expenditures with Proceeds of Future Debt and Adopt Appropriation Ordinance (COUNCIL DISTRICT 5)

The following individuals appeared before Council in support of M&C 19-0381:

Mr. Andrew Bosinger, 425 Williams Court, Suite 100, Baltimore, Maryland  
Ms. Pamela Racey, 425 Williams Court, Suite 100, Baltimore, Maryland  
Mr. Steve Huff, 1010 Commercial Blvd. South, Arlington, Texas  
Mr. Chad Simmons, 4055 International Plaza

The following individuals appeared before Council in opposition of M&C 19-0381:

Mr. Dick Elkins, 5100 Dido Hicks Road  
Mr. Corey Wells, 2501 Greenbelt Road  
Mr. Ben Davis, 2501 Greenbelt Road

Mr. Oscar Renda, 2501 Greenbelt Road completed a speaker card in opposition of M&C 19-0381 and was recognized by Mayor Price but did not wish to address the Council.

Mr. Philip Schutts, 3024 Tanglewood Park West, completed a speaker card in opposition of M&C 19-0381 and was recognized by Mayor Price but was not present.

Mr. Anthony Nagy, 1000 Curtis Court, Arlington, completed a comment card in support of M&C 19-0381.

Mr. Philip Schutts, 3024 Tanglewood Park West, completed a comment card in opposition of M&C 19-0381.

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Resolution No. 5169-12-2019 and Ordinance No. 23982-12-2019 be adopted. Motion passed 8-0. Council Member Allen Gray absent.

Council Member Moon left his place at the dais and left the meeting.

## **CITIZEN PRESENTATIONS**

### **1. [19-0094](#) Citizen Presentations**

Bishop Mark Kirkland, 6425 Vel Drive, appeared before Council relative to youth programs.

Willie Lewis, 5016 North Hampshire Boulevard, completed a citizens presentation speaker card, was recognized by the Mayor but was not present in the council chamber.

Mr. Bob Willoughby, 6731 Bridge Street, Suite 125, appeared before Council relative to concerns with Code Compliance and Mayor & Council.

Ms. Nancy Stansbury, 205 Covington Drive, appeared before Council relative to citizens not being safe in their neighborhoods.

Mr. Gerald Banks, Sr., 6861 Rouff Street, appeared before Council relative to profiling, brutality, and wrongful prosecution.

Ms. Elizabeth Roper, 5654 Glenmont Court, appeared before Council relative to citizen presentation.

Ms. Caitlin Dowdy, 3212 River Park Lane South, appeared before Council relative to justice for Atatiana.

Ms. Lizzie Maldonado, 3016 Tex Boulevard, appeared before Council relative to Atatiana Jefferson.

Ms. Jen Sarduy, 3641 Hardy Street, appeared before Council relative to public safety.

Mr. Doyle Fine, 800 Grainger Street, appeared before Council relative to a way forward

Ms. Tabitha Williams, 5408 Westcreek Drive, citizen presentation.

Mr. John Noble, 3410 Riverstone Circle East, appeared before Council relative to police accountability and transparency in Fort Worth.

Mr. Daryl Davis, 9216 Vineyard Lane, completed a citizens presentation speaker card, was recognized by the Mayor but was not present in the council chamber.

Ms. Pamela Young, 14221 Hobby Lane, appeared before Council relative to city government incompetence.

Mr. Lon Burman, 2103 6th Avenue, appeared before Council relative to Queen and Slim.

Mr. Waymond Brown, 4328 South Edgewood Terrace, appeared before Council relative to then verses now.

Mr. Bruce Carter, 2010 Heather Glen, Dallas, appeared before Council relative to Marquis Jefferson.

Mr. Lapaca Jefferson, 5945 Fox Hill Lane, Dallas, appeared before Council relative to the pain of losing loved ones.

Ms. Katie Palmer, 902 South Rusk Avenue, Suite 3704, Alvarado, appeared before Council.

**EXECUTIVE SESSION (CITY COUNCIL CONFERENCE ROOM, CITY HALL, ROOM 290) - SEE ATTACHMENT B**

1. [19-0085](#) Executive Session B

**ADJOURNMENT**