

CITY OF FORT WORTH, TEXAS
CITY COUNCIL MEETING
TUESDAY, MAY 11, 2021

Present:

Mayor Betsy Price
Mayor Pro tem Jungus Jordan, District 6
Council Member Carlos Flores, District 2
Council Member Cary Moon, District 4
Council Member Gyna Bivens, District 5
Council Member Dennis Shingleton, District 7
Council Member Kelly Allen Gray, District 8 (Video)
Council Member Ann Zadeh, District 9

Absent:

Council Member Brian Byrd, District 3

Staff Present:

David Cooke, City Manager
Sarah Fullenwider, City Attorney
Ronald P. Gonzales, Assistant 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 7:01 p.m. on Tuesday, May 11, 2021, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

CERTIFICATION OF OFFICIAL RETURNS BY CITY SECRETARY

Assistant City Secretary Gonzales advised Council that they had been provided with the certifications and tabulations of the official elections returns from Tarrant, Denton, and Parker Counties for the General Election held on Saturday, May 1, 2021, for the purpose of electing the Mayor and eight (8) City Council Members for their respective single member districts of the City of Fort Worth, Texas, with the certified cumulative returns for such election. He stated as a result of the tabulations, the following persons were hereby declared elected to the City Council:

Council Member District 2: Carlos Flores
Council Member District 3: Michael D. Crain
Council Member District 4: Cary Moon
Council Member District 5: Gyna M. Bivens

1. [21-1469](#) A Resolution Canvassing the Returns; Declaring the Results of the General Election Held on May 1, 2021, For the Purpose of Electing City Council Members for the City of Fort Worth and Declaring a Run-Off Election for June 5, 2021

Motion: Council Member Shingleton made a motion, seconded by Council Member Moon, that Resolution No.5391-05-2021 be adopted. Motion passed 8-0, Council Member Byrd absent.

PRESENTATION OF CERTIFICATE OF ELECTION TO COUNCIL MEMBERS ELECT

Mayor Price presented Certificates of Election to Council Members Elect Carlos Flores, Michael D. Crain, Cary Moon, and Gyna M. Bivens.

**ADMINISTER THE OATH OF OFFICE TO COUNCIL MEMBERS ELECT
CARLOS FLORES, CARY MOON, MICHAEL CRAIN, AND GYNA BIVENS**

Assistant City Secretary Gonzales administered the Oath of Office to Council Members Elect Carlos Flores, Michael D. Crain, Cary Moon, and Gyna M. Bivens.

(Council Member Crain took his place at the dais.)

REMARKS AND INTRODUCTIONS BY COUNCIL MEMBERS CARLOS FLORES, MICHAEL CRAIN, CARY MOON, AND GYNA BIVENS

Council Members Flores, Crain, Moon, and Bivens expressed appreciation to their families, friends, citizens of Fort Worth and staff for their support and provided remarks relative to their vision for the future of Fort Worth and their respective duties. Mayor Price extended congratulations to all Council Members on their election/re-election and expressed appreciation to the citizens who allowed them to serve the City of Fort Worth.

INVOCATION - Pastor Tim Woody, City Life Church

The invocation was provided by Pastor Tim Woody, City Life 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 Moon made a motion, seconded by Council Member Shingleton, that the minutes of the Joint City Council and Fort Worth Employees' Retirement Fund Board Meeting of March 2, 2021, and Work Session and the Regular Minutes of May 4, 2021, be approved. Motion passed 9-0.

1. [21-1473](#) Minutes - March 2, 2021 Joint City Council and Fort Worth Employees' Retirement Fund Board Meeting
2. [21-1190](#) Minutes - May 4, 2021 Work Session
3. [21-1191](#) Minutes - May 4, 2021 Regular Meeting

ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items to be removed 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 Bivens, that the Consent Agenda be approved. Motion passed 9-0.

A. General - Consent Items

1. [M&C 21-0322](#) (ETJ Adjacent to CD 7) Authorize an Interlocal Agreement Allocating Extraterritorial Jurisdiction and Retail Water and Sewer Service Areas Between the Town of Northlake, Texas, the City of Justin, Texas and The City of Fort Worth, Texas, and the First Amendment to Interlocal Agreement Allocating Extraterritorial Jurisdiction between the City of Fort Worth, Texas and the City of Northlake, Texas and Adopt the Attached Joint Resolution Transferring Certain Extraterritorial Jurisdiction (ETJ) Between the Cities of Fort Worth and Justin; Releasing ETJ by the City of Northlake; Providing for Severability; Providing for Recordation; and Providing an Effective Date

Motion: Approved. Joint Resolution No. 5392-05-2021

2. [M&C 21-0323](#) (ALL) Adopt Resolution Ratifying the City Attorney's Lawsuit in the District Court of Tarrant County Against Shea O'Neill to Declare the Rights of the Parties under Chapter 143 of the Texas Local Government Code and Enjoin O'Neill from Participating in an Improper Civil Service Appeal

Motion: Approved. Resolution No. 5393-05-2021

3. [M&C 21-0326](#) (ALL) Authorize Execution of a Unit Price Contract with TRP Construction Group, LLC and Striping Technology, LP each in an Amount Not to Exceed \$800,000.00 for Task Order Construction Services for Projects Relating to Pavement Marking

Mr. Will Dryden, 7650 Meadowbrook Drive, completed a comment card in support of M&C 21-0326.

Motion: Approved.

4. [M&C 21-0327](#) (CD 5) Authorize Continuation of the Temporary Closure of Parker Henderson Road between David Strickland Road and 75 Feet North of Willow Springs Mobile Home Park Driveway to July 31, 2021 for Construction Purposes

Motion: Approved.

5. [M&C 21-0329](#) (ALL) Authorize the Adoption of the Attached Ordinance Amending Chapter 2, "Administration", Section 2-9(c), "Contract Execution; Amendments; Change Orders," of the City Code Related to the City Manager's Authority to Execute Month-To-Month Leases, Leases With a Duration Of Up To 31 (Thirty-One) Days, or Licenses with Some Exceptions

Motion: Approved. Ordinance No. 24830-05-2021

6. [M&C 21-0330](#) (ALL) Adopt Attached Resolution Denying Application for Approval to Amend its Distribution Cost Recovery Factor Proposed by Oncor Electric Delivery Company LLC and Authorizing Steering Committee of Cities Served by Oncor to Retain Law Firm and Consultants to Evaluate the Application

Motion: Approved. Resolution No. 5374-05-2021

7. [M&C 21-0332](#) (CD 7) Authorize Waiver of Fees for the Replat of Approximately 1,348.87 Acres of Land Located North of West Highway 114 and West of Interstate Highway 35 West for the Texas Motor Speedway

Motion: Approved.

8. [M&C 21-0333](#) (CD 7) Authorize Application for and Acceptance of a Coronavirus Response and Relief Supplemental Appropriation Act Grant, if Awarded, from the Federal Aviation Administration in an Amount Up to \$400,934.00 at Fort Worth Alliance Airport and Adopt Attached Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24831-05-2021

9. [M&C 21-0334](#) (CD 2) Authorize Application for and Acceptance of a Coronavirus Response and Relief Supplemental Appropriation Act Grant, if Awarded, from the Federal Aviation Administration Passed Through the Texas Department of Transportation in an Amount Up to \$57,000.00 at Fort Worth Meacham International Airport and Adopt Attached Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24832-05-2021

10. [M&C 21-0335](#) (CD 6) Authorize Application for and Acceptance of a Coronavirus Response and Relief Supplemental Appropriation Act Grant, if Awarded, from the Federal Aviation Administration Passed Through the Texas Department of Transportation in an Amount Up to \$57,126.00 at Fort Worth Spinks Airport and Adopt Attached Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24833-05-2021

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

1. [M&C 21-0324](#) (ALL) Authorize Execution of a One Year Purchase Agreement with Core & Main LP for Fire Hydrants, Accessories, and Repair Parts for an Annual Amount Up to \$260,000.00 with Four One-Year Renewal Options for the Water Department

Motion: Approved.

C. Land - Consent Items

1. [M&C 21-0331](#) (CD 2) Authorize Direct Sale of a Tax-Foreclosed Property Located at 2623 Prospect Avenue, for a Total Cost of \$14,830.00, to B. J. Washington, Jr. in Accordance with Section 34.05 of the Texas Property Tax Code

Property Description: Lot 12, Block 34, M.G. Ellis Addition, Located at 2623 Prospect Avenue

Motion: Approved.

E. Award of Contract - Consent Items

1. [M&C 21-0321](#) (CD 2) Authorize Execution of an Artwork Commission Contract with Elizabeth Akamatsu Fenci in an Amount Up to \$157,196.69 for Fabrication, Delivery, Installation and Contingencies for Artwork at the New Diamond Hill Community Center, to be Located at the Intersection of Weber Street and 36th Street, Fort Worth, Texas 76106 and Find that the Use of the Funds for Public Art for this Project Complies with the Voted Purpose of the Bond Funds (2018 Bond Program)

Motion: Approved.

2. [M&C 21-0325](#) (CD 6) Authorize Execution of Amendment 3 to an Engineering Services Agreement with Carrillo Engineering, LLC in the Amount of \$15,985.00 for Additional Design Services Associated with the Hulen Street at Granbury Road Intersection Improvements for a Revised Contract Amount of \$744,340.00 (2018 Bond Program)

Motion: Approved.

3. [M&C 21-0328](#) (CD 2) Authorize Execution of a Contract with TranSystems Corporation d/b/a TranSystems Corporation Consultants, in the Amount of \$1,247,299.00 for Stormwater Design and Franchise Utility Relocations Oversight for the Trinity River Vision-Central City Flood Control Drainage Projects, Adopt Attached Appropriation Ordinances, and Amend the Fiscal Years 2021-2025 Capital Improvement Program

Motion: Approved. Appropriation Ordinance Nos. 24834-05-2021 and 24835-05-201

4. [M&C 21-0336](#) (CD 7) Authorize Execution of a Community Facilities Agreement with Lennar Homes of Texas Land and Construction, Ltd. with City Participation in an Amount Not to Exceed \$1,333,556.39, for Oversizing a Twelve Inch Water Main to a Twenty-Four Inch Water Main in the Vicinity West of North Freeway and State Highway 114 to Serve Shale Creek and Anticipated Future Growth in North Fort Worth and Adopt Attached Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24836-05-2021

PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. [21-1283](#) 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

Mayor Price, Mayor Pro tem Jordan, and Council Member Allen Gray 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. [21-1472](#) A Resolution Appointing Michael Crain to the Board of Directors of LVTRise, a Texas Non- Profit Corporation

Mr. Bob Willoughby, 617 Fay Boulevard, appeared before Council in opposition to the resolution.

Motion: Council Member Moon made a motion, seconded by Council Member Bivens, that Resolution No. 5395-05-2021 be adopted. Motion passed 9-0.

2. [21-1471](#) A Resolution Appointing Michael Crain as a Member of Various Non-Profit Corporations Benefiting the City of Fort Worth

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Resolution No. 5396-05-2021 be adopted. Motion passed 9-0.

3. [21-1470](#) A Resolution Authorizing a Reduction in the City of Fort Worth's Extraterritorial Jurisdiction by Adjusting the Extraterritorial Jurisdiction Boundary Line Between Fort Worth and Justin

Motion: Council Member Zadeh made a motion, seconded by Council Member Shingleton, that Resolution No. 5397-05-2021 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 April 25, 2021.

Mayor Price opened the public hearing.

1. [ZC-21-014](#) (CD 8) ZC-21-014 Nedian Homes, LLC, 905 & 915 E. Powell Avenue; From: "CF" Community Facilities To: "A-5" One-Family .28 ac. (Recommended for Approval by the Zoning Commission)

Motion: Council Member Allen Gray made a motion, seconded by Council Member Bivens, that Zoning Docket ZC-21-014 be approved. Motion passed 9-0.

2. [SP-21-005](#) (CD 3) SP-21-005 Waterside Dental Real Estate LLC, 4000 Bryant Irvin Road; To: Amend Site Plan for PD 999C to amend accessory structure location 1.67 ac. (Recommended for Approval by the Zoning Commission)

Mr. Jeff Landon, 4116 Bilglade Road, completed a speaker card via conference call in support of Site Plan SP-21-005 and was recognized by Mayor Price but did not wish to address Council.

Motion: Council Member Crain made a motion, seconded by Council Member Shingleton, that Site Plan SP-21-005 be approved. Motion passed 9-0.

3. [ZC-21-030](#) (CD 8) ZC-21-030 Dalton's Best Maids Products, 1363 & 1365 S Riverside Drive, 1330 & 1334 Ash Crescent Street; From: "A-5" One Family, "B" Two-Family, & "E" Neighborhood Commercial To: "J" Medium Industrial .68 ac. (Recommended for Approval by the Zoning Commission)

The following individuals completed speaker cards in support of Zoning Docket ZC-21-030 and were recognized by Mayor Price but did not wish to address Council:

Mr. Noah Bass, 1401 South Riverside Drive (via conference call)
Mr. Preston Bartley, 6313 Firth Road

Motion: Council Member Allen Gray made a motion, seconded by Mayor Pro tem Jordan, that Zoning Docket ZC-21-030 be approved. Motion passed 9-0.

4. [ZC-21-031](#) (CD 7) ZC-21-031 Mount Olivet Cemetery Association, Inc, 3344 White Settlement Road; From: A-5” One-Family; “E” Neighborhood Commercial To: Amend PD 119 53.64 ac. (Recommended for Approval by the Zoning Commission)

Mr. Justin Light, 500 West 7th Street, Suite 600, completed a speaker card in support of Zoning Docket ZC-21-031 and was recognized by Mayor Price but did not wish to address Council.

Motion: Council Member Shingleton made a motion, seconded by Council Member Flores, that Zoning Docket ZC-21-031 be approved. Motion passed 9-0.

5. [ZC-21-033](#) (CD 9) ZC-21-033 Lena Pope Home, Inc, 4601 -4701 (odds) West Freeway, 3000 Hulen Street, 3131 Sanguinet Street; From: “E” Neighborhood Commercial To: “MU-1” Low Intensity Mixed Use 28.18 ac. (Recommended for Approval as Amended by rezoning the portion of the property currently zoned “E” Neighborhood Commercial to “MU-1” Low-Intensity Mixed Use District by the Zoning Commission)

Mr. Carlo Andreani, 4060 Bryant Irvin Road, appeared before Council in support of Zoning Docket ZC-21-033.

Motion: Council Member Zadeh made a motion, seconded by Council Member Crain, that Zoning Docket ZC-21-033 be approved as amended by rezoning the portion of the property currently zoned “E” Neighborhood Commercial to “MU-1” Low-Intensity Mixed Use District. Motion passed 9-0.

6. [ZC-21-034](#) (CD 7) ZC-21-034 La Prelle Trust, 500-800 blocks Blue Mound Road; From: “AG” Agricultural To: “A-5” One-Family 372.40 ac. (Recommended for Approval by the Zoning Commission)

Mr. Bruce French, 4835 LBJ Freeway, Suite 700, Dallas, Texas, appeared before Council in support of Zoning Docket ZC-21-034.

Mr. Gary Hulsey, 2003 FM 156 South, Haslet, Texas, appeared before Council in opposition to Zoning Docket ZC-21-034.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Jordan, that Zoning Docket ZC-21-034 be remanded back to the Zoning Commission. Motion passed 9-0.

7. [ZC-21-037](#) (CD 7) ZC-21-037 GBTM Sendera LLC Northwest of proposed County Line Road and Rancho Canyon, 14300 block John Day Road; From: "AG" Agricultural, "A-5" One-Family, "CF" Community Facilities To: "A-5" One-Family, "CF" Community Facilities 6.94 ac. (Recommended for Approval by the Zoning Commission)

The following individuals completed speaker cards via conference call in support of Zoning Docket ZC-21-037 and were recognized by Mayor Price but did not wish to address Council:

Mr. Kevin Kessler, 3017 West 7th Street, Suite 300

Mr. Jamie Marcoux, 3017 West 7th Street, Suite 300

Motion: Council Member Shingleton made a motion, seconded by Council Member Flores, that Zoning Docket ZC-21-037 be approved. Motion passed 9-0.

8. [ZC-21-038](#) (CD 7) ZC-21-038 MJBW RD LLC, 3800 Camp Bowie Boulevard; To add a Conditional Use Permit for temporary construction office in "ER" Neighborhood Commercial Restricted.42 ac (Recommended for Approval with a 24 Month Limit by the Zoning Commission) (Continued from a Previous Meeting)

Mr. Barry Hudson, representing Dunaway Associates, 3012 Gunnison Trail, completed a speaker card in support of Zoning Docket ZC-21-038.

Ms. Miranda Benton, 1319 Madeline Place, completed a speaker card in opposition to Zoning Docket ZC-21-038 and was recognized by Mayor Price but was not present in the Council Chamber.

Motion: Council Member Shingleton made a motion, seconded by Council Member Bivens, that Zoning Docket ZC-21-038 be continued to the June 8, 2021, Council meeting. Motion passed 9-0.

9. [ZC-21-039](#) (CD 8) ZC-21-039 Brown Lewisville RR Family First, LP; 9500 block Technology Boulevard; Request: To add Conditional Use Permit for concrete/asphalt crushing & recycling in “K” Heavy Industrial 15.71 ac (Recommended for Approval as amended by the Zoning Commission)

Mr. Barry Hudson, representing Dunaway Associates, 3012 Gunnison Trail, completed a speaker card in support of Zoning Docket ZC-21-039 and was recognized by Mayor Price but did not wish to address Council.

Motion: Council Member Allen Gray made a motion, seconded by Council Member Bivens, that Zoning Docket ZC-21-039 be approved. Motion passed 9-0.

10. [ZC-21-041](#) (CD 5) ZC-21-041 Givens Trinity Blvd LLC 13400 block S. Pipeline Road, 4000 Tarrant Main Street, 13451 Trinity Boulevard; From: “AG” Agricultural, “A-5” One-Family, “C” Medium Density Multifamily, “E” Neighborhood Commercial, “I” Light Industrial, PD 922 for E uses plus outdoor storage To: Amend PD 922 to include paving company operations 11.21 ac. (Recommended for Approval by the Zoning Commission)

Mr. Austin Givens, 4000 Tarrant Main Street, Euless, Texas, appeared before Council via conference call in support of Zoning Docket ZC-21-041 and was recognized by Mayor Price but was unreachable.

The following individuals completed speaker cards via conference call in support of Zoning Docket ZC-21-041 and were recognized by Mayor Price but did not wish to address Council:

Ms. Nadine Givens, 4000 Tarrant Main Street, Euless, Texas

Mr. Chuck Freeman, 1150 East Kennedale Parkway, Kennedale, Texas

Mr. Frank Callahan, 1150 East Kennedale Parkway, Kennedale, Texas

Motion: Council Member Bivens made a motion, seconded by Council Member Crain, that Zoning Docket ZC-21-041 be approved. Motion passed 9-0.

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11. [ZC-21-042](#) (CD ALL) ZC-21-042 City Of Fort Worth Development Services, TEXT AMENDMENT; AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 21653, AS AMENDED, CODIFIED AS APPENDIX “A” OF THE CODE OF THE CITY OF FORT WORTH (2015), BY AMENDING CHAPTER 6, “DEVELOPMENT STANDARDS” OF ARTICLE 3, “LANDSCAPING, BUFFERS, AND URBAN FORESTRY” TO REVISE SECTION 6.302 “URBAN FORESTRY” REGULATIONS RELATING TO PENALTIES FOR VIOLATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE (Recommended for Approval by the Zoning Commission)

The following individuals completed comment cards in support of Zoning Docket ZC-21-042:

Ms. Cindy Boling, 4717 Norma Street
Mr. Mark Boling, 4717 Norma Street

Motion: Council Member Bivens made a motion, seconded by Council Member Zadeh, that Zoning Docket ZC-21-042 be approved and Ordinance No. 24838-05-2021 be adopted. Motion passed 9-0.

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 Bivens made a motion, seconded by Council Member Zadeh, that the hearing be closed and Ordinance No. 24837-05-2021 be adopted. Motion passed 9-0.

REPORT OF THE CITY MANAGER

There was no report of 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. [21-1353](#) Public Presentation

Ms. Kheri Hines, Fort Worth, Texas, appeared before Council via conference call relative to a break in at her home and the Police Department issues.

Mr. Bob Willoughby, 617 Fay Boulevard, appeared before Council relative to the City Council, Code Compliance, Redistricting, the Police Department, and local voter education and provided a video.

Mr. James Smith, 1208 East Allen Avenue, appeared before Council relative to the Atatiana Jefferson project and the memorial designation of I35W.

ADJOURNMENT

There being no further business, Mayor Price adjourned the meeting at 8:07 p.m.