## CITY OF FORT WORTH, TEXAS CITY COUNCIL MEETING

#### **TUESDAY, JANUARY 10, 2023**

#### **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

#### **Staff Present:**

David Cooke, City Manager Leann Guzman, City Attorney Jannette S. 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 6:00 p.m. on Tuesday, January 10, 2023, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

### INVOCATION - Dr. Kristopher DarDar Sr., Senior Pastor of East Pointe Church of Christ

The invocation was provided by Dr. Kristopher DarDar Sr., Senior Pastor of East Pointe Church of Christ.

# 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 of Proclamation for Pathfinders 25th Anniversary

Mayor Parker presented a proclamation for the Pathfinders 25th Anniversary to Kathyrn Arnold, Chief Executive Officer of Pathfinders.

2. Presentation of Proclamation for Fort Worth Police Department Crisis Intervention and Response K9 Program

Council Member Beck presented a proclamation for the Fort Worth Police Department Crisis Intervention and Response K9 Program to members of the Crisis Intervention Response Team (CIRT).

3. Presentation of Recognition for the Library's Spanish Speaking GED Program

Mayor Parker and Manya Shorr, Library Department, presented certificates for the Library's Spanish Speaking GED Program to members of the program.

4. Presentation of the 2022 Class of Aspiring Young Lawyers Summer Camp

Mayor Pro tem Bivens presented the 2022 class of the Aspiring Young Lawyers Summer Camp.

#### ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

City Manager Cooke requested that M&Cs 23-0018 and 23-0016 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.

Payton Jackson appeared before Council in support of M&C 23-0015.

Carolyn Gilmore completed comment cards in support of M&C 23-0044 and 23-0045.

Adrian Smith appeared before Council in opposition to M&Cs 23-0034 and 23-0035

Bob Willoughby appeared before Council in opposition to Item 23-0008.

#### **CONSENT AGENDA**

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

#### A. General - Consent Items

1. M&C 23-0010 (ALL) Authorize Purchase from Hub International Rigg, Broker of Record of the City's Multiple-Layered Property Insurance, Boiler and Machinery and Commercial Liability Insurance Policies, in an Amount Not to Exceed \$8,341,296.00, Adopt Appropriation Ordinance and Amend the Fiscal Year 2023 Adopted Budget

Motion: Approved. Appropriation Ordinance No. 25921-01-2023

2. M&C 23-0015 (CD 5 / Future CD 5) Ratify Application by The Housing Authority of the City of Fort Worth Doing Business as Fort Worth Housing Solutions and the City of Fort Worth as Co-Lead Applicants for the U.S. Department of Housing and Urban Development's Fiscal Year 2022 Choice Neighborhoods Implementation Grant Notice of Funding Opportunity to Request an Additional \$5,000,000.00 for the Cavile Place/Historic Stop Six Neighborhood Transformation Plan and Authorize Acceptance of the Grant and Execution of Related Grant Agreements, if Awarded

Motion: Approved.

3. M&C 23-0017 (ALL) Authorize Changes to the City's Priority Repair Program to Indefinitely Waive the Lien Requirement for Repairs Exceeding \$20,000.00 and Authorize Director of Neighborhood Services to Reinstate Lien Requirement If Deemed Necessary

Motion: Approved.

5. M&C 23-0025 (ALL) Authorize Fiscal Year 2022 Budget Adjustments in the Municipal Parking Fund in the Amount of \$155,992.49 to Offset Projected Shortfalls, Adopt Appropriation Ordinance, and Amend the Fiscal Year 2022 Adopted Budget

Motion: Approved. Appropriation Ordinance No. 25922-01-2023

6. M&C 23-0028 (CD 9 / Future CD 9) Authorize the Temporary Closure of West 13th Street between Henderson Street and Florence Street from December 5, 2022 to April 23, 2023 for Construction Activities

Motion: Approved.

7. M&C 23-0029 (CD 3, CD 9 / Future CD 3) Authorize the Temporary Closure of the Southbound Hulen Street Ramp from the Ramp Entrance to Micki Lynn Avenue and the Northbound Section of Micki Lynn Avenue from West Vickery Boulevard to Driskell Boulevard from January 9, 2023 to June 15, 2023 for Construction Activities

Motion: Approved.

8. M&C 23-0033 (ALL) Authorize a Non-Exclusive Purchase Agreement with Associated Supply Company, Inc., for Heavy-Duty Off-Road Equipment in an Annual Amount Up to \$900,478.00, and Authorize Two Consecutive One-Year Renewal Options for the Same Annual Amount for various Departments through the Property Management Department Using Buy Board Cooperative Contract 685-22

Motion: Approved.

9. M&C 23-0039 (ALL) Adopt Appropriation Ordinances in the Justice, State and High-Intensity Drug Trafficking Areas Asset Forfeiture Funds for a Combined Amount of \$1,819,869.60 for Fiscal Year 2023 for the Purpose of Making Measurable Impacts upon the Safety, Wellness, and Resiliency of the Police Department and the Community

Motion: Approved. Appropriation Ordinance Nos. 25923-01-2023, 25924-01-2023, and 25925-01-2023

10. M&C 23-0040 (ALL) Adopt Appropriation Ordinance Increasing Receipts and Appropriations in the Special Donations LTD Fund in the Amount of \$182,801.69 to Support Training and Certification Programs and Other Police Related Activities and Amend the Fiscal Year 2023 Adopted Budget

Motion: Approved. Appropriation Ordinance No. 25926-01-2023

11. M&C 23-0041 (ALL) Authorize Application for, and Authorize Acceptance of, if Awarded, the Office of the Governor, Criminal Justice Division, Victims of Crime Act Grant to Occur in Fiscal Year 2024 in an Amount up to \$165,000.00, Adopt Resolution, Authorize Execution of Related Grant Agreement, and Adopt Appropriation Ordinance

Motion: Approved. Resolution No. 5675-01-2023 and Appropriation Ordinance No. 25927-01-2023

12. M&C 23-0042 (ALL) Ratify Application for, and Authorize Acceptance of, if Awarded, the Texas Department of Transportation Commercial Motor Vehicle Grant to Occur Fiscal Year 2024 in an Amount up to \$100,000.00, Authorize Transfer of \$20,000.00 from the Justice Asset Forfeiture Fund for the City's Match Requirement, Authorize Execution of Related Grant Agreement, and Adopt Appropriation Ordinances

Motion: Approved. Appropriation Ordinance Nos. 25928-01-2023 and 25929-01-2023

13. M&C 23-0043 (ALL) Ratify Application for, and Authorize Acceptance of, if Awarded, the Texas Department of Transportation Selective Traffic Enforcement Program Comprehensive Grant to Occur in Fiscal Year 2024, in an Amount Up to \$324,000.00, Authorize Transfer of \$54,000.00 from the Justice Asset Forfeiture Fund for the City's Match Requirement, Authorize Execution of Related Grant Agreement, and Adopt Appropriation Ordinances

Motion: Approved. Appropriation Ordinance Nos. 25930-01-2023 and 25931-01-2023

14. <u>M&C 23-0044</u> (ALL) Approve Reserve Officer John Jaskie's Appointment by the Chief of Police to Serve in a Supplementary Capacity for the Police Department

Motion: Approved.

15. M&C 23-0048 (CD 6 / Future CD 8) Adopt Ordinance to Establish the Sewer Per Acre Charge in the Amount of \$3,119.74 Per Acre for the Sanitary Sewer Main Extension to Serve Fire Station 42 and Surrounding Areas and to Establish the Basin Boundaries, Pursuant to Chapter 35, Article III, Division 3, Sections 35-81 through 35-86 of the City Code

Motion: Approved. Ordinance No. 25932-01-2023

16. M&C 23-0049 (CD 7/ Future CD 10 and ETJ) Adopt Ordinance to Establish the Sewer Per Acre Charge in the Amount of \$1,126.27 per Acre for a Sewer Interceptor Main Extension to Serve Areas West of the City of Haslet and to Establish the Basin Boundaries, Pursuant to Chapter 35, Article III, Division 3, Sections 35-81 through 35-86 of the City Code

Motion: Approved. Ordinance No. 25933-01-2023

17. M&C 23-0050 (CD 8 / Future CD 8 and ETJ) Adopt Ordinance to Establish a Sewer per Acre Charge in the Amount of \$2,173.35 per Acre for the Sewer Interceptor Improvements to Serve the Hanna Ranch Development and Surrounding Areas and to Establish the Basin Boundaries, Pursuant to Chapter 35, Article III, Division 3, Sections 35-81 through 35-86 of the City Code

Motion: Approved. Ordinance No. 25934-01-2023

18. M&C 23-0051 (ALL) Authorize a Sole Source Purchase Agreement with Selectron Technologies, Inc. in an Amount Up to \$278,780.10 to Move the Water Department's Customer Call Center Interactive Voice Response System to the Selectron Cloud

Motion: Approved.

19. M&C 23-0052 (ALL) Adopt the Attached Water and Wastewater Capital Improvement Program Citizen Advisory Committee Semi-Annual Progress Report on the Collection and Expense of Water and Wastewater Impact Fees

Motion: Approved.

20. M&C 23-0053 (ALL) Authorize Execution of Sole Source Agreement with Agilent Technologies, Inc. for Preventative Maintenance of ISO 9001 Instruments for the Water Department in an Annual Amount of \$111,221.05 for the First Year and Authorize Four One-Year Renewal Options for the Same Amount

21. M&C 23-0054 (CD 3 / Future CD 3, and ETJ) Adopt Ordinance to Establish a Water Main Capacity Charge in the Amount of \$121,831.16 per Million Gallons Per Day for a 24-Inch Westside V Water Transmission Approach Main to Serve the Cities of Willow Park and Hudson Oaks and Surrounding Areas Within Fort Worth's Extraterritorial Jurisdiction, Pursuant to Chapter 35, Article III, Division 4, Sections 35-87 through 35-93 of the City Code

Motion: Approved. Ordinance No. 25935-01-2023

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

1. <u>M&C 23-0001</u> (ALL) Authorize Execution of an Ageement with GTS Technology Solutions, Inc., for the Information Technology Solutions Department, Using State of Texas Department of Information Resources Cooperative Contract DIR-CPO-4754 in an Annual Amount Up To \$238,498.00 with Two Annual Renewal Options

Motion: Approved.

2. M&C 23-0003 (ALL) Authorize Execution of a Purchase Agreement with MoboTrex, Inc. in an Annual Amount Up to \$250,000.00 for Traffic Battery Backup Systems for the Transportation & Public Works Department Using BuyBoard Cooperative Contract No. 608-20

Motion: Approved.

3. M&C 23-0004 (CD 2, CD 3, CD 6, CD 7, CD 8 and CD 9/Future CD 11)
Authorize Execution of Non-Exclusive Purchase Agreements with Lawn Patrol Service, Inc, SRH Landscapes, LLC, Brightview Landscape Services, Inc and Scott Landscape Maintenance for Grounds Maintenance for the South and West Districts for the Park and Recreation Department in a Combined Annual Amount Not to Exceed \$1,100,000.00 for the Initial Term and Authorize Five One-Year Renewal Options for the Same Amount

4. <u>M&C 23-0005</u> (ALL) Authorize Execution of a One-Time Purchase Agreement with Pump Solutions, Inc. for the Replacement of Five Lift Station Pumps and Startup Services for the Water Department in an Amount of \$340,042.00

Motion: Approved.

5. M&C 23-0008 (ALL) Authorize Execution of Amendment No. 1 to City Secretary Contract No. 58304 with Wastequip Manufacturing Company LLC for Roll-Off Containers to Increase the Annual Amount by \$105,000.00 for a New Contract Total of \$200,000.00, Using Sourcewell Cooperative Contract 040621-WQI for the Code Compliance Department

Motion: Approved.

6. M&C 23-0009 (ALL) Authorize Purchase Agreement with Metro Code, LLC for Professional Building Inspection Services for the Development Services Department in an Annual Amount Up to \$200,000.00 for the Initial Term and Authorize Two One-Year Renewal Options for the Same Annual Amount

Motion: Approved.

7. M&C 23-0034 (ALL) Authorize a Non-Exclusive Purchase Agreement with Silsbee Ford Inc. for the Purchase of Sport Utility Vehicles, Vans and Trucks, Using the Interlocal Purchasing System Cooperative Contract No. 210907 for an Initial One-Year Term for an Annual Amount Up to \$10,625,000.00 and Authorize an Option for Renewal for Two (2) One-Year Terms in the Same Annual Amount for the City Departments

Motion: Approved.

8. M&C 23-0035 (ALL) Authorize a Non-Exclusive Purchase Agreement with Lake Country Chevrolet for the Purchase of Sport Utility Vehicles, Vans and Trucks Using the Interlocal Purchasing System Cooperative Contract No. 210907 for an Initial One-Year Term for an Annual Amount Up to \$10,625,000.00 and Authorize an Option for Renewal for Two (2) One-Year Terms in the Same Annual Amount for the City Departments

#### C. Land - Consent Items

M&C 23-0030 (CD 7 / Future CD 10) Authorize the Acquisition of Right-of-Way 1. Easements in 1.88 Acres from Real Property Owned by Tinsley Development Services, L.L.C. Situated in the M.E.P. & P. RR. CO. Survey, Abstract No. 1136, Tract 4F and the Coleman Boyd Survey, Abstract No. 212, Tract 3A01, Tarrant County, Texas in the Amount of \$1,437,171.00 and Pay Closing Costs in an Amount Up to \$10,000.00 for a Total Cost \$1,447,171.00 for the Avondale Haslet Road Project (2018 Bond Program)

Property description: 1.88 acres situated in the M.E.P. & P. RR. CO. Survey, Abstract No. 1136, Tract 4F, and the Coleman Boyd Survey, Abstract No. 212, Tract 3A01, Tarrant County, Texas

Motion: Approved.

2. M&C 23-0031 (CD 6 / Future CD 6) Authorize Acquisition of a Fee Simple Interest in Approximately 1.90 Acres Located in the Rueben Burnett Survey, Abstract 1922, Tract 1C04, Also Known as 4915 South Drive West, Fort Worth, Tarrant County, Texas, from Southwest Pasture Ltd. in the Amount of \$1,160,000.00 and Pay Estimated Closing Costs in an Amount Up to \$13,000.00 for a Total Cost of \$1,173,000.00 for Fire Station No. 26 (2018 Bond Program)

Property description: 1.90 acres situated in the Rueben Burnett Survey, Abstract No. 1922, Tract 1C04, located at 49\*15 South Drive West, Fort Worth, Tarrant County, Texas

3. M&C 23-0032 (CD 7 / Future CD 4) Authorize Acquisition of a Fee Simple Interest in Approximately 4.075 Acres Located at 10600 Alta Vista Road in the Jesse Billingsley Survey, Abstract No. 70, Tract 1C, Fort Worth, Tarrant County, Texas from Cothran Malibu LP in the Amount of \$2,100,000.00 and Pay Estimated Closing Costs in an Amount Up to \$25,000.00 for a Total Cost of \$2,125,000.00 for the Fire Station No. 37 (2022 Bond Program)

Property Description: 4.075 acres situated in the Jesse Billingsley Survey, Abstract No. 70, Tract 1C, Fort Worth, Tarrant County, Texas, located at 10600 Alta Vista Rod

Motion: Approved.

#### E. Award of Contract - Consent Items

2. M&C 23-0019 (CD 5, Future CD 5 and CD 11) Authorize Execution of a Contract with Stabile and Winn, Inc., in the Amount of \$7,512,715.00, for Combined Street Paving Improvements, Water and Sanitary Sewer Main Replacements for 2022 Bond Year 1 - Contract 4 Project, Adopt Appropriation Ordinances to Effect a Portion of Water's Contribution to Fiscal Years 2023-2027 Capital Improvement Program and Amend the Fiscal Years 2023-2027 Capital Improvement Program (2022 Bond Program)

Motion: Approved. Appropriation Ordinance Nos. 25936-01-2023 and 25937-01-2023

3. M&C 23-0020 (CD 9 / Future CD 9) Authorize Execution of an Engineering Agreement with BGE, Inc. in the Amount of \$750,004.00 for Combined Water, Sanitary Sewer, Stormwater and Street Paving Improvements for 2022 Bond Year 2-Contract 7 Project, Adopt Appropriation Ordinances to Effect a Portion of Contribution Water's to and Amend the Fiscal Years 2023-2027 Capital Improvement Program (2022 Bond Program)

Motion: Approved. Appropriation Ordinance Nos. 25938-01-2023, 25939-01-2023, and 25940-01-2023

4. M&C 23-0021 (CD 9 / Future CD 8, CD 9, and CD 11) Authorize Execution of an Engineering Agreement with Cobb, Fendley & Associates, Inc., in the Amount of \$416,437.00 for Combined Water, Sanitary Sewer and Street Paving Improvements for 2022 Bond Year 2-Contract 8 Project and Adopt Appropriation Ordinances to Effect a Portion of Water's Contribution to and Amend the Fiscal Years 2023-2027 Capital Improvement Program (2022 Bond Program)

Motion: Approved. Appropriation Ordinance Nos. 25941-01-2023 and 25942-01-2023

5. M&C 23-0022 (CD 3 / Future CD 6, CD 9 / Future CD 9 and CD 11) Authorize Execution of an Engineering Agreement with Quiddity Engineering, LLC. in the Amount of \$637,403.00 for Combined Water, Sanitary Sewer and Street Paving Improvements for 2022 Bond Year 2-Contract 11 Project, Adopt Appropriation Ordinances to Effect a Portion of Water's Contribution to and Amend the Fiscal Years 2023-2027 Capital Improvement Program (2022 Bond Program)

Motion: Approved. Appropriation Ordinance Nos. 25943-01-2023 and 25944-01-2023

**6.** <u>M&C 23-0023</u> (CD 9 / Future CD 9) Authorize Execution of a Contract with Texas Materials Group, Inc., dba Texas Bit, in the Amount of \$4,568,805.04 for the 2023 Downtown Resurfacing Project

Motion: Approved.

7. M&C 23-0024 (CD 7 / Future CD 7) Authorize Execution of an Interlocal Agreement with Tarrant County for County Reimbursement of City Costs in an Amount Not to Exceed \$2,690,000.00 for the Camp Bowie Boulevard Improvements Project, Adopt Appropriation Ordinances and Amend the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance Nos. 25945-01-2023, 25946-01-2023 and 25947-01-2023

8. M&C 23-0026 (CD 6 / Future CD 6 and CD 9) Authorize Execution of a Contract with GEI Consultants, Inc. in the Amount of \$324,529.00 for Engineering Services for the Altamesa Boulevard and Woodway Drive Intersection Improvements (2022 Bond Program)

9. M&C 23-0027 (ALL) Authorize Execution of Contracts for On-Call Land Surveying Services with Gorrondona & Associates, Inc., O'Neil Surveying Co., Pacheco Koch Consulting Engineers, LLC., Arredondo, Zepeda & Brunz, LLC., Shield Engineering Group, PLLC., and Surveying and Mapping, LLC Each in an Amount Up to \$500,000.00 and Authorize Four, One-Year Renewals

Motion: Approved.

10. M&C 23-0036 (CD 7 / Future CD 7) Authorize Execution of an Engineering Agreement with Baird, Hampton & Brown, Inc., in the Amount of \$221,000.00 for the Design for Electrical Upgrades and Transformer Replacements at Will Rogers Memorial Center

Motion: Approved.

11. M&C 23-0037 (ALL) Amend Mayor and Council Communication 22-0172 to Revise the Application for Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice in the Amount of \$33,000.00 to Replace Aging Crime Laboratory Equipment, Authorize Execution of a Grant Agreement with the Texas Office of the Governor as the Pass-Thru Entity, Reaffirm Resolution, and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 25948-01-2023

12. M&C 23-0038 (ALL) Authorize an Agreement with Front Line Behavioral Health, PLLC, to Provide Comprehensive Health and Wellness Services for the Police and Fire Departments in an Annual Amount Up to \$1,970,000.00 for the Initial Term with Four (4) One-Year Renewal Options for the Same Annual Amount

Motion: Approved.

13. M&C 23-0045 (ALL) Authorize the Execution of an Interlocal Agreement with the City of North Richland Hills to Provide Equipment for the Gang Unit, K9 Unit, Vice Unit, and Program Support Division, and Authorize the Acceptance of Equipment Valued in the Amount of \$250,557.60 from the Department of Homeland Security through the City of North Richland Hills

14. M&C 23-0046 (ALL) Ratify Application for and Authorize Acceptance of, if Awarded, Homeland Security Reallocation Funds from the United States Department of Homeland Security through the State of Texas, Office of the Governor, Up to the Amount of \$1,298,992.22, Approve Execution of All Applicable Grant Contracts, Adopt Attached Resolution and Adopt Appropriation Ordinance

Motion: Approved. Resolution No. 5676-01-2023 and Appropriation Ordinance No. 25949-01-2023

15. M&C 23-0047 (CD 2 and CD 7 / Future CD 10) Authorize Execution of Amendment No. 1 to the Wholesale Water Contract with the Town of Northlake to Provide for Increased Capacity Needed by Town of Northlake from the Northside II Water System, Provide for Fort Worth Cost Participation in an Amount Not to Exceed \$984,218.57 and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 25950-01-2023

16. M&C 23-0055 (CD 8 / Future CD 8, City of Forest Hill) Authorize Execution of an Engineering Agreement with Teague Nall and Perkins, Inc., in the Amount of \$573,536.00, for the Water Line Extension Wichita Street Deduct Meter Project and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 25951-01-2023

#### PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

<u>23-0008</u> Notice of Claims for Alleged Damages or Injuries

End of Consent Agenda.

#### A. General - Removed from Consent Agenda

4. M&C 23-0018 (CD 9 / Future CD 11) Authorize Change in Use and Adjust Existing Allocations in the Amount of \$1,500,000.00 in Community Development Block Grant Funds for the Street Reconstruction Project – Ripy Street and Authorize Substantial Amendment to the City's 2020-2021 and 2021-2022 Action Plans

Council Members Crain and Williams advised they filed a Conflict of Interest Affidavit with the City Secretary's Office pertaining to M&C 23-0018 and would abstain from voting on this issue.

Motion: Council Member Beck made a motion, seconded by Council Member Nettles, that M&C 23-0018 be approved. Motion passed 7-0, two abstentions from Council Members Crain and Williams.

#### E. Award of Contract - Removed from Consent Agenda

1. M&C 23-0016 (CD 3 / Future CD 6) Authorize a Change in Use and Expenditure of 2018-2019 Community Development Block Grant Funds Totaling \$57,584.72 and Authorize the Execution of a Contract with Storm Water Systems, Inc. in the Amount of \$226,282.00 for Engineering Services and the Installation of a Bandalong Litter Trap to Facilitate Collection and Removal of Floatable Aquatic Trash in Lake Como

Council Members Crain and Williams advised they filed a Conflict of Interest Affidavit with the City Secretary's Office pertaining to M&C 23-0016 and would abstain from voting on this issue.

Motion: Council Member Beck made a motion, seconded by Council Member Nettles, that M&C 23-0016 be approved. Motion passed 7-0, two abstentions from Council Members Crain and Williams.

#### ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

#### 1. <u>Upcoming and Recent Events</u>

Council Members Flores, Crain, Firestone, 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

Motion: Council Member Beck made a motion, seconded by Council Member Williams, that ceremonial travel for Mayor Parker's trip to Los Angeles, California, for the TCU Football National Championship be approved. Motion passed 9-0.

#### PRESENTATIONS BY THE CITY COUNCIL

The following individuals appeared before Council in support of Council Proposal CP-324:

James Smith

Cliff Sparks

Natasha Nelson (via conference call)

Seychelle Leake (via conference call)

Donnell Ballard (via conference call)

Claudine Brenner (via conference call)

Kendra Richardson (via conference call)

Rukiya Carrey (via conference call)

Patrice Jones

The following individuals completed comment cards in support of Council Proposal CP-324:

Tamera Hutcherson

Jasmin Gonzalez

Vanessa Fisher

Rachel Gollay

The following individuals appeared before Council in opposition to Council Proposal CP-324:

Alonda Massey

Douglas Spellman (via conference call)

Gregory Wesley, Forest Hill, Texas

Frances Beamon (via conference call)

Ladonna Myers (via conference call)

Pamela Howard

Anthony Humphrey completed a speaker card via conference call in opposition to Council Proposal CP-324 and was recognized by Mayor Parker but was unable to be reached by telephone.

Adrian Smith appeared before Council undecided relative to Council Proposal CP-324 and in opposition to M&C 23-0011.

#### 1. Council Proposal

Motion: Council Member Nettles made a motion, seconded by Council Member Beck, that requirements of Council Rules of Procedure 5.2.1 to allow Council Proposal CP-324 to be acted upon in the City Council meeting in which it is introduced be approved. Motion passed 8-1, Mayor Parker casting the dissenting vote.

<u>CP-324</u> Rename Hillside Community Center for Atatiana Carr Jefferson, Waive the City's Facility Naming Policy, Waive Any Associated Fees, and Find a Public Purpose - Council Member Nettles

Motion: Council Member Nettles made a motion, seconded by Mayor Pro tem Bivens, to approve Council Proposal CP-324 with the following amendments: 1) to provide for the installation of signage prominent and visible to the public inside the community center that tells the history of the community center, with particular honor paid to the name of Hillside that is shared with the park, and 2) to amend the name of the community center to Atatiana Carr Jefferson at Hillside Community Center. Motion passed 9-0.

## PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS, COMMISSIONS AND/OR CITY COUNCIL COMMITTEES

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

#### RESOLUTIONS

1. 23-0003 A Resolution Requesting that the United States Department of Housing and Development Grant an Exception Authorized the as by Development Block Grant Regulations for a Potential Conflict of Interest so that Elisa Member of Veronica Martinez, Arriaga, an Immediate Family a Neighborhood Department Employee, May Participate in Services the City's Priority Program which Benefits Low Income Homeowners

Motion: Council Member Crain made a motion, seconded by Council Member Flores, that Resolution No. 5677-01-2023 be adopted. Motion passed 9-0.

2. <u>23-0007</u> A Resolution Reappointing Dr. Janice Knebl to the Board of the Metropolitan Area EMS Authority

Motion: Council Member Flores made a motion, seconded by Council Member Crain, that Resolution No. 5678-01-2023 be adopted. Motion passed 9-0.

#### **ORDINANCES**

1. 23-0004 An Ordinance Amending Chapter 20, "Licenses and Miscellaneous Business Regulations" of the Code of the City of Fort Worth, to Add Article XIV Entitled "Boarding Homes", Establishing the Inspection, Registration and Permitting of Boarding Homes, and Establishing Enforcement Authority; Providing Record Keeping Requirements; 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

Motion: Council Member Beck made a motion, seconded by Council Member Crain, that Ordinance No. 25952-01-2023 be adopted. Motion passed 9-0.

2. 23-0005 An Ordinance Declaring Certain Findings; Providing for the Release of Approximately 212.843 Acres of Land Situated in the Land Situated in the Gilbert Woolsey Survey, Abstract No. 902 & Section 1, Houston and Texas Railway Company Survey, Abstract 399, in Johnson County, Texas, along the Southern Edge of the Fort Worth Extraterritorial Jurisdiction, Including Certain Right-of-Way from the Extraterritorial Jurisdiction of the City of Fort Worth; Providing that this Ordinance Shall Amend Every Prior Ordinance in Conflict Herewith; Providing that this Ordinance Shall Be Cumulative of All Prior Ordinances Not in Direct Conflict; Providing for Severability; and Naming an Effective Date

Motion: Council Member Crain made a motion, seconded by Council Member Flores, that Ordinance No. 25953-01-2023 be adopted. Motion passed 9-0.

#### **PUBLIC HEARING**

1. M&C 22-0988 (ALL) Conduct Public Hearings on the Need to Continue the Curfew Ordinance for Minors, Review the City's Curfew Ordinance for Minors and Its Effects on the Community and on Problems the Ordinance was Intended to Remedy and Adopt Ordinance Amending Section 23-19 of City Code, Curfew Hours for Minors, to Extend the Curfew for an Additional Three Years (Continued from a Previous Meeting)

(PUBLIC HEARING - a. Report of City Staff: Sergeant Deon Nash; 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

Captain Marcia Conrad, Police Department, appeared before Council and provided a staff report.

#### b. Public Comment

Will Dryden appeared before Council in support of M&C 22-0988.

Lasondra Huggins completed a speaker card in support of M&C 22-0988 and was recognized by Mayor Parker but was not present in the Council Chamber.

The following individuals completed comment cards in support of M&C 22-0988:

Jan Cermak Leanne Hazard

The following individuals appeared before Council in opposition to M&C 22-0988:

Tamera Hutcherson Karla Palomares

The following individuals completed comment cards in opposition to M&C 22-0988:

Vanessa Fisher Rachel Gollay

Adrian Smith appeared before Council undecided relative to M&C 22-0988.

#### c. Council Action

Motion: Council Member Williams made a motion, seconded by Council Member Nettles, that the public hearing be closed, and M&C 02-0988 and ordinance be denied. Motion failed 5-4, Mayor Parker and Council Members Flores, Crain, Blaylock, and Firestone casting the dissenting votes.

Council Member Williams made a motion, seconded by Mayor Pro tem Bivens, that the public hearing be closed, M&C 22-0988 be approved and Ordinance No. 25954-01-2023 be adopted as amended with the amendment being to adopt the ordinance for a 30-day period. Motion passed 9-0.

2. M&C 23-0002 (CD 6 / Future CD 9) Conduct Public Hearing to Consider Variance from Section 4-4 of the City Code to Allow Mixed Beverage Sales for On-Premise Consumption at San Antonio Mexican Food & Home Cooking Restaurant Located at 5693 Westcreek Drive (Continued from a Previous Meeting)

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

Mayor Parker opened the public hearing.

#### a. Report of City Staff

Beth Knight, Development Services Department, appeared before Council and provided a staff report.

#### b. Public Comment

Gena Cannon, Arlington, Texas, appeared before Council in support of M&C 23-0002.

#### c. Council Action

Motion: Council Member Williams made a motion, seconded by Mayor Pro tem Bivens, that the public hearing be closed and M&C 23-0002 be continued to the February 14, 2023, Council meeting. Motion passed 9-0.

3. M&C 23-0007 (CD 2 / Future CD 2) Conduct Public Hearing to Consider Variance from Section 4-4 of the City Code to Allow Mixed Beverage Sales for On-Premise Consumption with Late Hours at Valli's International Kitchen Located at 4450 Boat Club Road (Continued from a Previous Meeting)

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

Mayor Parker opened the public hearing.

#### a. Report of City Staff

Beth Knight, Development Services Department, appeared before Council and provided a staff report.

#### b. Public Comment

Roberto Nunez, Desoto, Texas, appeared before Council in support of M&C 23-0007.

Aziz Valli completed a speaker card in support of M&C 23-0007 and was recognized by Mayor Parker but was not present in the Council Chamber.

#### c. Council Action

Motion: Council Member Flores made a motion, seconded by Council Member Crain, that the public hearing be closed and M&C 23-0007 be continued to the February 14, 2023, Council meeting. Motion passed 9-0.

#### **ZONING HEARING**

It appeared that the City Council, at its meeting of December 13, 2022, continued Zoning Docket ZC-22-175:

1. ZC-22-175 (CD 9) 2824 7th St LP/Alan R. Magee, 2824 W. 7th Street, From: "MU-2" High Intensity Mixed Use and "C" Medium Density Multifamily To: "MU-2" High Intensity Mixed Use, (0.29 ac) (Recommended for Approval by the Zoning Commission)

Motion: Council Member Beck made a motion, seconded Council Member Nettles, that Zoning Docket ZC-22-175 be approved. Motion passed 9-0.

It appeared that the City Council, at its meeting of December 13, 2022, continued Zoning DOcket ZC-22-179:

2. <u>ZC-22-179</u> (CD 9) Silvia Silva, 2340 N. Chandler Drive E., From: "E" Neighborhood Commercial To: "A-5" One-Family (0.13 ac) (Recommended for Approval by the Zoning Commission)

Silvia Silva appeared before Council in support of Zoning Docket ZC-22-179 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Beck made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-179 be approved. Motion passed 9-0.

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 December 23, 2022.

Mayor Parker opened the public hearing.

**3.** <u>ZC-22-163</u> (CD 3) Eden Garden Way, 3308 Lackland Road (0.95 ac.) From: "CB-GC" Camp Bowie - General Corridor, To: "CB-TZ" Camp Bowie - Transition (Recommended for Denial by the Zoning Commission)

The following individuals completed comment cards in support of Zoning Docket ZC-22-163:

Ahmed Mostafa, Fairfax, Virginia Walid Elwaei Ryan Kelly Laila Soha

Motion: Council Member Crain made a motion, seconded by Council Member Flores, that Zoning Docket ZC-22-163 be denied. Motion passed 9-0.

4. <u>ZC-22-168</u> (CD 5) Fisch Grandchildren's Trust, 4901 Carey Street (1.51 ac.) To: Add Conditional Use Permit (CUP) to allow outdoor storage of construction materials and equipment not associated with the primary business in "I" Light Industrial for a maximum of 5 years; no development waivers requested, site plan included (Recommended for Approval by the Zoning Commission)

Travis Clegg completed a speaker card in support of Zoning Docket ZC-22-168 and was recognized by Mayor Parker but was not present in the Council Chamber.

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Blaylock, that Zoning Docket ZC-22-168 be approved. Motion passed 9-0.

5. ZC-22-169 (CD 5) BDB Investments, LP/ South Point Constructors, 4901 E. Loop 820 S. (2.31 ac.) To: Add Conditional Use Permit (CUP) to allow outdoor storage of construction materials and equipment not associated with the primary business in "I" Light Industrial for a maximum of 5 years; no development waivers requested, site plan included (Recommended for Approval by the Zoning Commission)

Travis Clegg completed a speaker card in support of Zoning Docket ZC-22-169 and was recognized by Mayor Parker but was not present in the Council Chamber.

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Nettles, that Zoning Docket ZC-22-169 be approved to amend the maximum number of years from five years down to two years. Motion passed 9-0.

6. <u>ZC-22-189</u> (CD 8) Ameritex Homes , 1208 Daggett Ave. (0.12 ac.) From: "J" Medium Industrial, To: "A-5" One Family (Recommended for Approval by the Zoning Commission)

Johnny Rodriguez, Dallas, Texas, appeared before Council in support of Zoning Docket ZC-22-189.

Motion: Council Member Nettles made a motion, seconded by Council Member Williams, that Zoning Docket ZC-22-189 be approved. Motion passed 9-0.

- 7. <u>ZC-22-191</u> (CD 8) Kyle K. Poulson, 1524 Devitt Street (2.14 ac.) From: "E" Neighborhood Commercial, To: "I" Light Industrial (Recommended for Denial by the Zoning Commission)
  - Motion: Council Member Nettles made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-191 be continued to the February 14, 2023, Council meeting. Motion passed 9-0.
- 8. <u>ZC-22-193</u> (CD 5) Juan Rosales / Ruby Luna Perez, 5408 David Strickland Rd. (0.15 ac.) From: "E" Neighborhood Commercial, To: "A-5" One-Family (Recommended for Approval by the Zoning Commission)
  - Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Crain, that Zoning Docket ZC-22-193 be approved. Motion passed 9-0.
- 9. <u>ZC-22-195</u> (CD 9) Merry's Auto Car Ride LLC, 5116 James Avenue (0.5 ac.) From: "E" Neighborhood Commercial, To: "FR" General Commercial Restricted (Recommended for Approval by the Zoning Commission)
  - Motion: Council Member Beck made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-195 be continued to the February 14, 2023, Council meeting. Motion passed 9-0.
- **10.** <u>ZC-22-196</u> (CD 5) Vanessa Solís, 1524 Coleman Street (0.24 ac.) From: "A-7.5" One-Family, To: "A-5" One-Family (Recommended for Approval by the Zoning Commission)
  - Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Crain, that Zoning Docket ZC-22-196 be approved with appreciation. Motion passed 9-0.
- 11. <u>ZC-22-199</u> (CD 5) Ana Maria Preciado / Xavier Loza, 3760 Waldorf Street (0.23 ac.) From: "MU-1" Low Intensity Mixed-Use, To: "A-5" One-Family (Recommended for Denial by the Zoning Commission)
  - Xavier Loza appeared before Council in opposition to Zoning Docket ZC-22-199.
  - Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Williams, that Zoning Docket ZC-22-199 be continued to the February 14, 2023, Council meeting. Motion passed 9-0.

(Mayor Pro tem Bivens stepped away from the dais.)

12. <u>ZC-22-200</u> (CD 8) Albaro Becerra / Raymond & Alex Ayala, Sluggers Training Facility & Ballfields, 395 Altamesa Boulevard (19.369 ac.) From: "A-5" One Family Residential, To: "PD-E" Planned Development based on Neighborhood Commercial zoning, with development standards for buffer yard, screening, and landscaping; Site Plan included. (Recommended for Approval by the Zoning Commission)

The following individuals appeared before Council in support of Zoning Docket ZC-22-200:

Rebecca Flores-Castro Ray Ayala

Motion: Council Member Nettles made a motion, seconded by Council Member Beck, that Zoning Docket ZC-22-200 be approved. Motion passed 8-0, Mayor Pro tem Bivens absent.

13. <u>ZC-22-203</u> (CD 7) Paula Rae Fimbres, Et Al. / Mary Nell Poole, Townsite, 2520 Halloran Street (0.62 ac.) From: "B" Two-Family, To: "UR" Urban Residential (Recommended for Approval by the Zoning Commission)

Mary Nell Poole completed a speaker card in support of Zoning Docket ZC-22-203 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-22-203 be approved. Motion passed 8-0, Mayor Pro tem Bivens absent.

(Mayor Pro tem Bivens returned to her place at the dais.)

14. <u>ZC-22-204</u> (CD 2) L & S Land Company LTD, 4501 Angle Avenue (22.38 ac.) From: "C" Medium Density Multifamily; "E" Neighborhood Commercial, To: "C" Medium Density Multifamily (Recommended for Approval by the Zoning Commission)

Andrew Wiley, Arlington, Texas, appeared before Council in support of Zoning Docket ZC-23-204.

J.D. Jimmerson appeared before Council undecided relative to Zoning Docket ZC-22-204.

Motion: Council Member Flores made a motion, seconded by Council Member Williams that Zoning Docket ZC-22-204 be continued to the February 14, 2023, Council meeting. Motion passed 9-0.

15. ZC-22-206 (CD 3) Krisha Investments Inc., 8401 West Freeway (2.81 ac.) From: "E" Neighborhood Commercial, To: "PD/D" Planned Development for "D" High Density Multifamily with development standards for: paving, fencing and parking in front of building, parking count, open space, signage and building orientation, site plan included. (Recommended for Approval by the Zoning Commission)

Daniel Smith, Dallas, Texas, appeared before Council in support of Zoning Docket ZC-22-206.

Motion: Council Member Crain made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-206 be approved. Motion passed 9-0.

16. ZC-22-208 (CD 2) Fossil Ridge Ltd., 2832 Sedona Ranch Drive (6.8518 ac.) From: "PD 1095" Planned Development, To: "PD 1095" Planned Development with a base of "C" Medium Density Multifamily, with development standards for density, parking, fencing, and height, Site Plan included. (Recommended for Approval by the Zoning Commission)

Daniel Hendren, San Antonio, Texas, completed a speaker card in support of Zoning Docket ZC-22-208 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Flores made a motion, seconded by Council Member Crain, that Zoning Docket ZC-22-208 be approved. Motion passed 9-0.

17. ZC-22-225 (CD All) City of Fort Worth, Retail Smoke Shop Text Amendment: To adopt an ordinance amending the Zoning Ordinance of the City of Fort Worth, Article 8, of Ordinance No. 21653, to add "Retail Smoke Shop" to the definitions list of uses in the category "Retail Sales and Service" with a "P" in E through K zoning districts cells to indicate that the use is allowed and amend the Supplemental Standards column for "Retail Sales and Service" to add a reference to Section 5.152. (Recommended for Approval by the Zoning Commission)

Daniel Haase completed an undecided comment card relative to Zoning Docket ZC-22-225.

Motion: Council Member Beck made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-225 be approved and Ordinance No. 25955-01-2023 be adopted with the following changes: Amend Section 2 in the Ordinance to allow a retail smoke shop as an allowed use in the zoning "F" General following dockets: Commercial. "G" "I" Light Industrial. Commercial. "H" Central Business District, Medium Industrial, and "K" Heavy Industrial; and Amend Section 3 in the ordinance to not allow retail smoke shop as an allowed use in the "MU-1" Low Intensity Mixed-Use zoning district. Motion passed 9-0.

**18.** <u>ZC-22-209</u> (CD 8) The Alyssa Banta Revocable Trust, 4445 Rolling Hills Drive (13.74 ac.) From: "A-10" Single Family, To: "A-10/HC" Single Family-Historic and Cultural Landmark (Recommended for Approval by the Historic and Cultural Landmarks Commission)

Motion: Council Member Nettles made a motion, seconded by Council Member Williams, that Zoning Docket ZC-22-209 be approved. Motion passed 9-0.

19. <u>ZC-23-003</u> (CD 9) Anna Spice and Loren Ross Spice, 3313 W Biddison Street (0.1672 ac.) From: "A-5" Single Family, To: "A-5/HC" Single Family-Historic and Cultural Landmark (Recommended for Approval by the Historic and Cultural Landmarks Commission)

Anna Spice completed a speaker card in support of Zoning Docket No. ZC-23-003 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Beck made a motion, seconded by Council Member Nettles, that Zoning Docket ZC-23-003 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 Beck made a motion, seconded by Council Member Nettles, that the hearing be closed and Ordinance No. 25956-01-2023 be adopted. Motion passed 9-0.

#### REPORT OF THE CITY MANAGER

#### B. General

1. M&C 23-0011 (ALL) Amend Mayor & Council Communication 22-0268 to Allow an Allocation of \$3,000,000.00 in Funds from American Rescue Plan Act State and Local Fiscal Recovery Funds with the Center for Transforming Lives to be used for Property Acquisition in the Development of a Centralized Campus to Improve Access to Childcare, Healthcare and Workforce Development Across Tarrant County

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Beck, that M&C 23-0011 be approved. Motion passed 9-0.

2. <u>M&C 23-0012</u> (ALL) Adopt a Resolution Authorizing the Formation of the Research & Innovation Local Government Corporation

Motion: Council Member Crain made a motion, seconded by Mayor Pro tem Bivens, that M&C 23-0012 be approved and Resolution No. 5679-01-2023 be adopted. Motion passed 9-0.

#### C. Purchase of Equipment, Materials, and Services

1. M&C 23-0006 (CD 2 and CD 9 / Future CD 2, CD 9 and CD 11) Authorize Execution of an Agreement with HR&A Advisors, Inc for Real Estate Market and Development Planning Services for the Panther Island District in an Amount Not to Exceed \$560,000.00; Authorize Execution of Certain Funding Agreements with Tarrant County, Tarrant Regional Water District, Tarrant County College, Downtown Fort Worth, Inc., Streams & Valleys, Inc., and The Greater Fort Worth Real Estate Council, Inc. to Assist in Funding this Project in an Amount up to \$435,000; and Adopt Appropriation Ordinance

Motion: Council Member Beck made a motion, seconded by Council Member Flores, that M&C 23-0006 be approved and Appropriation Ordinance No. 25957-01-2023 be adopted. Motion passed 9-0.

2. M&C 23-0056 (ALL) Authorize Sole Source Purchase Agreements with Named Vendors for Playground Equipment, Supplies, and Replacement Parts for a Combined Annual Amount Up to \$750,000.00 for the Park & Recreation Department and Authorize Four One-Year Renewal Options for the Same Annual Amount

Motion: Council Member Beck made a motion, seconded by Council Member Crain, that M&C 23-0056 be approved. Motion passed 9-0.

#### F. Award of Contract

1. <u>M&C 23-0013</u> (CD 9 / Future CD 9) Authorize Execution of an Interlocal Agreement with the Texas A&M University System Regarding the Development of the Texas A&M Fort Worth Campus Project .

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Beck, that M&C 23-0013 be approved. Motion passed 9-0.

2. M&C 23-0014 (CD 9 / Future CD 9) Authorize an Amendment to City Secretary Contract No. 56461, an Economic Development Program Agreement with SmartAction, LLC, to Extend the Employment Completion Deadline for One Year to December 31, 2023

Motion: Council Member Beck made a motion, seconded by Council Member Crain, that M&C 23-0014 be approved. Motion passed 9-0.

#### **ADJOURNMENT**

There being no further business, Mayor Parker adjourned the meeting at 9:03 p.m.