

CITY OF FORT WORTH, TEXAS
CITY COUNCIL MEETING
TUESDAY, MARCH 23, 2021

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 (Video)
Council Member Dennis Shingleton, District 7
Council Member Kelly Allen Gray, District 8 (Video)
Council Member Ann Zadeh, District 9 (Video)

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 Price called the City Council Regular Session of the Fort Worth City Council to order 10:19 a.m. on Tuesday, March 23, 2021, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

INVOCATION - Pastor Chris Freeland, McKinney Memorial Bible Church

The invocation was provided by Pastor Chris Freeland, McKinney Memorial Bible 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 of America and the State of Texas were recited.

CONSIDERATION OF MINUTES

Motion: Council Member Flores made a motion, seconded by Council Member Shingleton, that the minutes of the Work Session and the Regular Minutes of March 9, 2021, be approved. Motion passed 9-0.

1. [21-1343](#) Minutes - March 9, 2021 Work Session
2. [21-1344](#) Minutes - March 9, 2021 Regular Meeting

ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

City Manager Cooke requested that M&Cs 21-0218 and 21-0219 be withdrawn from the Consent Agenda for individual consideration.

ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

City Manager Cooke requested that M&C 21-0202 be continued to the May 4, 2021, Council meeting.

CONSENT AGENDA

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

A. General - Consent Items

1. [M&C 21-0195](#) (CD 9) Amend Mayor and Council Communication 20-0474 to Accurately Reflect the 2017 Land, Improvement/Structure, Property, and Homestead Exemption Values for 2315 Mistletoe Avenue for the Purpose of Correctly Calculating its Historic Site Tax Exemption

Motion: Approved.

2. [M&C 21-0198](#) (ALL) Adopt an Ordinance Amending Section 23.8 "Noise" of Chapter 23, "Offenses and Miscellaneous Provisions" of the Code of the City of Fort Worth to Rescind Regulations Related to Amplifiers in the Public Right-of-Way

Motion: Approved. Ordinance No. 24752-03-2021

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3. [M&C 21-0205](#) (CD 4) Authorize the Temporary Closure of Summerfields Boulevard between North Riverside Drive and Carolina Entrada Street from March 24, 2021 to April 20, 2021 for Construction Activities

Motion: Approved.

4. [M&C 21-0209](#) (CD 4) Adopt Attached Resolution Authorizing Execution of an Advance Funding Agreement with the Texas Department of Transportation in the Amount of \$707,116.00 with Federal Participation in the Amount Not to Exceed \$407,556.00, State Participation in the Amount of \$25,093.00 and Local Participation in the Amount of \$274,467.00 for the Meacham Boulevard and North Sylvania Avenue Intersection Improvements Project, Accept Federal Funding via the Texas Department of Transportation in the Amount of \$407,556.00; Authorize the Transfer in the Amount of \$45,284.00 for the Required Grant Match from the 2018 Bond Program Fund to the Grants Capital Projects Federal Fund, Authorize Payment to the Texas Department of Transportation in the Amount Up to \$229,183.00, Adopt Appropriation Ordinance and Amend the FY2021-2025 Capital Improvement Program (2018 Bond Program)

Motion: Approved. Resolution No. 5263-03-2021 and Appropriation Ordinance No. 24753-03-2021

5. [M&C 21-0215](#) (CD 2) Authorize the Acceptance of Additional Grant Funds in the Amount of \$28,053.00 from the Federal Aviation Administration, Passed Through the Texas Department of Transportation for Design Services for the Rehabilitation and Reconstruction of Taxiway Juliet and Aprons Charlie and Delta at Fort Worth Meacham International Airport, Authorize the Transfer of an Additional \$3,117.00 for the City's Match Requirement, and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24754-03-2021

6. [M&C 21-0220](#) (CD 6) Authorize Execution of Amendment No.1 to the Design-Build Agreement with The Fain Group, Inc. for Chisholm Trail Park, Phase II, in the Amount of \$530,000.00, to Provide for Additional Scope of Work, for a Revised Contract Value of \$2,833,000.00, Adopt Appropriation Ordinance and Amend the FY2021-2025 Capital Improvement Program (2018 Bond Program)

Motion: Approved. Appropriation Ordinance No. 24755-03-2021

7. [M&C 21-0222](#) (CD 7) Adopt Attached Appropriation Ordinance in the Amount of \$24,330.00 from the PARD Dedication Fees Fund for Park Improvements at Ranches East Park and Amend the Fiscal Year 2021-2025 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 24756-03-2021

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

1. [M&C 21-0199](#) (ALL) Authorize Execution of a Three Year Agreement for Automatic Vehicle Locator and Driver Performance Monitoring Services with EnVue Telematics LLC, in an Annual Amount Up to \$700,000.00 for the Property Management Department and Authorize an Additional Two Year Renewal Option for the Same Annual Amount

Motion: Approved.

C. Land - Consent Items

1. [M&C 21-0197](#) (ETJ near CD 7) Approve Joint Ordinance and Boundary Adjustment Agreement with the City of New Fairview to Release 179.779 Acres of Land in the Extraterritorial Jurisdiction (ETJ) of the City of Fort Worth and Adjust the ETJs between the Cities of Fort Worth and New Fairview (Denton County)

Property description: 179.779 acres of land situated in a portion of the James C. Jack Survey, Abstract No. 679, Denton County, Texas, being part of that certain called 320.025 acre tract located in the Northeast Quadrant of South County Line Road and Dove Hollow Lane (Future Addition to Paloma Ranch Estates)

Motion: Approved. Joint Ordinance No. 24757-03-2021

2. [M&C 21-0213](#) (CD 9) Authorize the Execution of a Sixth Lease Amendment with MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services to Provide Two Additional Five-Year Renewal Term Options for the Lease in the Zipper Building, 275 West 13th Street, Fort Worth, Texas

Motion: Approved.

E. Award of Contract - Consent Items

1. [M&C 21-0200](#) (CD 9) Authorize Execution of a Consent to Assignment of City Secretary Contract Number 36633, as Amended, an Economic Development Program Agreement with Carlyle/Cypress West 7th II, LP and CRP Cypress West 7th Residential, L.P., to Allow Assignment of the Agreement to KV West 7th Apartments, LLC or an Affiliate

Motion: Approved.

2. [M&C 21-0203](#) (ALL) Authorize Execution of a Contract with Talbran Enterprises LLC, in the Amount of \$386,000.00, for 2021 Guardrail and Dead End Barricades Installation and Maintenance

Motion: Approved.

3. [M&C 21-0204](#) (CD 9) Authorize Change Order No. 1 to 2021 Rosemont Area Rehabilitation Contract with Advanced Paving Acquisition, Ltd. to Replace Two Street Segments Due to Utility Conflicts, Adopt Appropriation Ordinance and Amend the FY2021-2025 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 24758-03-2021

4. [M&C 21-0206](#) (CD 7) Authorize Execution of Amendment No. 2 to an Engineering Services Agreement with HDR Engineering, Inc. in an Amount Up to \$1,746,516.00 to Provide Additional Professional Engineering Services for the Avondale Haslet Project for a Revised Contract Amount of \$2,989,516.00 (2018 Bond Program)

Motion: Approved.

5. [M&C 21-0207](#) (ALL) Authorize a Professional Services Agreement with Pape-Dawson Engineers, Inc. in an Amount Not to Exceed \$627,785.00 to Improve the Capability of the Flood Warning System

Motion: Approved.

6. [M&C 21-0208](#) (CD 8) Authorize Execution of Interlocal Agreement with Tarrant County, Precinct 1, in an Amount Not to Exceed \$750,000.00 for Roadway Improvements on Everman Parkway Between the Everman City Limits and Oak Grove Road as Part of the Everman Parkway Reconstruction Project and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24759-03-2021

7. [M&C 21-0210](#) (CD 3, CD 6, and CD 9) Authorize Execution of an Engineering Agreement with Alan Plummer and Associates, Inc. d/b/a Plummer Associates, Inc. in an Amount Not to Exceed \$683,540.00 for Channel Rehabilitation

Motion: Approved.

8. [M&C 21-0211](#) (CD 8) Authorize Execution of Amendment No. 1 with VRX, Inc., in the Amount Not to Exceed \$114,012.00 for Design, Survey, and Easement Documents Associated with Trentman Street Bridge Replacement, and Water and Sewer Line Replacement from Brookline Avenue to Fairfax Avenue for a Revised Contract Amount of \$279,574.26 and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24760-03-2021

9. [M&C 21-0214](#) (ALL) Authorize Acceptance of an Award of Supplemental Funds from the U.S. Department of Justice, City of Dallas, to Support the FWPD Internet Crimes Against Children Program and Accept the Terms of the FY 2020 MOU, Adhere to Internet Crimes Against Children Standard Operating Procedures, Extend the Terms of the FY 2020 Contract to September 30, 2021, and Adopt an Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24761-03-2021

10. [M&C 21-0216](#) (CD 2) Authorize the Execution of a New Hangar and Ground Lease Agreement for Approximately 3,120 Square Feet of Ground Space Including a 2,600 Square Foot Hangar known as Lease Site 50S with John J. Janovetz at Fort Worth Meacham International Airport

Motion: Approved.

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11. [M&C 21-0217](#) (CD 2) Authorize the Execution of Amendment No. 2 to City Secretary Contract 40981, a Hangar and Ground Lease Agreement known as Lease Site 45S with Richardson Aviation to Include an Additional 26,042 Square Feet of Ground Space Adjacent to Lease Site 45S Located at Fort Worth Meacham International Airport

Motion: Approved.

14. [M&C 21-0221](#) (CD 7) Authorize Execution of a Construction Manager at Risk Agreement with The Fain Group, Inc., for the Northwest Community Park North Road Project with a Preconstruction Phase Services Fee in the Amount of \$25,000.00 and a Construction Phase Services Fee of Four Percent of the Guaranteed Maximum Price within a Project Construction Budget of \$1,800,000.00, Adopt Appropriation Ordinances, and Amend the FY2021-2025 Capital Improvement Program

Motion: Approved. Appropriation Ordinance Nos. 24762-03-2021, 24763-03-2021, 24764-03-2021, 24765-03-2021, 24766-03-2021, 24767-03-2021, and 24768-03-2021

PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. [21-1278](#) Notice of Claims for Alleged Damages or Injuries

End of Consent Agenda.

E. Award of Contract - Removed from Consent Agenda

12. [M&C 21-0218](#) (CD 5) Authorize Execution of an Engineering Agreement in the Amount of \$262,380.00 with Kimley-Horn and Associates, Inc., for Design of the Trinity Boulevard 36-Inch Water Main Relocation, Phases 1 and 2 Project, Provide for Project Costs for a Total Project Amount of \$381,755.00, Adopt Resolution Expressing Official Intent to Reimburse Expenditures and Proceeds of Future Debt and Adopt Appropriation Ordinance

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that M&C 21-0218 be approved and Resolution No. 5364-03-2021 and Appropriation Ordinance No. 24769-03-2021 be adopted. Motion passed 9-0.

13. [M&C 21-0219](#) (CD 5) Authorize Execution of Amendment No. 4 to the Engineering Agreement with Halff Associates, Inc. to Provide Additional Engineering Design Services for CentrePort Trail Phase I and Phase II in an Amount Not to Exceed \$36,700.00, for a Total Contract Value of \$1,066,645.00

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that M&C 21-0219 be approved. Motion passed 9-0.

SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Proclamation for Billy Bob's Texas 40th Anniversary

Presented By: Mayor Betsy Price

Presented To: Marty Travis, Billy Bob's Texas

Mayor Betsy Price presented a proclamation for Billy Bob's Texas 40th Anniversary to Mr. Marty Travis, Billy Bob's Texas.

ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Mayor Pro tem Jordan and Council Members Flores, Bivens, Allen Gray 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 for ceremonial travel.

PRESENTATIONS BY THE CITY COUNCIL

There were no presentations by the City Council.

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

There were no presentations and/or communications from boards, commissions, and/or City Council Committees.

PUBLIC HEARING

1. [M&C 21-0196](#) (CD 4) Conduct Public Hearing to Consider Variance from Section 4-4 of the City Code to Allow Mixed Beverage Sales for On-Premise Consumption at Takara Japanese Restaurant Located at 3088 Basswood Boulevard

(PUBLIC HEARING - a. Report of City Staff: Arty Wheaton-Rodriguez; b. Public Comment; c. Council Action: Close Public Hearing and Act on M&C)

Mayor Price opened the public hearing.

a. Report of City Staff

Ms. Beth Knight, Development Services Department, appeared before Council and provided a staff report.

b. Public Comment

Ms. Revina Lin, 3088 Basswood Boulevard, appeared before Council in support of M&C 21-0196.

c. Council Action

Motion: Council Member Moon made a motion, seconded by Council Member Byrd, that the public hearing be closed and M&C 21-0196 be denied. Motion passed 9-0.

ZONING HEARING

The City Council, at its meeting of March 2, 2021, continued Zoning Docket ZC-20-170:

Mr. Steve McKeever, 500 Throckmorton Street, appeared before Council in support of Zoning Docket ZC-20-170.

1. [ZC-20-170](#) (CD 6) Fort Worth Deer Creek, LP, 9915 Crowley Road; From: "A-5" One-Family To: "R1" Zero Lot Line/Cluster, "E" Neighborhood Commercial 16.88 ac. (Recommended for Approval as Amended by the Zoning Commission) (Continued from a Previous Meeting)

Motion: Mayor Pro tem Jordan made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-20-170 be denied without prejudice. Motion passed 8-1, Council Member Byrd casting the dissenting vote.

The Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 21653-02-2015 hearing had been given by publication in the *Fort Worth Star-Telegram*, the official newspaper of the City of Fort Worth on March 10, 2021.

2. [ZC-21-026](#) (CD 9) Panther City Holding, 2712-2724 (evens) Azalea Avenue; From: “A-5” One-Family To: Planned Development for a townhouse development in “UR” Urban Residential with development standards limiting density, requiring public open space and providing fenestration on all Azalea-facing facades, site plan waiver requested. .79 ac. (Recommended for Approval by the Zoning Commission)

The following individuals appeared before Council in support of Zoning Docket ZC-21-026:

Mr. Darin Norman, 2013 Thomas Place (provided PowerPoint presentation)
Mr. Jake Proctor, 830 Taylor Street

Motion: Council Member Zadeh made a motion, seconded by Council Member Bivens, that Zoning Docket ZC-21-026 be approved. Motion passed 9-0.

3. [ZC-21-023](#) (CD 2) Sandra & Toni Klidas, Sandra Geers Kildas Living Trust, 1209 Jacksboro Highway; From: “MU-1” Low Intensity Mixed Use To: “MU-2” High Intensity Mixed Use 8.99 ac (Recommended for Approval by the Zoning Commission)

Ms. Mary Nell Poole, 2918 Wingate, Suite 100, completed a speaker card via conference call in support of Zoning Docket ZC-21-023 and was recognized by Mayor Price but did not wish to address Council.

Motion: Council Member Flores made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-21-023 be approved. Motion passed 9-0.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining Zoning Ordinance No. 21653-02-2015 for the above-listed cases, Council Member Flores made a motion, seconded by Council Member Shingleton, that the hearing be closed, and Ordinance No. 24770-03-2021 be adopted. Motion passed 9-0.

REPORT OF THE CITY MANAGER

D. Land

1. [M&C 21-0212](#) (CD 5) Adopt Attached Resolution Authorizing Condemnation by Eminent Domain to Acquire Permanent Sewer Facility Easements in Approximately 0.261 Acres and Temporary Construction Easements in Approximately 1.043 Acres from Improved Property Owned by Demetrica V. Williams Family Trust, Located at 3801 and 3825 South Cravens Road, Situated in Lot 5 and Lot 4A, Block 4 of the Handley Heights South Addition, City of Fort Worth, Tarrant County, Texas, for the Lake Arlington Lift Station and Force Main Project

Motion: Council Member Bivens made a motion, seconded by Mayor Pro tem Jordan, that M&C 21-0212 be approved and the Fort Worth City Council adopt Resolution No. 5365-03-2021 authorizing use of the power of eminent domain to acquire 0.261 acres in permanent sewer easements and 1.043 acres for temporary construction easements from improved property owned by Demetrica V. Williams Family Trust. The property is needed for the Lake Arlington Lift Station and Force Main project, a public use that will construct public sewer improvements increasing conveyance capacity necessary to handle projected growth within the Village Creek Wastewater Basin. The property is located east of the intersection of East Loop 820 South and Berry Street, at 3801 and 3825 South Cravens Road, in Lot 5 and Lot 4A, Block 4 Handley Heights Addition, in the City of Fort Worth, Tarrant County, Texas. The property interest to be acquired is described by metes and bounds and depicted by survey exhibits attached to this Mayor and Council Communication. Motion passed 9-0.

F. Award of Contract

1. [M&C 21-0201](#) (CD 4) Amend Mayor and Council Communication 20-0421, an Economic Development Program Agreement with Linear Labs, Inc. or an Affiliate, to Revise the Timing and Amount of Required Real Property and Business Personal Property Improvements

Motion: Council Member Moon made a motion, seconded by Council Member Byrd, that M&C 21-0201 be approved. Motion passed 9-0.

2. [M&C 21-0202](#) (CD 5) Authorize Execution of a Five-Year Tax Abatement Agreement with Maria Teresa Vargas for the Construction of a Single-Family Dwelling of Approximately 2,039 Square Feet and Having a Cost of at Least \$202,370.00 on Property Located at 4212 Ave J, in the Stop Six/Poly Neighborhood and within Neighborhood Empowerment Zone and Reinvestment Zone Area Six

Motion: It was the consensus of the City Council that M&C 21-0202 be continued to the May 4, 2021, Council meeting.

PUBLIC PRESENTATIONS

The City Council may not discuss or deliberate about a topic not specifically listed on the Agenda, including those presented during the Public Comments section of the Agenda (Tex. Gov't Code § 551.042)

1. [21-1348](#) Public Presentation

Mr. Heider Garcia, 4212 Round Valley Lane, appeared before Council relative to Litsey Creek Cottages project and impact on the neighborhood (Seventeen Lakes) and provided handouts.

The following individuals appeared before Council relative to the Hulen Pointe Shopping Center proposed zoning change to a 24-Hour poker room:

Mr. Jared Williams, 6731 Trail Cliff Way (provided handouts)

Ms. Rebekah Travis, 5705 Trail Lake Drive

ADJOURNMENT

There being no further business, Mayor Price adjourned the meeting at 11:17 a.m.