

**CITY OF FORT WORTH, TEXAS**  
**CITY COUNCIL MEETING**  
**TUESDAY, SEPTEMBER 17, 2019**

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**Present:**

Mayor Betsy Price  
Mayor Pro tem Dennis Shingleton  
Council Member Carlos Flores  
Council Member Brian Byrd  
Council Member Cary Moon  
Council Member Gyna Bivens  
Council Member Jungus Jordan  
Council Member Ann Zadeh

**Absent:**

Council Member Kelly Allen Gray

**Staff Present:**

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

**CALL TO ORDER**

With a quorum of the City Council Members present, Mayor Price called the regular session of the Fort Worth City Council to order at 7:02 p.m. on Tuesday, September 17, 2019, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

**INVOCATION - Reverend Matt Schroeder, Trinity Lutheran Church**

The invocation was provided by Reverend Matt Schroeder, Trinity Lutheran Church.

**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 and the State of Texas were recited.

## CONSIDERATION OF MINUTES

1. [19-0177](#) Minutes - September 10, 2019 Regular Meeting

Motion: Council Member Byrd made a motion, seconded by Mayor Pro tem Shingleton, that the minutes of the September 10, 2019, Council meeting be approved. Motion passed 9-0.

## ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items to be withdrawn from the Consent Agenda.

## ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

There were no items to be continued or withdrawn by staff.

## CONSENT AGENDA

Motion: Mayor Pro tem Shingleton made a motion, seconded by Council Member Moon, that the Consent Agenda be approved. Motion passed 9-0.

### A. General - Consent Items

1. [M&C 19-0171](#) Adopt Appropriation Ordinance Increasing Estimated Receipts and Appropriations in the Amount of \$130,000 from Available Funds in the 2008 Street Improvements Fund for Street Improvements on University Drive at Colonial Parkway Intersection (COUNCIL DISTRICT 9)

Motion: Approved. Appropriation Ordinance No. 23825-09-2019

2. [M&C 19-0170](#) Authorize Use in a Total Amount of \$300,000.00 for the Gendy/Harley Parking Lot Rehabilitation Project and Adopt Appropriation Ordinances (COUNCIL DISTRICT 7)

Motion: Approved. Appropriation Ordinance Nos. 23826-09-2019 and 23827-09-2019

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

1. [M&C 19-0167](#) Authorize Purchase Agreement with WildCat Electric Supply, LTD., Bean Electrical, Inc., and Structural and Steel Products, Inc. for a Combined Annual Amount Up to \$1,300,000.00 for Streetlight Poles and Related Items and Authorize Four Renewal Options (ALL COUNCIL DISTRICTS)

Motion: Approved.

**C. Land - Consent Items**

1. [M&C 19-0172](#) Authorize Conveyance of Easement and Right-of-Way to Oncor Electric Delivery, LLC., for Electrical Equipment and Appurtenances on 0.154 Acres of Land at Fort Worth Meacham International Airport to Serve Lease Sites 1C and 2C Located at 4065 and 4049 N. Main St. in Fort Worth, Texas (COUNCIL DISTRICT 2)  
Motion: Approved.

**D. Planning & Zoning - Consent Items**

1. [M&C 19-0165](#) Adopt Ordinance Vacating a Portion of Live Oak Street, East 2nd Street and East 3rd Street, for a Existing Railroad Right-of-Way for the New Commuter Rail Line, TEX Rail (COUNCIL DISTRICT 8)  
The following individuals completed speaker cards in support of M&C 19-0165 and were recognized by Mayor Price but did not wish to address Council:  
Ms. Danyelle Donnelly, 99 Regency Parkway #105, Mansfield, Texas  
Ms. Carrie Weir, 801 Cherry Street, Suite 850  
Motion: Approved. Ordinance No. 23828-09-2019

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

1. [M&C 19-0158](#) Authorize Execution of a Contract with William J. Schultz Inc. d/b/a Circle C Construction Company in the Amount of \$2,000,000.00 for Water Main Extensions, Replacements and Relocations Contract 2019, at Various Locations Throughout the City and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)  
Motion: Approved. Appropriation Ordinance No. 23829-09-2019
2. [M&C 19-0159](#) Authorize Execution of a Communications System Agreement with the City of Desoto for Participation in the City of Fort Worth's Public Safety Radio System for Interoperable Communications in Mutual Aid or Other Multi-Agency Operations at No Cost to the City of Fort Worth (ALL COUNCIL DISTRICTS)  
Motion: Approved.

3. [M&C 19-0160](#) Authorize Execution of a Radio Subscriber Services Agreement with the City of Forest Hill for the Provision of Two-Way Radio Support Services at No Cost to the City of Fort Worth (ALL COUNCIL DISTRICTS)  
Motion: Approved.
  
4. [M&C 19-0161](#) Authorize Execution of Amendment No. 4 in the Amount of \$45,750.00 to City Secretary Contract No. 41722 an Engineering Agreement with RJN Group, Inc., for the Sanitary Sewer Rehabilitation Contract 84, for a Revised Contract Amount of \$398,801.75. Authorize Execution of Change Order No. 1 in the Amount of \$458,408.50 to City Secretary Contract No. 48254 with William J. Schultz, Inc. dba Circle C Construction Company, for construction of Sanitary Sewer Rehabilitation Contract 84, for a Total Revised Contract Amount of \$3,992,441.00 and Adopt Appropriation Ordinances (COUNCIL DISTRICT 4)  
Motion: Approved. Appropriation Ordinance Nos. 23830-09-2019 and 23831-09-2019
  
5. [M&C 19-0162](#) Authorize Execution of a Contract with William J. Schultz, Inc., dba Circle C Construction Company, in the Amount of \$1,000,000.00, for Sanitary Sewer Main Extensions, Replacements and Relocations Contract 2019, Provide for Project Costs and Contingencies for a Project Amount of \$1,300,000.00 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)  
Motion: Approved. Appropriation Ordinance No. 23832-09-2019
  
6. [M&C 19-0163](#) Authorize Execution of a Communications System Agreement with the Eagle Mountain Fire Department for Participation in the City of Fort Worth's Two-Way Public Safety Radio System at No Cost to the City of Fort Worth (ALL COUNCIL DISTRICTS)  
Motion: Approved.
  
7. [M&C 19-0164](#) Authorize Execution of a Contract with Tejas Commercial Construction, LLC, in the Amount of \$750,000.00 for the Small Diameter Water Main Extensions, Replacements and Relocations Contract 2019, Provide for Project Costs and Contingencies for a Project Amount of \$900,000.00 and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS)  
Motion: Approved. Appropriation Ordinance No. 23833-09-2019

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8. [M&C 19-0166](#) Authorize Execution of Amendment No. 6 in the Amount of \$88,642.00 to City Secretary Contract No. 48498 an Engineering Agreement with Freese and Nichols, Inc., for Inspection Services for the Pump and Hydropneumatic Tank at Eagle Mountain Water Treatment Plant Project, for a Revised Contract Amount of \$774,131.00; Authorize Execution of a Contract with Archer Western Construction, LLC, in the Amount of \$1,023,700.00 for Construction of a 3 Million Gallons per Day Pump and Hydropneumatic Tank at Eagle Mountain Water Treatment Plant, Provide for Project Costs for a Project Total in the Amount of \$7,470,788.00, Adopt Resolution Expressing Official Intent to Reimburse Expenditures with Proceeds of Future Debt and Adopt Appropriation Ordinance (COUNCIL DISTRICT 7)  
Motion: Approved. Resolution No. 5128-09-2019 and Appropriation Ordinance No. 23834-09-2019
9. [M&C 19-0168](#) Authorize Rejection of All Bids for the Midfield Redevelopment Project - Stage 2 Located at Fort Worth Meacham International Airport (COUNCIL DISTRICT 2)  
Motion: Approved.

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

1. [19-0164](#) Notice of Claims for Alleged Damages and/or Injuries  
End of Consent Agenda.

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

##### **1. Presentation of Food Drive Results**

Ms. Theresa Ewing, Municipal Court, provided the results of the 2019 City of Fort Worth Employee and Neighborhood Food Drive as follows:

**Overall Grand Prize Winner for Neighborhoods (Dollars and Pounds):** Highland of Willow Springs Neighborhood Association

Eight neighborhood organizations completely and collectively donated 2,273 pounds of food and \$4,885.00 in cash to the Tarrant Area Food Bank. This equates to approximately 26,319 meals for those in need.

**Overall Grand Prize Winner (Dollars & Pounds) for Large Departments:** Police Department

**Overall Grand Prize Winner (Dollars & Pounds) for Medium Departments:** Municipal Court

**Overall Grand Prize Winner (Dollars & Pounds) for Small Departments:** Internal Audit

City departments collected and collectively donated 13,326 pounds of food and \$46,987.29 in cash, which equates to approximately 234,041 meals for those in need.

Mr. Bo Soderbergh, Executive Director for Tarrant Area Food Bank, appeared before Council and expressed appreciation to the neighborhoods and the City of Fort Worth for their donations.

## **2. Presentation of Proclamation for Senior Center Month**

Council Member Bivens presented a proclamation for Senior Center Month to Mr. Marcus Rockwell and Ms. Monique Barber, Sixty and Better, Inc., and Ms. Monique Hill, Neighborhood Services Department.

## **3. Introduction of the Mental Health Crisis Intervention Team**

Chief Ed Kraus, Police Department, introduced the members of the Mental Health Crisis Intervention Team.

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

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

Mayor Price, Mayor Price tem Shingleton, and Council Members Flores, Moon, Bivens, Jordan, and Zadeh announced upcoming and recent events within the City and various Council districts.

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

There was no recognition of citizens.

### **3. Approval of Ceremonial Travel**

There was no approval of ceremonial travel.

## PRESENTATIONS BY THE CITY COUNCIL

### 1. Council Proposal

Motion: Council Member Bivens made a motion, seconded by Council Member Jordan, that the rules of procedure be suspended so action can be taken on Council Proposal 19-CP314. Motion passed 8-0, Council Member Allen Gray absent.

[19-CP314](#) Waiver of Festival Equipment Rental Fee for the Harambee Festival - Council Members Kelly Allen Gray and Gyna Bivens

Motion: Council Member Bivens made a motion, seconded by Council Member Jordan, that Council Proposal 19-CP314 be approved. Motion passed 8-0, Council Member Allen Gray absent.

### 2. Changes in Membership on Boards and Commissions

[19-0246](#) Board Appointment - District 3

Motion: Council Member Byrd made a motion, seconded by Council Member Moon, that the following individuals be appointed/reappointed to the to the following boards and commissions effective September 17, 2019, and with terms expiring October 1, 2021:

#### Appointment:

Mr. Matt Canedy - Historic and Cultural Landmarks Commission  
Ms. Deborah Freed - Board of Adjustment – Commercial and Alliance  
Airport Board of Adjustment  
Ms. Eva S. Williams - Community Development Council

#### Reappointment:

Mr. Paul Clark - Building Standards Commission  
Ms. Mary Cochran - Library Advisory Board  
Ms. Stephanie Culver - Park & Recreation Advisory Council  
Mr. Kenneth Jones - Board of Adjustment – Residential  
Ms. Adelaide Leavens - Pedestrian & Bicycling Advisory Commission  
Mr. Mitchell Moses - Aviation Advisory Board  
Mr. Jesse Stamper - Urban Design Commission

Mr. Jim Tidwell - City Plan Commission and Capital Improvements  
Advisory Committee for Transportation Impact Fees  
Ms. Beth Welch - Zoning Commission and Alliance Airport Zoning  
Commission

Motion passed 8-0, Council Member Allen Gray absent.

(Council Member Byrd stepped away from the dais.)

[19-0248](#) Board Appointment - District 7

Motion: Mayor Pro tem Shingleton made a motion, seconded by Council Member Bivens, that the following individuals be appointed/reappointed to the to the following boards and commissions effective September 17, 2019, and with terms expiring October 1, 2021:

Appointment:

Charles "C.B." Team - Aviation Advisory Board  
Aaron Thesman - Urban Design Commission

Reappointment:

Loren Stewart - Commercial Board of Adjustment and Alliance Airport  
Board of Adjustment  
Courtney Holt – Board of Adjustment - Residential  
Edward Deegan - City Plan Commission and Capital Improvements  
Advisory Committee for Transportation Impact Fees  
Jessica Morrison - Community Development Council  
Mike Holt to the Historic & Cultural Landmark Commission  
Phyllis Grissom to the Library Advisory Board  
Jeffrey Davis to the Parks & Recreation Board  
John Aughinbaugh to the Zoning Commission wand the Alliance Airport  
Zoning Commission

Motion passed 8-0, Council Members Byrd and Allen Gray absent.

(Council Member Byrd returned to his place at the dais.)

[19-0249](#) Board Appointment - District 9

Motion: Council Member Zadeh made a motion, seconded by Council Member Moon, that the following individuals be reappointed to the to the following boards and commissions effective September 17, 2019, and with terms expiring October 1, 2021:

Ms. Angela Gaither - Board of Adjustment- Commercial and Alliance Airport Board of Adjustment.

Mr. Jared Sloan - Building Standards Commission.

Ms. Gaye Reed - Library Advisory Board.

Mr. Dan Villegas - Park and Recreation Advisory Board.

Ms. Amy Buresh - Pedestrian and Bicycle Advisory Board

Motion passed 8-0, Council Member Allen Gray absent.

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

**BUDGET**

1. [19-0243](#) An Ordinance Appropriating Funding for the Operating Budget of the City of Fort Worth for the Ensuing Fiscal Year, Beginning October 1, 2019, and Ending September 30, 2020, Including an Appropriation to Pay Debt Service Requirements on Outstanding Indebtedness; Appropriating Funds for Purposes of Enacting the Fiscal Year 2020 Capital Improvement Plans, Including Capital Programs, Projects, Outlays, and Community Facility Agreements; Acknowledging Prior Appropriations Effecting the Capital Improvement Plans; Delegating Authority for Certain Transfers and Allocations Within Budgeted Amounts; and Ratifying City Council Approved Appropriation Ordinances Effecting this Budget; and Incorporating Budget on File with City Secretary, as Revised by City Council; and Prohibiting the Expending, Obligating, or Committing of Funds in Excess of Appropriations or Actual Available Resources; and Establishing Legal Level of Control; and Providing for Publication; and Providing a Severability Clause; and Providing a Savings Clause; and Providing for Repeal of all Ordinances and Appropriations in Conflict Herewith; and Providing an Effective Date

The following individuals appeared before Council in support of the ordinance:

Mr. Geoffrey Campbell, 5348 East Rosedale Street #814  
Ms. Cynthia Mancha, 306 Vine Street #321, Euless, Texas

Ms. Edy Lou Mayfield, 6140 Avery Drive #6103, completed a comment card in support of the ordinance.

The following individuals appeared before Council in opposition to the ordinance:

Ms. Pamela Young, 14221 Hobby Lane #17304  
Ms. Jeralynn Cox, 6212 Reddenson Drive

Mr. Arch Mayfield, 6140 Avery Drive #6103, completed an undecided comment card relative to the ordinance.

Motion: Mayor Pro tem Shingleton made a motion, seconded by Council Member Bivens, that Ordinance No. 23835-09-2019 be adopted appropriating funding for the operating budget and for the capital improvements projects for the City of Fort Worth for Fiscal Year 2020. Motion passed 5-3, Mayor Price, Mayor Pro tem Shingleton, and Council Members Flores, Bivens, and Zadeh in favor, Council Members Byrd, Moon, and Jordan in opposition, and Council Member Allen Gray absent.

2. [19-0244](#) An Ordinance Providing for the Levy and Collection of an Annual Ad Valorem Tax on All Property, Real, Personal and Mixed, Situated Within the Territorial Limits of the City Of Fort Worth, Texas, and All Personal Property Owned in Said City Of Fort Worth, Texas, on January 1, 2019, Except Such Property as may be Exempt from Taxation by the Constitution and Laws of the State Of Texas; and Approving the Tax Roll; and Providing for a Penalty; and Providing a Severability Clause; and Providing a Savings Clause; and Providing for the Repeal of all Ordinances in Conflict with the Provisions of this Ordinance; and Providing for the Publication and Final Passage Thereof.

Motion: Council Member Flores made a motion, seconded by Council Member Bivens, that the property tax revenues be increased by the adoption of a tax rate of Seventy-Four and Three Quarter Cents (\$0.7475) per \$100, which is effectively a 2.51% increase in tax rate over the effective rate. The recommended tax rate is 3.75 cents less than this year's tax rate, and Ordinance No. 23836-09-2019 be adopted. Motion passed 7-1, Mayor Price, Mayor Pro tem Shingleton, and Council Members Flores, Byrd, Bivens, Jordan, Zadeh in favor, Council Member Moon in opposition, and Council Member Allen Gray absent.

3. [19-0238](#) A Resolution Ratifying the Property Tax Revenue Increase Reflected in the Fiscal Year 2019-2020 Budget, in Accordance with Section 102.007(C) of the Texas Local Government Code

Motion: Mayor Pro tem Shingleton made a motion, seconded by Council Member Flores, that Resolution No. 5129-09-2019 be adopted. Motion passed 7-1, Mayor Price, Mayor Pro tem Shingleton, and Council Members Flores, Byrd, Bivens, Jordan, Zadeh in favor, Council Member Moon in opposition, and Council Member Allen Gray absent.

## **PUBLIC HEARING**

1. [19-0241](#) First Public Hearing for Proposed Owner-Initiated Annexation of Approximately 19.38 Acres of Land in ETJ-Wise County, Located North of Avondale Haslet Road, East of U.S. Business Highway 287, and West of Burlington Northern Santa Fe Railroad. AX-18-012

Mayor Price opened the public hearing.

### **a. Report of City Staff**

Ms. Mary Elliott, Planning and Development Department, appeared before Council and provided a staff report.

### **b. Citizen Comments**

There were no citizen comments.

Motion: Council Member Byrd made a motion, seconded by Mayor Pro tem Shingleton, that Mayor and Council Communication the public hearing be closed. Motion passed 8-0, Council Member Allen Gray absent.

## **REPORT OF THE CITY MANAGER**

### **A. Benefit Hearing**

1. [M&C 19-0152](#) Conduct Public Benefit Hearing for Fort Worth Public Improvement District No. 18 - Tourism, Approve Fiscal Year 2019-2020 Budget in the Amount of \$5,155,878 and Eight-Year Service Plan, Approve Assessment Roll, Adopt Ordinance Levying Special Assessments for Fiscal Year 2020, and Adopt Appropriation Ordinance (ALL COUNCIL DISTRICTS) (PUBLIC HEARING - a. Report of City Staff: Tony Rousseau; b. Citizen Presentations; c. Council Action: Close Public Hearing and Approve the M&C)  
Mayor Price opened the public hearing.

**a. Report of City Staff**

Mr. Anthony Rousseau, Financial Management Services, appeared before Council and provided a staff report.

**b. Citizen Presentations**

There were no Citizen Presentations.

**c. Council Action**

Motion: Mayor Pro tem Shingleton made a motion, seconded by Council Member Moon, that the public hearing be closed, M&C 19-0152 which provides final plan of service, budget, assessment roll, and special assessment for the Tourism PID be approved, and Ordinance No. 23837-09-2019 and Appropriation Ordinance No. 23838-09-2019 be adopted. Motion passed 8-0, Council Member Allen Gray absent.

**B. General**

1. [M&C 19-0135](#) Adopt Ordinance Revising Chapter 23 "Offenses and Miscellaneous Provisions," of the Code of the City of Fort Worth, Texas (2015) to Provide Regulations Concerning Unauthorized Camping on Certain Private Properties (ALL COUNCIL DISTRICTS) (Continued from a Previous Week)  
The following individuals appeared before Council in support of M&C 19-0135:

Ms. Paloma Arzate, 2217 East Hattie Street  
Ms. Cindy Boling, 4717 Norma Street  
Ms. Judy Taylor, 2604 Stark Street  
Mr. Mike Phipps, 4451 Normandy Road  
Ms. Edith Hudson, 1708 Menzer Court  
Ms. Angelyn Hammack, 1511 East Stella Street

The following individuals completed comment cards in support of M&C 19-0135:

Ms. Susi Babb, 2100 Watson Street  
Ms. Melody Askins, 4812 Rice Lane  
Ms. Helen Chamberlin, 1612 North Edgewood Terrace  
Ms. Linda Fulmer, 608 Green River Trail  
Ms. Carol Peters, 4013 Scenery Hill Court

Mr. Reginald Gardner, 1513 East Presidio Street  
Mr. Daniel Haase, 1670 Watson Road West  
Mr. Gary Cumbie, 400 Willow Ridge Road  
Mr. Charles Crooks, 1600 Lake Shore Drive  
Mr. Paul Kerpoe, 6717 Craig Street  
Mr. Matthew Ireland 4101 Crestview Drive  
Ms. Janet Kennedy, 5024 Norma Street  
Ms. Rita Vinson, 6216 Dovenshire Terrace  
Ms. Lee Ann McAfee Burks, 6116 North Hill Lane  
Mr. Edward Sakerka, 4451 Normandy Road  
Mr. Mark Boling, 4717 Norma Street  
Ms. Jo Ritter, 1608 Azteca Drive  
Mr. Michael Ritter, 1608 Azteca Drive  
Ms. Helen Chamberlin, 1612 North Edgewood Terrace  
Mr. VanDell Bryant, 504 Woodrow Avenue  
Ms. Shirley Bryant, 504 Woodrow Avenue  
Ms. Theresa Butterbaugh, 2425 Handley Drive  
Mr. Melvin Babb, 2100 Watson Street  
Ms. Susi Babb, 2100 Watson Street  
Ms. Tonya Ferguson, 5757 Jacqueline Road  
Ms. Murel Richardson, 713 Havenwood Lane South

The following individuals appeared before Council in opposition to M&C 19-0135:

Ms. Jeralynn Cox, 6212 Reddenson Drive  
Ms. Jen Sarduy, 3641 Hardy Street  
Mr. James Simpson, Homeless, Fort Worth  
Ms. Rachel Amerson, 5620 Wales Avenue (provided handouts)  
Mr. Patrick Amerson, 5620 Wales Avenue

The following individuals completed speaker cards in opposition to M&C 19-0135 and were recognized by Mayor Price but were not present in the Council Chamber.

Ms. Marilyn Kepner, 8500 Tangleridge Drive  
Mr. Joshua Stovall, 5620 Wales Avenue

The following individuals have completed comment cards in opposition to M&C 19-0135:

Ms. Leslie Crippen, 520 Samuels Avenue #4406  
Mr. Christopher Nguyen, 2237 Fallbrooke Drive  
Ms. Marcia Hensley, 5116 Parkview Hills Lane  
Ms. Heather Lowe, 512 West 4th Street  
Ms. Katrina Titze, 3900 West 7th Street #24  
Ms. Martha Anderson, 2332 Honeysuckle Avenue  
Ms. Tabitha Williams, 5408 Westcreek Drive  
Mr. Arch Mayfield, 6140 Avery Drive #6103  
Mr. Demarcus Williams, 5408 Westcreek Drive

Ms. Flora Brewer, 6708 Ashbrook Drive, appeared before Council undecided relative to M&C 19-0135.

The following individuals completed undecided comment cards relative to M&C 19-0135:

Mr. James Lawrence, 2865 Hunter Street  
Mr. Bernie Scheffler, 1608 Lake Shore Drive

**Motion:** Council Member Bivens made a motion, seconded by Mayor Pro tem Shingleton, that M&C 19-035 be approved and the ordinance be adopted as amended with the following:

- The revisions to the WHEREAS clauses to better explain the issues of intent of the ordinance;
- Add a definition for Educational Institution; revise the definition of Governmental Entity and Private Property;
- Revise definition of Transitory Shelter to include motor vehicles other than those lawfully parked at a truck stop;
- Delete the definition of Reside or Dwell;
- Add language to prohibit camping on *improved* residential property without the consent of the property owner.

**Motion:** Council Member Moon made a substitute motion, seconded by Council Member Jordan, that Mayor and Council Communication M&C 19-0135 be approved and the ordinance be adopted as amended with the following:

- The revisions to the WHEREAS clauses to better explain the issues of intent of the ordinance;
- Add a definition for Educational Institutions; revise the definition of Governmental Entity and Private Property;
- Revise definition of Transitory Shelter to include motor vehicles other than those lawfully parked at a truck stop;
- Delete the definition of Reside or Dwell;
- Add language to prohibit camping on *improved* residential property without the consent of the property owner;
- Delete language allowing camping on non-residential property with authorization; and
- Add language to prohibit camping on non-residential property unless the property is zoned for such use.

Motion failed 4-4, Mayor Pro tem Shingleton and Council Members Flores, Bivens, and Zadeh casting the dissenting votes and Council Member Allen Gray absent.

Motion: At this time, Council considered the original motion by Council Member Bivens and seconded by Mayor Pro tem Shingleton, that M&C 19-0135 be approved be approved and Ordinance No. 23839-09-2019 be adopted as amended. Motion passed 8-0, Council Member Allen Gray absent.

(Council Member Moon stepped away from the dais.)

**D. Land**

1. [M&C 19-0151](#) Adopt Resolution Authorizing Condemnation by Eminent Domain to Acquire 1.395 Acres in Permanent Right-of-Way Easement and a Total of 0.7869 Acres for Temporary Construction Easements from Improved Property Owned by Daljit Singh, Located East of the Intersection of Cleburne Road and McPherson Boulevard in Abstract No. 1598, Moses Walters Survey, Tarrant County, Texas, for the McCart Avenue/McPherson Boulevard Project (2014 Bond Program) (COUNCIL DISTRICT 6)

Motion: Council Member Jordan made a motion, seconded by Council Mayor Pro tem Shingleton, that Fort Worth City Council approve M&C 19-0151 and adopt Resolution No. 5130-09-2019 authorizing use of the power of eminent domain to acquire 1.395 acres in permanent right-of-way easement and a total of 0.7869 acres for temporary construction easements from improved property owned by Diljit Singh. The property is needed for the McCart Avenue/McPherson Boulevard Project, a public use that will extend McPherson Boulevard from Cleburne Road eastward to the future McCart Avenue. The land rights in the improved subject property are needed for new travel lanes, storm drainage improvements, sidewalks, and streetlights as necessary. The property is located east of the intersection of Cleburne Road and McPherson Boulevard in Abstract No. 1598, Moses Walters Survey, Tarrant County, Texas. The property interest to be acquired is described by metes and bounds as depicted in survey exhibits attached to this M&C. Motion passed 7-0, Council Members Moon and Allen Gray absent.

**F. Award of Contract**

1. [M&C 19-0169](#) Authorize Execution of Construction Contract with McClendon Construction Co., Inc., in the Amount of \$7,664,922.85 for Parker-Henderson Road from Business 287 to East Kellis Street and Adopt Appropriation Ordinances (COUNCIL DISTRICT 5)

Motion: Council Member Bivens made a motion, seconded by Mayor Pro tem Shingleton, that Mayor and Council Communication M&C 19-0169 be approved and Appropriation Ordinance Nos. 23840-09-2019 and 23841-09-2019 be adopted. Motion passed 7-0, Council Members Moon and Allen Gray absent.

## ZONING HEARING

The City Council, at its meeting of August 6, 2019, continued Zoning Docket ZC-19-095.

1. [ZC-19-095](#) (CD4) Total E & P USA Real Estate LLC, 2020 E. Loop 820; From: “E” Neighborhood Commercial To: PD/E Planned Development for all uses in “E” Neighborhood Commercial plus trailer parking, trailer sales and light manufacturing of trailers; site plan included for trailer uses only 10.4 acres (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting) (Withdrawal Requested)

Motion: Council Member Bivens made a motion, seconded by Council Member Byrd, that Zoning Docket ZC-19-095 be withdrawn. Motion passed 7-0, Council Members Moon and Allen Gray absent.

(Council Member Moon returned to his place at the dais.)

## CITIZEN PRESENTATIONS

1. [19-0111](#) Citizen Presentations

The following individuals appeared before Council relative to a Community Police Oversight Committee:

Ms. Katie Palmer, 902 S. Rusk Avenue, Alvarado, Texas

Ms. Emily Milne, 5200 East Berry Street

Ms. Pamela Young, 14221 Hobby Lane #17304, completed a Citizen Presentation card relative to a Community Police Oversight Committee and was recognized by Mayor Price but did not wish to address Council.

Ms. Ale Checka, 3005 Aster Avenue, appeared before Council relative to transportation infrastructure in Riverside.

Mr. Hugo Ceja, representing Trimble Tech GREEN ERF Club, 3734 North Littlejohn Avenue, appeared before Council relative to a petition for banning plastic straws.

Mr. Tommy Brown, 1712 Stella, completed a Citizen Presentation card relative to the Glenwood Triangle Neighborhood Association and was recognized by Mayor Price but did not wish to address Council.

Minister Dominique Alexander, representing Next Generation Action Network, 2512 East Overton Road, Dallas, Texas, appeared before Council relative to City Manager Cooke's upcoming deposition for former police chief Joel Fitzgerald.

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

1. [19-0100](#) Executive Session B

**ADJOURNMENT**

There being no further business, Mayor Price closed the regular meeting at 9:25 p.m.