

CITY OF FORT WORTH, TEXAS
CITY COUNCIL MEETING
TUESDAY, MARCH 9, 2021

Present:

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)

Absent:

Mayor Betsy Price

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 Pro tem Jordan called the City Council Regular Session of the Fort Worth City Council to order 7:03 p.m. on Tuesday, March 9, 2021, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

INVOCATION - Pastor William T. Glynn, Mount Olive Missionary Baptist Church

The invocation was provided by William T. Glynn, Mount Olive Missionary Baptist Church.

PLEDGES OF ALLEGIANCE TO THE UNITED STATES AND THE STATE OF TEXAS (State of Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.")

The Pledges of Allegiance to the United States of America and the State of Texas were recited.

CONSIDERATION OF MINUTES

Motion: Council Member Byrd made a motion, seconded by Council Member Flores, that the minutes of the Work Session and the Regular Minutes of March 2, 2021, be approved. Motion passed 8-0, Mayor Price absent.

1. [21-1180](#) Minutes - March 2, 2021 Work Session
2. [21-1181](#) Minutes - March 2, 2021 Regular Meeting

ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

City Manager Cooke requested that M&C 21-0171 be removed from the Consent Agenda for individual consideration, and M&C 21-0177 be withdrawn from the Council Agenda.

ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

There were no items to be continued or withdrawn by staff.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 Flores, that the Consent Agenda be approved as amended. Motion passed 8-0, Mayor Price absent.

A. General - Consent Items

1. [M&C 21-0172](#) (ETJ Adjacent to CD 7) Settlement of All Issues and Claims in 15-08170-367, Town of Northlake v. City of Justin, Challenging the 1997 and 2020 Fort Worth-Northlake Land Swap Agreements

Motion: Approved.

2. [M&C 21-0179](#) (ALL) Declare \$1,579,095.75 in Fund Balance in the Culture and Tourism Debt Service Fund as Surplus and Make Related Findings, and Adopt Appropriation Ordinances Amending the Fiscal Year 2021 Adopted Budgets for the Culture and Tourism Operating and Debt Service Funds

Motion: Approved. Appropriation Ordinance Nos. 24736-03-2021, 24737-03-2021, 24738-03-2021, and 24739-03-2021

3. [M&C 21-0181](#) (CD 2, CD 6, and CD 7) Adopt the Proposed Amendment to the Schedule of Rates and Charges to Reflect New Signatory and Non-Signatory Landing Fee Rates for Alliance Airport for the Current Fiscal Year

Motion: Approved.

4. [M&C 21-0188](#) (ALL) Adopt Appropriation Ordinance within the Library Special Revenue Fund in the Amount of \$104,404.25 for Funds Recently Received from the Addie Levy Trust and the Virginia O'Donnell Charitable Trust for the Purpose of Supporting Library Services

Motion: Approved. Appropriation Ordinance No. 24740-03-2021

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

1. [M&C 21-0168](#) (ALL) Authorize the Execution of a Purchase Agreement with SHI Government Solutions, Inc. for Microsoft Software, License, Maintenance, and Related Services for the Information Technology Solutions Department, Using Cooperative Contract DIR-TSO-4092 in an Annual Amount of \$1,406,387.25 for a Three-Year Term Amount of \$4,219,161.75

Motion: Approved.

C. Land - Consent Items

1. [M&C 21-0170](#) (Future CD 7) Authorize Execution of Pre-Annexation Development Agreement with Carl Edmond Williams and Dorothy Jayne Williams Family Revocable Trust for 1.272 acres of Commercial Property Located in Fort Worth's Extraterritorial Jurisdiction in Tarrant County

Property description: 1.272 acres of commercial property located at 9483 Live Oak Lane west of Eagle Mountain Lake, Tarrant County, Texas

Motion: Approved.

2. [M&C 21-0178](#) (CD 9) Authorize Acquisition of a Permanent Sewer Facility Easement in Approximately 0.284 Acres of Land and Temporary Construction Easements in Approximately 0.548 Acres of Land Located at 1000 North Henderson Street, Situated in Block 1 of Henderson Street Bazaar, an Addition to the City of Fort Worth, Tarrant County, Texas, from Property Owned by JGM McMahon, LLC and SBG Bailey, LLC for the Trinity River Vision Project for a Total Purchase Price of \$438,312.00 and Pay Estimated Closing Costs in an Amount Up to \$5,000.00 for a Total Cost of \$443,312.00, Adopt Resolution Expressing Official Intent to Reimburse Expenditures and Proceeds of Future Debt, Adopt Appropriation Ordinance, and Amend the FY2021-2025 Capital Improvement Program

Property description: 0.284 acres of land and temporary construction easements in approximately 0.548 acres of land situated in Block 1 of Henderson Street Bazaar Addition, City of Fort Worth, Tarrant County, Texas

Motion: Approved. Resolution No. 5360-03-2021 and Appropriation Ordinance No. 24741-03-2021

E. Award of Contract - Consent Items

1. [M&C 21-0169](#) (ALL) Authorize Execution of a Communications System Agreement with the Naval Air Station Joint Reserve Base Fort Worth for Participation in the City of Fort Worth's Public Safety Radio System for Interoperable Communications in Mutual Aid or Other Multi-Agency Operations at No Cost to the City of Fort Worth

Motion: Approved.

3. [M&C 21-0173](#) (ALL) Authorize Execution of Professional Services Agreements with Citibank, N.A. for the City's Securities Lending Program

Motion: Approved.

4. [M&C 21-0174](#) (ALL) Approve Amendment to Mayor and Council Communication 20-0330 and 20-0471 to Add Mortgage Assistance as an Allowable Expense, Authorize a Change in the Terms of Emergency Rental Assistance from Three Months to Six Months, Authorize Reallocation of \$200,000.00 in Coronavirus Aid, Relief and Economic Security Act Community Development Block Grant Funds to Housing Channel, Tarrant County Samaritan Housing, and The Salvation Army for the Emergency Rental Assistance Program, and Authorize Amendments to Related Contracts

Motion: Approved.

5. [M&C 21-0175](#) (ALL) Authorize Acceptance of Low-Income Weatherization Assistance Program Funds in an Amount Up to \$1,200,000.00 from the Texas Association of Community Action Agencies, Authorize Execution of Related Contracts and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24742-03-2021

6. [M&C 21-0176](#) (CD 3) Authorize Execution of an Engineering Agreement with Harris Kocher Engineering Group, Inc. dba Harris Kocher Smith in the Amount Not to Exceed \$426,469.00 for the Alameda Street Hazardous Road Overtopping Mitigation and Master Thoroughfare Plan Realignment Project, Adopt Appropriation Ordinances, and Amend the FY2021-2025 Capital Improvement Program

Motion: Appropriation Ordinance Nos. 24743-03-2021 and 24744-03-2021

7. [M&C 21-0177](#) (CD 2) Authorize Execution of an Advanced Funding Agreement with Texas Department of Transportation in the Amount of \$171,550.00 to Construct Drainage Improvements along the eastern side of Farm to Market Road 156 at Western Center Boulevard and Adopt Appropriation Ordinance

Motion: It was the consensus of the City Council that M&C 21-0177 be withdrawn from the Council Agenda.

8. [M&C 21-0180](#) (CD 7) Authorize Execution of a New Cargo Carrier Operating Agreement with Amazon.com Services Inc.'s Affiliate Airlines as Identified in Each Agreement as Atlas Air, Inc. and Southern Air, Inc. (Each Wholly Owned Subsidiaries of Atlas Air Worldwide Holdings, Inc.), and Air Transport International, Inc. (ATI), ABX Air, Inc. and Sun Country, Inc. (Each Wholly Owned Subsidiaries of Air Transport Service Group, Inc.) at Fort Worth Alliance Airport

Motion: Approved.

9. [M&C 21-0182](#) (CD 2) Authorize Execution of a Consent to Leasehold Deed of Trust to Facilitate New Hangar Construction for Lease Site 42N with Area 51 Hangar, LLC and Frost Bank at Fort Worth Meacham International Airport

Motion: Approved.

10. [M&C 21-0183](#) (CD 2) Authorize Execution of a Consent to Assignment of a Tank Farm Lease and Public Fueling Agreement by Richardson Aviation to FW American Aero Operating Company, LLC, for Fuel Farm Site 3 at Fort Worth Meacham International Airport

Motion: Approved.

11. [M&C 21-0184](#) (CD 7) Authorize the Execution of Second Amendment to Land and Special Facilities Lease Agreement with Federal Express Corporation Relative to the Use of Approximately 168 Acres of Land and Facilities Being Situated at Fort Worth Alliance Airport on Lot 1, Block 1, FEDEX Addition, City of Fort Worth, Denton County, Texas, Located at 2001 World Wide Drive, Fort Worth, Texas 76177 and a New Cargo Carrier Operating Agreement

Motion: Approved.

12. [M&C 21-0185](#) (CD 8) Adopt Appropriation Ordinance in the Amount of \$151,735.00 adjusting receipts and appropriations in the Water & Sewer Bond 2020A Fund for Land Acquisition Costs for the Hanna Ranch M-329 and M-295 Sanitary Sewer Replacement Project

Motion: Approved. Appropriation Ordinance No. 24745-03-2021

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13. [M&C 21-0186](#) (CD 7) Authorize Execution of a Design Procurement Agreement with LaFrontera Development, LLC, with City Participation in the Amount of \$531,318.00, for the Engineering Design of a Lift Station and Eight-Inch Force Sewer Main in the Vicinity Located on the Developer's Property East of Landing Road along Boat Club Road to Serve the LaFrontera Development and Anticipated Future Growth in Northwest Fort Worth and Adopt Appropriation Ordinances

Motion: Approved. Appropriation Ordinance Nos. 24746-03-2021 and 24747-03-2021

14. [M&C 21-0187](#) (CD 2) Authorize Execution of Amendment No. 1 with Kimley-Horn and Associates, Inc. in the Amount of \$10,000.00 for Additional Design Services Associated with Sanitary Sewer Rehabilitation, Contract 119, on 23rd Street Project for a Revised Contract Amount of \$109,500.00 and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24748-03-2021

15. [M&C 21-0189](#) (CD 7) Authorize Execution of an Artwork Commission Agreement with Julie Richey Mosaics, LLC, in an Amount Up to \$320,455.00 for Fabrication, Delivery, Installation, and Contingencies for Artwork at the North Animal Care and Adoption Campus, 301 Hillshire Drive, 76052 and Find That the Use of Funds for Public Art for this Project Complies with the Voted Purpose of the Bond Funds (2014 and 2018 Bond Program)

Motion: Approved.

PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. [21-1341](#) Notice of Claims and Alleged Damages or Injury

End of Consent Agenda.

E. Award of Contract - Removed from the Consent Agenda

2. [M&C 21-0171](#) (ALL) Adopt a Resolution Authorizing Employment of David Mendez and Bickerstaff, Heath, Delgado, Acosta LLP as Outside Legal Counsel for Assistance to the City Attorney's Office in Connection with Redistricting

The following individuals appeared before Council via conference call undecided relative to M&C 21-0171:

Mr. Fernando Florez, 2740 Hemphill
Ms. Jeralynn Jackee Cox, 6212 Reddenson Drive

Motion: Council Member Shingleton made a motion, seconded by Council Member Flores, that M&C 21-0171 be approved and Resolution No. 5361-03-2021 be adopted. Motion passed 8-0, Mayor Price Absent.

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 Members Flores, Bivens, Allen Gray, and Zadeh announced upcoming and recent events within the City and various Council districts.

2. Recognition of Citizens

There was no recognition of citizens.

3. Approval of Ceremonial Travel

There was no approval for ceremonial travel.

PRESENTATIONS BY THE CITY COUNCIL

There were no presentations by the City Council.

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

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

RESOLUTIONS

1. [21-1393](#) A Resolution Authorizing Submission to the U.S. Department of Housing and Urban Development of Proposed Critical Community Improvement Plan for Implementation of the Choice Neighborhood Implementation Grant for the Cavile Place/Stop Six Neighborhood

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Resolution No. 5362-03-2021 be adopted. Motion passed 8-0, Mayor Price absent.

PUBLIC HEARING

City Secretary Kayser advised that M&Cs 21-0192 through 21-0194 would be heard under one motion.

1. [M&C 21-0192](#) (ALL) Approve \$44,403.00 in Adjustments to the Fiscal Year 2020 Crime Control and Prevention District Budget to Reallocate Amounts within the Same Initiative, Resulting in No Net Increase to the Initiative or Overall Budget

Motion: Approved.

2. [M&C 21-0193](#) (ALL) Conduct a Public Hearing and Approve FY2020 Crime Control and Prevention District Budget Amendment, Decreasing Capital Budget by \$1,260,000, and Returning Funds to CCPD Operating Fund Balance to Reflect Vehicle Acquisition with Tax Note Proceeds Instead of Cash, Adjust the FY2020-2024 Capital Improvement Plan, and Adopt Appropriation Ordinance

Motion: Approved. Ordinance No. 24749-03-2021

3. [M&C 21-0194](#) (ALL) Conduct Public Hearing and Approve Amendments to Fiscal Year 2021 Crime Control and Prevention District Budget to Shift \$1,264,099.00 in Funding for Additional Overtime Costs and to Increase Funding by a Total of \$671,159.00 for Additional Sergeant Positions; Adopt Appropriation Ordinance; and Adopt Ordinance Increasing the Number of Authorized Positions in the Classification of Sergeant in the Police Department by Ten, Thereby Increasing the Total Number of Authorized Civil Service Positions by Ten

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

Mayor Pro tem Jordan opened the public hearing.

a. Report of City Staff

Ms. Lorraine Coleman, Planning and Data Analytics 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 Flores, that the public hearing be closed, M&C 21-0192, 21-0193, and 21-0194 be approved, and Ordinance Nos. 24749-03-2021, 24750-03-2021, and 24751-03-2021 be adopted. Motion passed 8-0, Mayor Price absent.

ZONING HEARING

The City Council, at its meeting of March 2, 2021, continued Zoning Dockets ZC-20-181, ZC-20-139, and ZC-20-011:

1. [ZC-20-181](#) (CD 5) Mizael Becerra, 4900 Parker Henderson Road; From: "A-5" One-Family To: "I" Light Industrial, 2.09 ac. (Recommended for Approval by the Zoning Commission) (Continued from a Previous Week)

The following individuals appeared before Council in support of Zoning Docket ZC-20-181.

Mr. Ray Oujesky, 201 Main Street, Suite 2500
Mr. Luke Umfress, P.O. Box 1480

The following individuals appeared before Council in opposition to Zoning Docket ZC-20-181:

Ms. Sandra White, 7325 Woodridge (via conference call)
Ms. Bobbie Edmonds, 100 East 15th Street, Suite 410 (via conference call)
Ms. MarTayshia James, 5021 Cotty Street (provided slides)

Ms. Letitia Wilbourn, P.O. Box 15670
Ms. Sonya Warren, 4420 East Kellis Street
Ms. Tina James, 5021 Cottey (presented slides)

Ms. Sherry Warren Dukes, 4420 East Kellis Street, completed a speaker card in opposition to Zoning Docket ZC-20-181 and was recognized by Mayor Pro tem Jordan but did not wish to address Council.

Mr. Bob Willoughby, 617 Fay Boulevard, appeared before Council undecided relative to Zoning Docket ZC-20-181.

Motion: Council Member Bivens made a motion, seconded by Council Member Moon, that Zoning Docket ZC-20-181 be denied. Motion passed 8-0, Mayor Price absent.

City Secretary Kayser advised that Zoning Docket ZC-21-011 would be moved up on the Council Agenda.

- [ZC-21-011](#) (CD 5) Carey Street Holdings LLC, 4301 Carey Street; To: Add a Conditional Use Permit for outdoor non-accessory storage in "I" Light Industrial 3.00 ac. (Recommended for Approval by the Zoning Commission) (Continued from a Previous Week)

Mr. Ray Oujesky, 201 Main Street, Suite 2500, appeared before Council in support of Zoning Docket ZC-21-011 and presented slides.

Mr. Bob Willoughby, 617 Fay Boulevard, appeared before Council undecided relative to Zoning Docket ZC-21-011.

Motion: Council Member Bivens made a motion, seconded by Council Member Flores, that Zoning Docket ZC-21-011 be denied. Motion passed 8-0, Mayor Price absent.

- [ZC-20-139](#) (CD 8) Noe Piedra, 2300 McCurdy Street; To: Add a Conditional Use Permit for outdoor storage in "I" Light Industrial 2.39 ac. (Recommended for Denial by the Zoning Commission) (Continued from a Previous Week)

Motion: Council Member Allen Gray made a motion, seconded by Council Member Bivens, that Zoning Docket ZC-20-139 be denied. Motion passed 8-0, Mayor Price absent.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining Zoning Ordinance No. 21653-02-2015 for the above-listed cases, Council Member Allen Gray made a motion, seconded by Council Member Bivens that the hearing be closed. Motion passed 8-0, Mayor Price absent.

REPORT OF THE CITY MANAGER

There were no action items under the Report the City Manager.

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. [21-1347](#) Public Presentations

Ms. Roxann Lindsay, 9009 Stone Park Drive, appeared before Council via conference call relative to the winter storm.

Mr. Bob Willoughby, 617 Fay Boulevard, signed up to speak and show a video. Mayor Pro tem Jordan indicated that the video was electioneering and would not be shown. Mr. Willoughby left the Council Chamber without speaking.

Mr. Tyler DeLuca, 844 Bristol Avenue, appeared before Council relative to citizens presentations and was recognized by Mayor Pro tem Jordan but was not present in the Council Chamber.

ADJOURNMENT

There being no further business, Mayor Pro tem Jordan adjourned the meeting at 8:15 p.m.