

CITY OF FORT WORTH, TEXAS
CITY COUNCIL MEETING
TUESDAY, NOVEMBER 17, 2020

Present:

Mayor Betsy Price (Video)
Mayor Pro tem Jungus Jordan, District 6
Council Member Carlos Flores, District 2 (Video)
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 Pro tem Jordan called the regular session of the Fort Worth City Council to order at 7:02 p.m. on Tuesday, November 17, 2020, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

INVOCATION - Pastor Jim Love, River Oaks United Methodist Church

The invocation was provided by Pastor Jim Love, River Oaks United Methodist 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 Moon, that the minutes of the Work Session and the Regular Minutes of November 10, 2020, be approved. Motion passed 9-0.

1. [20-0574](#) Minutes - November 10, 2020 Work Session
2. [20-0575](#) Minutes - November 10, 2020 Regular Meeting

ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

City Manager Cooke requested that M&Cs 20-0842 and 20-0848 be removed from the Consent Agenda for individual consideration.

ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

There were no items to be continued or withdrawn by staff.

CONSENT AGENDA

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

A. General - Consent Items

1. [M&C 20-0846](#) (CD 8) Adopt Resolution Nominating Alcon Vision LLC Facility at 6201 South Freeway as an Enterprise Project Pursuant to the Texas Enterprise Zone Act, Chapter 2303 of the Texas Government Code

Motion: Approved. Resolution No. 5300-11-2020

2. [M&C 20-0849](#) (ALL) Authorize Execution of a Unit Price Contract with Ti-Zack Concrete, Inc. in an Amount Not to Exceed \$1,000,000.00 and Ken-Do Contracting LP in an Amount Not to Exceed \$1,000,000.00 for Task Order Construction Services for the Installation of Sidewalks and Americans with Disabilities Act Ramps, with Two Renewal Options

Motion: Approved.

3. [M&C 20-0850](#) (ALL) Adopt Appropriation Ordinance in the Amount of \$231,067.55 for the 2017 Railroads Project for Construction Services, Additional Professional Services and City Staff Costs for Safety and Quiet Zone Improvements at Various Railroad Crossings and Amend the FY2021-2025 Capital Improvement Program (2014 Bond Program)

Motion: Approved. Appropriation Ordinance No. 24526-11-2020

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

2. [M&C 20-0843](#) (ALL) Authorize Execution of Non-Exclusive Purchase Agreements with Caldwell Country Chevrolet, LLC, Jacksboro FM, L.L.C. d/b/a Four Stars Ford, Grapevine DCJ, LLC and RRPFG, LP d/b/a Randall Reed's Prestige Ford for Half-Ton Pickup Trucks for a Combined Annual Amount Up to \$2,841,350.00, for the First Year with Five-Year Terms for the Property Management Department

Motion: Approved.

3. [M&C 20-0844](#) (ALL) Authorize the Execution of a Purchase Agreement with Rexel USA, Inc. for Lamps and Ballasts to be Utilized in City Facilities for an Annual Amount of \$775,000.00 with Four One-Year Renewal Options

Motion: Approved.

4. [M&C 20-0845](#) (ALL) Authorize Execution of a Purchase Agreement with Thirkettle Corporation dba Aqua Metric Sales Company for Water Service Meters and Appurtenances and Authorize Four Annual Renewals in an Annual Amount Up to \$2,777,640.00 for the Water Department

Motion: Approved.

E. Award of Contract - Consent Items

1. [M&C 20-0836](#) (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

Motion: Approved.

2. [M&C 20-0837](#) (ALL) Authorize Execution of Contract with the Fort Worth Metropolitan Black Chamber of Commerce to Assist Business Equity Firms - Minority and Women Business Enterprises in an Amount Not to Exceed \$126,504.00

Motion: Approved.

4. [M&C 20-0851](#) (CD 7, CD 8, and CD 9) Authorize Execution of a Contract with Makou Inc., in the Amount of \$989,095.00 for the 2020 Highland Hills, Monticello, and Jessamine Concrete Street Rehabilitation Project

Motion: Approved.

5. [M&C 20-0853](#) (ALL) Authorize Execution of the Sixth Addendum to City Secretary Contract Number 44949, a Professional Services Agreement with the Fort Worth Convention and Visitors Bureau, in the Amount of \$600,000.00 to Implement Phase II of the Tourism Response and Recovery Plan

Motion: Approved.

6. [M&C 20-0854](#) (CD 7) Authorize the Execution of an Engineering Services Agreement with Jacobs Engineering Group, Inc. in the Amount of \$323,270.85 for Design and Bidding Support Services for Phase II of the Taxiway Papa Extension Project at Fort Worth Alliance Airport

Motion: Approved.

7. [M&C 20-0855](#) (CD 9) Authorize Execution of Change Order Number 2 in the Amount of \$615,600.61 and the Addition of 150 Calendar Days to a Contract with William J. Schultz dba Circle C Construction Company, for Main 34, 100, D100 Drainage Areas Sanitary Sewer Improvements, Part 1, Provide for Project Costs for a Project Total Amount of \$6,374,925.61, Adopt Resolution Expressing Official Intent to Reimburse Expenditures with Proceeds of Future Debt, and Adopt Appropriation Ordinance

Motion: Approved. Resolution No. 5301-11-2020 and Appropriation Ordinance No. 24527-11-2020

8. [M&C 20-0856](#) (CD 7) Adopt Appropriation Ordinance in the Water and Sewer Capital Projects Fund in the Amount of \$148,080.00 for Design, Project Management and Material Testing for Sanitary Sewer Main Extension on Misty's Run from Keller Hicks Road to Old Denton Road

Motion: Approved. Appropriation Ordinance No. 24528-11-2020

PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. [20-0443](#) Notice of Claims for Alleged Damages and/or Injuries

End of Consent Agenda.

B. Purchase of Equipment, Materials, and Services - Remove from Consent Agenda

1. [M&C 20-0842](#) (ALL) Authorize an Agreement with Flock Group Inc. d/b/a Flock Safety, in an Amount Up to \$500,000.00 Annually to Purchase Automated License Plate Camera Readers for the Information Technology Department on Behalf of the City of Fort Worth Police Department and Code Compliance for an Initial One-Year Term with Nine Options to Renew at the City's Discretion

Ms. Lisa de Brito, 7237 Church Street, appeared before Council in opposition to M&C 20-0842.

Mr. Dalton Webb, 511 West Felix Street, completed a comment card in support of M&C 20-0842.

Motion: Council Member Shingleton made a motion, seconded by Council Member Moon, that M&C 20-0842 be approved. Motion passed 9-0.

E. Award of Contract - Remove from Consent Agenda

3. [M&C 20-0848](#) (ALL) Authorize Execution of a Contract Up to \$225,000.00 using Federal Grant Funds with Day Resource Center for the Homeless dba DRC Solutions for Cold Weather Sheltering Services and Operation of Emergency Overflow Shelter to Respond to and Prevent COVID-19

Ms. Wanda McKinney, 3232 Comanche Street, completed a speaker card in support of M&C 20-0848 and was recognized by Mayor Pro tem Jordan but could not be reached by conference call.

Motion: Council Member Shingleton made a motion, seconded by Council Member Byrd, that M&C 20-0848 be approved. Motion passed 9-0.

SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

There were no special presentations, introductions, etc.

ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Council Members Shingleton, 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

1. Changes in Membership on Boards and Commissions

[20-1062](#) Board Appointments - District 4

Motion: Council Member Moon made a motion, seconded by Council Member Byrd, that Mr. Matt Kotter be appointed to Place 4 to the City Plan Commission and the Capital Improvements Advisory Committee for Transportation Impact Fees effective November 17, 2020, and with a term expiring October 1, 2022. Motion passed 9-0.

[20-1060](#) Board Appointments - District 5

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Ms. Sherry Knox Benton be appointed to Place 5 to the Urban Design Commission effective November 17, 2020, and with a term expiring October 1, 2021. Motion passed 9-0.

[20-1064](#) Board Appointments - District 6

Motion: On behalf of Mayor Pro tem Jordan, Council Member Byrd made a motion, seconded by Council Member Shingleton, that Mr. Willie P. Tedoe be reappointed to Place 6 to the Community Development Council effective November 17, 2020, and with a term expiring October 1, 2022. 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. [20-1054](#) A Resolution Adopting the City of Fort Worth's 2021 Federal Legislative and Administrative Agenda

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Resolution No. 5302-11-2020 be adopted and the federal legislative agenda be approved with the following revision:

- To the summary for Supporting Our Local Defense Economy to include support for the Future Vertical Lift program, including the Future Long Range Assault Aircraft and Future Attached Reconnaissance Aircraft, as part of U.S. Army modernizations, as more fully described in the attached Federal Administrative priorities for 2021.

Motion passed 9-0.

2. [20-1055](#) A Resolution Adopting the City of Fort Worth’s 2021 State Legislative Program

Motion: Council Member Zadeh made a motion, seconded by Council Member Shingleton, that Resolution No. 5303-11-2020 be adopted. Motion passed 9-0.

3. [20-1056](#) A Resolution of the City of Fort Worth, Texas Accepting Alternate Preliminary Amended Service and Assessment Plans, Including Alternate Proposed Amended Assessment Rolls, for Fort Worth Public Improvement District No. 17 (Rock Creek Ranch); Directing the Filing of the Alternate Proposed Amended Service And Assessment Plans with the City Secretary to Make Available for Public Inspection; Calling a Public Hearing on December 1, 2020 to Consider an Ordinance Adopting One of the Alternate Amended Service and Assessment Plans; Directing City Staff to Publish and Mail Notice of Said Public Hearing; and Resolving Other Matters Incident and Related Thereto

Motion: Council Member Byrd made a motion, seconded by Council Member Shingleton, that Resolution No. 5304-11-2020 be adopted. Motion passed 9-0.

4. [20-1059](#) A Resolution Authorizing a “Premium Holiday” for Active Employees During the December Pay Periods and Use of \$1,100,000 of Fund Balance to Offset the Cost of the “Premium Holiday”

Motion: Council Member Allen Gray made a motion, seconded by Council Member Zadeh, that Resolution No. 5305-11-2020 be adopted. Motion passed 9-0.

ORDINANCE

1. [20-1063](#) An Ordinance Prohibiting Certain Activities in Certain Areas in Connection with Activities Related to the Wrangler National Finals Rodeo; Providing that this Ordinance shall be Cumulative of all Ordinances; Providing a Savings Clause; Providing a Severability Clause; Providing a Penalty Clause; Providing for Publication; and Naming an Effective Date of December 1, 2020 and an Expiration Date of 12:00 Noon, December 13, 2020

Motion: Council Member Shingleton made a motion, seconded by Mayor Price, that Ordinance No. 24529-11-2020 be adopted. Motion passed 9-0.

PUBLIC HEARING

1. [M&C 20-0858](#) (CD 8) Conduct Public Hearing, Adopt Resolution Supporting the Application of the Hickman Family Limited Partnership for a Municipal Setting Designation for the Property Located Near the Intersection of Interstate Highway 35 West and West Risinger Road, Fort Worth, Texas, 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” (Continued from a Previous Meeting)

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

Mayor Pro tem Jordan opened the public hearing.

a. Report of City Staff

Mr. Cody Whittenburg, Code Compliance Department, appeared before Council and provided a staff report.

b. Public Comment

There were no public comments.

c. Council Action

Motion: Council Member Allen Gray made a motion, seconded by Council Member Shingleton, that the public hearing be closed and M&C 20-0858 be continued to the December 1, 2020, Council meeting. Motion passed 9-0.

2. [M&C 20-0840](#) (FUTURE CD 3) Conduct Public Hearing, Authorize Execution of Municipal Services Agreement and Consider Adopting Ordinance for the Proposed Owner-Initiated Annexation of Approximately 136.24 Acres of Land in Parker County, Known as Aledo ISD MS No. 2, Located North of Old Weatherford Road, East of Farmer (Farm to Market 3325) and West of Walsh Ranch Parkway, in the West Planning Sector, AX-20-003

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

Mayor Pro tem Jordan 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

There were no public comments.

c. Council Action

Motion: Council Member Byrd made a motion, seconded by Council Member Shingleton, that the public hearing be closed, M&C 20-0840 be approved and Ordinance No. 24530-11-2020 be adopted. Motion passed 9-0.

ZONING HEARING

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 November 1, 2020.

1. [ZC-20-116](#) (CD 3) Aledo Independent School District, Generally 11800 - 13400 blocks Old Weatherford Road; From: Unzoned To: "CF" Community Facilities 132.36 acres (Recommended for Approval by the Zoning Commission)

Motion: Council Member Byrd made a motion, seconded by Council Member Moon, that Zoning Docket ZC-20-116 be approved. Motion passed 9-0.

The City Council, at its meeting of September 15, continued Zoning Docket ZC-20-097.

2. [ZC-20-097](#) (CD2) Gyant Frog & City of Fort Worth Property Management, 4400, 4406 White Settlement Road & 4419 Rockwood Drive; From: “A-10” One-Family, “E” Neighborhood Commercial and “I” Light Industrial To: PD/E Planned Development for all uses in “E” Neighborhood Commercial plus cabin rentals, outdoor stage and bar area and more than 50% enclosed storage area with development standards for setbacks and parking; site plan included 0.60 acres (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

The following individuals appeared before Council in support of Zoning Docket ZC-20-097:

Mr. Theron Bryant, 777 Main Street (provided PowerPoint presentation)

Mr. Ryan Trott, 400 North Bailey Avenue (via conference call, provided PowerPoint presentation)

Ms. Kristen Clark, 713 North Main Street (provided PowerPoint presentation)

Mr. Tim Love, 713 North Main Street (provided PowerPoint presentation)

Mr. Darin Norman, 2013 Thomas Place (provided PowerPoint presentation)

The following individuals appeared before Council in opposition to Zoning Docket ZC-20-097:

Ms. Gayle Davis, 845 North Bailey Avenue (via conference call)

Mr. William Schur, 912 North Bailey Avenue (via conference call, provided PowerPoint presentation)

Ms. Margaret Johnson, 121 McGee Drive (provided PowerPoint presentation)

Mr. Pat Fletcher, 206 Isbell Road

Ms. Jacqueline Denmark, 4409 Barbara Road (provided handouts)

The following individuals completed comment cards in opposition to Zoning Docket ZC-20-097:

Ms. Janine Lund, 836 North Bailey Avenue

Mr. Carl Bast, 316 Eastwood Avenue

Mr. Bill Ort, 4409 Barbara Road
Mr. F.E. Jackson Said, 4225 Bonita Drive
Mr. Dale Connor, 4212 Bonita Drive

Motion: Council Member Flores made a motion, seconded by Council Member Byrd, that Zoning Docket ZC-20-097 be approved. Motion passed 8-1 with Council Member Shingleton casting the dissenting vote.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining Zoning Ordinance No. 21653-02-2015 for the above-listed cases, Council Member Flores made a motion, seconded by Council Member Byrd, that the hearing be closed, and Ordinance No. 24531-11-2020 be adopted. Motion passed 9-0.

REPORT OF THE CITY MANAGER

B. General

1. [M&C 20-0838](#) (ALL) Adopt an Ordinance Amending Chapter 12.5 Environmental Protection and Compliance, Article VIII Solid Waste and Recycling, Division 5 Private Collectors to Amend the Grant of Privilege Fee and Application

The following individuals completed comment cards in support of M&C 20-0838:

Mr. Jim Lattimore, 1600 Texas Street
Ms. Linda Pavlik, 1200 Summit #770

Ms. Celeste Herrera, 3512 Baldwin Avenue, completed a comment card in opposition to M&C 20-0838.

Motion: Council Member Allen Gray made a motion, seconded by Mayor Price, that M&C 20-0838 be approved and Ordinance No. 24532-11-2020 be adopted. Motion passed 9-0.

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2. [M&C 20-0839](#) (ALL) Adopt an Ordinance to Amend Chapter 12.5 of the City Code, Environmental Protection and Compliance, Article VIII, Solid Waste and Recycling, Division 1, General Provisions to make a Definition of Non City Waste and Division 4, Deposits, Rates and Collection to Establish a Landfill Environmental Fee as Section 12.844 for Certain Non-City Waste Received at the Southeast Landfill and Finding that Adopting the Fee Is Necessary to Address the Future Need for Disposal of Solid Waste and Is a Governmental Function and to Establish the Landfill Environmental Fee in an Amount Not to Exceed \$5.00 Per Ton

The following individuals completed comment cards in support of M&C 20-0839:

Mr. Jim Lattimore, 1600 Texas Street
Ms. Linda Pavlik, 1200 Summit #770

Motion: Council Member Shingleton made a motion, seconded by Council Member Bivens, that M&C 20-0839 be approved and Ordinance No. 24533-11-2020 be adopted. Motion passed 9-0.

3. [M&C 20-0841](#) (ALL) Approve the Availability and Disparity Study, Adopt New Business Equity Ordinance to Repeal and Replace Chapter 20, Article X of the City Code and Replace All Previous Minority and Women Business Enterprise Ordinances and Adopt a Business Equity Firm Annual Goal of 25%

Motion: Council Member Allen Gray made a motion, seconded by Council Member Bivens, that M&C 20-0841 be approved and Ordinance No. 24534-11-2020 be adopted. Motion passed 9-0.

4. [M&C 20-0847](#) (ALL) Adopt Policy for Review of Applications to the Texas Department of Housing and Community Affairs for 2021 Noncompetitive (4%) and Competitive (9%) Housing Tax Credits and Commitments of Development Funding from the City of Fort Worth

Motion: Council Member Bivens made a motion, seconded by Mayor Price, that M&C 20-0847 be approved. Motion passed 9-0.

5. [M&C 20-0857](#) (CD 6) Approve the Fiscal Year 2021 Budget and Assessment Rolls for Fort Worth Public Improvement District No. 17 - Rock Creek Ranch and Adopt Fiscal Year 2020 and 2021 Appropriation Ordinances

Motion: On behalf of Mayor Pro tem Jordan, Council Member Shingleton made a motion, seconded by Council Member Byrd, that M&C 20-0857 be approved and Appropriation Ordinance Nos. 24535-11-2020, 24536-11-2020, and 24537-11-2020 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. [20-0610](#) Public Presentations

Ms. Marcia Brenner, 5401 Savoy Drive, appeared before Council via conference call relative to throwaway neighborhoods.

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, appeared before Council via conference call relative to a tube of toothpaste.

Mr. Lisa de Brito, 7237 Church Street, appeared before Council relative to proposed redistricting and provided a video.

Mr. Bob Willoughby, 617 Fay Boulevard, appeared before Council relative to City Council, Code Compliance, redistricting, and John T. White NA and provided a video.

Mr. Gerald Banks, Sr., 6861 Routt Street, appeared before Council relative to profiling, police brutality, wrongful arrest, wrongful prosecution, 287g, ending qualified immunity, etc.

Mr. Doyle Fine, 800 Grainger Street, appeared before Council via conference call relative to Fort Worth response to voter intimidation.

ADJOURNMENT

There being no further business, Mayor Price adjourned the meeting at 8:45 p.m., in memory of Ms. Barbara Reyna, who passed away on Saturday, October 31, 2020.