CITY OF FORT WORTH, TEXAS CITY COUNCIL MEETING

TUESDAY, NOVEMBER 12, 2024

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 Charlie Lauersdorf, District 4

Council Member Jared Williams, District 6

Council Member Macy Hill, District 7

Council Member Chris Nettles, District 8

Council Member Elizabeth Beck, District 9

Council Member Alan Blaylock, District 10

Council Member Jeanette Martinez, District 11

Staff Present:

David Cooke, City Manager Leann Guzman, City Attorney Jannette S. 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 6:07 p.m. on Tuesday, November 12, 2024, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

INVOCATION - Reverend Anthony Chatman Sr., Community Christian Church

The invocation was provided by Reverend Anthony Chatman, Sr., Community Christian 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.")

Cub Scout Troops #189 and #195 led the Pledges of Allegiance to the United States of America and the State of Texas.

SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

- 1. 24-4717 Recognition for National Nurse Practitioners Week
 - Council Member Beck recognized National Nurse Practitioners Week.
- 2. 24-4718 Recognition for National Injury Prevention Day
 - Council Member Beck recognized National Injury Prevention Day.
- 3. 24-4719 Recognition to the Cristo Rey Fort Worth High School Soccer Team
 Council Member Williams recognized the Cristo Rey Fort Worth High School Soccer Team.
- 4. 24-4722 4. Recognition for Pan American Roundtables of Texas Fort Worth I Day Mayor Pro tem Bivens recognized the 80th Anniversary of Pan American Roundtables of Texas, Fort Worth I.

ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items to be withdrawn from the Consent Agenda.

ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF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 continued Zoning Docket Nos. ZC-24-115 and ZC-24-116 to the November 19, 2024, Council meeting.

Bob Willoughby appeared before Council in support of M&C 24-0978.

Adrian Smith appeared before Council in opposition to M&C 24-0970.

David Martinez appeared before Council in support of M&Cs 24-0987 and 24-0978.

CONSENT AGENDA

Motion: Council Member Flores made a motion, seconded by Council Member Crain, that the Consent Agenda be approved. Motion passed 11-0.

A. General - Consent Items

1. M&C 24-0956 (CD 10) Authorize the Execution of a Facilities Lease Agreement with AVX Aircraft Company for Approximately 4,320 Square Feet of Industrial and Warehouse Space Located at 2008 Eagle Parkway, Fort Worth, Texas, 76177 within a Portion of what is Known as the Chemical Maintenance Storage Building #3 at the Alliance Fort Worth Maintenance Facility

Motion: Approved.

2. <u>M&C 24-0963</u> (ALL) Approve Tradition Municipal Utility District No. 2B of Denton County Unlimited Tax Road Bonds, Series 2024 - Consent to Issue in an Amount Not to Exceed \$3,620,000.00

Motion: Approved.

3. M&C 24-0965 (CD 9) Authorize Execution of Amendment No. 2 to the Architectural Services Agreement with William Tharp Architects, PLLC, in the Amount of \$187,092.00 for a Revised Contract Value of \$917,092.00, to Provide Architectural Design and Construction Administration Services for the 2022 Bond Fire Station Community Center (2022 Bond Program)

Motion: Approved.

4. M&C 24-0967 (ALL) Authorize an Increase to the Contract Compensation Authority for the Remaining Term of a Sole Source Vendor Contract with LeaseAccelerator, Inc. through November 30, 2025 for Quarterly License Fees for the LeaseController Software License in an Additional Amount Up to \$32,000.00 from Fiscal Year 2025 Approved Budgeted Funds

Motion: Approved.

5. M&C 24-0969 (ALL) Ratify Application for and Acceptance of, if Awarded, FY25 Regional Tire Collection Events Grant Funding from the North Central Texas Council of Governments in the Amount Up to \$3,000.00, Authorize Execution of an Interlocal Agreement with North Central Texas Council of Governments for Reimbursement of Cost of Scrap Tire Collection Events, and Adopt Attached Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 27269-11-2024

6. M&C 24-0981 (CD 7 and CD 9) Authorize the Temporary Closure of a Section of W.R. Watt Drive from Trail Drive to Burnett-Tandy Drive, Burnett-Tandy Drive from W.R. Watt Drive to Gendy Street, Gendy Street from Harley Avenue to Lancaster Avenue, Harley Avenue from Gendy Street to Trail Drive, Linden Avenue from Trail Drive to the Cell Tower Entrance, Lansford Lane from Montgomery Street to Gendy Street, Trail Drive from Lancaster Avenue to University Drive, Farm House Way from Trail Drive to Foch Street from January 13, 2025 to February 9, 2025; Trinity Park Drive from University Drive to Foch Street on January 23, 24, 27, 29, 30 and February 3, 4, 5, 6, 7, 2025 for the Southwestern Exposition and Livestock Show

Motion: Approved.

7. M&C 24-0983 (ALL) Adopt Appropriation Ordinance Increasing Receipts and Appropriations in the Special Donations Life to Date Fund in the Amount of \$38,164.50 to Support Training and Certification Programs and Other Police Related Activities and Amend the Fiscal Year 2025 Adopted Budget

Motion: Approved. Appropriation Ordinance No. 27270-11-2024

8. M&C 24-0984 (ALL) Adopt Appropriation Ordinance in the State Asset Forfeiture Fund in the Amount of \$400,478.00 for Fiscal Year 2025 to Continue Previously Approved Projects that Impact the Safety, Wellness, and Resiliency of the Police Department, the Fire Department, and the Community

Motion: Approved. Appropriation Ordinance No. 27271-11-2024

9. M&C 24-0987 (ALL) Ratify Application for and Authorize Acceptance of the Fiscal Year 2024 Homeland Security Urban Area Security Initiative Grants from the United States Department of Homeland Security through the State of Texas, Office of the Governor, in an Amount Up to \$3,014,543.17, Approve Execution of All Applicable Grant Contracts, Adopt Resolution and Adopt Appropriation Ordinance

Motion: Approved. Resolution No. 6016-11-2024 and Appropriation Ordinance No. 27272-11-2024

10. M&C 24-0988 (ALL) Adopt Resolution Reappointing Mark Weibel as Hearing Officer in and for the Fort Worth Parking Violations Bureau and Designating the Hearing Officer to Conduct Hearings and Appeals Pursuant to Chapters 7, 10, 12.5 and 22 of the City Code and to Perform Other Assigned Duties

Motion: Approved. Resolution No. 6017-11-2024

11. M&C 24-0990 (CD 5) Authorize Payment in the Amount of \$190,290.20 to the Texas Department of Transportation Due to Construction Cost Overruns for the Cooks Lane and Brentwood Stair Road Highway Safety Improvement Project (2022 Bond Program)

Motion: Approved.

12. <u>M&C 24-0991</u> (ALL) Ratify Pay Rate Adjustments for Hearing Officer Mark Weibel to be Effective October 1, 2024, and October 1, 2025 and Adopt Resolution

Motion: Approved. Resolution No. 6018-11-2024

13. M&C 24-0995 (CD 8) Adopt Appropriation Ordinance to Provide Funding for the FY25 Green Ribbon Program Project in the Amount of \$300,000.00, and Amend the Fiscal Years 2025-2029 Capital Improvement Program (2022 Bond Program)

Motion: Approved. Appropriation Ordinance No. 27273-11-2024

14. M&C 24-0999 (CD 6) Authorize Payment in the Amount of \$289,394.90 to the Texas Department of Transportation Due to Construction Cost Overruns for the South Hulen Street and Oakmont Boulevard Highway Safety Improvement Project

Motion: Approved.

15. <u>M&C 24-1001</u> (ALL) Adopt City of Fort Worth Public Art Annual Work Plan for Fiscal Year 2025

16. M&C 24-0980 (ALL) Ratify Application for, and Authorize Acceptance of, if Awarded, United States Department of Justice, Bureau of Justice Assistance, One Safe Place, FY23 Project Safe Neighborhood Grant to Occur in Fiscal Years 2025-2026 in an Amount Up to \$200,000.00, Authorize Execution of Related Grant Agreement, and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 27274-11-2024

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

1. M&C 24-0955 (ALL) Authorize Execution of a Sole Source Agreement with Holt Texas, LTD. to Purchase Original Equipment Manufacturer Caterpillar Parts for the Property Management Department in an Annual Amount Up to \$1,080,000.00 and Authorize Four One-Year Renewal Options for the Same Amount

Motion: Approved.

2. <u>M&C 24-0961</u> (ALL) Authorize Execution of an Agreement with Municipal Valve & Equipment Company, Inc. for the Purchase of Ball Valves for Vertical Turbine Water Pumps for the Water Department in an Amount Up to \$934,633.00 for a Three-Year Agreement Term

Motion: Approved.

3. M&C 24-0968 (ALL) Authorize Execution of an Amendment to City Secretary Contract 60522 with Texas AirSystems, LLC Using The Interlocal Purchasing System Contract Number 220106 for Comprehensive Heating, Ventilation, and Air Conditioning Services to Increase the Annual Amount by \$959,800.00 for a New Annual Amount Up to \$1,089,800.00 for the Water, Aviation, and Property Management Departments

4. M&C 24-0970 (ALL) Authorize Agreements with Facilitech, Inc dba Business Interiors Using Various Cooperative Agreements as an Authorized Dealer for Various Manufacturers for the Purchase, Design, and Installation of Furniture for All City Departments Housed at New City Hall for a Combined Amount Up to \$1,500,000.00 for the Initial Term and Authorize Four Consecutive One-Year Renewal Options for \$1,725,000.00 for Renewal 1, \$1,983,750.00 for Renewal 2, \$2,281,313.00 for Renewal 3, and \$2,623,509.00 for Renewal 4

Motion: Approved.

5. M&C 24-0972 (ALL) Authorize Execution of Non-Exclusive Agreements with Norfolk Bearings & Supply Co., Inc, Purvis Industries, LLC, and Roger Brown Co. LLC for Industrial Bearings for the Water Department in an Aggregate Annual Amount Up to \$350,000.00 for the Initial Term and Authorize Four One-Year Renewals for the Same Annual Amount

Motion: Approved.

M&C 24-0974 (ALL) Authorize Execution of Agreement with SID Tool Co., Inc. 6. dba MSC Industrial Supply Co. Using Omnia **Partners** Cooperative Contract #02-150 for Maintenance, Repair, and Operation Products and Services for an Annual Amount Up to \$1,800,000.00 for the Initial Term and Three One-Year Renewal **Options** for Authorize (3) an Amount Up to \$1,980,000.00 for the First Renewal, \$2,178,000.00 for the Second Renewal, and \$2,395,800.00 for the Third Renewal for All City Departments

Motion: Approved.

7. M&C 24-0975 (ALL) Authorize Execution of Agreement with Douglas Food Stores Inc DBA Douglas Equipment Using 791 Purchasing Cooperative Agreement RFP #2021-07-001 for Food Service Equipment and Supplies for New City Hall for an Annual Amount Up to \$109,762.00 for the Initial Term and Authorize Five (5) One-Year Renewal Options for an Amount Up to \$131,714.00 for the First \$158,057.00 the Second \$189,668.00 Renewal, for Renewal. for the Third \$227,602.00 \$273,122.00 Renewal, for the Fourth Renewal, and for the Fifth Renewal for the Property Management Department

C. Land - Consent Items

1. M&C 24-0962 (CD 3) Amend Mayor and Council Communication 24-0582 to Authorize the Acquisition of a Fee Simple Interest in Approximately 0.90 Acres Located at 4350 Southwest Boulevard, Fort Worth, Tarrant County, Texas 76116 from Sandy McBride, Aneta Leigh McBride, Elizabeth A. Thompson, The Estate of R. E. McBride, and The Estate of Roy T. McBride in the Amount of \$80,000.00 and Pay Estimated Closing Costs in an Amount Up to \$5,000.00 for a Total of \$85,000.00 for the Trail Gap Bomber Spur Project

Property Description: 0.90 acres situated in the Franklin S. Perry Survey, Abstract No. 1226, known as Tract No. 4, Fort Worth, Tarrant County, Texas. located at 4350 Southwest Boulevard

Motion: Approved.

2. M&C 24-0964 (CD 3) Amend Mayor and Council Communication 24-0497 to Authorize the Acquisition of a Fee Simple Interest in Approximately 1.517 Acres Located at 4350 Southwest Boulevard, Fort Worth, Tarrant County, Texas 76116 from Richard H. Barrett, Jr. and Renee Barrett Johnson in the Amount of \$142,584.00 and Pay Estimated Closing Costs in an Amount Up to \$10,000.00 for a Total of \$152,584.00 for the Trail Gap Bomber Spur Project

Property Description: 1.517 acres situated in the Franklin S. Perry Survey, Abstract No. 1226, known as Tract No. 5, Fort Worth, Tarrant County, Texas, located at 4350 Southwest Boulevard

Motion: Approved.

3. M&C 24-0966 (CD 2) Authorize the Conveyance of Easements and Rights-of-Way Along Angle Avenue to Oncor Electric Delivery Company LLC, Being Approximately 1.03 Acres for a Right-of-Way Easement in the Louis Cahen Survey, Abstract Number 297, and the Richard Vickery Survey, Abstract Number 1591, City of Fort Worth, Tarrant County, Texas, for Electrical Equipment and Appurtenances

Property Description: 0.221 acres described as Lots 1-3, Block 1; Lots 2-8, 12-21, and 23, Block 2, Lots 4-6, 8-13, and 16-18, Block 12, Lots 11 and 12, Block 13, Worth Hills Addition, Louis Cahen Survey, Abstract No. 297, Fort Worth, Tarrant County, Texas; 0.292 acres situated in the Richard Vickery Survey, Abstract No. 1591, Tract 3, Tarrant County, Texas; and 0.517 acres situated in the Richard Vickery Survey, Abstract No. 1591, Tract 2 and 2A, Fort Worth, Tarrant County, Texas

Motion: Approved.

E. Award of Contract - Consent Items

1. <u>M&C 24-0950</u> (ALL) Authorize Execution of Contract with Day Resource Center for the Homeless Doing Business as DRC Solutions for Up to \$150,000.00 for Street Outreach and Find that the Contract Serves a Public Purpose and that Adequate Controls are in Place

Motion: Approved.

2. M&C 24-0952 (ALL) Authorize an Amendment to City Secretary Contract No. 56024 with SHI Government Solutions, Inc. for the Purchase of Software Licenses and Related Services, and to Increase the Contract Amount by \$650,000.00 for a Total Annual Contract Amount of \$2,150,000.00 for the Information Technology Solutions Department

Motion: Approved.

3. M&C 24-0953 (CD 6) Authorize Execution of an Amendment to City Secretary Contract Number 48139, a Lease Agreement with West Mount Moriah Missionary Baptist Church, to Add an Additional Three-Year Term and Three Additional One-Year Renewal Terms for Space Located at 5335 Bonnell Avenue, Fort Worth, Texas 76107 and Used as a Police Storefront by the Fort Worth Police Department

4. M&C 24-0957 (ALL) Authorize Execution of Non-Exclusive Unit Price Task Order Construction Agreements with Henry Franklin Manning dba Manning Concrete Sawing, Set-Apart Excavating & Services, LLC, Thomas 11 Development, LLC, and Ti-Zack Concrete, LLC in a Combined Annual Amount Up to \$2,000,000.00 for the Initial Term with Four One-Year Renewal Options for the Development Services Department's Small-Scale Infrastructure Program

Motion: Approved.

5. M&C 24-0959 (ALL) Authorize Settlement and Payment in the Amount of \$368,057.50 for Full and Final Settlement of All Claims Related to the Lawsuit Entitled FTCOFW, LLC v. City of Fort Worth, Cause No. 348-350322-24 in the 348th District Court, Tarrant County, Texas, and Authorize City Personnel to Execute and File the Necessary Documents to Dispose of this Lawsuit and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2025-2029 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 27275-11-2024

6. M&C 24-0973 (ALL) Authorize the First Amendment to City Secretary Contract No. 59692, a Professional Services Agreement with the Fort Worth Convention and Visitors Bureau, to Fund Capital Projects to Benefit the Fort Worth Herd in the Amount of \$400,000.00

Motion: Approved.

7. M&C 24-0976 (ALL) Authorize Execution of Amendment No. Professional Services Agreement with Broadus & Associates, Inc. in the Amount \$1,200,000.00 for a Total Contract Value of \$4,169,475.00, Amendment No.4 to the Professional Services Agreement with Thompson, Ventulett, Stainback & Associates, Inc., in the Amount Up to \$7,144,042.00 for a Contract Value of \$13,441,818.00, for Design and Construction Administration Services. and Authorize Execution of Amendment No.3 Risk Construction at Contract with Hunt/Byrne/Smith. Joint Manager Venture, in the Amount Up to \$5,000,000.00, for a Total Contract Value of \$86,752,135.00, and Adopt Appropriation Ordinances and Amend the Fiscal Years 2025 - 2029 Capital Improvement Program

Motion: Approved. Appropriation Ordinance Nos. 27276-11-2024 and 27277-11-2024

8. M&C 24-0978 (ALL) Authorize the Acceptance of Reimbursement Funds for Overtime Expenditures in an Amount Up to \$92,000.00 for Participation in the Federal Bureau of Investigation North Texas Child Exploitation and Human Trafficking Task Force for Fiscal Years 2025 - 2028, and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 27278-11-2024

9. M&C 24-0979 (CD 7) Authorize Execution of Change Order No. 1, in the Amount of \$584,600.00 and the Addition of 110 Calendar Days to the City Secretary Contract No. 60923 with Peachtree Construction, LTD for the 2024 Asphalt Resurfacing Contract No. 1 Resulting in a Revised Contract Amount of \$5,838,045.70

Motion: Approved.

10. M&C 24-0982 (CD 6 and CD 9) Authorize Execution of a Contract with Peachtree Construction, Ltd., in the Amount of \$3,165,234.23 for the Rehabilitation of Various Streets for the 2025 Asphalt Resurfacing Contract 4 Project at Various Locations

Motion: Approved.

11. <u>M&C 24-0985</u> (CD 6 and CD 9) Authorize Execution of a Contract with Cutler Repaying, Inc., in the Amount of \$3,138,046.22 for the 2025 Hot-In-Place Recycling Contract 1 Project at Various Locations

Motion: Approved.

12. M&C 24-0986 (CD 3 and CD 9) Authorize Execution of Change Order Number 2 in the Amount of \$258,323.58 and the Addition of 40 Calendar Days to the Contract with Peachtree Construction Ltd., for the 2024 Asphalt Resurfacing Contract 5 Project for a Revised Contract Amount of \$2,999,577.13, Adopt the Appropriation Ordinance and Amend the Fiscal Years 2025-2029 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 27279-11-2024

13. M&C 24-0989 (CD 11) Authorize Execution of Amendment No. 1 in an Amount Not to Exceed \$283,785.00 to an Engineering Services Agreement with Burns & McDonnell Engineering Company, Inc., for the A.M. Pate Safe Routes to School Project for a Revised Contract Amount of \$683,424.00, Adopt Appropriation Ordinance and Amend the Fiscal Years 2025-2029 Capital Improvement Program (2022 Bond Program)

Motion: Approved. Appropriation Ordinance No. 27280-11-2024

14. M&C 24-0992 (CD 8) Authorize Termination of City Secretary Contract No. 50902 as Amended and Authorize Execution of a New Hangar and Ground Lease Agreement for Approximately 65,907 Square Feet of Ground Space Known as Lease Site 31N-A and Authorize Execution of a New Ground Lease Agreement for Approximately 42,211 Square Feet of Ground Space Known as Lease Site 31N-B with Daniel Griffith at Fort Worth Spinks Airport

Motion: Approved.

15. M&C 24-0993 (CD 5, CD 8, and CD 11) Authorize Execution of Amendment No. 1 to the Professional Services Agreement with WSP USA Inc. in the Amount of \$125,000.00 for the Eastside Transportation Plan (Formerly called East Lancaster Corridor and Sub-Regional Planning Study) for a Revised Contract Amount of \$1,225,000.00, Adopt Appropriation Ordinance and Amend the Fiscal Years 2025-2029 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 27281-11-2024

16. M&C 24-0994 (CD 7) Authorize Execution of Amendment No. 1 in the Amount of \$353,749.00 to an Engineering Agreement with Freese and Nichols, Inc., for the Bryant Irvin Westside II/ Southside II Pressure Plane Transfer Phases 1-3 Project and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to Fiscal Years 2025-2029 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 27282-11-2024

17. M&C 24-0996 (CD 3) Authorize Execution of Amendment No. 3 in the Amount of \$64,140.00, to an Engineering Agreement with Kimley-Horn Associates, Inc., for Westside III Ground Storage Tank and Westside IV and V Pump Station Project and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2025-2029 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 27283-11-2024

18. M&C 24-0997 (CD 2) Authorize Execution of a Contract with the Fain Group, Inc., in the Amount of \$3,791,653.20 for the Long Avenue Pedestrian Safety Improvements Project (2022 Bond Program)

Motion: Approved.

19. M&C 24-0998 (CD 10) Authorize Execution of an Engineering Agreement with Kimley-Horn and Associates, Inc. in the Amount of \$679,146.00 for the New Sendera Ranch Ground Storage Tank Project, Adopt Resolution Expressing Official Intent to Reimburse Expenditures from Proceeds of Future Debt Project and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to Fiscal Years 2025-2029 Capital Improvement Program

Motion: Approved. Resolution No. 6019-11-2024 and Appropriation Ordinance No. 27284-11-2024

20. M&C 24-1000 (CD 8, CD 9 and CD 11) Adopt Appropriation Ordinance in the Amount of \$160,000.00 for Increased Project Costs for Sanitary Sewer Rehabilitation Contract 118, and to Effect a Portion of Water's Contribution to the Fiscal Years 2025-2029 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 27285-11-2024

21. M&C 24-1002 (ALL) Authorize Execution of a Contract with the Arts Council of Fort Worth and Tarrant County, Inc. D/B/A Arts Fort Worth in the Amount of \$1,636,370.00 for Professional Management of the Fort Worth Public Art Program, Administration of the Competitive Arts Grant Program, Operation of the Community Arts Center, and Management Funding for the Rose Marine Theater for Fiscal Year 2025

22. M&C 24-1003 (CD 2) Authorize Execution of Change Order No. 3 in the Amount \$253,192.00 to a Contract with S.J. Louis Construction of Texas, LTD, for the Trinity River Vision, Phase 1 Project, 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 2025-2029 Capital Improvement Program

Motion: Approved. Resolution No. 6020-11-2024 and Appropriation Ordinance No. 27286-11-2024

23. M&C 24-1004 (CD 2) Authorize Acceptance of Tarrant Regional Water District Reimbursement in the Amount of \$20,362,472.19 in Relation to the Fort Worth Central City Expenditures Incurred by the City of Fort Worth Water Department and Adopt Appropriation Ordinances to Effect a Portion of Water's Fiscal Years 2025-2029 Capital Improvements Program

Motion: Approved. Appropriation Ordinance Nos. 27287-11-2024, 27288-11-2024, 27289-11-2024, 27290-11-2024, 27291-11-2024, and 27292-11-2024

24. M&C 24-1005 (CD 2) Authorize Execution of Change Order No. 1 in the Amount of \$465,263.00 to the Contract with William J. Schultz, Inc. dba Circle C Construction Company for the Fort Worth Central City Project Water & Sanitary Sewer Main Relocations for the Fort Worth Central City Project, Section 1: Part 10 – Water & Sanitary Sewer Relocations - City Project Trinity River Vision Phase 1, Adopt Resolution Expressing Official Intent to Reimburse Expenditures with Proceeds of Future Debt, and Adopt Appropriation Ordinances to Effect a Portion of Water's Contribution to the Fiscal Years 2025-2029 Capital Improvement Program

Motion: Approved. Resolution No. 6021-11-2024 and Appropriation Ordinance Nos. 27293-11-2024, 27294-11-2024, 27295-11-2024, 27296-11-2024, 27297-11-2024, 27298-11-2024, and 27299-11-2024

PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. <u>24-4583</u> Notice of Claims for Alleged Damages or Injuries

End of Consent Agenda.

ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Mayor Pro tem Bivens and Council Members Flores, Williams, Nettles, Beck, and Martinez presented 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

Council Proposal - NONE

There were no Council Proposals.

Changes in Membership on Boards and Commissions

1. <u>24-4580</u> Board Appointment - District 2

Motion: Council Member Flores made a motion, seconded by Mayor Pro tem Bivens, that Kathy Hamilton be reappointed for a second term to Place 2 on the Plan Commission and the Capital Improvements Plan Advisory Committee for Transportation Impact Fees effective November 12, 2024, and with a term expiring October 1, 2026. Motion passed Motion passed 11-0.

2. 24-4581 Board Appointment - District 3

Motion: Council Member Crain made a motion, seconded by Council Member Lauersdorf, that Jonathan Lynden be appointed for a partial term to Place 3 of the Building Standards Commission effective November 12, 2024, and with a term expiring October 1, 2025. Motion passed Motion passed 11-0.

3. 24-4721 Board Appointment - At-Large

Motion: Mayor Parker made a motion, seconded by Council Member Lauersdorf, that Austin Perrotti be appointed to Place 8 and Candis White be appointed Place 10 for their 1st term to the Building Standards Commission effective November 12, 2024, and with terms expiring October 1, 2026. Motion passed Motion passed 11-0.

PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS, COMMISSIONS AND/OR CITY COUNCIL COMMITTEES

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

PUBLIC HEARING

1. M&C 24-0971 (CD 8) Conduct Public Hearing, Adopt Resolution Supporting the Application of Bair Holdings, LLC for a Municipal Setting Designation for the Property Located at 5921 and 5933 South Freeway (I-35W), Fort Worth, Texas, 76134 to the Texas Commission on Environmental Quality, and Adopt Ordinance Prohibiting the Potable Use of Designated Groundwater from Beneath the Site Pursuant to Chapter 12.5, Article IV, Division 2 "Municipal Setting Designation"

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

Mayor Parker opened the public hearing.

a. Report of City Staff

Cody Whittenburg, Environmental Services Department, appeared before Council and provided a staff report.

b. Public Comment

Justin Toon appeared before Council in support of M&C 24-0971.

The following individuals completed comment cards in support of M&C 24-0971:

Aaron Cullen

Jerry Bolz

Carson Wersal

Daniel Shelley

Riley Dow

Ben Broyles

Hayden Hyde

Ryan Dukes

Andrew McDonald

Forrest Cook

Adele Elkind

Matthew McDonald

Jeff Rein

Connor Land

Sally Glen Turner

Houston Simmons

Ryan Matthews

Adam Schoppe

The following individuals appeared before Council in opposition to M&C 24-0971.

Jerome Carlos Johnson

Daniel Adams

Aubrey Barree

Malick Austin

Eunice Givens

Adrian Smith

c. Council Action

Motion: Council Member Nettles made a motion, seconded by Mayor Pro tem Bivens, that the public hearing be closed and M&C 24-0971 be denied without prejudice. Motion passed 11-0.

ZONING HEARING

The City Council, at its meeting of October 15, 2024, continued Site Plan SP-24-010.

1. SP-24-010 (CD 6) Thomas Barkowski / Westwood Professional Services, South of Brewer Road; northeast of Tarleton Way and north of Chisholm Trail Parkway (13.78 acres) Consider site plan on property zoned PD1090 Planned Development "PD/D" Planned Development for all uses in "D" High Density Multifamily (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Thomas Bartkowski appeared before Council in support of Site Plan SP-24-010.

Motion: Council Member Williams made a motion, seconded by Mayor Pro tem Bivens, that Site Plan SP-24-010 be approved. Motion passed 11-0.

The City Council, at its meeting of October 15, 2024, continued Zoning Docket ZC-24-063.

2. ZC-24-063 (CD 11) Trinity Phoenix LLC/Felix Wong, 521 & 601 Paradise Street, 518, 519 & 520 Baurline Street (0.905 acres) From: "A-5" One-Family Residential To: "PD-CR" Planned Development for all uses in "CR" Low Density Multifamily, excluding government office, museum, and country club; development standards for a reduced projected front yard setback, a reduced setback adjacent to one- or two-family residential district, and a reduced open space requirement; site plan included. (Recommended for Denial by the Zoning Commission) (Continued from a Previous Meeting)

Felix Wong completed a card in support of Zoning Docket ZC-24-063 and was recognized by Mayor Parker but did not wish to address Council.

Phyllis Allen completed a speaker card in opposition to Zoning Docket ZC-24-063 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Martinez made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-23-063 be remanded back to the Zoning Commission for their January 15, 2025, meeting, and continued to the February 11, 2025, Council meeting. Motion passed 11-0.

The City Council, at its meeting of October 15, 2024, continued Zoning Docket ZC-24-090.

3. <u>ZC-24-090</u> (CD 9) Rob Foster, Topographic / Altamesa Church of Christ Inc., 4600 Altamesa Boulevard (1.80 acres) From: "A-5" One Family To: "CF" Community Facilities (Recommended for Denial by the Zoning Commission) (Continued from a Previous Meeting)

Adrian Smith appeared before Council in support of Zoning Docket ZC-24-090.

Motion: Council Member Beck made a motion, seconded by Council Member Nettles, that Zoning Docket ZC-24-090 be continued to the December 10, 2024, Council meeting. Motion passed 11-0.

The City Council, at its meeting of October 15, 2024, continued Zoning Docket ZC-24-124.

Council Member Crain advised that he had filed a Conflict of Interest Affidavit with the City Secretary's Office pertaining to Zoning Docket ZC-24-124 and would abstain from voting on the issue.

4. <u>ZC-24-124</u> (CD 5) Fort Worth Housing / Child Care Associates / Mary Nell Poole, 5033 Ramey Avenue and 5105 Ramey Avenue, (2.4 acres), To: Add Conditional Use Permit "CUP" for child care in "A-5" One-Family; site plan required / Stop Six Overlay (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

The following individuals appeared before Council in support of Zoning Docket ZC-24-124:

Amy Handy

Kara Waddell

Michael Moore

Adrian Smith

The following individuals completed speaker cards in support of Zoning Docket ZC-24-124 and was recognized by Mayor Parker but did not wish to address Council:

Letha Roblow Mary Nell Poole

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Lauersdorf, that Zoning Docket ZC-24-124 be approved. Motion passed 10-0, with one abstention from Council Member Crain.

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 October 25, 2024.

5. <u>ZC-24-023</u> (CD 11) Ayman Dalkomoni, Elizabeth Alvarez, Roberto Nunez, 4521 Miller Avenue, 4215 Chickasaw Avenue, (0.34 acres), From: "E" Neighborhood Commercial To: "FR" General Commercial Restricted (Recommended for Denial with Prejudice by the Zoning Commission)

Letitia Wilbourn appeared before Council in opposition to Zoning Docket ZC-24-023.

Motion: Council Member Martinez made a motion, seconded by Council Member Nettles, that Zoning Docket ZC-24-023 be denied with prejudice. Motion passed 11-0.

6. ZC-24-065 (CD 8) Hazel Prophete / William K Turner / PTAH Group, 2117 & 2121 E. Maddox Avenue (0.321 acres) From: "FR" General Commercial Restricted To: "E" Neighborhood Commercial (Recommended for Denial by the Zoning Commission)

The following individuals appeared before Council in support of Zoning Docket ZC-24-065:

Hazel Prophete
William Turner, Houston, Texas

Motion: Council Member Nettles made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-24-073 be approved. Motion passed 11-0.

- 7. <u>ZC-24-070</u> (CD 11) JST Rentals / Billy Thomas, 4224 Nelms Drive, (0.22 acres) From: "I" Light Industrial / Stop Six Overlay To: "CR" Low Density Multifamily / Stop Six Overlay (Recommended for Approval by the Zoning Commission)
 - Motion: Council Member Martinez made a motion, seconded by Council Member Beck, that Zoning Docket ZC-24-070 be approved. Motion passed 11-0.
- **8.** <u>ZC-24-085</u> (CD 11) United Investments Family LP / Ollin Collins, 1436 South Freeway, (0.11 acres) From: "A-5" One Family To: "B" Two-Family (Recommended for Denial by the Zoning Commission)
 - Motion: Council Member Martinez made a motion, seconded by Council Member Beck, that Zoning Docket ZC-24-085 be denied without prejudice. Motion passed 11-0.
- 9. ZC-24-098 (CD 5) Ken Schaumberg, 3500, 3508 & 3518 State Highway 360 (56.9 acres), From: "AG" Agricultural To: "MU-2" High Intensity Mixed-Use (Recommended for Approval by the Zoning Commission)
 - Michael Schaumburg completed a speaker card in support of Zoning Docket ZC-24-098 and was recognized by Mayor Parker but did not wish to address Council.
 - Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Crain, that Zoning Docket ZC-24-098 be approved. Motion passed 11-0.
- 10. ZC-24-103 (CD 2) Revive Coffee LLC / Cassie Warren, 2503 & 2521 Roosevelt Avenue, (0.40 acres) From: E/HC" Neighborhood Commercial / Historic & Cultural Overlay To: "MU-1/HC" Low Intensity Mixed Use / Historic & Cultural Overlay (Recommended for Approval by the Zoning Commission)
 - Jacob Warren completed a speaker card in support of Zoning Docket ZC-24-103 and was recognized by Mayor Parker but did not wish to address Council.
 - Motion: Council Member Flores made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-24-103 be approved. Motion passed 11-0.

Mayor Parker advised that she had filed a Conflict of Interest Affidavit with the City Secretary's Office pertaining to Zoning Docket ZC-24-105 and would abstain from voting on this issue.

11. ZC-24-105 (CD 9) Cooks Children's Health Care Systems / Spencer Seals, Dunaway, 1598 W. Terrell Avenue, 815 & 895 8th Avenue, 908 & 1,000 Southland Avenue, (5.77 acres) From: NS-T5I Near Southside To: "G" Intensive Commercial (Recommended for Approval by the Zoning Commission)

Stephen Cook completed a speaker card in support of Zoning Docket ZC-24-105 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Beck made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-24-105 be approved. Motion passed 10-0, with one abstention from Mayor Parker.

12. <u>ZC-24-109</u> (CD 6) Mark Nastri, 2900 Hervie Street, 5337 & 5333 Lovell Avenue, (1.60 acres) From "C" Medium Density Multifamily To: "UR" Urban Residential (Recommended for Denial with Prejudice by the Zoning Commission)

The following individuals appeared before Council in opposition to Zoning Docket ZC-24-109:

Lydia Guajardo Rickard completed a speaker card in opposition to Zoning Docket ZC-24-109 and was recognized by Mayor Parker but was not present in the Council Chamber.

Adrian Smith completed a speaker card in opposition to Zoning Docket ZC-24-109 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Williams made a motion, seconded by Council Member Lauersdorf, that Zoning Docket ZC-24-109 be continued to the January 14, 2025, Council meeting. Motion passed 11-0.

13. ZC-24-111 (CD 9) Texas Christian University / Philip Varughese, 2901, 2905, 2909, 2913, 2917, 2919, 2921, 2925, 2929, 2933, 2937 & 2941 Merida Avenue, 2950 Sandage Avenue, (4.49 acres) From: "CF" Community Facilities / TCU Residential Overlay To: "MU-2" High Intensity Mixed Use / TCU Residential Overlay] (Recommended for Approval by the Zoning Commission)

Motion: Council Member Beck made a motion, seconded by Council Member Crain, that Zoning Docket ZC-24-111 be approved. Motion passed 11-0.

- 14. <u>ZC-24-112</u> (CD 3) Texas Christian University/Philip Varughese, Southwest corner Pond Drive & W. Berry Street, (3.658 acres), From: "CF" Community Facilities / TCU Residential Overlay To: "MU-2" High Intensity Mixed-Use / TCU Residential Overlay (Recommended for Approval by the Zoning Commission)
 - Motion: Council Member Crain made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-24-112 be approved. Motion passed 11-0.
- 15. ZC-24-113 (CD 9) Texas Christian University / Philip Varughese, 2700 W. Lowden Street, 2801, 2809, 2811, 2817, 2821, 2825, 2829, 2833 Merida Avenue and a portion of Merida Avenue, (5.10 acres) From: "CF" Community Facilities / TCU Residential Overlay To: "MU-2" High Intensity Mixed-Use / TCU Residential Overlay (Recommended for Approval by the Zoning Commission)
 - Motion: Council Member Beck made a motion, seconded by Council Member Crain, that Zoning Docket ZC-24-113 be approved. Motion passed 11-0.
- 16. ZC-24-114 (CD 9) Texas Christian University / Philip Varughese, 2829, 2832, 2833 & 2839 Sandage Avenue, 2800, 2816, 2824 & 2826 McCart Avenue, 2600 W. Lowden Street (2.17 acres), From: "CF" Community Facilities / TCU Residential Overlay To: "MU-2" High Intensity Mixed-Use / TCU Residential Overlay (Recommended for Approval by the Zoning Commission)
 - Motion: Council Member Beck made a motion, seconded by Council Member Crain, that Zoning Docket ZC-24-114 be approved. Motion passed 11-0.
- 17. ZC-24-115 (CD 9) Fort Worth Affordability Inc. / Daniel Smith-Ojala Partners, LP, 3100 and 3200 Hamilton Avenue, (8.01 acres), From: "C" Medium Density Multifamily, "ER" Neighborhood Commercial Restricted To: "MU-2" High Intensity Mixed-Use (Recommended for Denial by the Zoning Commission) (Continued from a Previous Meeting)
 - Motion: It was the consensus of the City Council that Zoning Docket ZC-24-115 be continued to the November 19, 2024, Council meeting.
- 18. ZC-24-116 (CD 9) Fort Worth Affordability Inc./ Ojala Partners, LP, 3200 Sondra Drive, 140 & 158 Saint Donovan Street, 3200 Saint Juliet Street, (6.91 acres), From: "C" Medium Density Multifamily To: "MU-2" High Intensity Mixed-Use (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Motion: It was the consensus of the City Council that Zoning Docket ZC-24-116 be

continued to the November 19, 2024, Council meeting.

19. ZC-24-122 (CD 8) Holiday Market Inc. / Abdul Wafayee, 3005 Mansfield Highway, (0.34 acres), From: "E" Neighborhood Commercial To: "F" General Commercial (Recommended for Denial by the Zoning Commission)

Motion: Council Member Nettles made a motion, seconded by Council Member Hill, that Zoning Docket ZC-24-122 be denied without prejudice. Motion passed 11-0.

20. ZC-24-123 (CD 8) Allen Tucker / Danielle Tucker, 1203 E. Leuda Street, (0.115 acres), From: "A-5/HC" One-Family / Historic and Cultural To: "ER/HC" Neighborhood Commercial Restricted / Historic and Cultural (Recommended for Approval by the Zoning Commission)

Danielle Tucker appeared before Council in support of Zoning Docket ZC-24-123.

Motion: Council Member Martinez made a motion, seconded by Council Member Williams, that Zoning Docket ZC-24-123 be approved. Motion passed 11-0.

21. ZC-24-128 (CD 8) Donna VanNess, The Housing Channel / Ivan Gonzalez, South of Grayson Street and west of Wichita Street, 1.215 acres), From: "PD/1374/R2" Planned Development for one-family detached, one-family attached (townhouse) and cluster housing with development standards, site plan approved To: "PD/R2" Planned Development for Cluster Housing on a single lot, excluding the following uses: community home, country club (private), and golf course with development standards for parking, no minimum lot size and more than one dwelling unit per lot; site plan included (Recommended for Approval by the Zoning Commission)

Ivan Gonzalez completed a speaker card in support of Zoning Docket ZC-24-128 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Nettles made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-24-128 be approved. Motion passed 11-0.

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 Nettles made a motion, seconded by Mayor Pro tem Bivens, that the hearing be closed and Ordinance No. 27300-11-2024 be adopted. Motion passed 11-0.

REPORT OF THE CITY MANAGER

B. General

1. M&C 24-0977 (ALL) Adopt Policy for Approval of Resolutions Related to Applications to the Texas Department of Housing and Community Affairs for 2025 Competitive (9%) and Noncompetitive (4%) Housing Tax Credits and Commitments of Development Funding from the City of Fort Worth

Motion: Council Member Hill made a motion, seconded by Council Member Martinez, that M&C 24-0977 be approved. Motion passed 11-0.

D. Land

1. M&C 24-0951 (CD 6) Authorize the Acquisition of a Fee Simple Interest in Approximately 38.239 Acres of Land Situated in the A. Hodge Survey, Abstract No. 1789, Tarrant County, Texas from Jefferson Primrose Land Holdings, LLC, or Affiliate, in the Amount of \$155,903.90 and Pay Estimated Closing Costs in an Amount Up to \$15,000.00 for the Open Space Conservation Program, Authorize Up to \$25,000.00 for Pre-Acquisition Costs, Adopt Appropriation Ordinance, and Amend the Fiscal Years 2025 – 2029 Capital Improvement Program (2022 Bond Program)

Property Description: 38.239 acres situated in the A. Hodge Survey, Abstract No. 1789, Tarrant County, Texas

Motion: Council Member Williams made a motion, seconded by Council Member Crain, that M&C 24-0951 be approved and Appropriation Ordinance No. 27301-11-2024 be adopted. Motion passed 11-0.

2. M&C 24-0958 (CD 7) Adopt Resolution Authorizing Condemnation by Eminent Domain to Acquire 0.017 Acres in a Right-of-Way Easement and Temporary Construction Easement from Real Property Owned by Gillis Johnson 2, LLC, Located at 6021 WJ Boaz Road and 7328 Gillis Johnson Street, in the Lake Crest Estates Addition, an Addition to the City of Fort Worth, Block D, Lot 2, Unit 1, Fort Worth, Tarrant County, Texas 76179, for the WJ Boaz Road Widening Improvements Project (2022 Bond Program)

Motion: Council Member Hill made a motion, seconded by Council Member Nettles, that M&C 24-0958 be approved and adopt Resolution No. 6022-11-2024 authorizing use of the power of eminent domain to

acquire 0.011 acres of land in right-of-way easement and 0.006 acres of land in temporary construction easement from real property owned by Gillis Johnson 2, LLC. The subject property is located at 6021 WJ Boaz Road and 7328 Gillis Johnson Street in the Lake Crest Estates Addition, an addition to the City of Fort Worth, Block D, Lot 2, Unit 1, Tarrant County, Texas. The land rights in the subject property are needed for the WJ Boaz Road Widening Improvements project, a public use that provides for roadway improvements including pavement reconstruction with curb and gutter, drainage improvements, streetlights, shared use paths and reconstruction of the existing roundabout at Bowman Roberts Road. 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 11-0.

3. M&C 24-0960 (CD 3) Adopt Resolution Authorizing Condemnation by Eminent Domain to Acquire 0.05 Acres in Right-of-Way and Temporary Construction Easement from Real Property Owned by SEJ Asset Management & Investment Company, Located at 6001 Camp Bowie Blvd in the Chamberlain Arlington Heights Addition, Block 56, Lot A-R, Tarrant County, Texas, for the Camp Bowie at Bryant Irvin Intersection Project (2022 Bond Program)

Motion: Council Member Crain made a motion, seconded by Council Member Lauersdorf, that M&C 24-0960 be approved and adopt Resolution No. 6023-11-2024 authorizing use of the power of eminent domain acquire 0.012 acres of land in right-of-way easement and 0.038 acres of land in temporary construction easement from real property owned SEJ Asset Management & Investment Company. The subject property is located at 6001 Camp Bowie Blvd in the Chamberlain Arlington Heights Addition, an addition to the City of Fort Worth, Block 56, Lot A-R, Tarrant County, Texas. The land rights in the subject property are needed for the Camp Bowie at Bryant Irvin Intersection Project, a public use that provides for intersection improvements at Camp Bowie Blvd and Bryant Irvin Rd intersection. This project consists of adding exclusive left turn lanes for northbound and southbound lanes on Bryant Irvin Road. The project will also add dual left turn lanes for the westbound lane on Camp Bowie Blvd. The roadway improvements will increase capacity and improve geometry at the intersection. The property interest to be acquired is described by metes and bounds and depicted by survey exhibits attached to this Mayor and Communication. Motion passed 11-0.

(Council Member Crain stepped away from the dais and left the meeting.)

F. Award of Contract

1. M&C 24-0954 (CD 7) Authorize Execution of a Community Facilities Agreement with Crescent Property Services, LLC with City Participation in an Amount Not to Exceed \$13,105,115.57 for the CFA-Camp Bowie Boulevard Improvements Project, Authorize a Waiver of the Community Facilities Agreement Application Fee, Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution for Fiscal Years 2025-2029 Capital Improvement Program

Motion: Council Member Hill made a motion, seconded by Council Member Beck, that M&C 24-0954 be approved and Appropriation Ordinance No. 27302-11-2024 be adopted. Motion passed 10-0, Council Member Crain absent.

ADJOURNMENT

There being no further business, Mayor Parker adjourned the meeting at 8:18 p.m.