

CITY OF FORT WORTH, TEXAS
CITY COUNCIL MEETING
TUESDAY, APRIL 6, 2021

Present:

Mayor Betsy Price
Mayor Pro tem Jungus Jordan, District 6
Council Member Carlos Flores, District 2
Council Member Brian Byrd, District 3
Council Member Cary Moon, District 4
Council Member Gyna Bivens, District 5 (Video)
Council Member Dennis Shingleton, District 7
Council Member Kelly Allen Gray, District 8 (Video)
Council Member Ann Zadeh, District 9

Staff Present:

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

CALL TO ORDER

With a quorum of the City Council Members present, Mayor Price called the City Council Regular Session of the Fort Worth City Council to order 7:05 p.m. on Tuesday, April 6, 2021, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

INVOCATION - Reverend Dr. Russ Peterman, University Christian Church

The invocation was provided by Reverend Dr. Russ Peterman, University Christian Church.

PLEDGES OF ALLEGIANCE TO THE UNITED STATES AND THE STATE OF TEXAS (State of Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.")

The Pledges of Allegiance to the United States of America and the State of Texas were recited.

CONSIDERATION OF MINUTES

Motion: Council Member Byrd made a motion, seconded by Council Member Moon, that the minutes of the Work Session and the Regular Minutes of March 23, 2021, be approved. Motion passed 9-0.

1. [21-1182](#) Minutes - March 23, 2021 Work Session
2. [21-1183](#) Minutes - March 23, 2021 Regular Meeting

ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

City Manager Cooke requested that M&C 21-0232 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ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

There were no items to be continued or withdrawn by staff.

CONSENT AGENDA

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

A. General - Consent Items

1. [M&C 21-0223](#) (CD 9) Adopt Attached Resolution Amending the Fiscal Year 2020-2021 Budget and Five-Year Service Plan for Public Improvement District 1 - Downtown

Motion: Approved. Resolution No. 5366-04-2021

2. [M&C 21-0224](#) (CD 4) Adopt Attached Resolution Amending the Fiscal Year 2020-2021 Budget and Five-Year Service Plan for Public Improvement District 6 - Park Glen and Adopt Attached Appropriation Ordinance

Motion: Approved. Resolution No. 5367-04-2021 and Appropriation Ordinance No. 24771-04-2021

3. [M&C 21-0225](#) (CD 4 and CD 7) Adopt Attached Resolution Amending the Fiscal Year 2020-2021 Budget and Five-Year Service Plan for Public Improvement District 7 – Heritage, Authorize an Amendment to City Secretary Contract No. 54791, a Management and Improvement Services Agreement with FirstService Residential Texas PID, LLC, to Increase the Management Fee by \$26,675.00 for a Total Amount Not to Exceed \$154,603.00, and Adopt Attached Appropriation Ordinance

Motion: Approved. Resolution No. 5368-04-2021 and Appropriation Ordinance No. 24772-04-2021

4. [M&C 21-0226](#) (CD 2) Adopt Attached Resolution Amending the Fiscal Year 2020-2021 Budget and Five-Year Service Plan for Public Improvement District 11 - Stockyards and Adopt Attached Appropriation Ordinance

Motion: Approved. Resolution No. 5369-04-2021 and Appropriation Ordinance No. 24773-04-2021

5. [M&C 21-0227](#) (CD 7) Adopt Attached Resolution Amending the Fiscal Year 2020-2021 Budget and Five-Year Service Plan for Fort Worth Public Improvement District 12 – Chapel Hill and Adopt Attached Appropriation Ordinance

Motion: Approved. Resolution No. 5370-04-2021 and Appropriation Ordinance No. 24774-04-2021

6. [M&C 21-0229](#) (CD 5 and CD 8) Adopt Attached Resolution Amending the Fiscal Year 2020-2021 Budget and Five-Year Service Plan for Public Improvement District 20 – East Lancaster Avenue and Adopt Attached Appropriation Ordinance

Motion: Approved. Resolution No. 5371-04-2021 and Appropriation Ordinance No. 24775-04-2021

7. [M&C 21-0233](#) (CD 7, CD 8, and CD 9) Verify Completion of Rehabilitation Projects for the Historic and Cultural Landmark Properties Located at 4036 Linden Avenue, 1064 E. Humbolt Street, and 1645 S. Adams Street and Declare Said Properties to be Entitled to a Historic Site Tax Exemption

Motion: Approved.

8. [M&C 21-0234](#) (ALL) Adopt Attached Resolution Authorizing the City Attorney's Office to File a Lawsuit Against North Central Ballet Company in Tarrant County, Texas to Recover the Past Due Balance Owed for Lease of the Will Rogers Memorial Coliseum Auditorium

Motion: Approved. Resolution No. 5372-04-2021

9. [M&C 21-0239](#) (ALL) Adopt Attached Ordinance Increasing Receipts and Appropriations in Identified Projects in the Special Purpose Fund to Restore Balance and Facilitate Closure, and Authorize the Cleanup and Close Out and Moving of Appropriations, Financial Transactions, and Fund Balance in Other Projects Totalling up to \$3,556,471.25 from the Special Purpose Fund to Identified Special Revenue Funds

Motion: Approved. Appropriation Ordinance No. 24776-04-2021

10. [M&C 21-0240](#) (ALL) Approval of Police Officer Brian Gilliam's First Request for an Extension of Occupational Injury Leave that is Currently being made for the Period beginning March 12, 2021 through June 08, 2021, which Amounts to \$23,373.51

Motion: Approved.

11. [M&C 21-0241](#) (ALL) Authorize Payment of Excess Workers' Compensation Insurance Policy for Calendar Years 2021, and 2022 from Safety National Casualty Corporation through Roach Howard Smith & Barton, Inc., in the Amount of \$1,335,360.00 and Authorize Payment Up to \$100,000 for Anticipated Audits for Policy Years 2020, 2021, and 2022 from Safety National Corporation through Roach Howard Smith & Barton, Inc.

Motion: Approved.

12. [M&C 21-0244](#) (CD 2, CD 4, CD 5, and CD 9) Authorize an Agreement with Bean Electrical, Inc., in an Amount Up to \$1,338,828.00 for an Initial Two-Year Term with Three One-Year Renewals Each in an Amount Up to \$669,414.00 for Project Management and Assessments for Street Light Installation Services and LED Conversions (2018 Bond Program)

Motion: Approved.

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13. [M&C 21-0245](#) (CD 2) Adopt Attached Resolution Authorizing Execution of an Advance Funding Agreement with the Texas Department of Transportation in the Amount of \$644,761.00 with Federal Participation in the Amount Not to Exceed \$278,538.00, State Participation in the Amount of \$300,223.00 and Local Participation in the Amount of \$66,000.00 for the North Main Street-Business 287 and 28th Street-State Highway 183 Intersection Improvements Project, Accept Federal Funding via the Texas Department of Transportation in the Amount Not to Exceed \$278,538.00, Adopt Attached Appropriation Ordinance and Amend the FY2021-2025 Capital Improvement Program (2018 Bond Program)

Motion: Approved. Resolution No. 5373-04-2021 and Appropriation Ordinance No. 24777-04-2021

14. [M&C 21-0247](#) (ALL) Adopt Attached Resolution Authorizing an Increase in the Amount of \$30,000.00 to be Paid to the Lloyd Gosselink Rochelle & Townsend, P.C., as Outside Legal Counsel for Legal Matters Relating to the Lawsuit Against Charter Communications, VI, LLC d/b/a Spectrum Cable to Recover Unpaid Franchise Fees Owed to Fort Worth for a Total Amount of \$90,000.00

Motion: Approved. Resolution No. 5374-04-2021

15. [M&C 21-0249](#) (ALL) Approve Reserve Officer Charles Ramirez Appointed by the Chief of Police to Serve in a Supplementary Capacity for the Police Department

Motion: Approved.

16. [M&C 21-0250](#) (ALL) Approve Reserve Officer James Williams Appointed 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 21-0235](#) (ALL) Authorize Execution of an Agreement with UBEO, LLC, for Printers and Multi-Functional Device Leases and Managed Services Using Cooperative Contract DIR-TSO-4435 in the Combined Amount Not to Exceed \$7,500,000.00 over a Five Year Term for Ongoing Operations and a One-Time Amount of \$42,680.00 for the Relocations of Devices

Motion: Approved.

2. [M&C 21-0236](#) (ALL) Authorize Non-Exclusive Service Agreements with Civilian Division, LLC dba GI Mow, Leon's Landscape Services, LLC, New Era Contract Services, LLC, Presbyterian Night Shelter of Tarrant County, Inc., Prestige Worldwide Services LLC, and Santos Chazarreta for Private Property Mowing Services with a Combined Annual Amount Up to \$400,000.00 with a One-Year Initial Term and Authorize Four One-Year Renewal Options for the Code Compliance Department for the Same Annual Amount

Motion: Approved.

3. [M&C 21-0237](#) (ALL) Authorize Increase to Cooperative Agreement with Safeware, Inc. in the Amount of \$125,925.00 Per Year, for a Total Annual Amount of \$225,925.00 for Public Safety and Emergency Preparedness Equipment and Related Service for City Departments

Motion: Approved.

4. [M&C 21-0238](#) (ALL) Authorize the Purchase of Three Ford F350 Rapid Response Vehicles from Chastang Enterprises Inc., Utilizing a Houston-Galveston Area Council Contract, in the Total Amount of \$269,473.00 for the Property Management Department

Motion: Approved.

C. Land - Consent Items

1. [M&C 21-0246](#) (CD 9) Authorize the Execution of a Lease Agreement with Town Center Mall, L.P., for Approximately 2,828 Square Feet of Space in Suite 1338 in La Gran Plaza, Located at 4200 South Freeway, 76115 to Relocate the Current Seminary South Branch Library

Motion: Approved.

2. [M&C 21-0248](#) (CD 8) Authorize the Execution of the First Amendment to the Communications Tower License Agreement with Sprint Spectrum Realty Company, L.P., for the Licensed Use of Space on the City of Fort Worth's Rolling Hills Radio Tower Located at 2500 Southeast Loop 820 East, Fort Worth, Texas 76106 to Increase the Renewal Term Length and Establish Annual License Fees for First and Subsequent Antennae and Establish a Late Fee Interest Rate

Motion: Approved.

3. [M&C 21-0257](#) (CD 2) Accept the Donation of Approximately 18.432 Acres of Land from Barham & Harris Development One, L.P., Being All of Lot 15, Block 29 and Lot 22, Block 26 of the Parkview Hills Addition, as an Expansion of Anderson Park Located at 5052 Cromwell-Marine Creek Road

Property description: 18.432 acres of land described as a 4.907 acre tract situated in the J. Askew Survey, Abstract No. 16, known as Lot 15, Block 29, Parkview Hills Addition, Tarrant County, Texas, and a 13.525 acre tract situated in the A. Albright Survey, Abstract No. 1849, known as Lot 22, Block 26, Parkview Hills Addition, Tarrant County, Texas, located at 5052 Cromwell-Marine Creek Road

Motion: Approved.

E. Award of Contract - Consent Items

1. [M&C 21-0231](#) (CD 3) Authorize Execution of an Artwork Final Design and Commission Contract with Dixie Friend Gay, in an Amount Up to \$202,312.00 for Final Design, Engineering, Fabrication, Delivery, Installation and Contingencies for Artwork for North Z Boaz Park, Located at 3200 Lackland Road, Fort Worth, TX 76116, and Find that the Use of Funds for Public Art for this Project Complies with the Voted Purpose of the Bond Funds (2018 Bond Program)

Motion: Approved.

3. [M&C 21-0242](#) (CD 3, CD 6, and CD 9) Authorize up to Two Renewals and the Execution of the First Renewal of the Contract with Scodeller Construction, Inc., in the Amount of \$480,400.00, for the 2021 Concrete Paving Joint Sealant at Various Locations Project

Motion: Approved.

4. [M&C 21-0251](#) (CD 2) Authorize Execution of Amendment No. 2 to City Secretary Contract No. 53774, a Ground Lease Agreement with Area 51 Hangar, LLC., to Reduce the Ground Space by 694 Square Feet for Lease Site 42N at Fort Worth Meacham International Airport

Motion: Approved.

5. [M&C 21-0252](#) (CD 2) Authorize Execution of a Consent to Assignment of a Ground Lease Agreement for Lease Site 3W by Tactical Aviation Services, LLC to Sitka Aviation, LLC and a Consent to Leasehold Deed of Trust with Sitka Aviation, LLC and Ciera Bank for the Purpose of Financing the Purchase of Improvements on Lease Site 3W, Located at Fort Worth Meacham International Airport

Motion: Approved.

6. [M&C 21-0253](#) (CD 7) Authorize Execution of a Contract with McClendon Construction Company, Inc., in the Amount of \$3,997,514.00 for Combined Street Paving Improvements and Water and Sanitary Sewer Main Replacements for 2018 Bond Year Two Street Reconstruction Contract 14, Adopt Attached Appropriation Ordinances and Amend the FY2021-2025 Capital Improvement Program

Motion: Approved. Appropriation Ordinance Nos. 24778-04-2021 and 24779-04-2021

7. [M&C 21-0254](#) (CD 6) Authorize Execution of Change Order Number 1 to City Secretary Contract Number 53495, a Community Facilities Agreement with Ware Vista Southgate #1, L.P., Increasing City Participation by \$132,149.50 for the Southgate Marketplace Place Project

Motion: Approved.

8. [M&C 21-0255](#) (CD 3, CD 5 and CD 6) Authorize Execution of an Engineering Agreement with Raymond L. Goodson, Jr., Inc. d/b/a RLG Consulting Engineers, in the Amount of \$356,935.00 for the Sanitary Sewer Rehabilitation, Contract 113 Project and Adopt Attached Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24780-04-2021

9. [M&C 21-0256](#) (CD 9) Authorize Execution of an Engineering Agreement with BDS Technologies, Inc., in the Amount of \$282,409.00 for the Sanitary Sewer Rehabilitation, Contract 117 Project and Adopt Attached Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 24781-04-2021

PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. [21-1279](#) Notice of Claims for Alleged Damages or Injuries

End of Consent Agenda.

E. Award of Contract - Removed from Consent Agenda

2. [M&C 21-0232](#) (CD 9) Authorize Execution of an Artwork Commission Agreement with CME Creative LLC, d/b/a Clifton Crofford Studios, in an Amount up to \$170,818.00 for Fabrication, Delivery, Installation and Contingencies for Artwork along West Magnolia Avenue at the Intersections of South Henderson Street, 5th Avenue, and South Lake Street, 76104

Mr. Clifton Crofford, 1940 5th Avenue, appeared before Council in support of M&C 21-0232.

Motion: Council Member Zadeh made a motion, seconded by Council Member Byrd, that M&C 21-0232 be approved. Motion passed 9-0.

SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Proclamation for National Community Development Week

Presented By: Mayor Pro Tem Jungus Jordan

Presented To: Victor Turner, Neighborhood Services

Mayor Pro tem Jordan presented a proclamation for National Community Development Week to Mr. Victor Turner, Neighborhood Services Department.

2. [M&C 21-0230](#) (CD 7) Authorize Naming the Lotus Marsh Boardwalk at the Fort Worth Nature Center and Refuge as the Marty Leonard Lotus Marsh Boardwalk

Motion: Council Member Shingleton made a motion, seconded by Council Member Byrd, that M&C 21-0230 be approved. Motion passed 9-0.

ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Mayor Price, Mayor Pro tem Jordan, and Council Members Flores, Bivens, Allen Gray, and Zadeh announced upcoming and recent events within the City and various Council districts.

2. Recognition of Citizens

There was no recognition of citizens.

3. Approval of Ceremonial Travel

There was no approval for ceremonial travel.

PRESENTATIONS BY THE CITY COUNCIL

There were no presentations by the City Council.

**PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS,
COMMISSIONS AND/OR CITY COUNCIL COMMITTEES - NONE**

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

RESOLUTIONS

1. [21-1394](#) A Resolution Accepting the Final Report of the Redistricting Task Force and Establishing Criteria and Procedures for Redrawing District Boundaries

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

Mr. Fernando Florez, 2740 Hemphill (via conference call)

Mr. Byrwec Ellison, 4600 Briarhaven Road (via conference call and presented video)

Ms. Jeralynn Jackee Cox, 6212 Reddenson Drive (via conference call)

Mr. Bruce Miller, 3932 Wayburn Drive (via conference call)

Mr. Bob Willoughby, 617 Fay Boulevard

Mr. Doyle Fine II, 800 Grainger Street, appeared before Council undecided relative to the resolution.

Motion: Council Member Zadeh made a motion that the City Council, after the May 2021 election and the June 2021 runoff, will consider, by ordinance or resolution, the creation of an Independent Redistricting Commission that will manage the process of remapping Fort Worth City Council districts before the May 2023 City Council election, with the final redistricting map subject to City Council by ordinance. The motion failed for lack of a second.

Motion: Council Member Shingleton made a motion, seconded by Council Member Byrd, that Resolution No. 5375-04-2021 be adopted as submitted. Motion passed 8-1, Council Member Zadeh casting the dissenting vote.

2. [21-1429](#) A Resolution Expressing Support of Projects Submitted to the Automated Vehicles Program 2.2 and 2.3 Funding with the North Central Texas Council of Governments

Motion: Mayor Pro tem Jordan made a motion, seconded by Council Member Shingleton, that Resolution No. 5376-04-2021 be adopted. Motion passed 9-0.

PUBLIC HEARING

1. [M&C 21-0228](#) (ALL) Conduct Public Benefit Hearing Concerning the Following Matters Related to Fort Worth Public Improvement District No. 18 – Tourism (Tourism PID): (1) Expansion of the Tourism PID to Include Three Additional Hotels and the Advisability of the Improvements and Services to be Undertaken, (2) the Updated and Revised Fiscal Year 2020-2021 Budget and Seven-Year Service Plan, and (3) the 2020-2021 Assessment for the Additional Hotels; Find for the Sufficiency of the Attached Petition Requesting Expansion of the Tourism PID; Approve the Filing of the Attached Revised 2020-2021 Assessment Roll; and Set a Public Benefit Hearing

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

Mayor Price opened the public hearing.

a. Report of City Staff

Ms. Crystal Hinojosa, 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 Shingleton made a motion, seconded by Mayor Pro tem Jordan, that the public hearing be closed and approve M&C 21-0228 finding that the petition requesting expansion of the Tourism PID is legally sufficient; approving the filing of the revised 2020-2021 Assessment Roll; and setting the final benefit hearings for April 13, 2021. Motion passed 9-0.

2. [M&C 21-0258](#) (CD 8) Conduct Public Hearing and Authorize the Use of a Portion of Sycamore Park and Cobb Park for the Installation of a Public Sanitary Sewer Relief Interceptor Line Phase 3 and Associated Infrastructure

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

Mayor Price opened the public hearing.

a. Report of City Staff

Mr. Richard Zavala, Park and Recreation Department, appeared before Council and provided a staff report.

b. Public Comment

There were no public comments.

c. Council Action

Motion: Council Member Allen Gray made a motion, seconded by Council Member Shingleton, that the public hearing be closed and M&C 21-0258 be approved. Motion passed 9-0.

REPORT OF THE CITY MANAGER

B. General

1. [M&C 21-0243](#) (ALL) Adopt Attached Resolution Expressing Support of Proposed Transportation Projects for the Tarrant County 2021 Transportation Bond Program Call for Projects and the Intent to be Fiscally Responsible for Fifty Percent Cost Participation

Motion: Mayor Pro tem Jordan made a motion, seconded by Council Member Shingleton, that M&C 21-0243 be approved and Resolution No. 5377-04-2021 be adopted. Motion passed 9-0.

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

1. [21-1349](#) Public Presentation

Ms. Natasha Nelson, 6100 Avery Drive, appeared before Council via conference call relative to public safety concerns.

Mr. Doyle Fine II, 800 Grainger Street, appeared before Council relative to civic engagement.

Mr. Bob Willoughby, 617 Fay Boulevard, appeared before Council relative to the City Council, Star-Telegram, and the Police Officers Association.

Mr. James Smith, 1208 East Allen Avenue appeared before Council relative to a problematic city leads to missed opportunities.

Ms. Rebekah Travis, 5705 Trail Lake Drive, appeared before Council relative to Zoning Docket ZC-21-019 and presented a PowerPoint presentation.

ADJOURNMENT

There being no further business, Mayor Price adjourned the meeting at 8:22 p.m.