

**CITY OF FORT WORTH, TEXAS
CITY COUNCIL MEETING
TUESDAY, AUGUST 9, 2022**

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 Alan Blaylock, District 4
Council Member Jared Williams, District 6
Council Member Leonard Firestone, District 7
Council Member Chris Nettles, District 8
Council Member Elizabeth Beck, District 9 (Video)

Staff Present:

David Cooke, City Manager
Leann Guzman, City Attorney
Jannette 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 6:02 p.m. on Tuesday, August 9, 2022, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

INVOCATION - Council Member Chris Nettles

The invocation was provided by Council Member Chris Nettles.

**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.

SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation on Main Street Pilot Program

Ms. Dionne Baux, Vice-President of Urban Development for Main Street America gave a presentation on the Main Street Pilot Program.

ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

City Manager Cooke requested that M&Cs 22-0563, 22-0583, 22-0562, 22-0568, 22-0575, 22-0579, 22-0590, and 22-0595 be removed from the Consent Agenda for individual consideration.

ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

There are no items to be continued or withdrawn by staff.

CONSENT AGENDA

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Crain, that the Consent Agenda as amended be approved. Motion passed 9-0.

A. General - Consent Items

2. [M&C 22-0564](#) (ALL) Authorize Settlement and Payment in the Amount of \$210,000.00 to Artemio Garza-Morales and his Attorney, John Nohinek, of Witherite Law Group PLLC for Full and Final Settlement of All Claims Related to the Lawsuit Styled Artemio Garza-Morales and Berta Walle de Garza v. City of Fort Worth; Cause Number 067-323889-21 in the 67th District Court, Tarrant County, Texas, Adopt Appropriation Ordinance and Amend the Fiscal Year 2022 Adopted Budget

Motion: Approved. Appropriation Ordinance No. 25613-08-2022

4. [M&C 22-0571](#) (CD 2, CD 3 and CD 9) Rejection of All Bids Received for 2022 Bridge Rehabilitation Contract 1

Motion: Approved.

5. [M&C 22-0572](#) (CD 9) Adopt Appropriation Ordinance in the Amount of \$133,110.00 into the West Vickery Boulevard at Riverbend Boulevard Pedestrian and Traffic Signal Improvements project (City Project No.102598) and Amend the Fiscal Years 2022-2026 Capital Improvement Plan (2018 Bond Program)

Motion: Approved. Appropriation Ordinance No. 25614-08-2022

6. [M&C 22-0576](#) (CD 7) Authorize the Temporary Closure of Heritage Trace Boulevard, Suttonridge Drive, and Laneyvale Drive between Park Drive and Copley Avenue from June 24, 2022 to August 18, 2022 for Construction Activities

Motion: Approved.

7. [M&C 22-0580](#) (CD 7) Adopt Supplemental Appropriation Ordinances (i) Reallocating Appropriations and Capital Transfers in Culture and Tourism Fund and (ii) Increasing Appropriations in the Public Events Capital Fund and Amend the Fiscal Year 2022 Adopted Budget and Fiscal Years 2022-2026 Capital Improvement Program

Motion: Approved. Supplemental Appropriation Ordinance Nos. 25615-08-2022 and 25616-08-2022

8. [M&C 22-0582](#) (ALL) Authorize Execution of a Five-Year Memorandum of Agreement with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives for Participation in a Joint Investigations, Authorize Acceptance of Reimbursement Funds in the Amount Not to Exceed \$105,000.00 and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 25617-08-2022

10. [M&C 22-0584](#) (ALL) Approve Reserve Officer Boyd Latham's Appointment by the Chief of Police to Serve in a Supplementary Capacity for the Police Department

Motion: Approved.

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

1. [M&C 22-0551](#) (ALL) Authorize Execution of an Agreement with OptumRx Inc., for Administration of the City's Pharmacy Benefits for an Initial Term of One Year with Two Optional One-Year Renewal Terms in an Amount Up to \$236,000.00 for Each Term

Motion: Approved.

2. [M&C 22-0552](#) (ALL) Authorize the Execution of Contracts with Amazon Services Inc., Brady Industries of Texas, LLC, Empire Paper Company, Home Depot USA, Inc., Office Depot, Inc., and Staples Contract and Commercial, LLC for Janitorial Supplies Using Omnia Partners R-TC-17006, Omnia Partners 202329-01, Interlocal Purchasing System 200106, BuyBoard 649-21, Omnia Partners R211302, and Sourcewell 012320-SCC in a Combined Annual Amount Up to \$1,100,000.00 and Authorize Four One-Year Renewal Options in the Same Annual Amount for All City Departments

Motion: Approved.

3. [M&C 22-0553](#) (ALL) Authorize Execution of Non-Exclusive Purchase Agreements with A&B Environmental Services Inc. dba A&B Labs, Ana-Lab Corporation and Eurofins Environment Testing South Central LLC, for Laboratory Analytical Services for the Water Department in a Combined Annual Amount Up to \$193,000.00 and Authorize Five Renewal Options for the Same Amount

Motion: Approved.

4. [M&C 22-0554](#) (ALL) Authorize Non-Exclusive Purchase Agreements with AWC, Inc., Dealers Electrical Supply Co., Graybar Electric Company and Summit Electric Supply for Electrical Supplies in a Combined Annual Amount of Up to \$1,705,000.00 and Authorize Five One-Year Renewals for the Same Annual Amount for the Water, Information Technology Solutions, and Public Events Departments

Motion: Approved.

5. [M&C 22-0555](#) (ALL) Authorize Execution of Non-Exclusive Agreements with Core and Main LP, Ferguson Enterprises LLC and Fortiline Inc., for Water Pipe Repair Parts for the Water Department in a Combined Amount Up to \$673,000.00 for the Initial Term and Authorize Five Annual Renewals Options for the Same Amount

Motion: Approved.

6. [M&C 22-0556](#) (ALL) Authorize Execution of a Purchase Agreement with UWS, Inc. for Large Water Meter Testing Services for the Water Department in an Annual Amount Up to \$181,985.00 for the Initial Term and Authorize Four, One-Year Renewals for the Same Annual Amount

Motion: Approved.

7. [M&C 22-0557](#) (ALL) Authorize Execution of a Purchase Agreement with Dustrol, Inc., for Asphalt and Concrete Milling Services for the Transportation and Public Works Department in an Annual Amount Up to \$870,039.00 for the Initial Term and Authorize Five, One-Year Renewals for the Same Annual Amount

Motion: Approved.

8. [M&C 22-0558](#) (ALL) Authorize Rejection of All Responses to Invitation to Bid 22-0087 for Uniforms and Police Equipment for the Code Compliance Department, Police Department, Municipal Court Department, Water Department, and Transportation and Public Works Department

Motion: Approved.

9. [M&C 22-0559](#) (ALL) Authorize Execution of an Agreement with Purvis Industries, LLC for Drivers and Gearboxes Parts and Service in a Total Annual Amount Up to \$250,000.00 for the Water Department and Authorize Four One-Year Renewal Options for the Same Annual Amount

Motion: Approved.

10. [M&C 22-0560](#) (ALL) Authorize Execution of an Annual Agreement with Northern Imports dba Work Wear Safety Shoes for Safety Footwear in an Annual Amount Up to \$197,833.00 for the Aviation, Code Compliance, Property Management, Public Events, and Water Departments and Authorize Four One-Year Renewal Options for the Same Annual Amount

Motion: Approved.

11. [M&C 22-0561](#) (ALL) Authorize Execution of a Non-Exclusive Agreement with Ecoimprint LLC and Joy Promotions Inc. for Educational and Promotional Items for City Departments in a Combined Annual Amount Up to \$318,400.00 for the Initial Term and Authorize Five One-Year Renewal Periods for the Same Annual Amount

Motion: Approved.

D. Planning & Zoning - Consent Items

1. [M&C 22-0550](#) (CD 3) Adopt Attached Ordinance Vacating Remnant Portions of Revelle Road and Wind Star Way to be Replatted with the Adjoining Property for the Covenant Classical School Private School Campus

Motion: Approved. Ordinance No. 25618-08-2022

E. Award of Contract - Consent Items

1. [M&C 22-0548](#) (CD 4) Authorize Execution of an Artwork Commission Contract with Steven Parker, LLC in an Amount Up to \$137,299.00 for Fabrication, Delivery, Installation and Contingencies for Artwork at Universal Playground within North Park, Located at 9000 N. Beach Street, Fort Worth, Texas 76244

Motion: Approved.

2. [M&C 22-0549](#) (ALL) Authorize Execution of a Fifth Amendment to City Secretary Contract No. 46273, Professional Services Agreement with Scientel Solutions, LLC, Using a Houston-Galveston Area Council Cooperative Contract, for Additional Maintenance Services and Upgrades to the City of Fort Worth's Public Safety Radio Microwave System at a Cost of \$3,750,000.00 for the First Five Years, with One Three-Year Renewal Option at a Cost of \$975,000.00 and One Two-Year Renewal Option at a Cost of \$650,000.00

Motion: Approved.

4. [M&C 22-0565](#) (CD 3 and CD 7) Authorize Execution of an Agreement with Camp Bowie District, Inc., for Management of the City's Vertical Street Banner Program in the Public Improvement District No. 19 - Historic Camp Bowie Boundary and Waiver of Banner Policy Requirement of City Council Committee Recommendation

Motion: Approved.

5. [M&C 22-0566](#) (ALL) Authorize Execution of a Seventh Addendum to City Secretary Contract Number 44949, a Professional Services Agreement with the Fort Worth Convention and Visitors Bureau, in the Amount of \$90,000.00 to Grow National Recognition for Economic Development Progress and Business Opportunities by Utilizing a Nation-Wide Public Relations Firm, Adopt Appropriation Ordinances and Amend the Fiscal Year 2022 Adopted Budget

Motion: Appropriation Ordinance Nos. 25619-08-2022 and 25620-08-2022

6. [M&C 22-0567](#) (CD 8) Authorize Execution of Consent to Assignment of City Secretary Contract Nos. 57134, 57140 and 57156, Tax Abatement Agreements with Jackson-Shaw/46Ranch, LLC to TREA JS South Fort Worth Industrial Portfolio, LLC for Property Located at 6501 Oak Grove Road

Motion: Approved.

7. [M&C 22-0573](#) (CD 5) Reject Bids of Joesta Construction, LLC and Select Maintenance, LLC; Authorize Execution of a Contract with C. Green Scaping, LP, in the Amount of \$535,580.90 for the Construction of the East Rosedale Landscape & Irrigation Project

Motion: Approved.

8. [M&C 22-0574](#) (CD 2) Authorize Execution of Change Order No. 2 in the Amount of \$14,327.99 and the Addition of 15 Calendar Days to a Contract with Reliable Paving, Inc., for the North Hill Lane and Greenfield Road Drainage Improvements Project, Phase 3 for a Revised Contract Amount of \$1,038,660.57

Motion: Approved.

10. [M&C 22-0577](#) (ALL) Authorize Execution of Job Order Contract Services Contracts with Basic IDIQ, Inc., The Mark IV Construction Group, LLC, F.H. Paschen, S.N. Nielsen & Associates, LLC, Lemco Construction Services, L.P., SDB, Inc. d/b/a SDB Contracting Services, Inc., Mart, Inc., and Lee Construction and Maintenance Company d/b/a LMC Corporation, for Fixed Unit Price, Indefinite Delivery of Building Renovation and Construction Services, Each Contract Having an Initial Two-Year Term and Three Optional One-Year Renewal Periods in an Amount Not to Exceed \$1,500,000.00 per Contractor for a Total Amount of \$10,500,000.00 During Any One-Year Period, for the Property Management Department, Facilities Division

Motion: Approved.

12. [M&C 22-0586](#) (CD 7) Authorize Execution of Change Order Number 2 in the Amount Up to \$1,034,600.00 with Mario Sinacola and Sons Excavating, Inc. for the Construction of Phase I of the Taxiway Papa Extension Project at City of Fort Worth Alliance Airport for a Revised Contract Amount of \$8,819,241.36

Motion: Approved.

13. [M&C 22-0587](#) (CD 2) Authorize Execution of an Administration Building Office Lease Agreement with S & B, Inc. dba WG Henschen Co. for Suite 340 at Fort Worth Meacham International Airport

Motion: Approved.

14. [M&C 22-0588](#) (CD 6) Authorize Application for and Acceptance of, If Awarded, a Grant from the Federal Aviation Administration, Passed Through the Texas Department of Transportation in an Amount Up to \$360,000.00 for the Update of the Master Plan at City of Fort Worth Spinks Airport, with an Amount Up to \$40,000.00 Contributed as the City's Match Requirement, for a Total Project Amount Up to \$400,000.00, Adopt Resolution Authorizing the City Manager to Execute Grant Related Agreements with the State of Texas, Represented by the Texas Department of Transportation, and Adopt Appropriation Ordinance

Motion: Resolution No. 5590-08-2022 and Appropriation Ordinance No. 25621-08-2022

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15. [M&C 22-0589](#) (ALL) Adopt Appropriation Ordinance in the Amount of \$900,000.00 to Fund the First Renewal of a Contract with William J. Schultz, Inc. d/b/a Circle C Construction Company for the 2021 Water Main Leak Repair Contract and to Effect a Portion of Water's Contribution to the Fiscal Years 2022-2026 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 25622-08-2022

17. [M&C 22-0591](#) (ALL) Adopt Appropriation Ordinance in the Amount of \$200,000.00 for Increased Project Costs for Water and Sanitary Sewer Design Services Contract 2020 and Effect a Portion of Water's Contribution to the Fiscal Years 2022-2026 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 25623-08-2022

18. [M&C 22-0592](#) (CD 5) Authorize Execution of an Engineering Agreement with HDR Engineering, Inc. in the Amount of \$900,846.00 for Eastside II 36-Inch Prestressed Concrete Cylinder Pipe Water Main Condition Assessment and Critical Replacement Identification Project, Provide for Project Costs for a Total Project Amount of \$1,046,396.00, and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2022- 2026 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 25624-08-2022

19. [M&C 22-0593](#) (CD 2) Authorize Execution of a Community Facilities Agreement with GBTM Sendera, LLC, with City Participation in the Amount Not to Exceed \$2,018,632.05, for Oversizing the Northside IV Rancho Canyon Way Water Main Located in North Fort Worth

Motion: Approved.

20. [M&C 22-0594](#) (CD 6) Authorize Execution of an Engineering Agreement with BGE, Inc. in the Amount of \$361,230.00 for the Richardson Slough Lift Station Modifications and 20-inch Sanitary Sewer Force Main Project and Adopt Appropriation Ordinances to Effect a Portion of Waters Contribution to the Fiscal Years 2022-2026 Capital Improvement Program

Motion: Approved. Appropriation Ordinance Nos. 25625-08-2022 and 25626-08-2022

22. [M&C 22-0596](#) (CD 9) Authorize Execution of Amendment No. 1, in the Amount of \$261,093.00, to an Engineering Agreement with Lockwood, Andrews & Newnam, Inc. for Water and Sanitary Sewer Contract 2019, WSM-L and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2022-2026 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 25627-08-2022

23. [M&C 22-0597](#) (CD 7 and CD 9) Authorize Execution of Amendment No. 2 in the Amount of \$75,469.00 to an Engineering Agreement with MAS Consultants, LLC for Water and Sanitary Sewer Replacement Contract 2020, WSM-D, Located in the Westside Alliance Area and Adopt Appropriation Ordinance, to Effect a Portion of Water's Contribution to the Fiscal Years 2022-2026 Capital Improvement Programs

Motion: Approved. Appropriation Ordinance No. 25628-08-2022

24. [M&C 22-0598](#) (CD 5 and CD 9) Authorize Execution and Acceptance of the Fifth Renewal and Fourth Amendment to Interlocal Agreement with Fort Worth Independent School District to Operate the Fort Worth After School Program at Greenbriar, De Zavala, D. McRae, and Seminary Hills Elementary Schools, and Daggett Montessori and Daggett Middle School with a Total Annual Reimbursable Expenditure Up to \$244,243.00 and Adopt the Attached Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 25629-08-2022

PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. [22-2296](#) Notice of Claims for Alleged Damages or Injuries

End of Consent Agenda.

A. General - Removed from Consent Agenda

1. [M&C 22-0563](#) (ALL) Authorize Settlement and Payment in the Amount of \$125,000.00 to Carolyn Galvez and her Attorney, Larry Rolle, of Rolle Law for Full and Final Settlement of All Claims Related to the Lawsuit Styled Carolyn Galvez v. City of Fort Worth, Cause No. 017-326386-21 in the 17th District Court; Tarrant County, Texas, Adopt Appropriation Ordinance and Amend the Fiscal Year 2022 Adopted Budget

Mr. Thomas Torlincasi appeared before Council undecided relative to M&C 22-0563.

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Nettles, that M&C 22-0563 be approved and Appropriation Ordinance No. 25630-08-2022 be adopted. Motion passed 9-0.

3. [M&C 22-0568](#) (CD 3) Authorize Acceptance of Donations for the Neighborhood Services Department in the Amount of \$15,000.00 from Como Lions Heart, Inc. for the Purpose of Supporting the Como Community Center Summer Day Camp Program, Adopt Appropriation Ordinance and Amend the Fiscal Year 2022 Adopted Budget

Council Member Crain recognized Ms. Carol Kirby Brown, Ms. Dorothy Debose, and Mr. Leon Reed from Lake Como and expressed appreciation for the donation.

Motion: Council Member Crain made a motion, seconded by Council Member Flores, that M&C 22-0568 be approved and Appropriation Ordinance No. 25631-08-2022 be adopted. Motion passed 9-0.

9. [M&C 22-0583](#) (ALL) Authorize Submission of the City of Fort Worth's Fiscal Year 2023 Funding Application to the Crime Control and Prevention District Board of Directors in the Amount of \$117,387,173.00

Mr. Adrian Smith appeared before Council in opposition to M&C 22-0583.

The following individuals appeared before Council undecided relative to M&C 22-0583:

Mr. Thomas Torlincasi
Mr. Bob Willoughby

Sr. Assistant City Attorney Denis McElroy and Police Chief Neil Noakes provided clarification on the funding application and why the Council serves as the governing board.

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Crain, that M&C 22-0583 be approved. Motion passed 9-0.

E. Award of Contract - Removed from Consent Agenda

3. [M&C 22-0562](#) (ALL) It is recommended that the City Council authorize the execution of agreements with Tarrant County and the Tarrant County Tax Assessor/Collector for assessment and collection services of ad valorem taxes and special assessments levied by the City of Fort Worth at no increase to the current rate of ninety-eight cents (\$0.98) per account located within Tarrant County, and two-dollars (\$2.00) per account located outside Tarrant County for Tax Years 2022-2024 (Fiscal Years 2023-2025)

Mr. Thomas Torlincasi appeared before Council undecided relative to M&C 22-0562.

Motion: Council Member Crain made a motion, seconded by Mayor Pro tem Bivens, that M&C 22-0562 be approved. Motion passed 9-0.

9. [M&C 22-0575](#) (CD 3) Authorize Execution of Amendment Number 1 to City Secretary Contract Number 56932, a Standard Agreement for Engineering Related Professional Services with Freese & Nichols, Inc., to Increase the Contract Amount by \$640,000.00 for a Revised Contract Amount of \$730,000.00 for the Walsh Ranch Regional Stormwater Plan, Authorize Execution of Amendment Number 1 to City Secretary Contract Number 57359, a Developer Funding Agreement for Walsh Ranch Master Drainage Study with Walsh Ranches Limited Partnership, to Increase the Developer Contributions in the Amount of \$320,000.00 and City Participation in the Amount of \$320,000.00 for a Revised Developer Contribution in the Amount of \$365,000.00 and a Revised City Participation in the Amount of \$365,000.00, Adopt Appropriation Ordinances and Amend the Fiscal Years 2022-2026 Capital Improvement Program

Mr. Thomas Torlincasi appeared before Council undecided relative to M&C 22-0575.

Motion: Council Member Crain made a motion, seconded by Mayor Pro tem Bivens, that M&C 22-0575 be approved and Appropriation Ordinance Nos. 25632-08-2022 and 25633-08-2022 be adopted. Motion passed 9-0.

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11. [M&C 22-0579](#) (ALL) Authorize Execution of a Texas Commission on Environmental Quality Federally Funded Grant Agreement for the Purpose of Performing Air Quality Compliance Inspections and Investigations within the City of Fort Worth in an Amount Not to Exceed \$1,626,165.00 for a Five-Year Period Beginning September 1, 2022, Authorize Acceptance of the Grant, and Adopt Appropriation Ordinance

Mr. Thomas Torlincasi appeared before Council in support of M&C 22-0579.

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Crain, that M&C 22-0579 be approved and Appropriation Ordinance No. 25634-08-2022 be adopted. Motion passed 9-0.

16. [M&C 22-0590](#) (CD 3, CD 4, CD 5, and CD 7) Authorize Execution of Amendment No. 2 in the Amount of \$169,005.00 to an Engineering Agreement with Freese and Nichols, Inc. for the Design of the 3rd Main to West Fork Trunk Mains Project and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2022-2026 Capital Improvement Program

Mr. Thomas Torlincasi appeared before Council undecided relative to M&C 22-0590.

Motion: Council Member Crain made a motion, seconded by Council Member Firestone, that M&C 22-0590 be approved and Appropriation Ordinance No. 25635-08-2022 be adopted. Motion passed 9-0.

21. [M&C 22-0595](#) (CD 3, CD 6, CD 8 and CD 9) Authorize Execution of Amendment No. 3 to an Engineering Agreement with Freese & Nichols, Inc., in the Amount of \$1,845,867.00, for Additional Services to the Westside Water Treatment Plant Generators and Emergency Preparation Plan for Power Generation at the North and South Holly Water Treatment Plants 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 2022- 2026 Capital Improvement Program

Mr. Thomas Torlincasi appeared before Council undecided relative to M&C 22-0595.

Motion: Council Member Crain made a motion, seconded by Council Member Flores, that M&C 22-0595 be approved and Resolution No. 5591-08-2022 and Appropriation Ordinance No. 25636-08-2022 be

approved. Motion passed 9-0.

ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Council Members Flores, Williams, Nettles, and Beck 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 of ceremonial travel.

PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

22-2370 Board Appointments - Animal Shelter Advisory Board

Ms. Cindy Boling completed a comment card in support of the board appointment.

Motion: Council Member Crain made a motion, seconded by Mayor Pro tem Bivens, that the following individuals be appointed/reappointed to the Art Commission effective August 9, 2022, and with terms as follows:

Appointments:

- Ms. Cindy Boling to Place 3 (Citizen); term to expire October 1, 2023
- Ms. Rachel Cope Flores to Place 5 (Shelter operation); term to expire on October 1, 2023

Reappointments:

- Ms. Shannon Accardo (Citizen) to Place 1; term to expire October 1, 2023

- Ms. Rosemary Lindsey (Veterinarian) to Place 2; term to expire on October 1, 2022
- Ms. Emilia Zeller (Animal Welfare) to Place 4; term to expire October 1, 2022
- Ms. Torchy White (Citizen) to place 7; with term to expire October 1, 2023

Motion passed 9-0.

[22-2376](#) Board Appointments - Historic and Cultural Landmarks Commission

Motion: Council Member Crain made a motion, seconded by Council Member Nettles, that Mr. Thomas Oliver be appointed as Alternate for the Historic and Cultural Landmarks Commission effective August 9, 2022, and with a term expiring October 1, 2023. 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. [22-2373](#) A Resolution Appointing Leonard Firestone and Alan Blaylock as Alternate Members and as Official Voting Representatives to the Regional Transportation Council (RTC) of the North Central Texas Council of Governments

Mr. Bob Willoughby appeared before Council in opposition to the resolution.

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Flores, that Resolution No. 5592-08-2022 be adopted. Motion passed 9-0.

2. [22-2374](#) A Resolution of the City Council of the City of Fort Worth, Texas, Adding Budget Work Session Meetings on August 10, 2022, and, if Needed on August 12, 25, and 26, 2022; Canceling the Budget Work Session Meetings on August 18 and 19, 2022; and Canceling the City Council Public Comment Meeting on October 4, 2022 to Avoid a Conflict with the Observance of National Night Out in Texas

The following individuals appeared before Council in opposition to the resolution.

Mr. Bob Willoughby
Mr. Thomas Torlincasi

Motion: Council Member Nettles made a motion, seconded by Mayor Pro tem Bivens, that Resolution No. 5593-08-2022 be adopted. Motion passed 9-0.

3. [22-2375](#) A Resolution Appointing David Medrano as City Auditor for the City of Fort Worth

Mr. Bob Willoughby appeared before Council undecided relative to the resolution.

Motion: Council Member Firestone made a motion, seconded by Mayor Pro tem Bivens, that Resolution No. 5594-08-2022 be adopted. Motion passed 9-0.

(Council Member Beck stepped away from the video.)

PUBLIC HEARING

1. [M&C 22-0570](#) (CD 8) Conduct a Public Hearing on the Application by ECG Shelby, LP to the Texas Department of Housing and Community Affairs for Non-Competitive Housing Tax Credits for Shelby Trace Apartments, a Proposed Tax-Exempt Development to be Located at the Southwest Corner of South Race Street and Oak Grove Shelby Road; Adopt a Resolution of No Objection to the Application and Make Related Findings

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

Mayor Parker opened the public hearing.

a. Report of City Staff

Ms. Leah Brown, Neighborhood Services Department, appeared before Council and provided a staff report.

b. Public Comments

There were no public comments.

c. Council Action

Motion: Council Member Nettles made a motion, seconded by Council Member Crain, that the public hearing be closed, M&C 22-0570 be approved and Resolution No. 5595-08-2022 be adopted. Motion passed 8-0, Council Member Beck absent.

(Council Member Beck returned to the video.)

2. [M&C 22-0569](#) (ALL) Conduct Public Hearing and Approve the City of Fort Worth's 2022-2023 Annual Action Plan for the Use of Federal Grant Funds in the Amount of \$13,124,648.00 to be Awarded by the United States Department of Housing and Urban Development from the Community Development Block Grant, HOME Investment Partnerships Program, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Program, Authorize Collection and Use of Program Income, Authorize Execution of Related Contracts, Adopt Appropriation Ordinance, and Authorize Waiver of Indirect Costs

(PUBLIC HEARING - a. Report City Staff: Sharon Burkley; b. Public Presentations; c. Council Action: Close Public Hearing and Act on the M&C)

Mayor Parker opened the public hearing.

a. Report of City Staff

Ms. Sharon Burkley, Neighborhood Services Department, appeared before Council and provided a staff report.

b. Public Comment

Mr. Johnny Mitchell appeared before Council in support of M&C 22-0569.

c. Council Action

Council Member Williams advised that he filed a Conflict of Interest Affidavit with the City Secretary's Office pertaining to M&C 22-0569 and would recuse himself from voting on this issue.

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Flores that the public hearing be closed, M&C 22-0569 be approved and Ordinance No. 25637-08-2022 be adopted. Motion passed 8-0, with one recusal from Council Member Williams.

ZONING HEARING

It appeared that the City Council, at its meeting of June 14, 2022, continued Zoning Docket ZC-22-056.

1. [ZC-22-056](#) (CD 2) Crossing at Marine Creek Et al, 4400 block Huffines Blvd, From: "F" General Commercial, "G" Intensive Commercial To: "PD/F" Planned Development for all uses in "F" General Commercial uses plus mini-warehouse, site plan required (5.85 ac) (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Mr. Andrew Ruegg, Dallas, Texas, appeared before Council in support of Zoning Docket ZC-22-056.

Mr. Brad Boswell, Dallas, Texas, completed a speaker card in support of Zoning Docket ZC-22-056 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Flores made a motion, seconded by Council Member Williams, that Zoning Docket ZC-22-056 be approved as amended with inclusion of consideration of a right turn deceleration lane on Huffines Boulevard to prevent traffic stacking and provide traffic metering. Motion passed 9-0.

It appeared that the City Council, at its meeting of June 28, 2022, continued Zoning Docket ZC-22-046.

2. [ZC-22-046](#) (CD 6) R Zeligson & I. Frank Trusts / GCRE Investment Fund LLC, Jordan Snyder, 4301 W Risinger Road & 8701 S Hulen Street, From: "E" Neighborhood Commercial To: "D" High-Density Multi-Family (6.83 acres) (Recommended for Denial by the Zoning Commission)(Continued from a Previous Meeting)

The following individuals appeared before Council in support of Zoning Docket ZC-22-046:

Mr. Jordan Snyder, Dallas, Texas
Mr. John Palmer, McKinney, Texas
Mr. Beverly Adams, Hurst, Texas
Ms. Annette Ogburn, Hurst, Texas
Ms. Elvira Jordan, Melissa, Texas
Ms. Bonita Brandt, Hurst, Texas
Mr. Andy Williams

The following individuals completed comment cards in support of Zoning Docket ZC-22-046:

Ms. Christine Holiday, Hurst, Texas
Ms. Jacquelyn Young, Hurst, Texas

Mr. Kyev Tatum appeared before Council in opposition to Zoning Docket ZC-22-046 and provided a handout.

Mr. Mike Haley completed a speaker card undecided relative to Zoning Docket ZC-22-046 and was recognized by Mayor Bivens but he was not present in the Council Chamber.

Motion: Council Member Williams made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-046 be remanded back to the Zoning Commission for reconsideration.

The motion was withdrawn after discussion without objection by the City Council.

Council Member Williams made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-046 be continued to the September 13, 2022, Council meeting. Motion passed 8-1, Council Member Nettles casting the dissenting vote.

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 July 22, 2022.

Mayor Parker opened the public hearing.

3. [SP-22-009](#) (CD 2) Musket Corp, 600 N. Meacham Boulevard, To Amend site plan for PD 1106 Planned Development for all uses in “K” Heavy Industrial plus biodiesel processing and storage; site plan included (18.22 acres) (Recommended for Approval by the Zoning Commission)

Mr. Fred Power completed a speaker card in support of Site Plan SP-22-009 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Flores made a motion, seconded by Council Member Nettles, that Site Plan SP-22-009 be approved. Motion passed 9-0.

4. [SP-22-011](#) (CD 9) Westbend South LP, 1701 S. University Drive, To Amend Site Plan for “PD/G” Planned Development for all uses in “G” Intensive Commercial, plus hotel and residential, with development standards for height, setbacks, urban forestry, landscaping, and parking; site plan included (3.33 acres) (Recommended for Approval by the Zoning Commission)

The following individuals completed speaker cards in support of Site Plan SP-22-009 and were recognized by Mayor Parker but did not wish to address Council:

Mr. Chad Colley (via conference call)

Mr. Weston Graves

Motion: Council Member Beck made a motion, seconded by Council Member Crain, that Site Plan SP-22-011 be approved. Motion passed 9-0.

5. [ZC-22-065](#) (CD 5) James Parker McCulley, 5100 - 5200 blocks Parker Henderson Road, From: "AG" Agricultural To: "I" Light Industrial (57.41 acres) (Recommended for Denial with Prejudice by the Zoning Commission)

The following individuals appeared before Council in support of Zoning Docket ZC-22-065:

Mr. James McCulley, Cedar Hill, Texas
Mr. Ray Oujesky
Ms. Lucretia Powell

(Council Member Beck stepped away from the video and left the meeting.)

Ms. Evelyn Mayo, Dallas, Texas, completed a speaker card in opposition to Zoning Docket ZC-22-065 and was recognized by Mayor Parker but was not present in the Council Chamber.

The following individuals appeared before Council in opposition to Zoning Docket ZC-22-065:

Ms. Letitia Wilbourn (provided handouts)
Mr. John MacFarlane
Mr. Chris Jones
Ms. Sherry Warren Dukes
Ms. Krystal Wilbourn (via conference call)
Ms. Mar'Tayshia James (via conference call)
Ms. Hazel James (via conference call)

The following individual completed comment cards in opposition to Zoning Docket ZC-22-065:

Ms. Laurie Stelljes
Ms. Kimberly Hart
Ms. Cindy Fountain
Ms. Chioma Ugwonalie
Ms. Doreen Geiger
Ms. Gwendolyn Genius

Mr. Alexander Montalvo
Ms. Klaudia Forgacova
Ms. Sheena Polk
Ms. Catherine Jackson
Ms. Jackee Cox
Mr. Bruce Miller
Ms. Lydia Meeks
Mr. Spencer Dickinson, Colleyville, Texas
Mr. Spencer Dickinson, Colleyville, Texas

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Williams, that Zoning Docket ZC-22-065 be denied with prejudice. Motion passed 8-0, Council Member Beck absent.

(Council Member Williams stepped away from the dais.)

6. [ZC-22-091](#) (CD 9) KBPFive, Inc, 2716 & 2722 Wingate Street, From: “A-5” One-Family To: “UR” Urban Residential (0.37 acres) (Recommended for Approval by the Zoning Commission)

Ms. Lindsey Purpura appeared before Council in support of Zoning Docket ZC-22-091.

Motion: Council Member Nettles made a motion, seconded by Council Member Crain, that Zoning Docket ZC-22-091 be continued to the September 13, 2022, Council meeting. Motion passed 7-0, Council Members Williams and Beck absent.

(Council Member Williams returned to his place at the dais.)

7. [ZC-22-099](#) (CD 6) 5235 Bryant Irvin LLC, 5235 Bryant Irvin Road, To Add Conditional Use Permit (CUP) to allow an automated carwash facility in “G” Intensive Commercial; site plan included with development waivers for vacuum canopies placement, screening fence, and accessory structures placement, site plan included (1.7 acres) (Recommended for Denial with Prejudice by the Zoning Commission)

Ms. Jacob Petrie, Weatherford, Texas, appeared before Council in support of Zoning Docket ZC-22-099.

Motion: Council Member Williams made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-099 be approved. Motion passed 8-0, Council Member Beck absent.

8. [ZC-22-100](#) (CD 7) 516 W Bonds Ranch LLC, 516 W Bonds Ranch Road, From: "E" Neighborhood Commercial; "PD 911" for "E" Neighborhood Commercial uses plus one family residence & farmers' market To: "E" Neighborhood Commercial (2.04 acres) (Recommended for Approval by the Zoning Commission)

Motion: Council Member Firestone made a motion, seconded by Council Member Crain, that Zoning Docket ZC-22-100 be approved. Motion passed 8-0, Council Member Beck absent.

9. [ZC-22-101](#) (CD 9) SVP MDO, LLC, 5201 & 5199 McCart Avenue, From: "E" Neighborhood Commercial To: "F" General Commercial (8.42 acres) (Recommended for Denial by the Zoning Commission)

Ms. Mary Nell Poole completed a speaker card in support of Zoning Docket ZC-22-101 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Nettles made a motion, seconded by Council Member Crain, that Zoning Docket ZC-22-101 be approved. Motion passed 8-0, Council Member Beck absent.

10. [ZC-22-103](#) (CD 9) Up DFW Properties LLC, 4437 & 4441 Wayside Avenue, From: "A-5" One-Family To: "B" Two-Family (0.29 acres) (Recommended for Approval by the Zoning Commission)

Mr. Jose Juarez completed a speaker card in support of Zoning Docket ZC-22-103 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Nettles made a motion, seconded by Council Member Crain, that Zoning Docket ZC-22-103 be continued to the September 13, 2022, Council meeting. Motion passed 8-0, Council Member Beck absent.

11. [ZC-22-109](#) (CD 7) Eagles View Church, 5440 W. Bailey Boswell Road, From: “C” Medium-Density Multifamily To: “E” Neighborhood Commercial (1.47 acres) (Recommended for Approval by the Zoning Commission)

Mr. Brian Morris, Dallas, Texas, appeared before Council in support of Zoning Docket ZC-22-109.

Mr. Matthew Bodzy, Frisco, Texas, completed a speaker card via conference call in support of Zoning Docket ZC-22-109 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Firestone made a motion, seconded by Council Member Crain, that Zoning Docket ZC-22-109 be approved. Motion passed 8-0, Council Member Beck absent.

12. [ZC-22-110](#) (CD 7) 117 Roberts Cutoff LLC, 117 Roberts Cutoff, From: “I” Light Industrial To: “PD/I” Planned Development for all uses in “I” Light Industrial except massage parlor and sexually oriented business, adding distillery/brewery/winery use, with a development standard to allow the dumpster enclosure to be placed in front of the building; site plan provided (0.94 acres) (Recommended for Approval by the Zoning Commission)

Council Member Crain advised that he filed a Conflict of Interest Affidavit with the City Secretary’s Office pertaining to Zoning Docket ZC-22-110 and would recuse himself from voting on this issue.

Motion: Council Member Firestone made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-110 be approved. Motion passed 7-0, with one recusal from Council Member Crain and Council Member Beck absent.

13. [ZC-22-111](#) (CD 3) 4B Resources LP, 9700-9900 blocks Verna Trail North, From: “AG” Agricultural To: “A-5” One-Family, “A-10” One-Family, “I” Light Industrial (257.02 acres) (Recommended for Approval by the Zoning Commission)

Mr. Travis Clegg completed a speaker card in support of Zoning Docket ZC-22-111 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Crain made a motion, seconded by Council Member Nettles, that Zoning Docket ZC-22-111 be approved. Motion passed 8-0, Council Member Beck absent.

14. [ZC-22-113](#) (CD 4) Basswoods35 Land LLC, 7400-8500 blocks North Freeway (I-35W), From: "A-5" One-Family; "CR" Low Density Multifamily; "E" Neighborhood Commercial; "PD 996" PD/SU Planned Development/Specific Use for electronic data storage center; site plan required To: "PD/A-5, R-2, C, D, CF, E, F, G, and I" Planned Development for "A-5" One Family, "R2" Townhouse Cluster, "C" Medium Density Multifamily, "D" High Density Multifamily, "CF" Community Facilities, "E" Neighborhood Commercial, "F" General Commercial, "G" Intensive Commercial, and "I" Light Industrial, IH-35W Overlay, site plan waiver requested (297.2 acres) (Recommended for Approval by the Zoning Commission)

Mr. Travis Clegg appeared before Council in support of Zoning Docket ZC-22-113.

Motion: Council Member Blaylock made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-113 be approved. Motion passed 8-0, Council Member Beck absent.

15. [ZC-22-115](#) (CD 5) City of Fort Worth - Development Services, 1916 Amanda Avenue, From: "A-5/SS" One-Family with Stop Six Overlay To: "MU-1/SS" Mixed-Use with Stop Six Overlay (0.22 acres) (Recommended for Approval by the Zoning Commission)

Mr. Bob Willoughby completed a speaker card in opposition to Zoning Docket ZC-22-115 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 Nettles, that Zoning Docket ZC-22-115 be approved. Motion passed 8-0, Council Member Beck absent.

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, Mayor Pro tem Bivens made a motion, seconded by Council Member Nettles, that the hearing be closed and Ordinance No. 25638-08-2022 be adopted. Motion passed 8-0, Council Member Beck absent.

REPORT OF THE CITY MANAGER

D. Land

1. [M&C 22-0578](#) (ETJ near CD 3) Adopt Resolution Authorizing Condemnation by Eminent Domain to Acquire 4.269 Acres in Permanent Water Facility Easement and 1.0291 Acres in Temporary Construction Easement from Real Property Owned by Michael Nazarian, Rachel Nazarian, and Rebekah Nazarian, Co-Executors of the Estate of Manucher Nazarian, Located at 12501 Camp Bowie West Boulevard, in the Jonathan Burleson Survey, Abstract 78, Tarrant County, Texas, for the Westside III Water Transmission Main Project

Motion: Council Member Crain made a motion, seconded by Council Member Blaylock, that M&C 22-0578 be approved and Resolution No. 5596-08-2022 be adopted authorizing condemnation by eminent domain the acquire 4.269 acres in permanent water facility easement described as Parcel No. 1, Jonathan Burleson Survey, Abstract No. 78 and 1.0291 acres in temporary construction easement described as Parcel No. P1-CE, Jonathan Burleson Survey, Abstract No. 78, Tarrant County, Texas, located at 12501 Camp Bowie West Boulevard. 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 8-0, Council Member Beck absent.

F. Award of Contract

1. [M&C 22-0581](#) (ALL) Ratify Application for, and Acceptance of, if Awarded, a Community-Oriented Policing Services Grant from the United States Department of Justice, in an Amount Up to \$2,500,000.00 for the Purpose of Hiring 20 Patrol Officers for the Police Department for a Four-Year Period from Fiscal Year 2024-Fiscal Year 2027 and Authorize Execution of Related Agreement

Mr. Bob Willoughby appeared before Council in opposition to M&C 22-0581.

Mr. Thomas Torlincasi completed an undecided speaker card relative to M&C 22-0581 and was recognized by Mayor Parker but was not present in the Council Chamber.

Motion: Council Member Crain made a motion, seconded by Council Member Flores, that M&C 22-0581 be approved. Motion passed 8-0, Council Member Beck absent.

ADJOURNMENT

There being no further business, Mayor Parker adjourned the meeting at 9:15 p.m.