

CITY OF FORT WORTH, TEXAS
CITY COUNCIL MEETING
TUESDAY, JANUARY 26, 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 at 7:05 p.m. on Tuesday, January 26, 2021, in the City Council Conference Room 2020 (formerly Room 290) of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

INVOCATION - Pastor Richard Flores, Living Word Fellowship Outreach

Ministry

The invocation was provided by Pastor Richard Flores, Living Word Fellowship Outreach.

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 Byrd made a motion, seconded by Council Member Moon, that the minutes of the Work Session and the Regular Minutes of January 12, 2021, be approved. Motion passed 9-0.

1. [21-1172](#) Minutes - January 12, 2021 Work Session
2. [21-1173](#) Minutes - January 12, 2021 Regular Meeting

ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items to be withdrawn from the Consent Agenda.

ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

There were no items to be continued or withdrawn by staff.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: Council Member Shingleton made a motion, seconded by Council Member Byrd, that the Consent Agenda be approved. Motion passed 9-0.

A. General - Consent Items

1. [M&C 21-0064](#) (ALL) Adjust Appropriations in Various Funds and Amounts to Bring Revenues and Expenditures into Balance for the Capital and Operating Budgets for Fiscal Year 2020, Enact Budget Adjustments to Reallocate Resources, Commit Funds to Facilitate Fiscal Year 2020 Year End Closeout and Rollover into Fiscal Year 2021, Authorize All Associated Transfers and Adopt Appropriation Ordinances

Motion: Approved. Appropriation Ordinance Nos. 24675-01-2021, 24676-01-2021, 24677-01-2021, 24678-01-2021, and 24679-01-2021

2. [M&C 21-0068](#) (ALL) Adopt Resolution Authorizing the City Attorney to File a Lawsuit against Donald Scott, P.A. Scott Industries Inc., d/b/a Pot of Gold Game Room, and Mark Weibel in his Official Capacity as Hearing Officer For Game Room Appeals to Overturn the Decision of the Hearing Officer Setting Aside the Denial of a Game Room Permit for 5125 Sun Valley Drive and Ratify the Lawsuit File as Cause Number 153-321899-20

Motion: Approved. Resolution No. 5334-01-2021

3. [M&C 21-0069](#) (ALL) Adopt Ordinances Increasing Appropriations in the General Debt Service Fund in the Amount of \$500,989.00 for Fiscal Year 2021 Interest Payments on the Tax Notes - Series 2021A and Series 2021B and in the General Fund in the Amount of \$1,813,291.00 for FY2021 Lease Revenues and Contractual and Other Payments for the New City Hall Facility

Motion: Approved. Appropriation Ordinance Nos. 24680-01-2021 and 24681-01-2021

4. [M&C 21-0070](#) (ALL) Authorize Purchase from Hub International Rigg, Broker of Record, of the City's Multiple-Layered Property Insurance, Boiler and Machinery and Commercial Liability Insurance Policies in an Amount Not to Exceed \$3,990,688.00 and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24682-01-2021

5. [M&C 21-0075](#) (ALL) Ratify Expenditures of \$78,131.19 and Authorize Amendments to the Services Agreements with Multiple Vendors for Alleyway Maintenance to Increase the Total Contract Authority by \$95,000.00 for the Neighborhood Services Department

Motion: Approved.

6. [M&C 21-0081](#) (CD 6 and ETJ) Adopt Ordinance to Establish a Water Main Capacity Charge in the Amount of \$64,950.96 per Million Gallons per Day for the Chisholm Trail Ranch Section 2 Phase 1 Southside III 24-Inch Water Transmission Main, Pursuant to Chapter 35, Article III, Division IV, Sections 35-90 through 35-92 of the City Code

Motion: Approved. Ordinance No. 24683-01-2021

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

1. [M&C 21-0080](#) (ALL) Authorize Execution of a Security Services Agreement with Edifice Protection Group, Inc. in an Amount Up to \$432,000.00 Per Year for Security Services at the City Property Located at 100 Energy Way

Motion: Approved.

C. Land - Consent Items

1. [M&C 21-0079](#) (CD 6) Authorize the Acquisition of a Fee Simple Interest in Approximately 0.629 Acres of Land Located at 5800 Stewart Feltz Road, Tarrant County, Texas from Gabriel Southwest LLC in the Amount of \$47,948.00 and Pay Estimated Closing Costs in an Amount Up to \$2,000.00 for the Southside IV Pump Station Hydro Tank Project and Adopt Appropriation Ordinances

Property Description: 0.629 acres described as Abstract 4, Tract 4B03D, Juan Jose Albirado Survey, Tarrant County, Texas, located as 5800 Stewart Feltz Road

Motion: Approved. Appropriation Ordinance Nos. 24684-01-2021 and 24685-01-2021

E. Award of Contract - Consent Items

1. [M&C 21-0065](#) (ALL) Authorize Execution of a Communications System Agreement with the City of Irving to Provide Backup Services for Each City's Two-Way Public Safety Radio Systems

Motion: Approved.

2. [M&C 21-0066](#) (ALL) Authorize Execution of a Communications System Agreement with the City of Irving to Obtain and Share Public Safety Radio Communications Services

Motion: Approved.

3. [M&C 21-0071](#) (CD 8) Authorize Execution of an Economic Development Program Agreement with Oatly, Inc., or an Affiliate, for the Development of a Manufacturing Production Facility Located at 7550 Oak Grove Road

Motion: Approved.

4. [M&C 21-0073](#) (CD 9) Authorize Execution of Ground Lease Agreement with Option to Purchase with L2L-Lancaster, LLC, or an Affiliate for Approximately 1.447 Acres of City-Owned Property on a Portion of the Block Bounded by Lancaster Avenue, Lamar Street, 13th Street and Taylor Street and on a Portion of the Block Bounded by Lancaster Avenue, Taylor Street, 13th Street, and Monroe Street

Motion: Approved.

5. [M&C 21-0077](#) (CD 7) Authorize Execution of Change Order No. 3 to the Montgomery Street/Eastern Arlington Heights Drainage Construction Manager-at-Risk Agreement with Haydon Building Corp, in an Amount up to \$227,972.63, for Additional Paving, Storm Drain, Streetlight, Traffic Signal, Landscaping, Irrigation, Water, and Sanitary Sewer Work, Thereby Increasing the Guaranteed Maximum Price to \$17,827,823.41, Provide \$50,000.00 for Contingencies and Construction Services, Adopt Appropriation Ordinance, and Amend the FY2021-2025 Capital Improvement Program (2014 Bond Program)

Motion: Approved. Appropriation Ordinance No. 24686-01-2021

6. [M&C 21-0078](#) (CD 4) Authorize Execution of Change Order No. 1 to the Construction Contract with McMahon Contracting, LP, in the Amount of \$765,948.67 for a Revised Contract Amount of \$9,673,889.24 for the North Riverside Drive Project (2014 Bond Program)

Motion: Approved.

PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. [21-1274](#) Notice of Claims for Alleged Damages or Injuries

End of Consent Agenda.

SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC. - NONE

There were no special presentations, introductions, etc.

ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Council Member Flores, Bivens, 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

Motion: On behalf of the Legislative and Intergovernmental Affairs Committee, Council Member Shingleton made a motion, seconded by Mayor Pro tem Jordan, that the following appointments/reappointments be appointed to the various boards/commissions effective January 26, 2021, and with terms expiring as follows:

- Mr. Randle Harwood to Position 4 (Design Professional), Fort Worth Art Commission, with term expiring September 30, 2022.

Appointments with terms expiring October 1, 2022:

- Ms. Allison Docker, Place 6, Downtown Design Review Board
- Mr. Clifton Hall, Alternate, Downtown Design Review Board
- Mr. Tony Pham, Place 7, Downtown Design Review Board
- Ms. Joann “Paris Sanchez, Alternate, Historic and Cultural Landmarks Commission

Reappointments with terms expiring October 1, 2022:

- Ms. Laura Bird, Place 2, Downtown Design Review Board
- Mr. Les Edmonds, Alternate, Historic and Cultural Landmarks Commission

Motion passed 9-0.

**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. [21-1316](#) A Resolution Designating Richard Zavala to Serve on the Texas Parks and Wildlife Commission's Urban Outreach Advisory Committee

Motion: Mayor Pro tem Jordan made a motion, seconded by Council Member Shingleton, that Resolution No. 5335-01-2021 be adopted. Motion passed 9-0.

2. [21-1317](#) A Resolution Consenting to the Addition of Approximately 350.42 Acres of Land in Parker County, Texas, to Morningstar Ranch Municipal Utility District No. 2 of Parker County

Motion: Council Member Byrd made a motion, seconded by Council Member Shingleton, that Resolution No. 5336-01-2021 be adopted. Motion passed 9-0.

ORDINANCES

1. [21-1318](#) An Ordinance Ordering a General Election by the Qualified Voters of the City of Fort Worth, Texas, on May 1, 2021, for the Purpose of Electing the Mayor and City Council Members for the City of Fort Worth and Ordering a Runoff Election, If Needed

Motion: Council Member Bivens made a motion, seconded by Council Member Zadeh, that Ordinance No. 24687-01-2021 be adopted. Motion passed 9-0.

PUBLIC HEARING

1. [M&C 20-0907](#) (CD 6) Conduct a Public Hearing to Consider the Amended and Restated Service and Assessment Plan for Fort Worth Public Improvement District 17 – Rock Creek Ranch and Adopt Ordinance Approving the Amended and Restated Service and Assessment Plan for the Fort Worth Public Improvement District 17 – Rock Creek Ranch, Which Includes Amended Assessment Rolls (Continued from a Previous Meeting)

(PUBLIC HEARING - a. Report of City Staff: John Samford; 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

Mr. John Samford, Financial Management Services Department, appeared before Council and provided a staff report.

b. Public Comment

There were no public comments.

c. Council Action

Motion: Mayor Pro tem Jordan made a motion, seconded by Council Member Shingleton, that the public hearing be closed, M&C 20-0907 be approved striking the Option 1 language, and adopting Ordinance No. 24688-01-2021 with updated Option 2 service and assessment plan as currently attached in the system and distributed earlier in the day. Motion passed 9-0.

2. [M&C 21-0067](#) (Future CD 7) Conduct Public Hearing, Authorize Execution of Municipal Services Agreement and Adopt Ordinance for the Proposed Owner-Initiated Annexation of Approximately 5.10 Acres of Land in Denton County, Known as Cornerstone Bible Church, Located East of Interstate 35 West and South of Chadwick Farms Subdivision along Litsey Road, in the Far North Planning Sector, AX-20-008

(PUBLIC HEARING - a. Report of City Staff: Mary Elliott; 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

Mr. D.J. Harrell, Development Services Department, appeared before Council and provided a staff report.

b. Public Comment

Mr. Neil Snodgrass, 2297 Litsey Road, completed a speaker card via conference call in support of M&C 21-0067 and was recognized by Mayor Price but did not wish to address Council.

c. Council Action

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Jordan, that the public hearing be closed, M&C 21-0067 be approved and Ordinance No. 24689-01-2021 be adopted. Motion passed 9-0.

City Secretary Kayser advised that M&Cs 21-0074 and 21-0072 would be heard under one motion.

3. [M&C 21-0074](#) (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: Approved.

4. [M&C 21-0072](#) (ALL) Adopt Resolution Amending Certain Portions of the Chapter 380 Economic Development Program Policy

Mayor Price opened the public hearing.

a. Report of City Staff

Ms. Robert Sturns, Economic Development Department, appeared before Council and provided a staff report.

b. Public Comment

There were no public comments.

c. Council Action

Motion: Council Member Shingleton made a motion, seconded by Council Member Byrd, the public hearing be closed, M&C 21-0074 be approved and Resolution No. 5337-01-2021 electing to participate in Property Tax Abatement and approving the General Tax Abatement Policy, with an adoption date of January 29, 2021, be adopted and that M&C 21-0072 be approved and Resolution No. 5338-01-2021 amending the Chapter 280 Economic Development Policy be adopted. Motion passed 9-0.

REPORT OF THE CITY MANAGER

B. General

1. [M&C 21-0076](#) (ALL) Adopt Appropriation Ordinance in the Developer Contribution Fund for the Amount of \$9,792,676.93 to Support Pre-Construction Activities Anticipated to be in the 2022 Bond Program and Amend the FY2021-2025 Capital Improvement Program

Motion: Mayor Pro tem Jordan made a motion, seconded by Council Member Flores, that M&C 21-0076 be approved and Appropriation Ordinance No. 24690-01-2021 be adopted. Motion passed 9-0.

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. [21-1319](#) Public Presentations

Ms. Julie Ledford, 2913 Handley Drive, appeared before Council via conference call relative to preserving historic Handley and provided a PowerPoint presentation.

Mr. Jim DeLong, 8704 Granite Court, completed a Public Presentation card via conference call relative to United We Stand - Divided We Fall and was recognized by Mayor Price but did not wish to address Council.

Ms. Laila Talley, 6908 Wicks Trail, appeared before Council via conference call relative to the Sensus Flexnet advanced water meter.

Mr. Jordan Nelson, 6868 Roxanne Way, completed a Public Presentation Card relative to water bill issues and was recognized by Mayor Price but was not present in the.

Mr. Bob Willoughby, 617 Fay Boulevard, appeared before Council relative to City Council, Code, and Redistricting, and presented a video.

The following individuals completed Public Presentation cards but did not attend the meeting or address the City Council:

Ms. Kay Van Wey, 12720 Hillcrest Road #600, Dallas, Texas
Ms. Nelda Price, 3409 Avenue G

Mr. James Smith, 1208 East Allen Avenue, completed a Public Presentation card relative to a flawed system and was recognized by Mayor Price but was not present in the Council Chamber.

Mr. Tyler DeLuca, 844 Bristol Avenue, appeared before Council relative to the new Police Chief Neil Noakes, policing and police relations.

ADJOURNMENT

There being no further business, Mayor Price adjourned the meeting at 7:39 p.m., in memory of Mr. Santos Aguilera, who passed away on Tuesday, January 26, 2021.