

**CITY OF FORT WORTH, TEXAS**  
**CITY COUNCIL MEETING**  
**TUESDAY, FEBRUARY 28, 2023**

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**Present:**

Mayor Mattie Parker  
Mayor Pro tem Gyna M. Bivens, District 5  
Council Member Carlos Flores, District 2  
Council Member Michael D. Crain, District 3  
Council Member Alan Blaylock, District 4  
Council Member Jared Williams, District 6  
Council Member Chris Nettles, District 8  
Council Member Elizabeth Beck, District 9

**Absent:**

Council Member Leonard Firestone, District 7

**Staff Present:**

David Cooke, City Manager  
Leann Guzman, City Attorney  
Jannette Goodall, City Secretary

**CALL TO ORDER**

With a quorum of the City Council Members present, Mayor Parker called the City Council Regular Session of the Fort Worth City Council to order 10:05 a.m. on Tuesday, February 28, 2023, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

**INVOCATION - Bishop Kevin Dickerson, Day Spring Family Church**

The invocation was provided by Bishop Kevin Dickerson, Day Spring Family 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.

**SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.**

1. [23-0060](#) Presentation of Recognition of Members of MedStar, Fort Worth Police Department, Fort Worth Fire Department and Fort Worth Community Members

Council Member Beck gave a brief presentation and recognized members of MedStar, Fort Worth Police Department, Fort Worth Fire Department, and Fort Worth Community members.

**ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA**

There were no items to be withdrawn from the Consent Agenda.

**ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF**

City Manager Cooke requested that M&C 23-0145 be withdrawn from the Council Agenda and M&C 23-0148 be continued to the March 21, 2023, Council meeting.

City Secretary Goodall advised that M&C 23-0161 should reflect it being in District 2 and Future CD 2 and 7.

Bob Willoughby appeared before Council in support of M&C 23-0174.

Jerald Miller completed a speaker card in opposition to M&C 23-0175 and was recognized by Mayor Parker but was not present in the Council Chamber.

Adrian Smith appeared before Council in opposition to M&C 23-0189.

The following individuals completed undecided comment cards relative to M&C 23-0189:

Gary Wright  
Rita Vinson

Daniel Haase completed a comment card in support of M&C 23-0187.

Rick Herring completed an undecided comment card relative to M&C 23-0187.

## CONSENT AGENDA

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Crain, that the Consent Agenda be approved. Motion passed 8-0, Council Member Firestone absent.

### A. General - Consent Items

1. [M&C 23-0150](#) (ALL) Approve Tradition Municipal Utility District No. 2B of Denton County's Proposal to the District's Unlimited Tax Road Bonds, Series 2023 Seeking City of Fort Worth's Consent to Issue in an Amount Not to Exceed \$8,085,000.00

Motion: Approved.

2. [M&C 23-0156](#) (CD 9/ Future CD 9) Adopt Resolution Authorizing Execution of Amendment Number Two to the Funding Agreement with Fort Worth South, Inc. dba Near Southside, Inc. in the Amount of \$3,000,000.00 for the Street Repair and Reconstruction Program for a Revised Amount of \$16,000,000.00, Authorize Acceptance of Funds in an Amount Up to \$3,000,000.00 from Tax Increment Reinvestment Zone No. 4., Adopt Appropriation Ordinance; and Amend the Fiscal Year 2023-2027 Capital Improvement Program

Motion: Approved. Resolution No. 5701-02-2023 and Appropriation Ordinance No. 26017-02-2023

3. [M&C 23-0171](#) (ALL) Authorize Execution of Settlement Agreement in Cause No. 6:19-CV-345-ADA-DTG, City of Allen, Texas et al., v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications, for Resolution of All Claims Associated with the Recovery of Unpaid Franchise Fees Owed to Fort Worth

Motion: Approved.

4. [M&C 23-0172](#) (CD 5 and CD 7/ Future CD 5 and CD 10) Authorize the Execution of a Natural Gas Supply Agreement through an Interlocal Cooperative Agreement with the Texas General Land Office for the Village Creek Water Reclamation Facility Biosolids Drum Drying Facility and Authorize an Amendment to the Alliance Fort Worth Maintenance Facility Transportation Facility Agreement with Atmos Energy Corp, Mid-Tex Division to include a Delivery Point for the Village Creek Water Reclamation Facility Biosolids Drum Drying Facility

Motion: Approved.

5. [M&C 23-0174](#) (ALL) Adopt Resolution Creating a New Program within the Police Department to Utilize Asset Forfeiture Funds, in the Amount of \$50,000.00, Appropriated by M&C 23-0039 for the Purposes of Law Enforcement Mental Health and Wellness

Motion: Approved. Resolution No. 5702-02-2023

6. [M&C 23-0175](#) (ALL) Approve Reserve Officers J.Barron, R.Johnson, & M.J. William's Appointment by the Chief of Police to Serve in a Supplementary Capacity for the Police Department

Motion: Approved.

7. [M&C 23-0176](#) (ALL) Adopt Resolution Appointing Paul Lilly as a Substitute Hearing Officer for the Fort Worth Parking Violations Bureau for a Two-Year Term and Designating the Substitute Hearing Officer to Conduct Hearings and Appeals Pursuant to Chapters 7, 10, 12.5, and 22 of the City Code and Perform Other Duties as Assigned

Motion: Approved. Resolution No. 5703-02-2023

8. [M&C 23-0177](#) (CD 7/ Future CD 10) Authorize the Application for and Acceptance of the Fiscal Year 2023 Airport Cargo Entitlement Grant, if Awarded, from the Federal Aviation Administration, in an Amount Up to \$2,500,000.00 for the Extension of Taxiway Papa at Perot Field Fort Worth Alliance Airport, Authorize the Use of Land Credits for the City's Match, in an Amount Up to \$277,778.00, for a Total Amount Up to \$2,777,778.00 and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26018-02-2023

9. [M&C 23-0178](#) (CD 7/ Future CD 10) Authorize the Application for and Acceptance of a Fiscal Year 2023 Discretionary Grant, if Awarded, from the Federal Aviation Administration, in an Amount Up to \$10,000,000.00 for the Extension of Taxiway Papa at Perot Field Fort Worth Alliance Airport, Authorize the Use of Land Credits for the City's Match, in an Amount Up to \$1,111,112.00, for a Total Amount Up to \$11,111,112.00 and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26019-02-2023

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10. [M&C 23-0179](#) (CD 7 / Future CD 10) Authorize Application for and Acceptance of a Noise Mitigation Grant, if Awarded, from the Federal Aviation Administration in an Amount Up to \$15,000,000.00 for Noise Mitigation Efforts at Perot Field Fort Worth Alliance Airport, Authorize Use of Land Credits for City's Match in an Amount Up to \$1,666,667.00 for a Total Amount Up to \$16,666,667.00 and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26020-02-2023

11. [M&C 23-0181](#) (CD 6 / Future CD 6 and ETJ) Adopt Ordinance to Establish a Water Main Capacity Charge in the Amount of \$110,363.00 Per Million Gallons Per Day for a 36-Inch Southside III Water Transmission Main to Serve the Wholesale Customer Cities of Burleson and Crowley, Bethesda Water Supply Corporation, and Surrounding Areas, Pursuant to Chapter 35, Article III, Division 4 Sections 35-87 through 35-93 of the City Code

Motion: Approved. Ordinance No. 26021-02-2023

12. [M&C 23-0188](#) (CD 9 / Future CD 9) Authorize the Donation of the Mural Currently Installed at the Central Library Titled "Texas Tales" to Texas Christian University and Find that the Donation Serves a Public Purpose

Motion: Approved.

13. [M&C 23-0189](#) (ALL) Adopt an Ordinance Amending Appendix B, Article II, Division 3 "Nuisances" of the Code of the City of Fort Worth, Texas to Regulate Abandoned Shopping Cart and Establish an Abandoned Shopping Cart Recovery Fee in the Amount of \$50.00 Per Shopping Cart Recovered From Impoundment

Motion: Approved. Ordinance No. 26022-02-2023

14. [M&C 23-0170](#) (ALL) Adopt a Resolution Authorizing an Increase in an Amount Not to Exceed \$5,000.00 to be Paid to Lloyd Gosselink Rochelle & Townsend, P.C., as Outside Legal Counsel for Legal Matters Relating to the Lawsuit Against Charter Communications, VI, LLC d/b/a Spectrum Cable to Recover Unpaid Franchise Fees Owed to Fort Worth for a New Total Amount Not to Exceed \$95,000.00

Motion: Approved. Resolution No. 5704-02-2023

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

1. [M&C 23-0144](#) (ALL) Authorize Execution of an Amendment to City Secretary Contract No. 55861 with Consolidated Traffic Controls, Inc. for RTC School Flasher Systems to Increase the Annual Amount by \$600,000.00 for a New Annual Amount Not to Exceed \$1,000,000.00, Using Houston-Galveston Area Council Cooperative Contract PE05-21 for the Transportation and Public Works Department (2022 Bond Program)

Motion: Approved.

2. [M&C 23-0145](#) (ALL) Authorize Utilization of Cooperative Purchasing Agreements for Goods and Services Between the City of Fort Worth, Local Governments and Local Cooperative Organizations Authorized by the Texas Local Government Code

Motion: It was the consensus of the City Council that M&C 23-0145 be withdrawn from the Council Agenda.

3. [M&C 23-0146](#) (CD 2, CD 8, CD 10 / Future CD 2, CD 8, and CD 10) Authorize Agreement with Hi Lite Airfield Services, LLC, Using Sourcewell Cooperative Contract No. 110122-HLA for Airfield Painting in an Annual Amount Not to Exceed \$500,000.00 and Authorize Four Consecutive One-Year Renewal Options for the Same Annual Amount for the Aviation Department

Motion: Approved.

4. [M&C 23-0147](#) (ALL) Authorize the Rejection of All Responses to Invitation to Bid 23-0011 for Laboratory Testing for Animal Care for the Code Compliance Department

Motion: Approved.

5. [M&C 23-0148](#) (ALL) Authorize the Execution of a Services Agreement with WM Recycle America, LLC. for Recycling Processing Services in an Estimated Annual Amount of \$4,507,000.00 for an Initial Ten-Year Term for the Code Compliance Department (Continued from a Previous Meeting)

Motion: It was the consensus of the City Council that M&C 23-0148 be continued to the March 21, 2023, Council meeting.

6. [M&C 23-0149](#) (ALL) Authorize the Execution of a Services Agreement with Waste Management of Texas, Inc., for Transport Services for Waste and Recyclables from City Drop-Off Stations and Special Event Collection in an Estimated Annual Amount of \$1,102,865.00 for an Initial Seven-Year Term for the Code Compliance Department

Motion: Approved.

7. [M&C 23-0167](#) (ALL) Authorize the Execution of a Cooperative Purchase Agreement with Siddons Martin Emergency Group, LLC for the Purchase of an Aircraft Rescue and Firefighting Vehicle, Using Houston-Galveston Area Council Cooperative Contract FS12-19 in an Annual Amount Not To Exceed \$976,835.00 for the Fire Department Through the Property Management Department and Authorize Two One-Year Renewal Options for the Same Annual Amount

Motion: Approved.

#### C. Land - Consent Items

1. [M&C 23-0161](#) (CD 7/ Future CD 7) Authorize Acquisition of Right-of-Way Easements in 1.1453 Acres, a Drainage Easement in 0.5271 Acres, and Temporary Construction Easements in 0.1622 Acres from Real Property Owned by the International Order of Operating Engineers Local 178 AFL-CIO, Located at 6225 Cromwell Marine Creek Road, Fort Worth, Tarrant County, Texas, in the Amount of \$459,517.00 and Pay Estimated Closing Costs in an Amount Up to \$5,000.00 for a Total Cost of \$464,517.00 for the Cromwell Marine Creek Road Widening Project (2018 & 2022 Bond Program)

*Property Description: 1.1453 acres of right-of-way easements, 0.5271 acres of drainage easement, and 0.1622 acres of temporary construction easements situated in the James Conwill Survey, Abstract No. 343, Tract 1B, 1C and 2C, located at 6225 Cromwell Marine Creek Road*

Motion: Approved.

2. [M&C 23-0162](#) (CD 7 / Future CD 10) Authorize Acquisition of Right-of-Way Easement in 0.068 Acres from Real Property Owned by Shannon M. Bell and Terry B. Bell, Located at 4530 Keller Hicks Road in the J. Billingsley Survey, Abstract No. 70, Tract 4E01, Tarrant County, Texas, in the Amount of \$109,229.00 and Pay Estimated Closing Costs in an Amount Up to \$5,000.00 for a Total Cost of \$114,229.00 for the Keller Hicks Road Project (2022 Bond Program)

*Property Description: 0.068 acres described as the J. Billingsley Survey, Abstract No. 70, Tract 4E01, Tarrant County, Texas, located at 4530 Keller Hicks Road*

Motion: Approved.

3. [M&C 23-0163](#) (ETJ near CD 3 / Future CD 3) Accept the Donation of Approximately 1.012 Acres Situated Between the Henry Lane Survey, Abstract No. 928 and I. & G.N.R.R. CO. Survey, Abstract No. 1991 in Tarrant County, Texas from TRT Land Investors, LLC or Affiliate for the Westside IV Elevated Storage Tank and Water Transmission Main Project

*Property Description: 1.012 acres situated between the Henry Lane Survey, Abstract No. 928 and I. & G.N.R.R. CO. Survey, Abstract No. 1991, Tarrant County, Texas*

Motion: Approved.

4. [M&C 23-0166](#) (CD 7 / Future CD 7) Ratify the Conveyance of an Easement and Right-of-Way to Oncor Electric Delivery Company, LLC, Being Approximately 0.0136 Acres of Land in Lot 32A, Block 20, Lake Worth Leases, an Addition in the A.M. Clear Survey, Abstract Number 360, City of Fort Worth, Tarrant County, Texas, for Electrical Equipment and Appurtenances Necessary for the Watercress Drive Low Pressure Sewer Improvements Project

*Property Description: 0.0136 acres of land in Lot 32A, Block 20, Lake Worth Leases, and an addition in the A.M. Clear Survey, Abstract No. 360, City of Fort Worth, Tarrant County, Texas*

Motion: Approved.



5. [M&C 23-0168](#) (CD 6/ Future CD 6) Authorize the Conveyance of an Easement and Right-of-Way to Oncor Electric Delivery Company, LLC, Being Approximately 0.041 Acres of Land in Lot 1, Block 1, South Patrol Addition, City of Fort Worth, Tarrant County, Texas, for Electrical Equipment and Appurtenances to Service the South Patrol Division Headquarters to be Located at 3501 W. Risinger Road

*Property Description: 0.041 acres in Lot 1, Block 1, South Patrol Addition, City of Fort Worth, Tarrant County, Texas, located at 3501 West Risinger Road*

Motion: Approved.

6. [M&C 23-0169](#) (CD 8/ FUTURE CD 8) Authorize Execution of Amendment No. 5 to City Secretary Contract No. 28336 with Allied Waste Systems, Inc. d/b/a Republic Services for the Lease and Operation of the Southeast Landfill to Allow for a Sublease and Use of a Concrete Recycling Facility at the Southeast Landfill and Authorize Execution of Consent to a Sublease Agreement Between Republic and South-Point Constructors, a Texas Joint Venture of Kiewit Infrastructure South Co. and Austin Bridge & Road, Limited Partners for the Operation of Concrete Recycling Plant at the Southeast Landfill

Motion: Approved.

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

1. [M&C 23-0138](#) (ALL) Authorize Execution of an Amendment to the Public Safety Radio Communications System Upgrade Agreement with Motorola Solutions, Inc., with an Increase of \$111,764.28 for the Total Cost of the Agreement Not to Exceed \$16,263,701.89 Using Houston-Galveston Area Council Contract No. RA05-21

Motion: Approved.

2. [M&C 23-0139](#) (ALL) Authorize an Amendment to City Secretary Contract No. 55457 with SHI Government Solutions, Inc. to Increase the Annual Amount by \$720,000.00 for the Purchase of Microsoft Software Upgrades, License, Maintenance, and Related Services, Using State of Texas Department of Information Resources Cooperative Contract DIR-TSO-4092 for a Total Annual Amount of \$2,126,387.00 for the Information Technology Solutions Department

Motion: Approved.

3. [M&C 23-0140](#) (ALL) Authorize Execution of Amendment to City Secretary Contract Number 52796 with Granicus, LLC to Add OpenCities Software Licenses, Professional Services, and Training for a Total Amount of \$193,904.00 for the First Year and \$161,904.00 for Renewal Year Options Two, Three, and Four

Motion: Approved.

4. [M&C 23-0141](#) (ALL) Ratify Execution of a Cooperative Agreement with the United States Department of Housing and Urban Development to Process Housing Cases for Fiscal Year 2022, Approve Acceptance of Funds in the Amount Up to \$278,380.00, Including Interest, Waive Indirect Costs, and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26023-02-2023

5. [M&C 23-0142](#) (ALL) Authorize Execution of Contract with the Fort Worth Metropolitan Black Chamber of Commerce to Assist Business Equity Firms - Certified Minority and Women Business Enterprises in an Amount Not to Exceed \$126,504.00 for the Period of October 1, 2022, through September 30, 2023

Motion: Approved.

6. [M&C 23-0143](#) (ALL) Authorize Execution of Contract with the Fort Worth Hispanic Chamber of Commerce to Assist Business Equity Firms - Minority and Women Business Enterprises in an Amount Not to Exceed \$126,504.00 for the Period of October 1, 2022, through September 30, 2023

Motion: Approved.

7. [M&C 23-0151](#) (ALL) Authorize Execution of Agreement with PartnerRe America Insurance Company in an Amount Not to Exceed \$550,000.00 for Stop Loss Insurance for the City of Fort Worth's Health Benefits Plan with an Effective Date of January 1, 2023 for a One Year Term

Motion: Approved.

8. [M&C 23-0157](#) (CD 4 and CD 7 / Future CD 4) Authorize the Execution of a Construction Manager at Risk Agreement with McCarthy Building Companies, Inc. for the Ray White Road Widening Improvements Project from Mirage Drive to the Bridge Over Bear Creek with a Preconstruction Phase Fee in the Amount of \$158,000.00 and a Construction Phase Fee of Six and One Quarter Percent (6.25%) of the Cost of Work within the Project Construction Budget of \$13,256,000.00 (2022 Bond Program)

Motion: Approved.

9. [M&C 23-0158](#) (CD 8 / Future CD 8) Authorize Execution of an Interlocal Agreement with City of Forest Hill in the Amount of \$500,000.00 for the Wichita Street Widening Project, Adopt Appropriation Ordinance and Amend the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 26024-02-2023

10. [M&C 23-0164](#) (CD 6 / Future CD 6) Authorize Execution of an Architectural Design Contract in the Amount of \$436,920.00 Including \$52,170.00 of Reimbursable Expenses, with RPGA Design Group, Inc., for Design and Construction Administration Services for Fire Station No. 26 Located at 4915 South Drive W. for an Estimated Total Cost of the Project, Including Design, Construction, and Other Costs in the Amount of \$6,674,500.00 (2018 Bond Program)

Motion: Approved.

11. [M&C 23-0165](#) (CD 8 / Future CD 9) Authorize Amendment to an Architectural Services Contract with Elements of Architecture, Inc., in the Amount of \$68,093.00 for a Total Contract Amount of \$107,503.00 for Scrap Metal Yard Improvements for the Old Hemphill Drop-Off Station

Motion: Approved.

12. [M&C 23-0173](#) (ALL) Authorize the Application for, and, if Awarded, Acceptance of a Recycling Partnership Grant in an Amount Up to \$160,000.00, Authorize Execution of a Grant Agreement with The Recycling Partnership, and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26025-02-2023

13. [M&C 23-0180](#) (CD 3 / Future CD 3) Authorize Execution of Amendment No. 3 in the Amount of \$23,096.00 for Additional Water and Sanitary Sewer Design to an Engineering Agreement with Stream Water Group Inc. for 2018 Bond Yr 3 – Contract 5 & 6 Project for a Revised Contract Amount of \$847,441.00

Motion: Approved.

14. [M&C 23-0182](#) (ALL) Ratify Emergency Contracts with Conatser Construction TX, LP, Reyes Group, LTD, Tejas Commercial Construction, LLC and Jackson Construction, Ltd. in the Final Amounts of \$658,874.62, \$427,904.67, \$520,041.20 and \$1,000,000.00 Respectively for Emergency Water Main Repair Work Performed for the Summer 2022 Heat Wave Weather Event

Motion: Approved.

15. [M&C 23-0183](#) (ALL) Authorize the Ratification of Expenditures in the Amount of \$1,848,950.10 with Multiple Vendors for Continued Annual Costs for Technology Support Contracts Acquired and Assigned from the MyH20 Project

Motion: Approved.

16. [M&C 23-0185](#) (CD 9 / Future CD 9) Authorize Execution of Amendment No. 2, in the Amount of \$167,774.00, to an Engineering Agreement with Lockwood, Andrews & Newnam, Inc. for Water and Sanitary Sewer Contract 2019 WSM-L and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 26026-02-2023

17. [M&C 23-0186](#) (CD 5 / Future CD 5) Authorize Execution of Amendment No. 1 in the Amount of \$130,514.00 to an Engineering Agreement with HDR Inc. for the Water and Sanitary Sewer Contract 2020 WSM-E, and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 26027-02-2023

18. [M&C 23-0187](#) (CD 4 / Future CD 11) Authorize Execution of an Engineering Agreement with Kimley-Horn and Associates, Inc., in the Amount of \$475,000.00, for Engineering Related Professional Services for the Development of the Gateway Park Master Plan (2022 Bond Program)

Motion: Approved.

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

1. [23-0055](#) Notice of Claims for Alleged Damages or Injuries

End of Consent Agenda.

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

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

Council Members Flores, Williams, Nettles, and Beck 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.

Bob Willoughby appeared before Council in opposition to M&C 23-0142.

Adrian Smith appeared before Council in opposition to Item 23-0207.

Cameron Chubbuck, Cottonwood Heights, Utah, appeared before Council via conference call in support of Item 23-0209.

Avis Chaisson, Dallas, Texas, appeared before Council in support of M&C 23-0153.

## **PRESENTATIONS BY THE CITY COUNCIL**

### **Council Proposal**

Motion: Council Member Crain made a motion, seconded by Council Member Blaylock, that requirements of Council Rules of Procedure 5.2.1 to allow Council Proposal CP-326 to be acted upon in the City Council meeting in which it is introduced be approved.

Council Member Williams made a motion, seconded by Council Member Nettles, that Council Proposal CP-326 be continued for 90 days. Motion failed 4-4, Mayor Parker and Council Members Flores, Crain, and Blaylock casting the dissenting votes and Council Member Firestone absent.

Council Member Crain made a motion, seconded by Council Member Blaylock, that requirements of Council Rules of Procedure 5.2.1 to allow Council Proposal CP-326 to be acted upon in the City Council meeting in which it is introduced be approved. Motion passed 5-3, Council Members Williams, Nettles, and Beck casting the dissenting votes and Council Member Firestone absent.

1. [CP-326](#) Financial Openness, Responsibility and Transparency Act (FORT Act) to Amend the City Council Rules of Procedure Concerning Council Proposals

Motion: Council Member Crain made a motion, seconded by Council Member Blaylock, that Council Proposal CP-326 be approved.

Council Member Nettles made a motion, seconded by Mayor Pro tem Bivens, that Council Proposal CP-326 be referred to a Council Worksession. Motion failed 4-4, Mayor Parker and Council Members Flores, Crain and Blaylock casting the dissenting votes.

Council Member Williams made a motion, seconded by Council Member Nettles, that Council Proposal CP-326 be amended to remove Section 2, Sub-Section 4B, strike Item 3 and strike all references to the checklist in Section 2. Motion failed 5-3, Mayor Parker and Council Members Flores, Crain, Blaylock and Beck casting the dissenting votes and Council Member Firestone absent.

Council Member Crain made a motion, seconded by Council Member Blaylock, that Council Proposal CP-326 be approved. Motion passed 6-2, Williams and Nettles casting the dissenting votes and Council Member Firestone absent.

#### Changes in Membership on Boards and Commissions

1. [23-0140](#) Board Appointments - District 7

Motion: Council Member Flores made a motion, seconded by Mayor Pro tem Bivens, that Jennifer Ferguson be appointed to Place 7 of the Building Standards Commission effective February 28, 2023, and with a term expiring October 1, 2025. Motion passed 8-0, Council Member Firestone absent.

#### **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.

#### **RESOLUTIONS**

1. [23-0207](#) A Resolution Authorizing Certain Waivers to the City's Policies for Capital Public Improvement Districts and Tax Increment Reinvestment Zones to Facilitate the Creation of a Future Capital Public Improvement District and Tax Increment Reinvestment Zone at Veale Ranch

Motion: Council Member Crain made a motion, seconded by Council Member Flores, that Resolution No. 5705-02-2023 be adopted. Motion passed 8-0, Council Member Firestone absent.

2. [23-0208](#) A Resolution Providing the City of Fort Worth's Commitment, Acknowledgement, and Support for the North Central Texas Council of Governments' 2023 Regional Transportation Council's Legislative Program for the 88th Texas Legislature; Specifically Supporting Advancement and Implementation of High-Speed Transportation, and Broadband Expansion

Motion: Council Member Beck made a motion, seconded by Mayor Pro tem Bivens, that Resolution No. 5706-02-2023 be adopted. Motion passed 8-0, Council Member Firestone absent.

3. [23-0209](#) A Resolution Approving for Purposes of Section 147(F) of the Internal Revenue Code of 1986, The Multifamily Housing Revenue Bonds for the Northhill Manor Apartments to be Issued by Cinco Public Facility Corporation

Motion: Council Member Crain made a motion, seconded by Council Member Flores, that Resolution No. 5707-02-2023 be adopted. Motion passed 8-0, Council Member Firestone absent.

4. [23-0210](#) A Resolution Confirming the Community Center at Hillside Park is named **NEW** the Atatiana Carr-Jefferson Community Center at Hillside

Motion: Council Member Nettles made a motion, seconded by Mayor Pro tem Bivens, that Resolution No. 5708-02-2023 be adopted. Motion passed 8-0, Council Member Firestone absent.

## **PUBLIC HEARING**

1. [M&C 23-0007](#) (CD 2 / Future CD 2) Conduct Public Hearing to Consider Variance from Section 4-4 of the City Code to Allow Mixed Beverage Sales for On-Premise Consumption with Late Hours at Valli's International Kitchen Located at 4450 Boat Club Road (Continued from a Previous Meeting)

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

Mayor Parker opened the public hearing.

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

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



**b. Public Comment**

There were no public comments.

**c. Council Action**

Motion: Council Member Flores made a motion, seconded by Council Member Crain, that the public hearing be closed and M&C 23-0007 be denied. Motion passed 7-1, Council Member Nettles casting the dissenting vote and Council Member Firestone absent.

2. [M&C 23-0062](#) (CD 7 / Future CD 10) Conduct Public Hearing, Authorize Execution of Municipal Services Agreement and Consider Adopting Ordinance for the Proposed Owner-Initiated Annexation of Approximately 61.436 Acres of Land in Denton County, Known as Timber Hill ARCO, Located West of Blue Mound Road and South of Highway 114, in the Far North Planning Sector, AX-22-010 (Continued from a Previous Meeting)

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

Mayor Parker opened the public hearing.

**a. Report of City Staff**

Stuart Campbell, Development Services Department, appeared before Council and provided a staff report.

**b. Public Comment**

There were no public comments.

**c. Council Action**

Motion: Council Member Flores made a motion, seconded by Mayor Pro tem Bivens, that the public hearing be closed and M&C 23-0062 be continued to the March 21, 2023, Council meeting. Motion passed 8-0, Council Member Firestone absent.

City Secretary Goodall advised that Zoning Docket ZC-22-192 was a companion to M&C 23-0062 and would be moved up on the Council Agenda.

It appeared that the City Council, at its meeting of February 14, 2023, continued Zoning Docket ZC-22-192:

2. [ZC-22-192](#) (CD 7) Double Eagle TH LLC - ARCO Murray, 18242 S FM 156 (20 ac.) From: Unzoned, To: "I" Light Industrial (Recommended for Approval by the Zoning Commission)(Continued from a Previous Meeting)

Motion: Council Member Flores made a motion, seconded by Council Member Blaylock, that Zoning Docket ZC-22-192 be continued to the March 21, 2023, Council meeting. Motion passed 7-1, Council Member Nettles casting the dissenting vote and Council Member Firestone absent.

3. [M&C 23-0152](#) (ALL) Conduct Public Hearing, Adopt Resolution Stating the City of Fort Worth Elects to be Eligible to Participate in Tax Abatement Authorized by Chapter 312 of the Texas Tax Code and Adopt New General Tax Abatement Policy

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

Motion: Council Member Nettles made a motion, seconded by Mayor Pro tem Bivens, that the public hearing be closed, M&C 23-0152 be approved and Resolution No. 5709-02-2023 be adopted. Motion passed 8-0, Council Member Firestone absent.

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4. [M&C 23-0155](#) (CD 6 / Future CD 8) Conduct a Public Hearing on the Application by Worthington Point Apartments LP to the Texas Department of Housing and Community Affairs for Non-Competitive (4%) Housing Tax Credits for the Substantial Rehabilitation of Worthington Point Apartments, a Proposed Tax-Exempt Development Located at 12301 Hemphill Street, Crowley, Texas 76036, Adopt a Resolution of No Objection to the Application, Make Related Determinations, Authorize Waiver of Various City Development Fees in the Approximate Amount of \$36,295.00, and Find that Waiver of Fees Serves a Public Purpose and that Adequate Controls are in Place to Ensure the Public Purpose is Carried Out

(PUBLIC HEARING - a. Report of City Staff: Leah Brown; b. Citizen Presentations; c. Council Action: Close Public Hearing and Act on M&C)

Mayor Parker opened the public hearing.

**a. Report of City Staff**

Leah Brown, Neighborhood Services Department, appeared before Council and provided a staff report.

**b. Public Comment**

There were no public comments.

**c. Council Action**

Motion: Council Member Williams made a motion, seconded by Council Member Crain, that the public hearing be closed, M&C 23-0155 be approved as amended revising the boundary description, and Resolution No. 5710-02-2023 be adopted. Motion passed 8-0, Council Member Firestone absent.

## ZONING HEARING

It appeared that the City Council, at its meeting of February 14, 2023, continued Zoning Docket ZC-22-181:

1. [ZC-22-181](#) (CD 6/6) Rall Properties LP - 6881 Harris Parkway & 7101 Dutch Branch Road (14.8 acres) From: "F" General Commercial; "PD 545" PD/SU for "G" Intensive Commercial development standards and all uses in "E" Neighborhood Commercial, with additional uses and development standards, site plan required, To: "R2" Townhouse/Cluster (Recommended for Approval by the Zoning Commission) (Continued from a previous meeting)

Brennan Plemons appeared before Council in support of Zoning Docket ZC-22-181.

Bob Willoughby appeared before Council in opposition to Zoning Docket ZC-22-181.

Clayton Husband completed a comment card in opposition to Zoning Docket ZC-22-181.

Motion: Council Member Williams made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-181 be approved as amended. Motion passed 8-0, Council Member Firestone absent.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining to Zoning Ordinance No. 21653-02-2015 for the above-listed cases, Council Member Williams made a motion, seconded by Mayor Pro tem Biven, that the hearing be closed and Ordinance No. 26028-01-2023 be adopted. Motion passed 8-0, Council Member Firestone absent.

## REPORT OF THE CITY MANAGER

### B. General

1. [M&C 23-0153](#) (CD 4 and CD 6 / Future CD 4 and CD 6) Consider and Adopt Resolutions of Support for 2023 Competitive (9%) Housing Tax Credit Applications for 7340 Kingswood Senior Living and the Reserve at Basswood, Approve Commitments of Development Funding in the Form of Development Fee Waivers in the Approximate Amount of \$49,926.00 for Specified Developments, and Find that the Fee Waivers Serve a Public Purpose and that Adequate Controls are in Place

Motion: Council Member Blaylock made a motion, seconded by Mayor Pro tem Bivens, that M&C 23-0153 be approved with the following changes: Make revisions throughout to reflect that the Reserve at Basswood project will receive a “Resolution of No Objection”, and change all references for the Kingswood property to “7340 Kingswood Senior Living, Ltd. The Basswood site is not designated for multi-family housing in the City’s comprehensive plan; and adopt Resolution Nos. 5711-02-2023 and 5712-02-2023. Motion passed 8-0, Council Member Firestone absent.

(Council Member Beck stepped away from the dais.)

**D. Land**

1. [M&C 23-0159](#) (CD 5 / Future CD 5) Adopt Resolution Authorizing Condemnation by Eminent Domain to Acquire 0.1238 Acres in Permanent Sewer Easements and 0.1237 Acres for Temporary Construction Easements from Real Property Owned by Christopher M. Garoosi Living Trust and Fort Rowlett-Land JV, Located at 3500 E. Loop 820 South in the Parkside East Addition, Block 6, Lot 1 and 3600 E. Loop 820 South in the Ulrich Wuthrick Survey, Abstract No. 1693, Tract 2E1 & 2F3A, Tarrant County, Texas, for the Main 182 and Main 191 Emergency Repair Project

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Blaylock, that M&C 23-0159 be approved and adopt Resolution No. 5713-02-2023 authorizing use of the power of eminent domain to acquire a total of 0.1238 acres in permanent sewer easements and a total of 0.1237 acres for temporary construction easements from real property owned by Christopher M. Garoosi Living Trust and Fort Rowlett-Land JV. The property is needed for the construction of emergency sanitary sewer mains M-182 & M-191 to cross Interstate Highway 820; a public use that will provide needed sewer capacity. The properties are located at 3500 E. Loop 820 South in the Parkside East Addition, Block 6, Lot 1 and 3600 E. Loop 820 South in the Ulrich Wuthrick Survey, Abstract No. 1693, Tract 2E1 & 2F3A, 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 7-0, Council Members Firestone and Beck absent.

(Council Member Beck returned to her seat at the dais.)

2. [M&C 23-0160](#) (ETJ near CD 3 / Future CD 3) Adopt Resolution Authorizing Condemnation by Eminent Domain to Acquire 0.9590 Acres in Permanent Water Facility Easement and 0.9413 Acres in Temporary Construction Easement from Real Property Owned by the Bourke C. Harvey Irrevocable Trust (2012), Located at 1 Live Oak Place in the Walter Houston Survey, Abstract No. 719, Tract 7A, Tarrant County, Texas, for the Westside III Water Transmission Main Project

Motion: Council Member Crain made a motion, seconded by Council Member Blaylock, that M&C 23-0160 be approved and adopt Resolution No. 5714-02-2023 authorizing use of the power of eminent domain to acquire 0.9590 acres in permanent water facility easement and 0.9413 acres in temporary construction easement from real property owned by the Bourke C. Harvey Irrevocable Trust (2012), located at 1 Live Oak Place in the Walter Houston Survey, Abstract No. 719, Tract 7A, Tarrant County, Texas. The property is needed for the Westside III Water Transmission Main project, a public use that will provide water from the Westside Water Treatment Plant (Old Weatherford Road) to the south side of Interstate 20 (just west of Markum Ranch Road). The land rights in the subject property are needed for the continuation of water line improvements. 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 8-0, Council Members Firestone absent.

#### **F. Award of Contract**

1. [M&C 23-0154](#) (CD 2, CD 7, and CD 8 / Future CD 2, CD 7, CD 8, and CD 10) Authorize Execution of Six Interlocal Agreements with Tarrant County to Receive 2021 Tarrant County Transportation Bond Funds in the Collective Amount of \$78,410,000.00 to Supplement City of Fort Worth's 2022 Bond Program Arterial Projects with City Participation in the Approximate Amount of \$121,353,876.00, Adopt Appropriation Ordinance and Amend the Fiscal Years 2023-2027 Capital Improvement Program (2022 Bond Program)

Motion: Council Member Flores made a motion, seconded by Council Member Blaylock, that M&C 23-0154 be approved and Appropriation Ordinance No. 26029-02-2023 be adopted. Motion passed 8-0, Council Member Firestone absent.

2. [M&C 23-0184](#) (CD 3 / Future CD 3) Authorize Execution of a Contract with Thalle Construction Company, Inc. in the Amount of \$19,873,823.75 for Westside Treatment Plant III 30” Water Transmission Main Project, Authorize Execution of Amendment No. 1 in the Amount of \$303,590.00 to an Engineering Agreement with Kimley-Horn Associates, Inc., for Westside Treatment Plant III 30” Water Transmission Main Project, Provide for Total Project Costs in the Amount of \$21,125,743.00, Adopt Resolution Expressing Official Intent to Reimburse Expenditures with Proceeds of Future Debt, and Adopt Appropriation Ordinance to Effect a Portion of Water’s Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Council Member Crain made a motion, seconded by Council Member Flores, that M&C 23-0184 be approved and Resolution No. 5715-02-2023 and Appropriation Ordinance No. 26030-02-2023 be adopted. Motion passed 8-0, Council Member Firestone absent.

## ADJOURNMENT

There being no further business, Mayor Parker adjourned the meeting at 11:44 a.m.