

CITY OF FORT WORTH, TEXAS
CITY COUNCIL MEETING
TUESDAY, MAY 18, 2021

Present:

Mayor Betsy Price
Mayor Pro tem Jungus Jordan, District 6
Council Member Carlos Flores, District 2
Council Member Michael D. Crain, District 3
Council Member Cary Moon, District 4 (Joined by Video at 10:16 a.m.)
Council Member Gyna M. Bivens, District 5
Council Member Dennis Shingleton, District 7
Council Member Kelly Allen Gray, District 8 (Video)
Council Member Ann Zadeh, District 9

Staff Present:

David Cooke, City Manager
Sarah Fullenwider, City Attorney
Mary J. Kayser, City Secretary

CALL TO ORDER

With a quorum of the City Council Members present, Mayor Price called the City Council Regular Session of the Fort Worth City Council to order 10:02 a.m. on Tuesday, May 18, 2021, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

INVOCATION - Pastor Lesley M. Radius, St. Matthew's Lutheran Church

The invocation was provided via conference call by Pastor Lesley M. Radius, St. Matthew's Lutheran 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 Shingleton made a motion, seconded by Council Member Crain, that the minutes of the Work Session and the Regular Minutes of May 11, 2021, be approved. Motion passed 8-0, Council Member Moon absent.

1. [21-1192](#) Minutes - May 11, 2021 Work Session
2. [21-1193](#) Minutes - May 11, 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ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA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ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

There were no items to be continued or withdrawn by staff.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 Zadeh, that the minutes of the Work Session and the Regular Minutes of May 11, 2021, be approved. Motion passed 8-0, Council Member Moon absent.

A. General - Consent Items

1. [M&C 21-0340](#) (CD 5) Adopt Attached Resolution Nominating the Bank of America Corporate Facility at 4200 Amon Carter Boulevard as an Enterprise Project Pursuant to the Texas Enterprise Zone Act, Chapter 2303 of the Texas Government Code

Motion: Approved. Resolution No. 5398-05-2021

2. [M&C 21-0342](#) (CD 8) Adopt Attached Resolution Nominating Rev1 LLC Facility at 1851 Joel East Road as an Enterprise Project, Pursuant to the Texas Enterprise Zone Act, Chapter 2303 of the Texas Government Code

Motion: Approved. Resolution No. 5399-05-2021

3. [M&C 21-0343](#) (CD 5) Authorize Change in Use and Adjust Existing Appropriations in the Community Development Block Grant Project of the Grants Operating Federal Fund to Increase Funding for the Sheraton Drive Water/Sewer Installation Project in the Stop Six/Poly Neighborhood by \$300,000.00 for a Total Allocation of \$700,000.00 and Decrease Unprogrammed Funding by the Same Amount, Authorize a Substantial Amendment to the City's 2020-2021 Action Plan, and Authorize Substitution of Funding Years

Motion: Approved.

4. [M&C 21-0350](#) (ALL) Adopt Attached Ordinance Amending Chapter 12.5, Environmental Protection and Compliance, Article VI, Industrial Waste, Section 12.5-658 for Commercial and Industrial Dischargers into the Village Creek and Trinity River Authority Central Regional Wastewater Treatment Facilities

Motion: Approved. Ordinance No. 24839-05-2021

5. [M&C 21-0354](#) (CD 3 and ETJ) Adopt Attached Ordinance to Establish a Water Main Capacity Charge in the Amount of \$17,949.29 per Million Gallons per Day for the Westside III Haywire Ranch 36-Inch Water Main, Pursuant to Chapter 35, Article III, Division IV, Sections 35-90 through 35-92 of the City Code

Motion: Approved. Ordinance No. 24840-05-2021

6. [M&C 21-0355](#) (ALL) Authorize An Agreement with IDEXX Distribution, Inc., a Wholly-Owned Subsidiary of IDEXX Laboratories, Inc. to Provide Microbiological Supplies for the Water Department in the Annual Amount of \$180,000.00

Motion: Approved.

7. [M&C 21-0357](#) (CD 3 and ETJ) Adopt Attached Ordinance to Establish a Water Main Capacity Charge in the Amount of \$97,535.72 per Million Gallons per Day for a 24-Inch Westside III Water Transmission Main and a Recirculation Water Line to Serve the Ventana Development and Surrounding Areas, Pursuant to Chapter 35, Article III, Division IV, Sections 35-90 through 35-92 of the City Code

Motion: Approved. Ordinance No. 24841-05-2021

8. [M&C 21-0359](#) (ALL) Adopt Attached Appropriation Ordinance Increasing Appropriations in the Municipal Golf Fund in the Amount of \$350,000.00 for the Purpose of Transferring Said Money to the General Capital Projects Fund for Infrastructure Repairs at City Golf Courses and Adopt Attached Appropriation Ordinance Increasing Appropriations in the General Capital Projects Fund in the Same Amount and Amend the Fiscal Years 2021-2025 Capital Improvement Program

Motion: Approved. Appropriation Ordinance Nos. 24842-05-2021 and 24843-05-2021

E. Award of Contract - Consent Items

1. [M&C 21-0337](#) (ETJ Adjacent to CD 7) Authorize Execution of Second Amendment to Utility and Infrastructure Agreement for Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties

Motion: Approved.

2. [M&C 21-0338](#) (ALL) Adopt the Attached Resolution Authorizing Employment of Todd Spake and Kelly Hart & Hallman LLP as Outside Legal Counsel for Assistance to the City Attorney's Office Related to the City's Mineral Interests and Gas Leases

Motion: Approved. Resolution No. 5400-05-2021

3. [M&C 21-0344](#) (CD 6 and CD 8) Authorize Execution of a Contract with Urban Infraconstruction Inc., in the Amount of \$1,023,300.00 for 2021 Concrete Restoration Contract 4 at Various Locations on McCart Avenue and Hulen Street

Motion: Approved.

4. [M&C 21-0345](#) (CD 6) Authorize Execution of an Interlocal Agreement with Crowley Independent School District, in the Estimated Amount of \$1,755,697.00 with City Participation in the Approximate Amount of \$1,372,648.00 for Flood Mitigation Improvements in the Clark Road Neighborhood Area, Adopt Appropriation Ordinance, and Amend the Fiscal Years 2021-2025 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 24844-05-2021

5. [M&C 21-0346](#) (ALL) Authorize Execution of Non-Exclusive Annual Contracts with Intercon Environmental, Inc., Garrett Demolition, Inc., Midwest Wrecking Company of Texas, Inc., RNDI Companies, Inc., and Cactus Abatement and Demolition, Inc., for Structural Demolition and Asbestos Abatement Services for All City Departments at an Aggregate Cost of \$800,000.00 During Any One-Year Term

Motion: Approved.

6. [M&C 21-0347](#) (CD 2) Authorize Execution of a Contract with North Texas Contracting, Inc. in the Amount of \$3,699,645.00 for the Construction of Stage II of the Midfield Redevelopment Project at Fort Worth Meacham International Airport and Adopt Attached Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24845-05-2021

7. [M&C 21-0348](#) (CD 2) Authorize the Execution of an Engineering Services Agreement with Garver, LLC in the Amount of \$181,949.00 for Construction Management Services for Stage II of the Midfield Stage II Project at Fort Worth Meacham International Airport

Motion: Approved.

8. [M&C 21-0349](#) (CD 6) Authorize the Execution of a Construction Contract with Quality W Contractors LLC in the Amount of \$285,450.00 for the Construction of the Fence Maintenance Project at Fort Worth Spinks Airport

Motion: Approved.

9. [M&C 21-0351](#) (CD 7 and CD 9) Authorize Execution of Amendment No. 8 in the Amount of \$160,515.00 to an Engineering Agreement with Kimley-Horn and Associates, Inc. for Cultural District-Will Rogers Area Water and Sanitary Sewer Improvements, Part 10 Project for a Revised Contract Amount of \$2,873,375.00, Authorize Execution of a Contract with William J. Schultz, Inc. dba Circle C Construction Company, in the Amount of \$7,724,012.25 for the Cultural District-Will Rogers Area Water and Sanitary Sewer Improvements, Part 10 Project, Provide for Total Contract Cost in the Amount of \$8,631,556.25, Adopt Resolution Expressing Official Intent to Reimburse Expenditures with Proceeds of Future Debt and Adopt Attached Appropriation Ordinance

Motion: Approved. Resolution No. 5401-05-2021 and Appropriation Ordinance No. 24846-05-2021

10. [M&C 21-0352](#) (CD 2 and City of River Oaks) Authorize Execution of Amendment No. 3 with Neel-Schaffer, Inc. in the Amount of \$35,400.00 for Additional Design Services Associated with Churchill Road Water and Sanitary Sewer Project for a Revised Contract Amount of \$566,925.00 and Adopt Attached Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24847-05-2021

11. [M&C 21-0353](#) (CD 7) Adopt Attached Appropriation Ordinance in the Amount of \$343,927.00 for Additional Construction Funding for Sanitary Sewer Main Extension within the Harmon Road from US Highway 287/81 to Golden Triangle Boulevard CMAR Project

Motion: Approved. Appropriation Ordinance No. 24848-05-2021

12. [M&C 21-0358](#) (CD 2, CD 3, CD 4, CD 5, CD 6, CD 7, and CD 9) Authorize Execution of a Engineering Agreement with Pacheco Koch Consulting Engineers, Inc. in the Amount of \$217,050.00 for Playground Improvement Design and Professional Services at 14 Park Locations

Motion: Approved.

13. [M&C 21-0360](#) (CD 2 and CD 4) Authorize Execution of a Construction Contract with Fort Worth Civil Constructors, LLC, in the Amount of \$1,240,378.47 for Road and Parking Improvements at Gateway Park and Rockwood Park and Provide for Additional Project Cost and Contingencies in the Amount of \$94,000.00 for a Total Construction Cost of \$1,334,378.47 (2018 Bond Program)

Motion: Approved.

14. [M&C 21-0361](#) (CD 9) Authorize the Execution of a License Agreement Between City of Fort Worth and Colonial Country Club to Lease a Portion of Forest Park for Sixty Consecutive Days Related to the Annual Golf Tournament for an Initial Term of Ten Years Effective July 1, 2022; With the Option to Renew for Two Successive Five-Year Terms; Authorize the Execution of an Agreement Between the City of Fort Worth and Streams & Valleys, Inc., for the Use of a Portion of the Funds Generated by the License Agreement, and Find that Streams & Valleys's use of a Portion of the Funds Generated by the License Agreement Serves a Public Purpose

Motion: Approved.

PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. [21-1284](#) Notice of Claims for Alleged Damages or Injuries

End of Consent Agenda.

(Council Member Moon joined the meeting through video.)

SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Proclamation for the 75th Anniversary of the PGA Tour at Colonial Country Club

Presented By: Mayor Betsy Price

Presented To: Elliott Garsek

2. Presentation of Proclamation for Emergency Medical Services Week

Presented By: Council Member Dennis Shingleton

Presented To: Ken Simpson and Ruben Cisneros, MedStar & Fort Worth Fire Battalion Chief
Sherri Hauch

3. Presentation of Proclamation for Marshal Appreciation Week

Presented By: Council Member Carlos Flores and Council Member Ann Zadeh
Presented To: Marshal Phillip Swift

ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Mayor Price and Council Members Flores and 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.

ORDINANCES

1. [21-1477](#) Fifty-Ninth Supplemental Concurrent Bond Ordinance Amending in-Part the Master Bond Ordinance Relating to Dallas Fort Worth International Airport Joint Revenue Bonds

Motion: Council Member Bivens made a motion, seconded by Council Member Shingleton, that Fifty-Ninth Supplemental Concurrent Bond Ordinance No. 24849-05-2021 be adopted. Motion passed 9-0.

2. [21-1478](#) Sixtieth Supplemental Concurrent Bond Ordinance Authorizing One or More Series of Dallas Fort Worth International Airport Joint Revenue Bonds, for Lawful Purposes; Providing the Security Therefore; Providing for the Sale, Execution and Delivery Thereof Subject to Certain Parameters; and Providing Other Terms, Provisions and Covenants with Respect Thereto

Motion: Council Member Shingleton made a motion, seconded by Council Member Crain, that Sixtieth Supplemental Concurrent Bond Ordinance No. 24850-05-2021 be adopted. Motion passed 9-0.

3. [21-1479](#) Sixty-First Supplemental Concurrent Bond Ordinance Authorizing One or More Series of Dallas Fort Worth International Airport Joint Revenue Bonds, for Lawful Purposes; Providing the Security Therefore; Providing for the Sale, Execution and Delivery Thereof Subject to Certain Parameters; and Providing Other Terms, Provisions and Covenants with Respect Thereto

Motion: Council Member Crain made a motion, seconded by Council Member Flores, that Sixty-First Supplemental Concurrent Bond Ordinance No. 24851-05-2021 be adopted. Motion passed 9-0.

4. [21-1480](#) Sixty-Second Supplemental Concurrent Bond Ordinance Authorizing One or More Series of Dallas Fort Worth International Airport Subordinate Lien Joint Revenue Bonds, for Lawful Purposes; Providing the Security Therefore; Providing for the Sale, Execution and Delivery Thereof Subject to Certain Parameters; Authorizing the Execution and Delivery of a Continuing Covenant Agreement; and Providing Other Terms, Provisions and Covenants with Respect Thereto

Motion: Council Member Flores made a motion, seconded by Council Member Crain, that Sixty-Second Supplemental Concurrent Bond Ordinance No. 24852-05-2021 be adopted. Motion passed 9-0.

RESOLUTION

1. [21-1484](#) A Resolution of the City Council of the City of Fort Worth, Texas, Canceling the Work Session on June 15, 2021; Changing the Start Time for the Regular City Council Meeting of June 15, 2021 to 3:00 PM; And Setting the Location of the June 15, 2021 Special Called Canvassing Meeting at the Fort Worth Convention Center, 1201 Houston Street, Fort Worth, Texas 76102

Motion: Council Member Shingleton made a motion, seconded by Council Member Crain, that Resolution No. 5402-05-2021 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 May 2, 2021.

Mayor Price opened the public hearing.

1. [ZC-21-059](#) (CD 3) ZC-21-059 Walsh Ranches LP, Generally 11900 block I-20 (Tarrant County) to 1300 block I-20 (Parker County); From: PD 522, 569, 572, and 573 To: "K" Heavy Industrial 2155.60 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-21-059 and was recognized by Mayor Price but did not wish to address Council.

Motion: Council Member Crain made a motion, seconded by Mayor Pro tem Jordan, that Zoning Docket ZC-21-059 be approved. 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 Crain made a motion, seconded by Mayor Pro tem Jordan, that the hearing be closed and Ordinance No. 24853-05-2021 be adopted. Motion passed 9-0.

REPORT OF THE CITY MANAGER

B. General

1. [M&C 21-0339](#) (CD 3) Adopt Attached Appropriation Ordinance in the Fort Worth Public Improvement District No. 16 - Quail Valley Fund in the Amount of \$1,171,882.00, from Fund Balance, for the Purpose of Reimbursing the Developer for Eligible Costs Under the Fort Worth Public Improvement District No. 16 - Quail Valley - Improvement Area No. 1 Reimbursement Agreement

Motion: Council Member Crain made a motion, seconded by Council Member Flores, that M&C 21-0339 be approved and Appropriation Ordinance No. 24854-05-2021 be adopted. Motion passed 9-0.

2. [M&C 21-0341](#) (CD 2) Authorize Execution of an Option to Purchase Agreement and Related Purchase Agreement with Fort Worth Heritage Development, LLC or Affiliate for Two Parking Garages and Three Western Sports Arenas in the Fort Worth Stockyards Near the Southwest Corner of Stockyards Boulevard and Packers Avenue, Authorize Amendment of the Existing License Agreement with Fort Worth Heritage Development Company Relating to the Use, Operation, and Management of the Cowtown Coliseum to Include the New Arenas and Parking Garages Upon Acquisition by the City, Authorize the Execution of a Ten-Year Economic Development Program Agreement with Fort Worth Heritage Development LLC or Affiliate in Lieu of Acquisition by City, and Authorize Waiver of Eligibility Requirements in Economic Development Program Policy to Allow Maximum Grants to Exceed 80% of Ad Valorem Taxes

Motion: Council Member Flores made a motion, seconded by Council Member Shingleton, that M&C 21-0341 be approved. Motion passed 9-0.

F. Award of Contract

1. [M&C 21-0275](#) (CD 5) Authorize Execution of a Five-Year Tax Abatement Agreement with Mayolo Mendieta Guillen Jr. for the Construction of a Single-Family Dwelling of Approximately 2,398 Square Feet and Having a Cost of at Least \$228,000.00 on Property Located at 2132 Miller Avenue, in the Stop Six/Poly Neighborhood and within Neighborhood Empowerment Zone and Reinvestment Zone Area Six (Continued from a Previous Meeting)

Motion: Council Member Bivens made a motion, seconded by Council Member Flores, that M&C 21-0275 be approved. Motion passed 9-0.

2. [M&C 21-0356](#) (CD 5) Authorize Execution of Amendment No. 6 to an Engineering Agreement with CDM Smith, Inc., in the Amount of \$785,500.00, for Village Creek Water Reclamation Facility South Influent Pump-Lift Station, Authorize Execution of a Contract with Crescent Constructors, Inc. in the Amount of \$19,993,000.00 for Village Creek Water Reclamation Facility South Influent Pump - Lift Station, Provide for Project Costs for a Project Total in the Amount of \$21,743,164.00, Adopt Resolution Expressing Official Intent to Reimburse Expenditures with Proceeds of Future Debt, and Adopt Appropriation Ordinance

Motion: Council Member Bivens made a motion, seconded by Council Member Crain, that M&C 21-0356 be approved and Resolution No. 5403-05-2021 and Appropriation Ordinance No. 24855-05-2021 be adopted. Motion passed 9-0.

PUBLIC PRESENTATIONS - The City Council may not discuss or deliberate about a topic not specifically listed on the Agenda, including those presented during the Public Comments section of the Agenda (Tex. Gov't Code § 551.042)

1. [21-1355](#) Public Presentation

Mr. Donnell Ballard, 2620 Merrick Street, appeared before Council via conference call relative to the crime rate in Fort Worth.

Ms. Lailey Talley, 6908 Wicks Trail, appeared before Council via conference call relative to SMART water meter Sensus Flexnet opt out.

Mr. Bob Willoughby, 617 Fay Boulevard, appeared before Council relative to the City Council, Code Compliance, Redistricting, John T. White Neighborhood Association, voter education, and provided a video.

Mr. Mark Dempsey, 4737 Panola Avenue, appeared before Council relative to common courtesy between others when dealing with diversity.

ADJOURNMENT

There being no further business, Mayor Price adjourned the meeting at 10:56 a.m.