

**CITY OF FORT WORTH, TEXAS
CITY COUNCIL MEETING
TUESDAY, APRIL 11, 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 6:01 p.m. on Tuesday, April 11, 2023, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

INVOCATION - Pastor Matt Oxley, The Creek Church

The invocation was provided by Pastor Matt Osley, The Creek 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.

SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. [23-0063](#) Presentation of Certificates of Recognition for Eastside Leaders

Mayor Pro tem Bivens presented Certificates of Recognition to the Eastside Leaders.

2. [23-0284](#) Presentation by Habitat for Humanity

Gage Yager, Chief Executive Officer at Trinity Habitat for Humanity, gave a brief presentation and presented a check in the amount of \$2.79 million for property taxes.

3. [23-0183](#) Presentation of Proclamation for Texas Christian University's 150th Anniversary

Mayor Parker and Council Members Crain and Beck presented a proclamation for Texas Christian University's 150th Anniversary to Chancellor Victor Boschini, Jr.

4. [23-0068](#) Presentation of Proclamation for National Community Development Week

Mayor Parker presented a proclamation for National Community Development Week to Victor Turner, Neighborhood Services Department. He introduced Chair Ebony Rose, Community Development Council.

ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items to be withdrawn from the Consent Agenda.

ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

There were no items to be continued or withdrawn by staff.

Jonathan Morrison appeared before Council undecided relative to M&C 23-0271.

Adrian Smith appeared before Council in opposition to M&C 23-0251, in support of M&C 23-0279, and in opposition to M&C 23-0284.

Carolyn Rodriguez completed an undecided card relative to M&C 23-0263 and was recognized by Mayor Parker but was not present in the Council Chamber.

CONSENT AGENDA

Motion: Council Member Crain made a motion, seconded by Council Member Nettles, that the Consent Agenda be approved. Motion passed 9-0.

A. General - Consent Items

1. [M&C 23-0237](#) (ALL) Authorize the Fort Worth Public Library to Donate Library Print Music to Texas Wesleyan University and Find that the Donation Serves a Public Purpose

Motion: Approved.

2. [M&C 23-0242](#) (ALL) Amendment of Mayor and Council Communication 23-0135 to Correct Fund Appropriations, Adopt Appropriation Ordinances, and Amend the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance Nos. 26052-04-2023 and 26053-04-2023

3. [M&C 23-0245](#) (CD 8 / Future CD 11) Adopt Appropriation Ordinances for the Street Improvements Fund and Specially Funded Capital Projects Fund in a Combined Amount of \$95,000.00 to Reallocate Funding from the Canceled FWPA-Guinn School Project to the FWPA-E. Rosedale Underpass Project in Accordance with the Fort Worth Public Art FY2023 Annual Work Plan and Amend the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance Nos. 26054-04-2023 and 26055-04-2023

4. [M&C 23-0246](#) (CD 5 / Future CD 5) Adopt Ordinance to Establish a Water Main Capacity Charge in the Amount of \$112,162.11 per Million Gallons Per Day for a 36-Inch Eastside II Water Transmission Main as Part of the Trinity Boulevard Reconstruction Project, Pursuant to Chapter 35, Article III, Division 4 Sections 35-87 through 35-93 of the City Code

Motion: Approved. Ordinance No. 26056-04-2023

5. [M&C 23-0251](#) (ALL) Authorize Execution of a Sole Source Agreement with Paymentus Corporation for the Water Utility's Bill Payment Processing Services, in the Amount of \$4,533,000.00

Motion: Approved.

6. [M&C 23-0257](#) (CD 2 / Future CD 2) Ratify the Application for and Authorize Acceptance of the Fiscal Year 2022 Airport Improvement Program Supplemental Discretionary Grant, if Awarded, from the Federal Aviation Administration, in an Amount up to \$9,000,000.00 for Runway Shoulder Reconstruction and Lighting Improvements at Fort Worth Meacham International Airport, Authorize Use of Future Grant Match Capital Funding in an Amount up to \$1,000,000.00 for the City's Grant Match and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26057-04-2023

7. [M&C 23-0259](#) (CD 2 / Future CD 2) Ratify the Application for and Authorize Acceptance of the Fiscal Year 2022 Airport Improvement Program Supplemental Discretionary Grant, if Awarded, from the Federal Aviation Administration, in an Amount Up to \$1,080,000.00 for a Fuel Farm Replacement Environmental Study and Design at Fort Worth Meacham International Airport, Authorize Use of Future Grant Match Capital Funding in an Amount Up to \$120,000.00 for the City's Grant Match, for a Total Project Amount Up to \$1,200,000.00 and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26058-04-2023

8. [M&C 23-0263](#) (ALL) Approve Reserve Officer Pilar Ramirez's Appointment by the Chief of Police to Serve in a Supplementary Capacity for the Police Department

Motion: Approved.

9. [M&C 23-0265](#) (ALL) Authorize Application for, and Authorize Acceptance of, if Awarded, the State of Texas, Office of the Attorney General, Crime Victim Services Division, Victim Coordinator and Liaison Grant to Occur in Fiscal Years 2024-2025 in an Amount Up to \$99,000.00, Adopt Resolution, Authorize Execution of Related Grant Agreement, and Adopt Appropriation Ordinance

Motion: Approved. Resolution No. 5728-04-2023 and Appropriation Ordinance No. 26059-04-2023

10. [M&C 23-0268](#) (CD 9 / Future CD 9) Authorize the Rejection of All Responses to Invitation to Bid No. ENV22-07 for the Trinity River Waterwheel Initiative

Motion: Approved.

11. [M&C 23-0271](#) (ALL) Find that Conditions have Materially Changed such that Transit Oriented Development Project Proposed in 2014 Bond Program Should be Cancelled; Find that the 2014 Bond Program Proposition 1 - Street and Transportation Improvements Projects are Substantially Complete, Freeing Residual Balances for Other Eligible Street and Transportation Improvements Expenditures; Adopt Appropriation Ordinances, and Amend the Fiscal Years 2023-2027 Capital Improvement Program (2014 & 2022 Bond Programs)

Motion: Approved. Appropriation Ordinance Nos. 26060-04-2023, 26061-04-2023, 26062-04-2023, and 26063-04-2023

12. [M&C 23-0272](#) (CD 7 / Future CD 10) Adopt Appropriation Ordinances in the Collective Amount of \$2,700,000.00 for Additional Funding for the Intermodal Parkway Improvements Project and Amend the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance Nos. 26064-04-2023, 26065-04-2023, and 26066-04-2023

13. [M&C 23-0275](#) (ALL) Adopt Ordinance Authorizing Issuance and Sale of City of Fort Worth Tax Notes, Series 2023 in an Aggregate Principal Amount Not to Exceed \$20,000,000.00 and Enacting Other Provisions Related to the Subject; and Adopt Appropriation Ordinance

Motion: Approved. Ordinance No. 26067-04-2023 and Appropriation Ordinance No. 26068-04-2023

14. [M&C 23-0276](#) (CD 3 and CD 9 / Future CD 3 and CD 9) Authorize the Temporary Closure of Segments of Country Club Circle, Mockingbird Lane, Mockingbird Court, West Cantey Street, Rogers Avenue, Colonial Parkway, Simondale Drive, Park Hill Drive, Boyd Avenue, Stadium Drive, Highview Terrace, Manchester Street, Walsh Court, Hartwood Drive, Kingston Court, Ann Arbor Court, and Lynncrest Drive and Allow Temporary Conversion of Portions of Colonial Parkway to a One-Way Operation to Accommodate the 2023 Charles Schwab Challenge Golf Tournament at Colonial Country Club from May 22, 2023 to May 28, 2023

Motion: Approved.

15. [M&C 23-0277](#) (CD 8 / Future CD 8) Adopt Appropriation Ordinance in the Amount of \$50,000.00, to Fund Preliminary Engineering Review of a Proposed At-Grade Crossing of Union Pacific Railroad and Fort Worth and Western Railroad by Future Altamesa Boulevard

Motion: Approved. Appropriation Ordinance No. 26069-04-2023

16. [M&C 23-0279](#) (CD 9 / Future CD 9) Authorize Early Termination of Sublease with Burns & McDonnell Engineering Company, Inc. for Suites 1600 and 1700 in the Future City Hall Located at 100 Energy Way, Fort Worth, Texas 76102 in Exchange for a Payment from Burns & McDonnell Engineering Company, Inc. in the Amount of \$600,000.00

Motion: Approved.

17. [M&C 23-0281](#) (ALL) Authorize Payment of Excess Workers' Compensation Insurance Policy for Calendar Years 2023, 2024 and 2025 from Safety National Casualty Corporation through Roach Howard Smith & Barton, Inc. in the Amount of \$3,000,000.00 and Authorize Payment Up to \$300,000.00 for Anticipated Audits for Policy Years 2022, 2023, and 2024 from Safety National Corporation through Roach Howard Smith & Barton, Inc

Motion: Approved.

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18. [M&C 23-0284](#) (CD 9 / Future CD 9) Approve Allocation from the American Rescue Plan Act State and Local Fiscal Recovery Funds in the Amount of \$2,000,000.00 to Provide Services by the Fort Worth - Tarrant County Innovation Partnership that Support the Growth and Success of the Texas A&M University System Research and Innovation Hub and the Surrounding Area, Amend Mayor and Council Communication 22-1076 to Revise the Appropriation Ordinance and Source of Funding from Tarrant County and Adopt Appropriation Ordinances

Motion: Approved. Appropriation Ordinance Nos. 26070-04-2023 and 26071-04-2023

19. [M&C 23-0285](#) (ALL) Authorize Application for, and Acceptance of, if Awarded, Pet Focused Organizations, Including PetSmart Charities, Inc. Funding in an Amount Not to Exceed \$200,000.00 to Support Animal Welfare Programs, Plus Any Accrued Interest from Contractual Award Funds in the Amount Up to \$5,000.00, Based on Actual Receipts, Authorize Execution of Related Grant Agreements, and Adopt Appropriation Ordinance and Any Corresponding Interest Income

Motion: Approved. Appropriation Ordinance No. 26072-04-2023

20. [M&C 23-0291](#) (CD 2 / Future CD 2) Authorize Acceptance of Grant for the Neighborhood Services Department in the Amount of \$5,000.00 from Blue Zones Project / North Texas Healthy Communities for the Purpose of Supporting the Community Garden at Northside Community Center, and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26073-04-2023

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

1. [M&C 23-0258](#) (ALL) Authorize Amendment to City Secretary Contract No. 56916 with Herc Rentals Inc. for Rental Equipment to Increase the Annual Spending Authority by \$275,000.00 for a New Annual Amount Up to \$575,000.00, for the Transportation and Public Works Department Using a Cooperative Contract

Motion: Approved.

2. [M&C 23-0261](#) (ALL) Authorize Execution of Agreements with MT Training Center, On Track Truck Driving School, LLC, and Continental Road Watch Corporation dba Continental Truck Driver Training School for Commercial Driver's License Training Courses for Multiple Departments in a Combined Annual Amount Up to \$655,680.00 and Authorize Four, One-Year Renewals for the Same Annual Amount

Motion: Approved.

3. [M&C 23-0264](#) (ALL) Authorize the Execution of Purchase Agreements with Crawford Electrical Supply Company, Inc. and Northern Safety Co., Inc. for the Purchase of Electrical Safety Equipment and Maintenance Services for the Transportation and Public Works Department in a Combined Annual Amount Up to \$300,000.00 for the Initial Term and Authorize Four, Automatic, One-Year Renewals in the Amount of \$330,000.00 for the First Renewal, \$363,000.00 for the Second Renewal, \$399,300.00 for the Third Renewal, and \$439,230.00 for the Fourth Renewal

Motion: Approved.

4. [M&C 23-0267](#) (ALL) Authorize Execution of Agreements with Evans Enterprises, Inc. and Shermco Industries, Inc. for Electric Motor Repair and Replacement Services for the Water Department in a Combined Annual Amount Up to \$2,000,000.00 and Authorize Four, One-Year Renewals for the Same Annual Amount

Motion: Approved.

5. [M&C 23-0270](#) (ALL) Authorize Execution of Purchase Agreement with IDEXX Distribution, Inc. for Laboratory Testing Services in an Annual Amount Up to \$250,000.00 for the Initial Term and Authorize Four One-Year Renewal Options for the Same Amount for the Code Compliance Department

Motion: Approved.

6. [M&C 23-0273](#) (ALL) Authorize Execution of a Purchase Agreement with Petra Chemical Acquisition Company, LLC dba DCC for Aquatic Chemicals in an Annual Amount Up to \$200,000.00 for the Initial Term and Authorize Four One-Year Renewals for the Same Annual Amount for the Park & Recreation Department

Motion: Approved.

C. Land - Consent Items

1. [M&C 23-0280](#) (CD 7 / Future CD 10) Authorize Acquisition of Right-of-Way Easements in 0.85 Acres from Real Property Owned by Virginia M. Lemke, Trustee of the Lemke Marital Trust, Located Along Keller Hicks Road in the J. Billingsley Survey, Abstract No. 70, Tarrant County, Texas, in the Amount of \$312,977.00 and Pay Estimated Closing Costs in an Amount Up to \$9,000.00 for a Total Cost of \$321,977.00 for the Keller Hicks Road Project (2022 Bond Program)

Property description: 0.85 acres situated in the J. Billingsley Survey, Abstract No. 70, Tarrant County, Texas, and located at 4328, 4412, 4420, 4430, 4450, 4500, and 4510 Keller Hicks Road

Motion: Approved.

E. Award of Contract - Consent Items

1. [M&C 23-0238](#) (CD 3 / Future CD 3) Authorize Execution of Change Order No. 1 in the Amount of \$382,345.00 and the Addition of 227 Calendar Days to a Contract with Crescent Constructors Inc. for the Westside Water Treatment Plate Settlers Project for a Revised Contract Amount of \$4,079,345.00 and Adopt Appropriation Ordinances to Effect a Portion of Water's Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance Nos. 26074-04-2023 and 26075-04-2023

2. [M&C 23-0239](#) (CD 2 / Future CD 2) Authorize Execution of a Contract with William J. Schultz, Inc. dba Circle C Construction Company in the Amount of \$4,994,602.00 for the Fort Worth Central City Project Water & Sanitary Sewer Main Relocations for the Fort Worth Central City Project, Section 1: Part 10 – Water & Sanitary Sewer Relocations - City Project Trinity River Vision Phase 1, Provide for Total Project Costs in the Amount of \$5,738,123.00 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. 26076-04-2023

3. [M&C 23-0240](#) (CD 2 / Future CD 2) Authorize Execution of an Engineering Agreement with Stream Water Group, Inc. in the Amount of \$645,550.00 for the Water and Sanitary Sewer Replacement Contract 2022 WSM-G Project and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 26077-04-2023

4. [M&C 23-0241](#) (CD 3 / Future CD 3) Authorize Execution of an Engineering Agreement with Dunaway Associates, LLC, in the Amount of \$356,499.00, for the Water and Sanitary Sewer Replacement Contract 2021 WSM-C Project and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 26078-04-2023

5. [M&C 23-0243](#) (CD 7 / Future CD 7) Adopt an Appropriation Ordinance in the Amount of \$321,800.00 for Increased Project Costs for Water and Sanitary Sewer Replacement Contract 2020, WSM-L Project to Effect a Portion of Water's Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 26079-04-2023

6. [M&C 23-0244](#) (CD 7 / Future CD 7) Adopt an Appropriation Ordinance in the Amount of \$178,200.00 for Increased Project Costs for Water and Sanitary Sewer Replacement Contract 2020, WSM-A Project to Effect a Portion of Water's Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 26080-04-2023

7. [M&C 23-0247](#) (ETJ / Denton County / Future CD 7) Authorize Execution of Amendment to Development Agreement with Alliance West, LP, and Denton County Land and Cattle, LP Regarding Plat Approval Authority

Motion: Approved.

8. [M&C 23-0248](#) (CD 7 / Future CD 7) Ratify Emergency Contract with William J. Schultz, Inc. dba Circle C Construction Company in the Amount of \$672,710.40 for M-545 Repair Project for Emergency Repair

Motion: Approved.

9. [M&C 23-0253](#) (CD 2 / Future CD 2 and City of River Oaks) Authorize Execution of Change Order No. 4 in the Amount of \$218,287.50 to a Contract with Flow-Line Construction, Inc. for the Churchill Road Water and Sanitary Sewer Improvements for a Revised Contract Amount of \$8,879,448.18, 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. 26081-04-2023

10. [M&C 23-0254](#) (ALL) Adopt Appropriation Ordinance in the Amount of \$320,000 to Fund the As-Built/Record Drawing Support Project Contract Renewal and Effect a Portion of Water's Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 26082-04-2023

11. [M&C 23-0256](#) (ALL) Authorize Execution of Change Order No. 2 in the Amount of \$312,215.00 to the Sanitary Sewer Emergency Response Contract 2018 with William J. Schultz, Inc. dba Circle C Construction Company to Fund Emergency Work Ordered Under the Contract 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. 26083-04-2023

12. [M&C 23-0260](#) (CD 2 / Future CD 2) Authorize Execution of an Amendment to City Secretary Contract 43601, a Hangar and Ground Lease Agreement for Lease Site 40S at Fort Worth Meacham International Airport with the Current Tenant, Forty South, LLC, to Include the Correct Square Footage of the Existing Hangar and Update the Fair Market Per Square Foot Rental Amount Based on an Amended Third Party Appraisal and Authorize the Execution of a Consent to Assignment of the Same Lease from Forty South, LLC to FTW 3524 LLC

Motion: Approved.

13. [M&C 23-0262](#) (CD 2 / Future CD 2) Authorize Execution of a Ground and Building Lease Agreement with OV-10 Bronco Association, Inc. d/b/a Fort Worth Aviation Museum, for Lease Site 35S at Fort Worth Meacham International Airport

Motion: Approved.

14. [M&C 23-0266](#) (ALL) Authorize the Application for, and the Acceptance of the DNA Capacity Enhancement for Backlog Reduction Program Grant Fiscal Year 2023 from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance in an Amount Up to \$800,000.00, Authorize Execution of a Grant Agreement with the United States Department of Justice and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26084-04-2023

15. [M&C 23-0269](#) (CD 6 / Future CD 6) Authorize Execution of an Engineering Services Agreement with Halff Associates, Inc. in the Amount of \$170,502.00 for the South Hulen Street and South Drive Highway Safety Improvement Project (2022 Bond Program)

Motion: Approved.

16. [M&C 23-0282](#) (CD 7 / Future CD 7) Authorize Acceptance of a Grant from the Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant Program, in an Amount Up to \$350,000.00, to Improve Flight Line Security Improvements, Authorize Execution of Funding Agreement with Naval Air Station Joint Reserve Base Fort Worth and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26085-04-2023

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17. [M&C 23-0283](#) (ALL) Authorize Execution of an Agreement with Hill's Pet Nutrition Sales, Inc. for Pet Food in an Amount Not to Exceed \$150,000.00 Annually and Authorize Four One-Year Renewal Options for the Same Annual Amount for the Code Compliance Department

Motion: Approved.

18. [M&C 23-0290](#) (ALL) Authorize Acceptance of a Grant from the Texas Department of Housing and Community Affairs in an Amount Up to \$2,500,000.00 for the 2023 Comprehensive Energy Assistance Emergency Supplemental Program, a Federally Funded Program Sponsored by the United States Department of Health and Human Services Designed to Provide Utility Payment Assistance and Energy Conservation Education for "Low to Moderate" Income Residents, Authorize Related Contracts, Adopt Appropriation Ordinance, and Waive Indirect Costs

Motion: Approved. Appropriation Ordinance No. 26086-04-2023

PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. [23-0065](#) Notice of Claims for Alleged Damages or Injuries

End of Consent Agenda.

ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Mayor Pro tem Bivens and Council Members Flores, Crain, Williams, 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

There was no approval of ceremonial travel.

Bob Willoughby appeared before Council in opposition to Item 23-0285 and M&C 23-0249.

Adrian Smith appeared before Council in opposition to M&C 23-0249.

Jonathan Morrison completed a comment card in support of M&C 23-0289.

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

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

RESOLUTIONS

1. [23-0285](#) A Resolution Appointing Brian Delgado, Cary Moon, Robert L. Jameson, and Neil Barrow to the Board of Directors of FW Sports Authority, Inc.

Motion: Council Member Firestone made a motion, seconded by Council Member Crain, that Resolution No. 5729-04-2023 be adopted. Motion passed 9-0.

PUBLIC HEARING

1. [M&C 23-0288](#) (CD 7 / Future CD 10) Conduct Public Hearing and Adopt the Attached Ordinance Designating Tax Abatement Reinvestment Zone No. 105, City of Fort Worth, Texas, for Property Located at 16101 Wolff Crossing for Development of a Distribution Center for Carhartt, Inc., or an Affiliate

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

Mayor Parker opened the public hearing.

a. Report of City Staff

Cherie Gordon, Economic Development Department, appeared before Council and provided a staff report.

b. Public Comment

There were no public comments.

c. Council Action

Motion: Council Member Firestone made a motion, seconded by Mayor Pro tem Bivens, that the public hearing be closed, M&C 23-0288 be approved, and Ordinance No. 26087-04-2023 be adopted. Motion passed 9-0.

2. [M&C 23-0062](#) (CD 7 / Future CD 10) Conduct Public Hearing, Authorize Execution of Municipal Services Agreement and Consider Adopting Ordinance for the Proposed Owner-Initiated Annexation of Approximately 61.436 Acres of Land in Denton County, Known as Timber Hill ARCO, Located West of Blue Mound Road and South of Highway 114, in the Far North Planning Sector, AX-22-010 (Continued from a Previous Meeting)

(PUBLIC HEARING - a. Report of City Staff: Stuart Campbell; 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

Stuart Campbell, Development Services Department, appeared before Council and provided a staff report.

b. Public Comment

There were no public comments.

c. Council Action

Motion: Council Member Firestone made a motion, seconded by Council Member Nettles, that the public hearing be closed and M&C 23-0062 be continued to the June 13, 2023, Council meeting. Motion passed 9-0.

City Secretary Goodall advised that Zoning Docket ZC-22-192 was a companion piece to M&C 23-0062 and would be heard at this time.

1. [ZC-22-192](#) (CD 7) Double Eagle TH LLC - ARCO Murray, 18242 S FM 156 (20 ac.) From: Unzoned, To: "I" Light Industrial (Recommended for Approval by the Zoning Commission)(Continued from a Previous Meeting)

It appeared that the City Council, at its meeting of March 21, 2023, continued Zoning Docket ZC-22-192.

Motion: Council Member Firestone made a motion, seconded by Council Member Crain, that Zoning Docket ZC-22-192 be continued to the June 13, 2023, Council meeting. Motion passed 9-0.

ZONING HEARING

It appeared that the City Council, at its meeting of March 21, 2023, continued Zoning Docket ZC-22-223.

2. [ZC-22-223](#) (CD 7/7) Hawkins Custom Homes, Peloton Land Solutions, 8400 Wagley Robertson Road (7.4 ac.) From: "PD 514" Planned Development for all uses in "F" General Commercial with additional uses listed, site plan waived, To: "R2" Townhouse/Cluster (Recommended for Approval by the Zoning Commission) (Continued from a Previous Meeting)

Ray Oujesky completed a speaker card in opposition to Zoning Docket ZC-22-223 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-22-223 be remanded back to the Zoning Commission to add the two properties located at 7900 Comanche Springs and 8400 Wagley Robertson Road. Motion passed 9-0.

It appeared that the City Council, at its meeting of March 21, 2023, continued Zoning Docket ZC-23-006.

3. [ZC-23-006](#) (CD 9/9) Diaz Real Estate Holdings/Katie Car Wash, 4444 South Freeway (0.69 ac.) To: Add Conditional Use Permit (CUP) to allow an automated carwash facility in “FR” General Commercial Restricted; with development waiver for vacuum canopies in front of the building, site plan included. (Recommended for Approval by the Zoning Commission)(Continued from a Previous Meeting)

Robert Petrie completed a speaker card in support of Zoning Docket ZC-23-006 and was recognized by Mayor Parker but did not wish to address Council.

Michael Thomas appeared before Council in support of Zoning Docket ZC-23-006.

Ana Alcala completed a speaker card via conference call in support of Zoning Docket ZC-23-006 and was recognized by Mayor Parker but was unable to be reached by phone.

The following individuals completed comment cards in support of Zoning Docket ZC-23-006:

Rodrigo Diaz
Stephany Davila
Juan Rangel
Alvaro Saucedo
Gustavo Sandoval
Modesto Saucedo
Lesliann Davila
Herlinda Davila
Vladimir Garcia
Danial Turner, Irving, Texas

Juan Sanchez
Narriman Mendoza
Lara Nayelli

Motion: Council Member Beck made a motion, seconded by Council Member Crain, that Zoning Docket ZC-23-006 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 March 24, 2023.

Mayor Parker opened the public hearing.

4. [ZC-22-214](#) (CD 5/5) HStrand, LLC / Jason Eggenburger - 8950 Creek Run Road and 8951 Cottonwood Village (2.2 acres) From: "AR" One-Family Restricted/ PD 623 "PD/SU" Planned Development/Specific Use for all uses in "E" Neighborhood Commercial; excluding the following uses: Massage Parlor, Tattoo Parlor, Pawn Shop, Liquor or Package Store, and Convenience Store, site plan waived, To: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus Warehouse, site plan included (Recommended for Approval by the Zoning Commission)

Miles Hicsonmez completed a speaker card in support of Zoning Docket ZC-22-214 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 Williams, that Zoning Docket ZC-22-214 be approved. Motion passed 9-0.

5. [SP-23-001](#) (CD 6/6) Kevin Afkami/Andrew Yeoh, 7513 Summer Creek (1.7 acres) To: Add site plan for PD 246 "PD/E" Planned Development for all uses in the "E" Neighborhood Commercial (Recommended for Approval by the Zoning Commission)

Andrew Yeoh, Allen, Texas, completed a speaker card via conference call in support of Site Plan SP-23-001 and was recognized by Mayor Parker but did not wish to address Council.

Kevin Afkami, Dallas, Texas, appeared before Council via conference call in support of Site Plan SP-23-001.

Motion: Council Member Williams made a motion, seconded by Mayor Pro tem Bivens, that Site Plan SP-23-001 be approved. Motion passed 9-0.

6. [ZC-22-178](#) (CD 5/5) Demetrica V. Williams Family Trust - 3801 & 3825 South Cravens (10.16 acres) From: "MU-1" Low Intensity Mixed-Use, To: "PD/MU-1" Planned Development for all uses in "MU-1" Low Intensity Mixed Use plus amusement/outdoor use, bar/tavern, cocktail lounge, club, private or teen, and dance hall use; development standard for maximum setback of 312 ft; no minimum first floor height requirement; site plan included (Recommended for Approval by the Zoning Commission)

The following individuals appeared before Council in support of Zoning Docket ZC-22-178:

Darin Norman
Demetrica Williams, Arlington, Texas

The following individuals completed comment cards in support of Zoning Docket ZC-22-178:

Ricky Hollis, Arlington, Texas
Kimberly Montgomery
Cassandra Lynch, Arlington, Texas

Beverly Musgrave appeared before Council via conference call in opposition to Zoning Docket ZC-22-178.

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Williams, that Zoning Docket ZC-22-178 be remanded back to the Zoning Commission for additional community outreach, especially the Carver Heights East Neighborhood Association and re-notice for outdoor event space for amusement. Motion passed 9-0.

7. [ZC-22-188](#) (CD 8/11) KAT Investments LLC / Tara Bohme - 3701 Meadowbrook Dr. (0.25 acres) From: "A-5" One Family, To: "PD/A-7.5" Planned Development for all uses in "A.7.5" One-Family plus triplex; site plan included (Recommended for Approval by the Zoning Commission)

Tara Bohme, Euless, Texas, appeared before Council in support of Zoning Docket ZC-22-188.

Motion: Council Member Nettles made a motion, seconded by Council Member Crain that Zoning Docket ZC-22-188 be approved. Motion passed 9-0.

8. [ZC-22-201](#) (CD 8/11) Armando Hernandez/Stacy Collins - 3600 Rosedale Street (0.13 acres) From: "E" Neighborhood Commercial, To: "FR" General Commercial Restricted (Recommended for Denial by the Zoning Commission)

Motion: Council Member Nettles made a motion, seconded by Council Member Crain, that Zoning Docket ZC-22-201 be denied without prejudice. Motion passed 9-0.

9. [ZC-23-009](#) (CD 4/4) MQ Northside Retail, LLC - 4941 North Tarrant Parkway (1.22 acres) To: Add Conditional Use Permit (CUP) to allow an automated carwash facility in "FR" General Commercial Restricted with the screen wall being near or on the existing retaining wall; site plan included (Recommended for Approval by the Zoning Commission)

David Gregory, Keller, Texas, appeared before Council in support of Zoning Docket ZC-23-009.

The following individuals appeared before Council via conference call in opposition to Zoning Docket ZC-23-009:

Susan Kenney
Russell Fuller

The following individuals completed comment cards in opposition to Zoning Docket ZC-23-009:

L Thoreson
Jerry Steben
Renay Boazzo

Rachel Balster
Markus Hoesterey
Pauli Young
Holly Branton
Kris Kittle

Motion: Council Member Blaylock made a motion, seconded by Council Member Crain, that Zoning Docket ZC-23-009 be continued to the June 13, 2023, Council meeting. Motion passed 9-0.

10. [ZC-23-013](#) (CD 8/8) Rene and Luz C. Calvillo / Nicteloi Cadena - 2808 Strong Ave (0.33 acres) From: "A-5" One-Family, To: "B" Two-Family District (Recommended for Approval by the Zoning Commission)

Motion: Council Member Nettles made a motion, seconded by Council Member Beck, that Zoning Docket ZC-23-013 be approved. Motion passed 9-0.

11. [ZC-23-014](#) (CD 5/5) Mosaad Girgis - 13108 & 13116 S. Pipeline Rd (1.87 acres) From: "E" Neighborhood Commercial, To: "A-7.5" One Family (Recommended for Approval by the Zoning Commission)

Bob Willoughby appeared before Council in support of Zoning Docket ZC-23-014.

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Blaylock, that Zoning Docket ZC-23-014 be approved. Motion passed 9-0.

12. [ZC-23-016](#) (CD 8/8) VMP Scattered Properties by Luis Matarrita - 1520 E. Robert Street (0.14 acres) From: "ER" Neighborhood Commercial Restricted, To: "A-5" One Family (Recommended for Approval by the Zoning Commission)

Motion: Council Member Nettles made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-23-016 be approved. Motion passed 9-0.

13. [ZC-23-021](#) (CD 5/8) Osareth Ighogaro - 3918 Miller Ave (0.20 acres) 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 Nettles, that Zoning Docket ZC-23-021 be approved. Motion passed 9-0.

14. [ZC-23-024](#) (CD 9/3) Valentine Street LLC/ Steven Halliday - 3740 Hopkins St and 4501-4517 (odds) Valentine St (1.86 acres) From: "CR" Low Density Multifamily and "I" Light Industrial, To: "MU-2" High Intensity Mixed-Use (Recommended for Approval by the Zoning Commission)

Motion: Council Member Beck made a motion, seconded by Council Member Crain, that Zoning Docket ZC-23-024 be approved. Motion passed 9-0.

15. [ZC-23-025](#) (CD 8/8) Fort Worth Mason Heights - 3670 Wichita Street (8.9 acres) From: "PD915" Planned Development for all uses in "ER" Neighborhood Commercial Restricted uses plus assisted living facility nursing home with full medical services with massage therapy and spa with development standards on file and "PD913" Planned Development for all uses in "A-5" One-Family with development standards on file, To: "PD/CF" Planned Development for all uses in "CF" Community Facilities plus care house/group home and offices with development standards (see exhibit), site plan required (Recommended for Approval by the Zoning Commission)

Scott Gibson completed a speaker card via conference call in support of Zoning Docket ZC-23-025 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Nettles made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-23-025 be approved. Motion passed 9-0.

16. [ZC-23-028](#) (CD 7/7) 3301 Hamilton Avenue Partners/Lynette Payne - 3320 W. 4th Street (0.127 acres) To: Add Conditional Use Permit (CUP) to allow an auxiliary parking lot in "B" Two-Family; site plan included with development waivers to landscaping, screening fence, and auxiliary lot standards; 5-years time limit (Recommended for Approval by the Zoning Commission)

Ray Oujesky completed a speaker card in support of Zoning Docket ZC-23-028 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Firestone made a motion, seconded by Council Member Nettles, that Zoning Docket ZC-23-028 be approved. Motion passed 9-0.

17. [ZC-23-029](#) (CD 5/5) HMH Family Partnership LP - 11413 Mosier Valley & 11450 Trinity Boulevard (13.99 acres) From: “AG” Agricultural, To: “PD/C” Planned Development for all uses in C Medium Density Multifamily with Development standards for fencing, building height, parking in front of building, site plan included (Recommended for Approval by the Zoning Commission)

The following individuals appeared in support of Zoning Docket ZC-23-029:

Barry Hudson, Dunaway Associates
Matthew Swedenburg, Dallas, Texas
James Hornsby
Danielle Tucker

The following individuals completed speaker cards in support of Zoning Docket ZC-23-029 and were recognized by Mayor Parker but were not present in the Council Chamber:

Dallas Rice
Jared Hornsby

Bob Willoughby appeared before Council in opposition to Zoning Docket ZC-23-029.

Tomika Seaton appeared before Council via conference call in opposition to Zoning Docket ZC-23-029.

The following individuals completed comment cards in opposition to Zoning Docket ZC-23-029:

Brodrick Steele
Loyd Steele
Jaylah Seaton

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Crain, that Zoning Docket ZC-23-029 be approved. Motion passed 9-0.

18. [ZC-23-030](#) (CD 8/8) QJ Development LLC. / DCG Engineering Inc. - 1628 Davis Avenue (0.28 acres) From: "A-5" One Family, To: "B" Two Family (Recommended for Approval by the Zoning Commission)

David Gregory, Keller, Texas, completed a speaker card in support of Zoning Docket ZC-23-030 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-23-030 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 Nettles made a motion, seconded by Council Member Crain, that the hearing be closed and Ordinance No. 26088-04-2023 be adopted. Motion passed 9-0.

REPORT OF THE CITY MANAGER

B. General

1. [M&C 23-0249](#) (ALL) Adopt Resolution Authorizing the Employment of Cantey Hanger LLP as Outside Counsel, in an Amount Not to Exceed \$150,000.00 to Advise and Represent the City of Fort Worth in Matters Related to the Survey for the Future City Hall

Motion: Council Member Crain made a motion, seconded by Mayor Pro tem Bivens, that M&C 23-0249 be approved and Resolution No. 5730-04-2023 be adopted. Motion passed 9-0.

2. [M&C 23-0250](#) (ALL) Adopt Ordinance Authorizing Issuance and Sale of Series 2023 Combination Tax and Revenue Certificates of Obligation in an Aggregate Principal Amount Not to Exceed \$94,000,000.00 for City Hall Upgrade and Phase I Convention Center Improvements, Establishing Parameters with Respect to Sale of the Certificates, Delegating to Designated City Officials Authority to Effect Sale of the Certificates by Competitive Bid or Negotiated Sale, and Enacting Other Provisions Related to the Subject; and Adopt Appropriation Ordinance

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Crain, that M&C 23-0250 be approved and Ordinance No. 26089-04-2023 and Appropriation Ordinance No. 26090-04-2023 be adopted. Motion passed 9-0.

3. [M&C 23-0252](#) (ALL) Adopt Ordinance Authorizing Issuance and Sale of City of Fort Worth, Texas General Purpose Bonds, Series 2023, in an Aggregate Principal Amount Not to Exceed \$180,000,000.00; Establishing Parameters with Respect to Sale of the Bonds; Delegating Authority to Effect Sale of the Bonds by Competitive Bid or Negotiated Sale; Authorizing Escrow and Other Related Agreements; and Enacting Related Provisions; Adopt Appropriation Ordinance and Amend Fiscal Year 2023 Adopted Budget

Motion: Council Member Flores made a motion, seconded by Council Member Nettles, that M&C 23-0252 be approved as amended with the following changes:

1. Increase the amount of 2022 bonds to be sold for Park and Recreation by \$600,000 – resulting in a total of \$11,270,500 in Park and Recreation bonds being authorized – and make conforming changes; and
2. Update the chart in the attached ordinance to reflect the types and amounts of bonds to be sold to mirror the revised M&C; and adopt Ordinance No. 26091-04-2023 and Appropriation Ordinance No. 26092-04-2023.

Motion passed 9-0.

4. [M&C 23-0255](#) (ALL) Adopt Appropriation Ordinance Increasing Receipts and Appropriations in the Grants Operating Other Fund in the Amount of \$665,760.73 for Allowable Expenses Related to Core Strategies and Broader Approved Uses as Provided by the Texas Opioid Abatement Fund Council for the TX Opioid Abatement Fund Project for the Purpose of Mitigating Harms Caused by Opioid Distribution and Use

Motion: Council Member Crain made a motion, seconded by Council Member Blaylock, that M&C 23-0255 be approved and Appropriation Ordinance No. 26093-04-2023 be adopted. Motion passed 9-0.

5. [M&C 23-0274](#) (ALL) Adopt Ordinance Authorizing Issuance and Sale of City of Fort Worth, Texas Drainage Utility System Revenue Bonds, Series 2023, in an Aggregate Principal Amount Not to Exceed \$50,000,000.00, Establishing Parameters with Respect to Sale of the Bonds, Delegating to Designated City Officials Authority to Effect Sale of the Bonds by Competitive Bid or Negotiated Sale, Authorizing Related Agreements, and Enacting Other Provisions; and Adopt Appropriation Ordinance

Motion: Council Member Blaylock made a motion, seconded by Council Member Crain, that M&C 23-0274 be approved and Ordinance Nos. 26094-04-2023 and 26095-04-2023 be adopted. Motion passed 9-0.

6. [M&C 23-0278](#) (ALL) Adopt Attached Fortieth Supplemental Ordinance Authorizing City of Fort Worth, Texas Water and Sewer System Revenue Bonds, Series 2023, in an Aggregate Principal Amount Not to Exceed \$190,000,000.00, Establishing Parameters with Respect to the Sale of the Bonds, Delegating to Designated City Officials Authority to Effect the Sale of Bonds by Competitive Bid or Negotiated Sale, Authorizing Related Agreements, and Enacting Other Related Provisions; Adopt Attached Amended and Restated Thirty-Second Supplemental Ordinance to Extend Period of Delegated Authority for Water and Sewer Refunding Bonds in Support of the Commercial Paper Program; and Adopt Appropriation Ordinance

Motion: Council Member Crain made a motion, seconded by Council Member Firestone, that M&C 23-0278 be approved and the Fortieth Supplemental Ordinance No. 26096-04-2023, the Amended and Restated Thirty-Second Supplemental Ordinance No. 26097-04-2023, and Appropriation Ordinance No. 26098-04-2023 be adopted. Motion passed 9-0.

F. Award of Contract

1. [M&C 23-0286](#) (CD 7 / Future CD 10) Authorize Execution of a Seven-Year Tax Abatement Agreement with Carhartt Inc., or Affiliate, and Property Owner Exel Inc., or Affiliate, for a Distribution Center to be Located at 16101 Wolff Crossing in Tax Abatement Reinvestment Zone No. 105, City of Fort Worth, Texas

Motion: Council Member Firestone made a motion, seconded by Council Member Blaylock, that M&C 23-0286 be approved. Motion passed 9-0.

2. [M&C 23-0287](#) (CD 8 / Future CD 11) Authorize Execution of a Five-Year Tax Abatement Agreement with Maria Ndey for the Construction of a Single-Family Dwelling of Approximately 1,712 Square Feet and Having a Cost of at Least \$298,500.00 on Property Located at 2917 Ennis Avenue, in the United Riverside Neighborhood and within Neighborhood Empowerment Zone and Reinvestment Zone Area Four

Motion: Council Member Nettles made a motion, seconded by Council Member Crain, that M&C 23-0287 be approved. Motion passed 9-0.

3. [M&C 23-0289](#) (CD 5 / Future CD 5) Authorize Execution of a Five-Year Tax Abatement Agreement with Khanesia Hill Washington for the Rehabilitation of a Commercial Building for Use as Office Space, Retail Space and Commercial Kitchen, with a Total of Approximately 2,592 Square Feet, Having a Cost of at Least \$175,570.00 on Property Located at 3112 Forest Avenue in the Historic Handley Neighborhood and Neighborhood Empowerment Zone and Reinvestment Zone Area Six

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Blaylock, that M&C 23-0289 be approved. Motion passed 9-0.

ADJOURNMENT

There being no further business, Mayor Parker adjourned the meeting at 8:00 p.m.