

AGENDA

Regular Meeting of the Bedford City Council
Tuesday, February 8, 2011
2000 Forest Ridge Drive
Bedford, Texas

Council Chambers Regular Session 6:30 p.m.

COMPLETE COUNCIL AGENDAS AND BACKGROUND INFORMATION ARE AVAILABLE FOR REVIEW
ONLINE AT <http://www.ci.bedford.tx.us>

REGULAR SESSION 6:30 P.M.

CALL TO ORDER/GENERAL COMMENTS

INVOCATION

PLEDGE OF ALLEGIANCE

OPEN FORUM

(The public is invited to address the Council on any topic that is posted on this agenda. Citizens desiring to speak on Public Hearing(s) must do so at the time the Public Hearing(s) are opened. In order to speak during Open Forum a person must first sign in with the City Secretary prior to the Regular Session being called to order. Speakers will be called upon in the order in which they sign in. Any person not signing in prior to the commencement of the Regular Session shall not be allowed to speak under Open Forum. Further, Open Forum is limited to a maximum of 30 minutes. Should speakers not use the entire 30 minutes Council will proceed with the agenda. At the majority vote of the Council the Mayor may extend the time allotted for Open Forum.)

CONSIDER APPROVAL OF ITEMS BY CONSENT

APPROVAL OF THE MINUTES

1. Consider approval of the following City Council minutes:
 - a) January 22, 2011 work session
 - b) January 25, 2011 regular meeting

NEW BUSINESS

2. Consider a resolution to accept the bids and authorize the City Manager to enter into a contract with Millican Well Services, LLC in the amount of \$94,360 for the Stonegate Well Pumping Unit Replacement.
3. Consider a resolution authorizing the City Manager to enter into Change Order #1 with Motorola/HGAC System in the amount of \$46,717.12 for the Motorola Wireless Broadband and Communication System for the Traffic Signal Synchronization Project.
4. Consider a resolution authorizing the purchase of a replacement one ton truck in the amount of \$30,724 through the State of Texas Buy Board Purchasing Program.
5. Consider a resolution authorizing the purchase of a new mini Vactor unit from E.H. Wachs in the amount of \$22,000.
6. Consider a resolution authorizing amendments to, and the addition of, the following employee personnel policies:
 - IV(Time Off) Sick Leave/Donation of Sick Leave/Conversion to Vacation Leave
 - VI (While At Work) Employee Conduct and Corrective Action

7. Consider a resolution ordering the May 14, 2011 General Election.

8. Report on most recent meeting of the following Boards and Commissions:

- ✓ **Animal Control Board- Councilman Griffin**
- ✓ **Animal Shelter Advisory Board- Councilman Griffin**
- ✓ **Beautification Commission- Councilman Turner**
- ✓ **Community Affairs Commission- Councilman Fisher**
- ✓ **Library Board- Councilman Brown**
- ✓ **Parks & Recreation Board- Councilman Griffin**
- ✓ **Senior Citizen Advisory Board- Councilman Savage**
- ✓ **Teen Court Advisory Board- Councilman Champney**

9. Council member reports

- ✓ **Councilman Brown: Provide information to Council on Tarrant County Day at the Capitol.**

10. City Manager report

- ✓ **Report on upcoming events for the City.**

11. Take any action necessary as a result of the Executive Session.

(Any item on this posted agenda may be discussed in executive session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.)

ADJOURNMENT

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the outside window in a display cabinet at the City Hall of the City of Bedford, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: Friday, February 4, 2011 at 5:00 p.m., and remained so posted at least 72 hours before said meeting convened.

Michael Wells, City Secretary

Date Notice Removed

(Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in City functions and activities. Auxiliary aids and services or accommodations should be requested forty-eight (48) hours prior to the scheduled starting time of a posted council meeting by calling 817.952.2101.)



Council Agenda Background

PRESENTER:

Michael Wells, City Secretary

ITEM:

Consider approval of the following City Council minutes:

- a) January 22, 2011 work session
- b) January 25, 2011 regular session

DISCUSSION:

N/A

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Minutes

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in work session at 8:30 a.m. in the Bedford Law Enforcement Center at 2121 L. Don Dodson Drive on the 22nd day of January 2011 with the following members present:

Jim Story	Mayor
Chris Brown	Council Members
Ray Champney	
Roger Fisher	
Jim Griffin	
Roy Savage	
Roy W. Turner	

Constituting a quorum.

Staff present included:

Beverly Queen Griffith	City Manager
David Miller	Deputy City Manager
Michael Wells	City Secretary
Cliff Blackwell	Administrative Services Director
John Kubala	Public Works Director
Bill Syblon	Development Director
Mirenda McQuagge-Walden	Managing Director of Community Services
James Tindell	Fire Chief

CALL TO ORDER/GENERAL COMMENTS

Mayor Story called the meeting to order at 8:30 a.m.

WORK SESSION 8:30 a.m.

1) Council to receive staff reports and discuss the following items:

City Manager Beverly Queen Griffith stated that this is a long agenda. Some topics will not need as much discussion as others and the last two or three items can be put on a future Council work session if they are unable to get to them today. The first item is next year's Capital Improvement Program, most of which Council has seen during the budget process last year. Since they were presented, circumstances have changed and staff now knows what the tax values did last year. This is an opportunity to refresh Council's memory on these projects and to present some changes and updates. The goal is to review the description of the projects, prioritize them, and discuss their timing and fiscal impact. Council may not want to do all the projects at the same time.

- **Fiscal Year 2011 Capital Improvements Program (CIP)**

Public Works Director John Kubala presented the 2011 CIP. Mr. Kubala's presentation is

available in the City Secretary's Office.

Wastewater

- Continuation of Infiltration and Inflow (I&I) Studies: \$200,000 – The 19.1W basin has already been evaluated. Staff is proposing to do the 16.0W basin which would then cover the bulk of the City. Looking at the rough draft of the evaluation, combined with the previous study, they have found a few areas that have I&I which usually involves rainwater getting into the lines.
- Sulphur Branch Surveys: \$491,000 – These surveys were as a result of the Comprehensive Wastewater Collection Systems Evaluation.
- Sanitary Sewer Creek Crossings: \$289,000 – An analysis was performed on all the sanitary sewer creek crossings in Bedford. Staff is on schedule to repair and upgrade these crossing in various locations so they do not wash out in heavy rains.

The total for all of the wastewater projects is \$1M. An agreement was signed with the Texas Commission on Environmental Quality that the City will spend at least \$1M a year on wastewater rehabilitation projects in order to avoid fines on some previous sanitary sewer outflows. He presented plans for this year and for the future and the projects generally equal \$1M a year.

Water

- Simpson Terrace Elevated Tank Site Well: \$1.3M – The cost benefit analysis for this project shows that it will pay for itself within four years in comparison with what is purchased from the Trinity River Authority.
- Northwest Pressure Plane Improvements: \$2.21M – This project can be funded in two parts. The engineering portion was already approved six months ago. The construction portion can be funded from the 2012 Certificates of Obligation. An item to approve the design of this project will be brought to Council for approval at Tuesday night's meeting. They will have a firm construction cost once the design is completed. Some elements may not need to be constructed including the pressure tank because the State may grant a waiver. If the construction portion is moved to 2012, it will save approximately \$2M this year.
- Large Meter Replacement Program: \$165,000 – During the study regarding converting to an automated meter reading program, an evaluation was performed on the accuracy of the meters. The 3" or larger meters were more inaccurate compared to normal residential meters. The average was less than 95% accurate while new meters are from 98.5% to 101.5% accurate. Payback on the installation of new meters is about four years. The expected life span of these new meters is between 10 to 20 years. The last time these meters were replaced was 1998 where every meter 2" and above was replaced. This project is a good fallback from implementing a complete automated meter reading program. The new meters will be able to be converted easily to an automated system in the future. For economical and efficiency reasons, this is a good measure to alleviate revenue loss. There is an expected revenue recovery of approximately \$40,000 a year.

The total for all water projects is \$3.675M.

Drainage

- Sulphur Branch and SB-1 Structure Purchases: \$1.1M and \$1.2M - This would be a voluntary buyout for those residents that want to sell their properties. Part of the issue with this project is the design of the culvert under SH 183 and 121 by NTE Mobility Partners; depending on what is decided, it will affect the north side of Sulphur Branch because it could take them out of the flood plain but increase problems with others in the flood plain. No matter what the culvert size is, some properties on SB1 will not be affected. The estimated costs of this project are based on the current appraised values of the properties plus a little more. There needs to be a plan on what to do with the empty tracts of real estate.

The total for this project is \$2.3M. \$5.894M in bonds was originally approved for this project to do work in the SB1 channel. In lieu of doing the drainage improvements, purchasing the properties is a more efficient and economical solution. There would still need to be erosion control in Brook Hollow, bridges raised on Circle Lane and Rankin Drive, and the channel between 121 and 183.

The starting point for this project is to do appraisals on the properties which would cost from \$600-\$1000 each. Any improvements would require the purchase of some easements. The costs calculated in 2005 did not include purchasing easements.

Council was of the consensus to take some time and do the appraisals. Based on what the appraisals come in at, the next step is to see how many properties the City can purchase and then sell bonds to buy these properties. Council would also like to see the presentation that will be made to the homeowners.

The total for all drainage projects is \$2.3M.

Street, Traffic and Sidewalk Improvements

- Traffic Signal Synchronization Grant Project: \$250,000 – The City currently has \$300,000 from a previous bond sale to use towards the City's \$464,000 match for the grant. The grant was \$1.856M for a total project cost of \$2.32M. Some items are not covered by the grant. A new antenna will need to be installed since the current one does not have direct line-of-sight to the storage tanks. They are checking with the State regarding the possibility of adding the upgrade of school zone traffic signs to this project.
- School Route Assessment Study Sidewalks: \$500,000 - This study was done four years ago to look at crosswalks. It identified the need for sidewalks near schools at various locations in the City. Staff is proposing to spend \$500,000 over a certain number of years in all of these locations. There is no current bond authorization to do this project. The City has applied, but failed to get, Safe Access to Schools Grant in the amount of \$100,000 but will try for the grant again this year. ADA ramps would be required with these sidewalks and is included in the cost.
- Dora Street Improvements: \$1.772M – This street has a high crown varying from 12 to 18 inches. The cost estimate is for a complete rebuild of the street. This project was included in the 2005 Bond Program. It is a bigger project than the 4B can handle. The high crown presents a safety issue when the roads are slick and cars bottom out coming out of driveways. The cost estimate was what was in the original bond package. Designing the rebuild would cost between \$170,000 to \$180,000. Council was of the consensus to just do the design for now.

The total for Street, Traffic and Sidewalk Improvements is \$2.522M.

Boys Ranch

Managing Director of Community Services Mirenda McQuagge-Walden presented information about the Boys Ranch and sought direction from Council regarding the grant from the Texas Department of Parks and Wildlife. The Boys Ranch Master Plan was adopted in February of 2010. This summer, staff and the Parks and Recreation Board worked on the Parks Master Plan and outlined prioritization on three segments of the City. Staff now needs feedback from the Council regarding parameters for when the grant is submitted to the State and what Council would be comfortable funding.

The most the City could get from Texas Parks and Wildlife would be \$500,000 and the City would have to do a 100% match. She presented a total budget of \$1M to see what we could get in both points and amenities. This budget would mean scaling back dredging the lake and drainage work on the creek. It also scales back the trail, but includes disc golf and a basketball court for points on the grant application. She then presented a total budget of \$2M with a City match of \$1.5M. This would allow more dredging of the lake, increased drainage work on the creek, added a playground and included minor work towards an amphitheater.

Council would like to do the dredging all at one time. The top three priorities for the Boys Ranch were lake dredging, drainage improvements, and trails. The City would not be penalized for not completing 100% of a project. In regards to dredging, it was explained that much of the silt comes from the fact that the creek is unimproved. Funding could be focused on the first part of the lake where the creek comes in, as well as the creek improvements. The grant allows a lot of flexibility when it is implemented in that funds could be shifted between categories as long as some of the identified projects are done. Dredging was identified as the number one priority so the City would lose points if nothing is done with dredging. The City has three years to spend the money and will not be allowed to apply for another grant if the money has not been spent.

Council was of the consensus to do Phase 1 of the Boys Ranch Master Plan in the amount of \$3,533,500 and to fund it through Certificates of Obligation. For a twenty year improvement, it would add approximately \$0.011 on the debt service rate. The design would be worked on up until the time the grant may be awarded and funding for that would be through a CO issued this spring.

Capital Equipment

- Replacement of Portable Radios: \$727,704 (or \$668,304 with a promotional discount) - Fire Chief James Tindell presented information on portable radio replacement. He has brought this issue to the Council's attention for the past five years. Their radios are no longer supported by the manufacturer so if one breaks, they are out of luck. During the budget process last year, he submitted an item in the amount \$490,000 for the cost of replacing the radios. Since that time, he has discovered that those radios would not be compliant with certain FCC mandates regarding interoperability that will be required in the future. He suggested that Council look at the latest and greatest technology to be compliant with these FCC mandates. The costs associated with these newest radios are \$727,000. One option is to purchase radios for everybody and another is to purchase for public safety only. The non-public safety radios would have to be replaced eventually. These new radios come with a warranty for the first year so there will not be a maintenance contract for the first year. All NETCO members are moving towards using these radios. Council was of the consensus for staff to examine what would be the most economical option and bring that back to the Council.

- Replacement of Fire Engine: \$560,000 – Chief Tindell explained that this item is to replace a 1995 pumper that is currently in reserve. This unit has a lot of hours on it. The Fire Department did pump testing on all of their equipment and this item failed. The maintenance costs associated with these in 08/09 was \$12,573 or 17% of the maintenance budget and in 09/10 was \$3,941 or 5.7% of the maintenance budget.

The current price on a replacement unit is \$560,000. The Department has locked in a price with a dealer for a crimson unit with a 09 chassis. A decision needs to be made quickly as the price would go up to \$599,128 if they have to buy it with a newer chassis. The Department would take delivery in about 7-8 months. A deposit would be put down on the chassis. Funding would come from the general fund which would be reimbursed from a debt issuance. Council was of the consensus to approve the purchase.

Chief Tindell mentioned during the budget process the need for defibrillators. He stated that they were able to secure a \$100,000 grant to purchase them.

Parks Equipment

- 1 ton dump truck: \$36,674 - Ms. McQuagge-Walden stated this item was brought before Council during the budget process. The current unit is 19 years old. It has had maintenance issues and has 116 decision points on the decision tree. It has been out of service 11 days in the past three fiscal years. It is a smaller unit than the one used by Public Works so that it can go into parks. It is used very often in tandem with the wood chipper.
- Wood chipper: \$40,000 - The current unit is 19 years old. It broke down several times during the last storm cleanup. A new chipper would be more reliable and do projects and storm cleanup faster, which would save money. It has been out of service 13 days out of the last three fiscal years but often at critical times. Ms. McQuagge-Walden stated that this item is a higher priority than the truck. Council was of the consensus to purchase the wood chipper. It would need to be financed as part of a debt issuance.
- Replacing all the lights at Meadow Park: \$300,000. Ms. McQuagge-Walden stated that \$17,000 was included in the FY10-11 budget for emergency replacement of the lights. This item would be a total replacement of the lighting including the poles and fixtures. It would be replaced with more efficient lighting that would save approximately 15% in electricity usage annually. The fields at Meadow Park are used at night mainly for adult softball leagues. Council was of the consensus to move forward with the repairs and to look at other options for replacement.

Staff explained that if Council approved everything presented tonight, it would add approximately \$0.01 on the tax rate. By taking out Dora Street, deferring the purchases for Sulphur Branch and SB-1, only funding the design for the Northwest Pressure Plane, the bond issue this summer is getting smaller.

- **Facilities Assessments**

Deputy City Manager David Miller stated that several facility buildings are in need of repair including the BRAC, Fire Station 3, the Old Bedford School and the Service Center. All of the buildings intake water during heavy rains causing damage to the interior of the buildings.

- The BRAC – Sections of the roof are leaking, windows are taking in water, and water is getting onto the gym floor. To repair would require installing a 12,000 sq.ft. underlayment

of weatherproofing in the amount of \$120,000, applying a waterproofing system on the front exterior of the building in the amount of \$17,034, and replacing all corrugated metal panels, installing moisture barrier and installing r panels on the exterior, and sealing and trimming the perimeter of the windows in the amount of \$130,000. The total repairs would be approximately \$230,000.

- Fire Station 3 – The issues with this facility come from its initial construction. The foyer and bunk rooms intake water from where the foyer joins the water tower and the building. A parapet has no water barrier under the metal cap, the front door has inadequate flashing to direct water away from it, and the lentil above the door is not sealed. The total amount to repair all of these issues is approximately \$37,155.
- The Old Bedford School - The bricks leak due to the mortar mixture being porous. It has been sealed in the past but needs to be resealed. Within the brick there is no thru-wall flashing installed. Staff is proposing to scrub the brick, install the thru-wall flashing and then seal it up for approximately \$23,000.
- Service Center – This is an issue with storm water drainage. Water comes off the building into the parking lot and then comes through the front door of the building. Staff is proposing to re-grade and redo the drains in the amount of \$42,000. Because this project deals with storm water, there is the possibility it may be tied into a current storm water project and the funds expended from there.

The total amount for these repairs is a little over \$351,000. Bedford 2005 funds included bonds for facility repairs. \$188,000 of the authorized amount is currently unissued. We can use that for some of these repairs. The BRAC was on that list and facility repairs would be eligible. Money can also be freed up in the facility maintenance fund.

Mr. Miller also presented information on replacing lights in City facilities in the amount of \$61,000. The annual savings on the lighting is approximately \$6,500 so it would take about ten years to recoup costs. Council was of the consensus to have staff do more research on the lighting including how much it would take to replace all the lights in the Law Enforcement Center with LED's.

Mr. Miller presented information on the replacement of HVAC's in the amount of \$286,761. Council was of the consensus to have staff do more research on the age of the units and the number that needs replacement.

Mr. Miller then discussed options for the old Library building and what Council would like to do with the facility. He stated that for now it could be used for Board and Commission meetings as well as red light camera hearings, records storage, non-invasive training for the Police and Fire Departments, class room style training, etc. Council and staff discussed options including a senior center, a community center, a City Hall annex, business center, a performing arts center and a town center concept. In regards to the town center, Ms. Griffith and Development Director Bill Syblon stated that this option was still on the table. New conversations have taken place with the original developer. The name town center might be a misnomer and that the idea is more of an arts/cultural district. Ms. Griffith stated that the developer is expecting a public-private partnership. The existing old Library building is part of the vision and would be repurposed. Mr. Syblon stated that staff should have a conceptual design within the next four weeks. The moving of City Hall would be incorporated into the design. Council was of the consensus to hold off discussion until the design is received and to have staff bring a list of ideas on how the facility should be used.

- **Communications between Council, City Staff and Citizen Boards and Commissions**

There was not enough time to discuss this item. It will be brought back for discussion at a future Council meeting.

- **Economic Development Programs for Business Development and Retention**

Development Director Bill Syblon stated his presentation is about addressing what the Council wants to look into regarding incentives and inducements for commercial property improvements. There are many aging commercial properties in the City and many owners do not take an interest in making them look good from an aesthetic perspective. He said that the City currently has a good policy in place to help new and existing businesses. Per Chapter 312 of the Local Government Code, the City is authorized to enter into tax abatement agreements which they have already done. Per Chapter 380 of the Local Government Code the City can use permit loans and grants of City funds as well as the use of City staff and facilities at minimal or no charge. They can also use sales tax rebates such as with Park Place Mercedes as well as property tax abatements. There is also the option of loans and grants such as the 380 agreement with 6Stones. Other options include cash, real property, infrastructure improvement and the waiver of permit fees.

Mr. Syblon then discussed options on how to help aging shopping centers which include façade improvement, signage improvement and replacement, lighting improvement and replacement, internal space finish out, curbing, irrigation, landscaping and parking. The 183 expansion will create issues with both parking and general code compliance. Mr. Syblon stated that all of the options mentioned should be the prescribed method of helping properties.

Other items to consider are loans and grants. Does the Council want to discuss a loan program where the property owner pays us back or a grant program where the City will match up to a maximum? Also to be considered is what the level of participation on both a financial and geographic basis should be City-wide. The recently approved Comprehensive Land Use Program introduced areas of the City that should have further study and plans for improvements. Also, in regards to qualifications, guidelines and selection criteria, should the owners bring the property up to an acceptable standard or a step further? And if it is a step further, will the City help out? Another question is what qualifies and what does not? Finally, in regards to funding sources, would the money come from 4B, a percentage of sales tax, gas drilling revenue, bonds, etc?

Council was of the consensus for staff to bring back specific recommendations in the future. The main emphasis should be on upgrading current shopping centers.

Mr. Syblon then discussed signage. In going to ICSC and visiting with business owners, a common concern of theirs is getting more signage. The Sign Ordinance was revised a few years ago for temporary signage. In looking at neighboring communities, the recommendation is to allow for the utilization of more surface area on signs. The consensus of the Council is to revisit the Sign Ordinance to allow more surface area on signage and more signs at the shopping centers. Council also requested that incentives, including construction materials, be incorporated in order to work with the property owners. Finally, there was a desire to address portable and for-lease signs including establishing a standard sign.

- **Citizen Notification Systems**

There was not enough time to discuss this item. It will be brought back for discussion at a future Council meeting

- **Legislative Issues**

Deputy City Manager David Miller addressed a couple of legislative issues that affect the City. Section 250.006 of the Local Government Code addressing graffiti removal requires the City to notify the owner of a property that has been tagged that the City will remove it free of charge. Only if the property owner refused the offer can the City make them remove it themselves. If they do not remove the graffiti, the City then removes it and charges the owner. Council was of the consensus to have staff draft a letter to Representative Todd Smith and Senator Wendy Davis to ask that this law be repealed or amended to make it friendlier to municipalities.

Another issue is that TXDOT is using large aggregate for the resurface of access roads as part of their design criteria. The material is very rough and loud. Council was of the consensus to have staff draft a letter to Senator Davis to take to the Transportation Committee to address this issue.

ADJOURNMENT

Mayor Story adjourned the meeting at 12:10 p.m.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in regular session at 6:30 p.m. in the Council Chamber of City Hall, 2000 Forest Ridge Drive on the 25th day of January, 2011 with the following members present:

Jim Story	Mayor
Chris Brown	Council Members
Ray Champney	
Roger Fisher	
Jim Griffin	
Roy Savage	
Roy W. Turner	

Constituting a quorum.

Staff present included:

Beverly Queen Griffith	City Manager
David Miller	Deputy City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Les Hawkins	Deputy Police Chief
John Kubala	Public Works Director
Mirenda McQuagge-Walden	Managing Director of Community Services
Maria Redburn	Library Manager

WORK SESSION

Mayor Story called the work session to order at 6:00 p.m.

- **Review and discuss items on the regular agenda and consider placing items for approval by consent.**

Council discussed placing the following item(s) on consent: 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13.

- **Presentation by Police Officer/K-9 Handler Versocki and Bowy.**

Deputy Police Chief Les Hawkins wanted to thank Council for the opportunity to do this demonstration. The program was implemented last year in partnership with Northeast Tarrant County Drug Task Force who purchased Bowy and paid for her training in Louisiana. Officer Versocki was selected for this program. There have already been numerous success stories. In Bedford, they have seized such drugs as heroin, marijuana, Ecstasy, prescription pills, \$15,000 in currency, and one vehicle. They have also conducted numerous building and area searches and tracking incidents. With the Task Force, which consumes between 20-25% of their time, they have seized such drugs as methamphetamines, cocaine, Ecstasy, GHB, five pounds of marijuana, \$9,000 in currency, four vehicles, and three guns. In just over four months, they have hit the ground running. The Police Department is pleased with the program and only expect it to get better. He then introduced Office Versocki and Bowy who did demonstrations including narcotics recognition and obedience training.

- **Discussion regarding the requested rate increase from Allied Waste for solid waste and recycling services.**

Deputy City Manager David Miller presented information regarding a requested rate increase from Allied waste for solid waste and recycling services. He stated that he has just received an e-mail from Allied Waste stating that there were errors in their original submission for a rate increase and that they are planning on resubmitting their request tomorrow. Their current contract was approved two years ago and it gives them the authority to ask for a rate increase; however, Council is not required to approve an increase. He explained that no incentive was given to customers when Allied Waste requested that the pickup dates be changed earlier and that it was to allow them to operate more efficiently. The customer service department received only 22 complaints regarding pick up days after the dates changed.

Mr. Miller explained that Allied Waste's original rate request included both pickup and drop-off at the landfill site for both solid waste and recycling. Their new request will remove the drop-off for recycling. It was explained that different divisions of Republic Services, which owns Allied Waste, operates the landfill and the curbside pickup. Allied had submitted a rate decrease last year that was approved by Council. If the Council decided not to accept the increase, the rates would be held at those in the current contract. It was the consensus of the Council that they would not approve of a rate increase.

Mayor Story adjourned the Work Session at 6:27 p.m.

EXECUTIVE SESSION:

To convene before the Regular Session, if time permits, in the conference room in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- a) Pursuant to Section 551.072 of the Texas Government Code: to deliberate the purchase, exchange, lease or value of real property: 1721 Bedford Road
- b) Pursuant to Section 551.074 of the Texas Government Code: personnel issues: amendment to the City Manager's contract

Council convened into Executive Session pursuant to the Texas Government Code regarding Section 551.072 of the Texas Government Code, to deliberate the purchase, exchange, lease or value of real property: 1721 Bedford Road Section 551.074 of the Texas Government Code, personnel issues: amendment to the City Manager's contract at approximately 6:49 p.m.

Council reconvened from Executive Session at approximately at approximately 7:03 p.m.

Any necessary action to be taken as a result of the Executive Session will occur during the regular session of the Bedford City Council Meeting.

REGULAR SESSION 6:30 P.M.

Regular Session began at 6:31 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Story called the meeting to order.

INVOCATION (Dr. Stephen Rosser, Mid-Cities Bible Church)

Dr. Stephen Rosser of Mid-Cities Bible Church gave tonight's invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

OPEN FORUM

Nobody chose to speak under tonight's Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilman Champney, seconded by Councilman Brown, to approve the following items by consent:

Motion approved 7-0-0. Mayor Story declared the motion carried.

COUNCIL RECOGNITION

1. Employee Service Recognition

The following employee received recognition for dedicated service and commitment to the City of Bedford:

Richard Huitt, Police Department – 15 years of service

APPROVAL OF THE MINUTES

2. Consider approval of the following City Council minutes:

a) January 11, 2011 regular meeting

This item was approved by consent.

NEW BUSINESS

3. Consider an ordinance amending Chapter 118 “Utilities,” Article VI “Cross Connection Control Program” of the City of Bedford Code of Ordinances, as amended in its entirety by the adoption of the revised cross connection control program.

Public Works Director John Kubala presented information regarding this ordinance. The purpose is to update the current cross connection ordinance. It brings the code into compliance with State and Federal regulations. The original ordinance was passed in 1999. Cross connection control is addressed in the International Plumbing Code, which has been adopted by the City. It reduces the risk of contamination and potential liability from backflow into the potable water system. It also provides legal backing for the program that the Public Works Department is already doing. The Department has hired an environmental analyst who is responsible for monitoring the program. As far as how stringent the new ordinance is, it falls in the middle compared to other surrounding cities. One of the changes in the ordinance is that commercial facilities are required to test devices, including irrigation systems, annually. (Residential properties only need to test when the devices are initially installed). The reasons to update that portion are because it is in International Plumbing Code and it is recommended by the American Water Works Association. The new ordinance would streamline the program in getting all commercial facilities to do the same thing and it remains compliant with State rules. The bottom line is that State rules are very vague and only give the City the authority to implement a program. It also brings the City into compliance with other State and Federal regulations, including the Safe Drinking Water Act, the Texas Water Code, and the Texas Administrative Code. It also helps prevent liability in event of any contamination. Plumbers who work in the City are required to be certified and the Public Works Department maintains listings of all cross connection devices in the City. There are no additional costs to the City as this is a program that the City is currently doing.

Motioned by Councilman Brown, seconded by Councilman Griffin, to approve an ordinance amending Chapter 118 “Utilities,” Article VI “Cross Connection Control Program” of the City of Bedford Code of Ordinances, as amended in its entirety by the adoption of the revised cross connection control program.

Motion approved 7-0-0. Mayor Story declared the motion carried.

4. Consider an ordinance amending the budget of the City of Bedford, Texas, for the fiscal period of October 1, 2010 through September 30, 2011; and declaring an effective date.

This item was approved by consent.

5. **Consider a resolution to accept bids and authorize the City Manager to enter into a contract with Reliable Paving, Inc. for the Merrill Drive and King Drive Paving Improvements in the amount of \$598,787.12.**

This item was approved by consent.

6. **Consider a resolution authorizing the City Manager to enter into a professional services contract with Kimley-Horn and Associates, Inc. for the design of the NW Water Pressure Plane Improvements in the amount of \$213,000.**

This item was approved by consent.

7. **Consider a resolution authorizing the City Manager to enter into an Interlocal Agreement between the City of Bedford and Tarrant County for street improvements on Shady Brook Drive from Bedford Road to just past Shady Lake Drive, Shady Brook Drive turnout and Shady Wood Drive from Shady Brook Drive to S.H. 183 Frontage Road.**

This item was approved by consent.

8. **Consider a resolution to accept bids and authorize the City Manager to enter into a contract with Viking Construction, Inc. for the Asphalt Slurry Seal at various locations, Bid Reference Number 11-4B2 in the amount of \$87,400.**

This item was approved by consent.

9. **Consider a resolution authorizing the City Manager to enter into an amended contract with Harrison, Walker and Harper for the demolition of the building at 1721 Bedford Road and the detached structure at 1725 Bedford Road in the amount of \$25,796.17.**

This item was approved by consent.

10. **Consider a resolution of the City of Bedford suspending the February 14, 2011, effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates.**

This item was approved by consent.

11. **Consider a resolution authorizing the City Manager to enter into a lease agreement for one year with Mid-Cities Church to provide meeting space for church services at the Boys Ranch Activity Center.**

This item was approved by consent.

12. **Consider a resolution to accept bids and authorize the City Manager to enter into a contract with Texas Aquatic Supply to install UV filtration at Splash for \$66,200.**

This item was approved by consent.

13. **Consider a resolution to accept bids and authorize the City Manager to enter into a contract with PurePlay, L.L.C. to renovate the slides at Splash for \$63,513.70.**

This item was approved by consent.

14. **Report on most recent meeting of the following Boards and Commissions:**
 - ✓ **Animal Control Board- Councilman Griffin**

No report was given.

✓ **Animal Shelter Advisory Board- Councilman Griffin**

No report was given.

✓ **Beautification Commission- Councilman Turner**

Councilman Turner stated that the Commission is continuing plans for the community garden and have put forth exploratory efforts in that area.

✓ **Community Affairs Commission- Councilman Fisher**

Councilman Fisher spoke about ShopBedfordFirst.com which is a free program to businesses. They can sign up and put coupons and specials on the website and advertise for free. It helps to keep tax dollars in Bedford.

✓ **Library Board- Councilman Brown**

Councilman Brown stated that the Library Board met last week in the Library. It was the first time for them to see the new Library and they were impressed with the building and proud of those who worked on it. They wanted Council to know that they are pleased and that they love the new building. The Mardis Gras Gala will be held at the new Library this Saturday starting at 7:00 p.m.

✓ **Parks & Recreation Board- Councilman Griffin**

No report was given.

✓ **Senior Citizen Advisory Board- Councilman Savage**

Councilman Savage stated that the Senior Center continues to grow. Last year its total attendance was 26,206 or 2,184 a month. The Center's computer classes have been suspended. Volunteers gave 55,065 hours in 2010 and they will be honored by the City at the Volunteer Banquet on February 11. There was a craft sale in October with 32 vendors. He had to miss the Thanksgiving luncheon this year but he heard that it was as good as always. The Center will not be available this year for tax assistance but that service will be available at the new Public Library and the Eules Senior Center. As it is flu season, flu shots are available at the Center. Finally, remember the troops who are fighting and dying for us daily.

✓ **Teen Court Advisory Board- Councilman Champney**

No report was given.

15. Council member reports

No Council member gave a report at tonight's meeting.

16. City Manager report

City Manager Beverly Queen Griffith gave no report at tonight's meeting.

17. Take any action necessary as a result of the Executive Session.

Motioned by Councilman Savage, seconded by Councilman Turner to amend the City Manager's contract as follows:

- 1) Change name from Beverly Queen to Beverly Griffith.
- 2) Remove the provision for 6% of base salary to be contributed to 457(k) plan and increase base salary by 5.84%.
- 3) All other provisions of the employment agreement remain the same.

Motion approved 7-0-0. Mayor Story declared the motion carried.

ADJOURNMENT

Mayor Story adjourned the meeting at 7:04 p.m.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary



Council Agenda Background

PRESENTER:

John F. Kubala, P.E., Public Works Director

ITEM:

Consider a resolution to accept the bids and authorize the City Manager to enter into a contract with Millican Well Services, LLC in the amount of \$94,360 for the Stonegate Well Pumping Unit Replacement.

DISCUSSION:

On January 19, 2011 bids were received for the Stonegate Well Pumping Unit Replacement. The pumping unit failed as a result of a short in the motor. Tests to determine the cause of the short were inconclusive. We are replacing the existing pump with one that will run more efficiently at a lower rpm, which should provide less strain on the new motor. Deltatek Engineering has reviewed the bids and recommends awarding this project to the low bidder, Millican Well Services, LLC. The opinion of probable cost for this work, by the consultant, was \$107,000.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution to accept the bids and authorize the City Manager to enter into a contract with Millican Well Services, LLC in the amount of \$94,360 for the Stonegate Well Pumping Unit Replacement.

FISCAL IMPACT:

Funding in the amount of \$94,360 will come from the Utility Maintenance & Repair Fund.

ATTACHMENTS:

Resolution
Award Recommendation
Bid Tabulation

RESOLUTION NO. 11-

A RESOLUTION TO ACCEPT THE BIDS AND AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MILLICAN WELL SERVICES, LLC IN THE AMOUNT OF \$94,360 FOR THE STONEGATE WELL PUMPING UNIT REPLACEMENT.

WHEREAS, the City Council of Bedford, Texas determines the necessity for replacing the well pumping unit at the Stonegate Well.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the City Council does hereby accept the bids and authorize the City Manger to enter into a contract with Millican Well Services, LLC in the amount of \$94,360 for the Stonegate Well Pumping Unit Replacement.

SECTION 2. Funding in the amount of \$94,360 will come from the Utility Maintenance & Repair Fund.

PASSED AND APPROVED this 8th day of February 2011, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



January 20, 2011

Mr. Bill Shelton
Public Works Superintendent
City of Bedford
1813 Reliance Parkway
Bedford, Texas 76021

Reference: Stonegate Well No. 1 Pumping Unit Replacement
Project No. WA-1-11

Dear Mr. Shelton:

On January 19, 2011, the City of Bedford received three (3) sealed bids for the Stonegate Well No. 1 Pumping Unit Replacement including Alternate Bid14A for motor cable reuse with added ground wire, or Alternate Bid 14B new four wire cable installation. Deltatek Engineering has reviewed these bid documents and submits the following opinion and recommendation.

Based on review of bid submitted by Millican Well Service, LLC and prior experience with this contractor, it is our opinion that low bidder is qualified to perform this task in accordance with the Contract Documents. Therefore, it is our recommendation to award this project to Millican Well Service, LLC for lump sum of \$94,360.00 which includes Base Bid and Alternate Bid Item 14A.

It should be noted that the opinion of probable cost for this work was estimated at \$107,000.00.

Should you have any questions, please call me at 469-374-9800.

Sincerely,
DELTATEK ENGINEERING

Bahram Niknam, P.E.

Attachments: Bid Tabulation
Bid Documents

Bid/Project Name: Stonegate Well No. 1 Pumping Unit Replacement

Bid/Project Number	WA-1-11
Bid Opening Date:	January 19, 2011
Bids Issued:	6
Bids Rec'd:	3
1st Addendum:	N/A



Name of Bidder	Millican Well Service, LLC	Layne-Texas	Central Texas Water Well
Address	P.O. Box 820487	5734 American Legion Road	P.O. Box 1184
City, State, Zip	Forth Worth, Texas 76182	Tyler, Texas 75708-9147	Bowie, Texas 76230
Telephone / Fax	817-232-0077 /	903-592-6176 /	940-366-1371 / 940-872-6992
Email	millicanwellsvc@aol.com	stwolley@laynechristensen.com	wntdrill@yahoo.com
Contact	Jerry Browning	Donald K. Campbell	Nelson Thomas

Bid 1	Bid 2	Bid 3
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BID SCHEDULE

#	Item	Qty	Unit	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
1	Bonds & Insurance.	1	LS	\$3,250.00	\$3,250.00	\$800.00	\$800.00	\$5,500.00	\$5,500.00
2	Mobilization	1	LS	\$1,500.00	\$1,500.00	\$1,600.00	\$1,600.00	\$2,000.00	\$2,000.00
3	Furnish and install new submersible potable water pump and motor using existing 8" column pipe. Motor shall be 300 hp, 2300 VAC 3PH.	1	LS	\$72,440.00	\$72,440.00	\$79,200.00	\$79,200.00	\$123,000.00	\$123,000.00
4	Install above ground piping, valves, spool piece, flow meter check valve, air release valve, etc. Piping is stored on site. Provide new red rubber gaskets.	1	EA	\$250.00	\$250.00	\$400.00	\$400.00	\$600.00	\$600.00
5	Furnish and install new ¼ polypropylene airline.	1	LS	\$375.00	\$375.00	\$250.00	\$250.00	\$200.00	\$200.00
6	Furnish and install glycerin filled 3 ½" diameter altitude gauges.	2	EA	\$395.00	\$790.00	\$175.00	\$350.00	\$45.00	\$90.00
7	Furnish and install SS insect screen on existing air release piping using SS hose clamps.	1	LS	\$25.00	\$25.00	\$100.00	\$100.00	\$25.00	\$25.00
8	Furnish and install new electrical conduit from existing motor starter to well head as shown on the drawings.	1	LS	\$250.00	\$250.00	\$2,000.00	\$2,000.00	\$150.00	\$150.00
9	Terminate motor cable to existing motor starter.	1	LS	\$2,500.00	\$2,500.00	\$700.00	\$700.00	\$4,000.00	\$4,000.00
10	Provide written certification from existing starter manufacturer and new motor supplier that terminations are correct and protective devices parameters are set correctly.	1	LS	\$0.00	\$0.00	\$1,000.00	\$1,000.00	\$1,200.00	\$1,200.00
11	Factory certified testing of new pumping unit. Provide test results to Engineer for approval prior to shipment.	1	LS	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00	\$4,000.00	\$4,000.00
12	Thirty six (36) hour field test including sampling and laboratory testing per TCEQ and AWWA requirements.	1	LS	\$2,250.00	\$2,250.00	\$7,800.00	\$7,800.00	\$2,800.00	\$2,800.00
13	Construction contingency to be used only with written approval of the Engineer and Owner	1	LS	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00

TOTAL BASE BID:				\$91,630.00		\$101,700.00		\$148,565.00	
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ALTERNATE BID ITEMS

14A	Reuse existing motor cable to be provided by Owner. Install additional #4 ground wire to this cable if required to meet motor manufacturer requirement and NEC.	1	LS	\$2,730.00	\$2,730.00	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00
14B	Furnish and install new motor cable.	1	LS	\$15,015.00	\$15,015.00	\$11,200.00	\$11,200.00	\$30,000.00	\$30,000.00

TOTAL BASE BID PLUS 14A:				\$94,360.00		\$103,200.00		\$151,565.00	
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TOTAL BASE BID PLUS 14B:				\$106,645.00		\$112,900.00		\$178,565.00	
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Notes:	Bid Bond Included \$0.00 bid for item 10 means no charge for this item	Bid Bond Included	Bid Bond Included
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Low Bid Vendor: Millican Well Service, LLC





Council Agenda Background

PRESENTER:

John F. Kubala, P.E., Public Works Director

ITEM:

Consider a resolution authorizing the City Manager to enter into Change Order #1 with Motorola/HGAC System in the amount of \$46,717.12 for the Motorola Wireless Broadband and Communication System for the Traffic Signal Synchronization Project.

DISCUSSION:

On June 22, 2010 the City Council awarded a contract to Motorola/HGAC System. The System will provide for the communications between the 26 signal locations and the Traffic Control Center (TCS). This communication will allow for synchronization of the signal as well as notify the Center of any operating problems that might occur with the signal controls at the intersection. Our intent, at the time, was to utilize the existing antenna located at the Public Works Service Center. If that antenna was not sufficient, we then planned to use an antenna that was once used by the Fire Department and stored at the Facilities Maintenance property. Analysis determined that the current antenna is not high enough to provide a clear line of site to the elevated storage tanks. Upon inspection it was found that the bolts on the old Fire Department antenna were corroded and it was not safe to use. Change Order #1 provides a 70' monopole at the Public Works Service Center location. The price includes the cost of supplying and installing the new 70' metal pole of which approximately 10' will be buried, cost of all engineering, and Professional Engineering stamped drawings for the mounting of the equipment on the poles and at the water tower to complete the network. This work is eligible under the ARRA grant and funding is available. The total amount of the Motorola/HGAC System contract, including this Change Order, is \$490,705.21.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into Change Order #1 with Motorola/HGAC System in the amount of \$46,717.12 for the Motorola Wireless Broadband and Communication System for the Traffic Signal Synchronization Project.

FISCAL IMPACT:

Funding of \$46,717.12 for this contract will come from the American Recovery & Reinvestment Act of 2009 (ARRA) Grant and the City of Bedford Match.

ATTACHMENTS:

Resolution
Change Order #1
Summary of Estimated Costs and Funding

RESOLUTION NO. 11-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO CHANGE ORDER #1 WITH MOTOROLA/HGAC SYSTEM IN THE AMOUNT OF \$46,717.12 FOR A MOTOROLA WIRELESS BROADBAND AND COMMUNICATION SYSTEM FOR THE TRAFFIC SIGNAL SYNCHRONIZATION PROJECT.

WHEREAS, the City of Bedford has been awarded a grant for Traffic Signal Synchronization or Replacement, under the American Recovery & Reinvestment Act of 2009 (ARRA) through the State Energy Conservation Office (SECO); and,

WHEREAS, the City Council of Bedford, Texas determines the necessity for proceeding with these improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the City Council does hereby authorize the City Manager to enter into Change Order #1 with Motorola/HGAC System in the amount of \$46,717.12 for the Motorola Wireless Broadband and Communication System for the Traffic Signal Synchronization Project.

SECTION 2. That funding of \$46,717.12 for this contract will come from the American Recovery & Reinvestment Act of 2009 (ARRA) Grant and the City of Bedford Match.

PASSED AND APPROVED this 8th day of February 2011, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



CHANGE ORDER

[1]

Change Order No. 001

Date: 19-January 2011

Project Name: Bedford, City of
TXA10I3512

Customer Name: Bedford, City of

Customer Project Mgr: Bill Shelton

The purpose of this Change Order is to: *(highlight the key reasons for this Change Order)*

Add 70' monopole at the Bedford facilities location. The price contained herein include the cost of supply and installation of the new 70' metal pole of which approximately 10' will be buried, cost of all engineering, PE stamped drawings and the mounting of the equipment on the poles and at the water tower to complete the network.

Contract # _____

Contract Date: 06/25/2010

In accordance with the terms and conditions of the contract identified above between [Bedford, City of] and Motorola, Inc., the following changes are approved:

Contract Price Adjustments

Original Contract Value:	\$443,988.09
Previous Change Order amounts for Change Order numbers 0 through	0
This Change Order:	\$46,717.12
New Contract Value:	\$490,705.21

Completion Date Adjustments

Original Completion Date:	16-August 2011
Current Completion Date prior to this Change Order:	16-August 2011
New Completion Date:	16-August 2011



CHANGE ORDER

[1]

Changes in Equipment: <i>(additions, deletions or modifications)</i>
N/A

Changes in Services: <i>(additions, deletions or modifications)</i>
The change in service is to provide and install new pole. The new pole is to be buried 10". Stamped drawings will also need to be provided along with soil sample tests.

Schedule Changes: <i>(describe change or N/A)</i>
N/A

Pricing Changes: <i>(describe change or N/A)</i>
Add \$46,717.12

Customer Responsibilities: <i>(describe change or N/A)</i>
N/A

Payment Schedule for this Change Order: <i>(describe new payment terms applicable to this change order)</i>
Same as original contract

Unless amended above, all other terms and conditions of the Contract shall remain in full force. If there are any inconsistencies between the provisions of this Change Order and the provisions of the Contract, the provisions of this Change Order will prevail.

IN WITNESS WHEREOF the parties have executed this Change Order as of the last date signed below.

Motorola, Inc.

Customer

By: _____
 Printed Name: _____
 Title: _____
 Date: _____

By: _____
 Printed Name: _____
 Title: _____
 Date: _____

Reviewed by: Nancy Granado
 Motorola Project Manager

Date: 01/19/2011

City of Bedford Traffic Signal System Summary of Estimated Costs and Funding

Item	Contractor/Consultant	Cost
Grant coordination	Kimley-Horn and Associates, Inc.	\$250,000
Design of traffic signal system upgrade		
Signal timing optimization		
Plan, design and construct City-wide communication system to connect 24 signalized intersections to a traffic management center	Motorola/Scientel	\$443,988
Service Center Tower Construction and Water Tower Installation Inspection		\$46,717
Procurement of signal system equipment	Paradigm	\$771,596
Traffic Management Hardware	City of Bedford	\$158,783
Installation Contractor	Durable Specialties	\$415,900
Sub-Total		\$2,086,984
5% Contingency		\$104,349
Total Estimated Cost		\$2,191,333

Grant Funding at 80%	\$1,753,066
City Matching Funding at 20%	\$438,267
Total Funding	\$2,191,333

Maximum Grant Funding	\$1,856,000
Existing City Traffic Bonds	\$300,000
City Proposed General Obligation Bonds	\$250,000
Total Maximum Funding	\$2,406,000



Council Agenda Background

PRESENTER:

John F. Kubala, P.E., Public Works Director

ITEM:

Consider a resolution authorizing the purchase of a replacement one ton truck in the amount of \$30,724 through the State of Texas Buy Board Purchasing Program.

DISCUSSION:

On September 14, 2010, the Bedford City Council passed an ordinance adopting the Fiscal Year 10-11 Water & Sewer Fund Budget. Contained within the budget were funds in the amount of \$48,560, allocated for the purchase of a replacement one ton truck. The existing truck is 10 years old and currently has 124,056 miles on it. Maintenance costs for the last two years were \$5,708. The replacement truck will utilize a cleaner burning diesel engine in accordance with the City's Clean Fleet Policy. The existing truck will be sent to auction once replaced.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the purchase of a replacement one ton truck in the amount of \$30,724 through the State of Texas Buy Board Purchasing Program.

FISCAL IMPACT:

Funding in the amount of \$30,724 will be paid out of the Water Distribution Division Budget.

ATTACHMENTS:

Resolution

RESOLUTION NO. 11-

A RESOLUTION AUTHORIZING THE PURCHASE OF A REPLACEMENT ONE TON TRUCK IN THE AMOUNT OF \$30,724 THROUGH THE STATE OF TEXAS BUY BOARD PURCHASING PROGRAM.

WHEREAS, the City Council of Bedford, Texas determines the necessity to replace a one ton truck with funds approved in the Fiscal Year 10-11 Water & Sewer Fund budget; and,

WHEREAS, the City Council of Bedford, Texas determines that the purchase of said replacement one ton truck be through the State of Texas Buy Board Purchasing Program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD TEXAS:

SECTION 1. That the City Manager is authorized to purchase a replacement one ton truck in the amount of \$30,724 through the State of Texas Buy Board Purchasing Program.

SECTION 2. That funding in the amount of \$30,724 will be paid out of the Water Distribution Division Budget.

PASSED AND APPROVED this 8th day of February 2011, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



Council Agenda Background

PRESENTER:

John F. Kubala, P.E., Public Works Director

ITEM:

Consider a resolution authorizing the purchase of a new mini Vactor unit from E.H. Wachs in the amount of \$22,000.

DISCUSSION:

On September 14, 2010, the Bedford City Council passed an ordinance adopting the Fiscal Year 10-11 Water & Sewer Fund Budget. Contained within the budget were funds in the amount of \$32,250, allocated for the purchase of a new mini Vactor unit and tools for a new valve crew. The remaining funds will be used to purchase a disposal tank, water tank, pressure washer, metal detector and other small power tools. E.H. Wachs submitted the lowest acceptable bid for the equipment.

This equipment will be used by the valve crew to locate, map and operate the valves along the North Tarrant Expressway (NTE) in preparation of the expansion. After the NTE construction has been completed, the valve crew will continue to help locate and exercise the over 5,000 valves located in the system.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the purchase of a new mini Vactor unit from E.H. Wachs in the amount of \$22,000.

FISCAL IMPACT:

Funding in the amount of \$22,000 will be paid out of the Water Distribution Division Budget.

ATTACHMENTS:

Resolution
Quote Tabulation

RESOLUTION NO. 11-

A RESOLUTION AUTHORIZING THE PURCHASE OF A NEW MINI VACTOR UNIT FROM E.H. WACHS IN THE AMOUNT OF \$22,000.

WHEREAS, the City Council of Bedford, Texas determines the necessity to purchase a new mini Vactor unit with funds approved in the Fiscal Year 10-11 Water & Sewer Fund budget; and,

WHEREAS, the City Council of Bedford, Texas determines that to meet the demands for utility maintenance and repair, the need for a new mini Vactor unit exists.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD TEXAS:

SECTION 1. That the City Manager is authorized to purchase a new mini Vactor unit from E.H. Wachs in the amount of \$22,000.

SECTION 2. That funding in the amount of \$22,000 will be paid out of the Water Distribution Division Budget.

PASSED AND APPROVED this 8th day of February 2011, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

Mini Vactor Equipment Quotes

Description	E.H.Wachs	Intermountain Sales, Inc.	Balar Equipment Corporation
Mini Vactor Unit	\$ 22,000	\$ 26,980	\$ 26,175



Council Agenda Background

PRESENTER:

Jill McAdams, *SPHR*, Human Resources Director

ITEM:

Consider a resolution authorizing amendments to, and the addition of, the following employee personnel policies:

- IV(Time Off) Sick Leave/Donation of Sick Leave/Conversion to Vacation Leave
- VI (While At Work) Employee Conduct and Corrective Action

DISCUSSION:

The employee personnel policy manual was revised in October 2003. From time to time, there is a need to revise policies to reflect changes in the law, the way a policy is interpreted or to make the policy easier to understand.

The Sick Leave/Donation of Sick Leave/ Donation of Sick Leave/Conversion to Vacation Leave Policy is being eliminated and replaced by two policies: Sick Leave (Exhibit A) and Catastrophic Leave Donation (Exhibit B). The original policy was broken out into two policies in order to revise the sick leave donation portion of the policy.

Recently the Family Medical Leave Act (FMLA) was amended. As a result of the amendments an employee is now legally authorized to use FMLA to help a family member return and/or prepare for deployment. The original Sick Leave/Donation of Sick Leave/Conversion to Vacation Leave Policy stated that an employee may donate sick leave to another employee for the various issues covered under the FMLA. The intent of the sick leave donation program is to allow employees additional time to recuperate from a catastrophic illness. Therefore, an additional policy was created to address the donation of sick time for catastrophic illnesses, deleting references to the military deployment aspect of the FMLA.

Other significant changes to this policy include reducing the salary continuation to include only base salary (previous policy included base salary and incentive pay) because the employee is not actively at work during the absence and therefore the City does not receive a benefit from the skill set for which the employee is receiving incentive pay. We also included a lifetime maximum (based on tenure) amount of time that an employee can receive donated time. We added that employees must have completed one year of service with the City in order to be eligible to request donations (coincides with the FMLA eligibility requirements), the sick bank was eliminated and time may only be received through donations by other employees and lastly, we ramped up the medical documentation required in order to ensure that the medical provider has a copy of the employee's job description in order to determine if light duty is an option to return to work while on the leave.

The Employee Conduct and Corrective Action Policy (Exhibit C) was revised to include references to unprofessional conduct having a detrimental effect on the City, relating to the use of social media sites. This topic has come to the forefront recently with the increased popularity of the use of social media.

All policy revisions have been reviewed by the Senior Staff and approved by the City Attorney's office.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing amendments to, and the addition of, the following employee personnel policies:

- IV(Time Off) Sick Leave/Donation of Sick Leave/Conversion to Vacation Leave
- VI (While At Work) Employee Conduct and Corrective Action

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution
Exhibit A-Sick Leave Policy
Exhibit B-Catastrophic Leave Donation Policy
Exhibit C-Employee Conduct and Corrective Action Policy

RESOLUTION NO. 11-

A RESOLUTION AUTHORIZING THE APPROVAL AND ADOPTION OF A REVISION TO THE SICK LEAVE/DONATION OF SICK LEAVE /CONVERSION TO VACATION LEAVE POLICY AND THE EMPLOYEE CONDUCT AND CORRECTIVE ACTION POLICY.

WHEREAS, the City of Bedford operates under approved personnel policies; and,

WHEREAS, the City Council of Bedford, Texas previously adopted the personnel policies manual by Resolution 03-40; and,

WHEREAS, the Sick Leave/Donation of Sick Leave/Conversion to Vacation Leave Policy has been revised as the Sick Leave Policy and Catastrophic Leave Donation Policy detailed in Exhibit A and Exhibit B, respectively; and,

WHEREAS, the Employee Conduct and Corrective Action Policy has been revised and is detailed in Exhibit C.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the revised Policies as detailed in Exhibits A-C supersede the same current Policies in the manual adopted by Resolution 03-40 in the personnel policies manual.

PASSED AND APPROVED this 8th day of February 2011, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

8.0 SICK LEAVE

Purpose

The purpose of this policy is to outline the provision for using sick leave and converting sick leave to vacation leave.

Policy Statement

The City of Bedford (the “City”) provides sick leave programs for its full time employees. This policy addresses the various aspects of this program.

Sick Leave

The City shall provide sick leave as a benefit to cover the illnesses or injury of the employees or their dependents during the employee’s absence from work during the regularly scheduled workweek. Other reasons sick leave may be granted are:

- The birth of a child
- The adoption of a child or the placement of a child for foster care
- Caring for a seriously ill spouse, child or parent
- A serious condition that disables the employee
- A medical, dental, or optical examination, office visits, treatment or related appointments
- To attend a bona fide counseling session by a qualified counselor

Eligibility

All regular full time employees will be eligible to accrue sick leave. Eligible employees may not use any accrued sick leave during their first three (3) months of employment. After three months of employment the employee is eligible to begin using accrued sick time. Under no circumstance will sick leave be advanced to any employee or paid out upon termination. Part time, seasonal and temporary employees are not eligible to accrue sick leave.

Accruals

Regular Full Time Employees (Non 24-hour shift)

Regular full time employees (non 24-hour shift) will accrue 3.69 hours of sick leave per pay period or 8 hours per month of employment for a total of 12 days credit for each year of employment.

The maximum accrual for full time employees is 960 hours or 120 days. Accrual balances will carry over from year to year until the maximum limit is reached. Once an employee reaches the maximum accrual, no additional accruals will be incurred until the balance falls below the stated maximum.

Employees will not accrue sick leave benefits while out on Family Medical Leave Act (FMLA) leave, long term disability or unpaid leaves of absences. Employees will continue to accrue sick leave while out on Workers’ Compensation leave.

Twenty-four Hour Shift Employees (Fire Operations personnel)

Employees working on a 24-hour shift will accrue 5.538 hours per pay period or a total of 144 hours, for a total of six (6) shifts for each year of employment. The maximum accrual for 24-hour shift employees is 1,440 hours or 60 shifts.

Accrual balances will carry over from year to year until the maximum limit is reached. Once an employee reaches the maximum accrual, no additional accruals will be incurred until the balance falls below the stated maximum. Employees will not accrue sick leave benefits while out on FMLA, long term disability or unpaid leaves of absences. Employees will continue to accrue sick leave while out on Workers' Compensation leave.

Misuse of Sick Leave

A Supervisor may at any time require satisfactory proof of the proper use of sick leave and may disallow sick leave in the absence of such proof. An employee who misuses sick leave should be counseled and will be subject to disciplinary action, up to and including termination.

An employee may be required to furnish a Supervisor with a physician's statement regarding the health status and fitness for duty requirements if one of the following occurs:

- Absence of three (3) or more consecutive days
- Hospitalization
- Exhibited pattern of excessive misuse (e.g. reoccurring use of sick leave in conjunction with a holiday or regularly scheduled days off)

Shift Employees in the Fire Department who are scheduled to work 24-hour shifts may be required to furnish a Supervisor with a physician's statement regarding the health status and fitness for duty requirements if one of the following occur:

- Absence of two or more consecutive scheduled work shifts
- Exhibited pattern of excessive misuse (as defined above)
- Hospitalization

Employees utilizing sick leave benefits are expected to restrict their activities away from their residence, medical facility or other location directly requiring their presence to only those activities necessary and appropriate to deal with the given situation.

In the event of frequent claiming of sick leave benefits or evidence of malingering or excessive misuse exists, the City may require the employee to have a fit for duty physical to ensure the employee is able to safely perform the essential job functions as outlined in the job description. All fit for duty physicals requested by the City under these circumstances will be conducted by the City's medical services provider and will be at the City's expense.

Sick Leave Conversion to Vacation Leave

The City encourages employees to be at work and not to misuse sick leave. As an incentive to employees, the City provides a program in which employees may convert sick leave to vacation leave.

The incentive to use fewer sick leave days reduces the costs associated with excessive sick leave such as overtime, hiring temporary employees and reduced productivity of co-workers.

Eligible Employees

All regular fulltime employees are eligible to participate in this program. Employees must have worked for the City for at least one year and have a sick leave balance of at least 200 hours (300 hours for 24-hour shift employees) as of January 1st of the year following each calendar year that the time is requested for use. Additionally, employees should have used less than 24 hours (36 hours for 24-hour shift employees) of sick leave during the prior calendar year and still be an employee on the City's payroll when the benefit is distributed.

Provisions

Each January after the final prior year's leave usage is reported the Human Resources Division will identify all eligible employees and the number of sick leave hours used by these employees during the prior calendar year.

Employees may convert sick leave to vacation leave at any time during the calendar year, as long as they do not exceed the maximum number of hours authorized per conversion category (See charts below).

Any hours converted from sick leave to vacation leave that go "unused" would be forfeited at the end of the calendar year if the converted hours put the employee over the maximum accruals allowed under the vacation policy.

Once employees convert sick hours to vacation hours, the hours are deducted from the employees' sick leave accruals. At no time will an employee be authorized to convert those hours back to sick time. Eligible employees will be given the option of converting sick days to vacation days based on the following sliding scales:

Regular Full Time Employees (Non-24-hour shift)

Number of Hours on the Books	Conversion Rate (By Hours)
200-400	16 sick to 8 vacation
401-650	32 sick to 16 vacation
651-960	48 sick to 24 vacation

Note: Conversions must be made in eight (8) hour increments based on a 2:1 ratio. Employees do not have to convert all time listed above. For example an employee in the 651-960 range may choose to only convert 16 hours of sick time to 8 hours of vacation time.

Twenty-four Hour Shift Employees

Number of Hours on the Books	Conversion Rate (By Hours)
300-600	48 sick to 24 vacation
601-975	96 sick to 48 vacation
976-1440	144 sick to 72 vacation

Note: Conversions must be made in twelve (12) hour increments based on a 2:1 ratio. Employees do not have to convert all time listed above. For example, an employee in the 976-1440 range may choose to only convert 48 hours of sick time to 24 hours of vacation.

Applicability

This policy applies to all full time employees.

Definitions

Dependent/immediate family member is a spouse, child (under the age of 21 residing in the parent' household) or parent.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility. This includes any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider resulting in incapacity for ten or more working days. For the purpose of this policy, on the job injuries are not considered to be a serious health condition.

Responsible Person/Getting Help

Employees who have questions regarding this policy may contact their department management team or the Human Resources division for clarification.

Policy Authority

The City of Bedford City Council authorizes this policy. The City's management team and Human Resources are responsible for interpreting and enforcing this policy.

Implementation Procedures

Sick Leave Notification Procedures

To receive paid sick leave, an employee shall notify the Supervisor or authorized representative as established by departmental guidelines. If no departmental guidelines exist, the employee should provide notification before or within 30 minutes after the designated starting time for which the employee commences work.

The employee must make the notification call. Only if the employee is physically unable to make a phone call will it be acceptable for someone else to place the call to the employee's Supervisor. Leaving a message is not considered proper notification.

It is the employee's responsibilities to contact his/her Supervisor daily if absent for more than one day. Exceptions would be hospitalization, a prolonged or catastrophic illness, or a determination by the City that the absences qualify as Family Medical Leave (FMLA).

In these instances, the employee may be required to make periodic update calls to keep his/her Supervisor informed of the employee's return to work status.

Conditions for Use of Sick Leave

All employees, except for those on 24-hour shifts may use sick leave in intervals of one (1) hour with one (1) hour being the minimum. Employees on a 24-hour shift may use sick leave in intervals of four (4) hours. Official holidays and regular days off shall not count against sick leave.

Employees may use sick time to care for immediate family members who become ill. An immediate family member is a spouse, child or parent. A physician's statement may be required in such instances.

Supervisors may require satisfactory proof of illness or of the need for caring for a family member and may disallow or not authorize any sick leave in the absence of such documentation.

After accumulated sick leave has been exhausted, employees may use authorized vacation time. Upon the exhaustion of all paid leave, the pay of the employee shall be discontinued until returning to work unless additional sick time has been approved through the Catastrophic Leave Donation Program (see section 8.1 of this policy for further information). When absence due to illness exceeds the amount of paid leave earned and authorized, the employee may be eligible for FMLA leave, personal leave without pay or disability. Employees who become disabled must meet the provisions of the disability insurance guidelines. Consult HR for information regarding disability.

Employees who qualify for FMLA leave must comply with all provisions of the FMLA policy.

FLMA leave may be implemented after 3 consecutive days of sick leave. Employees who qualify for a leave of absence without pay must comply with all the provisions of the leave of absence without pay policy. In these instances, it is the employee's responsibility to provide a doctor's prognosis and an estimated return date so that the City can determine whether the position can be left open or filled temporarily based on the following criteria:

- Length of leave requested
- Workload requirements
- Employee's past work record
- Employee's ability to perform in same position upon return

Once an employee has exhausted all leave options, including FLMA, employment will be terminated, and if eligible, the employee may utilize his/her disability benefit(s).

Accrued sick leave may not be used in conjunction with workers' compensation benefits.

Sick Leave Conversion to Vacation Leave Procedures

Employees must submit a written request to their Department Head that specifies the number of sick hours that they would like to convert to vacation time. The Department Head must approve the request and submit it to payroll prior to the pay period the converted hours are to be used.

Conversions are non-transferable between employees. No cash payments will be made for unused vacation days (that were converted from sick time) if an employee voluntarily terminates employment (in good standing).

NOTE: It will be the employee's responsibility to notify the department's timekeeper (for payroll) when he/she will be using converted sick leave as vacation. Without this notification, the time sheets will not flag payroll to deduct those hours from the employee's benefit accruals. If an employee is involuntarily terminated from employment, according to the vacation policy, no payments for unused vacation will be made.

8.1 Catastrophic Leave Donation

Purpose

The purpose of a catastrophic leave donation policy is to aid City of Bedford (“the City”) employees who are experiencing serious medical hardship or catastrophic illnesses or injuries with temporary salary and benefit continuation.

Policy Statement

The City recognizes that employee earnings capability can be affected during a catastrophic illness or injury or serious medical hardship. Therefore, employees may donate, sick, vacation or holiday time to a recipient in need of additional paid leave during these times.

Policy Terms:

Employees receiving donated time will be eligible for 100% salary continuation of base salary (not to include any incentive or differential pay).

While receiving donated time, employees will not accrue sick or vacation time and will be responsible for payment of all payroll deductions, garnishments and taxes applicable at the time that donated time is being paid. All donated time will count against the employee’s annual Family Medical Leave Act (FMLA) allotment.

Maximum Time:

Per Year: The maximum time an employee may use in one twelve month period is 240 hours or ten (10) fire shifts. A new twelve (12) month period will commence a year from the last date that donated time was used.

Lifetime Maximum: The maximum donated time allowable during an employee’s tenure with the City is as follows:

- 1-15 years of employment 480 hours (20 fire shifts)
- 16+ years of employment Additional 240 hours (10 fire shifts) not to exceed a total of 720 hours (30 fire shifts)

Absences using donated leave may not be used to extend employment beyond the maximum time any employee may be absent from the workplace except as approved by the City Manager.

The City will follow all Health Information Privacy and Accountability Act (HIPAA) laws and reserves the right to amend or stop the program at any time.

Eligibility:

The following eligibility criteria must be met in order to receive donated leave:

- Must have completed one (1) year of service to the City

DRAFT-EXHIBIT B

Final Policy Revision

- Must meet the definition of a serious medical hardship or catastrophic illness or injury (Non-qualifying medical conditions will not be eligible for donation)
- Employees must meet all requirements of the FMLA including having all necessary paperwork completed and on file in HR prior to any donation being allocated to the employee
- The employee's absenteeism/attendance record must not reflect any abuse
- Must be a regular full time employee (Part time, seasonal and temporary employees are ineligible) and have exhausted all of forms of paid leave time (i.e. vacation, holidays, compensatory, sick and personal)
- The employee must complete the donation request form, meet the terms of all requirements and follow all procedures, obtain all necessary signatures and submit the form to HR as soon as possible, preferably within ten (10) working days of the date the time will be first used
- Donations can only be used to pay future catastrophic needs and not to pay an employee's needs retroactively

The criteria for donating leave time include:

- Donors must have a minimum of 240 hours (360 hours for firefighters) in accruals in the leave category from which they are donating from
- All donations will be made in eight (8) hour increments and will not be counted in the conversion of sick leave to vacation leave nor will it count against the employee as time used in disciplinary actions or performance evaluations
- All donated leave time is non-refundable
- Donors must complete the donation form, obtain all required signatures and submit the form to HR
- All donations are voluntary
- An employee must have a balance of at least 80 hours on the books after their donation
- An employee may donate no more than 10% of the employee's accrued sick leave balance, to a maximum of one week (40 hours) in one year.

Applicability

This policy applies to all regular full time employees (Part time, seasonal and temporary employees are ineligible).

Definitions

Donor-is an employee who gives a designated number of vacation, holiday or sick hours to a recipient in need. In order to qualify as a donor, an employee must have a minimum of 240 hours (360 for firefighters) of accruals in the leave time allotment that they are donating from.

Elective procedure- An elective procedure is any treatment or procedure that is planned and not an emergency that may not be medically necessary such as breast augmentation, liposuction, etc. Surgeries and treatments such as breast reconstruction surgery after cancer are not considered elective under the scope of this policy.

Non-qualifying medical conditions-include but are not limited to normal pregnancy, illnesses or injuries covered by Workers' Compensation claims or injuries or illness incurred in the course of committing a crime or due to alcohol or illegal drug use. The donated leave must be used for the serious or catastrophic illness or injury or serious medical hardship of the employee, and may not be used for elective surgery, for care of an employee's spouse, child or other family member or for the employee's estate.

Recipient-is an employee who is eligible to accrue leave time, has exhausted all paid leave options and has met the definition of a serious medical hardship or catastrophic illness or injury.

Serious medical hardship or catastrophic illnesses or injuries-include a condition which severely impacts the health of the employee and requires absences from work. These conditions must also meet the eligibility requirements for FMLA. Some examples would include, but are not limited to:

- Cancer
- Major surgery
- AIDS
- A serious accident
- Heart attack
- Other serious or life threatening illnesses
- Hospice care

Responsible Person/Getting Help

Employees who have questions regarding this policy may contact their department management team or the Human Resources division for clarification.

Policy Authority

The City of Bedford City Council authorizes this policy. The City's management team and Human Resources are responsible for interpreting and enforcing this policy.

Implementation Procedures

- Human Resources will manage the communication process pertaining to solicitation of donors.
- Donors and recipients must fill out all required forms, obtain proper signatures for approval and submit forms to HR. Forms are located on S: //ReadOnly/HR forms/Sick leave donation forms

3.0 Employee Conduct and Corrective Action

Purpose

The purpose of this policy is to outline the City of Bedford's ("the City") expectations for employee conduct and the corrective action processes used by the City.

Policy Statement

Honesty and fair dealings are essential to business and personal success. To ensure consistency in standards of personal conduct, we have set-forth certain rules. Many of these rules are common sense and thus, written guidelines cannot address every necessary rule that might be invoked in day-to-day situations.

Employee Conduct

Listed below are examples of the kinds of offenses that the City considers so detrimental that employees, who engage in such conduct, will ordinarily be subject to immediate dismissal. These examples are illustrative only, and not an exhaustive list of the type of conduct that could result in dismissal.

- Engaging in fraudulent activities including theft, willful destruction of City property or the property of other employees, utilization of City supplies, assets, equipment, facilities or the like for personal use.
- Violation of a public law while at work, on City property or when away from work, if such may have a potentially detrimental effect on the City; conviction of a major crime.
- Dishonesty: falsifying documents including employment records, timekeeping records, all other City related documents, lying during an internal investigation, and/or purposely reporting false or inaccurate information to management and/or citizens.
- Engaging in improper or disorderly conduct such as fighting; creating a nuisance or disturbance on City property; using profane, obscene or abusive language; defacing, willingly damaging or destroying property, equipment or records of the City or of others.
- A disclosure of confidential City information or conflicts of interest, as defined by City Charter, Ordinances or state law.
- Repeatedly working unauthorized overtime or continued refusal to work overtime when requested.
- Reporting to work when under the influence of alcohol or drugs, possessing, dispensing, or using an illegal drug or alcohol, abuse or improper use of drugs including prescription medication or over-the-counter medications.
- Possessing unauthorized firearms, explosives, or other illegal weapons on City property.
- Insubordination or refusal to follow a Supervisor's job related instructions.
- Deliberate violation of safety rules that endanger or could endanger the employee's life or the life of others.
- Gross misconduct or any conduct that brings discredit to the City, its employees or customers.

- Severely unprofessional conduct likely to bring the City into immediate disrepute, including but not limited to, unprofessional in-person conduct, unprofessional conduct on a telephone call, in an e-mail, or in any posting to an Internet site such as social media or a blog. Any conduct engaged in when at work, on City property or away from work, including one's personal time, in any of the above forums that could have potentially serious detrimental effect on the City, is subject to these restrictions.

Any violation of the above rules that also constitutes a criminal offense will be reported to the appropriate authorities for prosecution.

Listed below are examples of the kinds of offenses considered by the City to be unacceptable on the part of the employee, and that will ordinarily result in discipline culminating in dismissal.

- Sub-standard customer service or job performance.
- Absences from work without notice and/or permission. Failure to call in tardy or absent per established City and/or department policy.
- Tardiness or absenteeism that is considered excessive by City standards.
- Failure to observe dress code or grooming standards.
- Violation of safety practices, instructions and precautions
- Failure to report accidents or personal injury arising from employment within twenty-four (24) hours or the next working day.
- Working unauthorized overtime.
- Unprofessional or any conduct that brings discredit to the City.
- Failure to treat co-workers, customers, vendors, etc. fairly, courteously and professionally.
- Improper or unauthorized use of City equipment.
- Unprofessional conduct, including but not limited to, unprofessional in person conduct, unprofessional conduct on a telephone call, in an e-mail, or in any posting to an internet site such as social media or a blog. Any conduct engaged in when at work, on City property or away from work, including during one's personal time, in any of the above forums that could have a potentially detrimental effect on the City is subject to these restrictions.

The above lists of offenses are not intended to be all-inclusive or restrictive, but are illustrative of infractions considered by the City as misconduct on the part of the employee that could require appropriate corrective action.

Corrective Action

It is the City's belief and philosophy that the focus of corrective action is to communicate an expectation of change and improvement rather than an expectation of future problems and eventual termination. We believe that the discharge of an employee is a serious matter both for the employee and for the City.

Unless termination of employment for a first offense is necessary, each instance requiring corrective action will be evaluated in terms of:

- Severity
- Frequency
- Length of time the employee is employed
- Previous corrective action taken against the employee
- Circumstances surrounding the incident for which the disciplinary action is being taken

Any action deemed by management as detrimental to the orderly conduct of the operations may, after careful review and consideration given to all the fact, result in disciplinary action up to and including termination.

Supervisors are required to have the Human Resources Director review all corrective action prior to administration of the action to an employee. The purpose of this process is to ensure that the action taken is appropriate and consistent with similar offenses. Employees have the right and are encouraged to utilize the City's grievance and appeal process if they feel that corrective action measures have been unjustly administered to them.

The grievance and appeal process does not apply to employees who are in their initial orientation period with the City nor does it apply to temporary or seasonal employees.

Types of Corrective Action

Note: All written documents, listed below, provided to the employee are required to contain the following information:

- Information on how the employee may appeal the corrective action (if applicable)
- Signature line for the employee to acknowledge receipt of the document
- Statement indicating that the employee is only acknowledging receipt of the document and that a signature does not indicate that the employee agrees with the action taken and that the employees signature does not imply an employment contract nor modify the employee's employment-at-will status

Verbal Warning- Verbal warnings are discussions held with the employee and are documented by the Supervisor. Verbal warning documentation does not have to be forwarded to Human Resources as a part of the employees record or personnel file.

Written Warning- Written warnings are more severe than verbal warnings in that the documentation process is formalized. Detailed information is put in writing regarding the deficiencies and expectations for improvement. Written warnings require that employee acknowledge receipt of the document, that the original document be forwarded to Human Resources as part of the employee's record and personnel file and that a resolution document be completed after 60 days. Written warnings may be combined with probation, demotion, suspension or performance improvement plans. If combined with another form of corrective action, resolutions may be completed in accordance with the terms of that action.

Probation-Probation means that a Supervisor is giving an employee a time frame not to exceed six (6) months in which job performance will be closely monitored. Detailed information is put in writing regarding the deficiencies and expectations for improvement. The Supervisor monitors the employee's progress and formal feedback is given to the employee once every two (2) weeks. The formal feedback is provided to the employee in writing. All documents associated with this process require an employee signature acknowledging receipt of the document. All original documents should be forwarded to Human Resources as part of the employee's records and personnel file. Probation may be combined with a written warning, suspension, demotion or performance improvement plan.

Once the probation period has ended, the Supervisor must complete the resolution document.

Suspension-Suspension is time off without pay given to an employee for violation of policies or procedures or for inappropriate actions. Suspensions are required to be documented in writing, require that employee acknowledge receipt of the document that the original document be forwarded to Human Resources as part of the employee's record and personnel file. A Personnel Action Notice (PAN) documenting the suspension must be completed and forwarded to payroll. Employees may be suspended up to thirty (30) days. Non-exempt personnel may be suspended without a minimum number of days. Exempt personnel may be suspended for any amount of time allowed by the Fair Labor Standards Act (FLSA). Suspensions, whether stand alone or combined with another form of discipline, will require a resolution document to be completed when the employee returns to work. This document will outline future expectations required to be met by the employee upon returning to work from the suspension.

Demotion- A demotion may occur when minimum established performance standards are not met or as a means of corrective action for misconduct or similar offenses. When a demotion occurs, a Personnel Action Notice (PAN) must be completed and forwarded to payroll. Employees demoted to a position within a lesser pay grade will receive a 5% reduction in pay or their salary will be adjusted down to the maximum of the pay grade of the position they are being demoted to, whichever reduction is greater. The Supervisor must prepare a demotion memo, the employee must acknowledge receipt of this document and the original document will be forwarded to Human Resources as part of the employee's record and personnel file.

Resolution- A Resolution is a document that is prepared by the Supervisor or individual administering corrective action. A resolution must be prepared at the end of the initial orientation period (if demoted) or within sixty (60) days after an employee receives a written warning. The purpose of the resolution is to provide closure of the incident for the employee. The resolution document briefly states why the employee received corrective action and the outcome of that corrective action. The employee must acknowledge receipt of the resolution and the original document must be forwarded to Human Resources as part of the employee's record and personnel file.

Performance Improvement Plan- A Performance Improvement Plan is a document that is prepared by the individual administering disciplinary action.

A performance improvement plan outlines (more thoroughly than a written warning) deficiencies and required behavioral and/or work performance changes that an employee needs to make.

Typically, a performance improvement plan is put in place after an investigation is conducted or when there are multiple issues/corrective measures that need to be addressed by the employee. Because of the severity of the infractions associated with a performance improvement plan, the plan remains in effect for the duration of the employee's employment with the City.

Termination-Termination of employment is the most serious action that can be taken against an employee. Termination, as with all disciplinary action, may occur on the first offense or after a series of offenses. Supervisors are required to prepare a termination memo that must be reviewed by the Human Resources Director. The employee will be requested to acknowledge receipt of the memo. The original document along with a Personnel Action Notice (PAN) must be forwarded to Human Resources as soon as possible. Employees terminated from employment will not be eligible to receive accrued vacation leave.

Applicability

This policy applies to all regular employees who are not in their initial orientation period.

Definitions

None

Responsible Person/Getting Help

Employees who have questions regarding this policy may contact their department management team or the Human Resources division for clarification.

Policy Authority

The City of Bedford City Council authorizes this policy. The City's management team and Human Resources are responsible for interpreting and enforcing this policy.

Implementation Procedures

Employees are made aware of the personnel policies and Code of Ethics Ordinance. Violations of policies, procedures and rules will be investigated by City management and if appropriate disciplinary action will be administered. Any action administered does not modify the employee's employment-at-will status.



Council Agenda Background

PRESENTER:

Michael Wells, City Secretary

ITEM:

Consider a resolution ordering the May 14, 2011 General Election.

DISCUSSION:

The May 14, 2011 General Election will be held to elect two (2) City Council Members, Place 4 and Place 6, to be filled for three (3) year terms or until their successors are duly elected and qualified.

A runoff election, if necessary, ensuing from the May 14, 2011 General Election shall be held on Saturday, June 18, 2011.

As in the past and per state law, staff recommends that this election be held jointly and administered by the Tarrant County Election's Administration. One change from the past is that the Pat May Center will also serve as an early voting location. HEB ISD requested that this location be added due to their bond election this year.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution ordering the General Election of the City of Bedford, Texas to be held on Saturday, May 14, 2011 for the purpose of electing Place 4 and Place 6 to the Bedford City Council.

FISCAL IMPACT:

The total estimated cost for this election is approximately \$13,000.00. This item was budgeted and approved in the FY 2010-2011 budget review process.

ATTACHMENTS:

Resolution
Election Calendar

RESOLUTION NO. 11-

A RESOLUTION CALLING FOR THE GENERAL ELECTION OF CITY OFFICERS FOR THE CITY OF BEDFORD, TEXAS FOR MAY 14, 2011; AUTHORIZING A JOINT CONTRACT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH TARRANT COUNTY; ESTABLISHING THE DATES AND TIMES FOR EARLY VOTING FOR SUCH ELECTION; AND ESTABLISHING A DATE FOR A RUNOFF ELECTION, IF NECESSARY.

WHEREAS, the regular election for the City Council of the City of Bedford, Texas as set forth by the Charter and by the Texas Election Code is required to be held on May 14, 2011, at which time the voters will elect persons to fill the offices City Council Place 4 and Place 6; and,

WHEREAS, the City Council of Bedford, Texas desires to conduct joint elections pursuant to the provisions of the Texas Election Code, and as established in a joint election agreement and contract for election services with the Tarrant County Election Administrator.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That unless one or more of the entities qualify under provisions of the Texas Election Code to cancel their election, the City of Bedford shall hold a joint election, per the aforesaid joint election agreement and contract for election services on Saturday, May 14, 2011 for the purposes of electing members of the Bedford City Council.

SECTION 2. That the election is hereby called to elect persons to fill the offices of two (2) Bedford City Council Members for Place 4 and Place 6 to serve until May 2014 or until their successors are duly elected and qualified. Such election shall be held at the Pat May Center, 1849-B Central Drive, Bedford, Texas, between the hours of 7:00 a.m. and 7:00 p.m. on Saturday, May 14, 2011.

SECTION 3. That qualified persons may file for a place on the ballot by filing an application in the Office of the City Secretary during regular business hours from 8:00 a.m. to 5:00 p.m. each weekday, beginning Monday, February 14, 2011 (the first business day after the official filing date of February 12, 2011) and continuing until 5:00 p.m. on Monday, March 14, 2011.

SECTION 4. That Steve Raborn, Tarrant County Elections Administrator, 2700 Premier Street, Fort Worth, Texas, 76111 is hereby appointed as Early Voting Clerk and Michael Wells, City of Bedford City Secretary, 2000 Forest Ridge Drive, Bedford, Texas, 76021, shall serve as the Deputy Early Voting Clerk. Applications for ballot by mail must be received by mail no later than the close of business on Friday, April 29, 2011. (Mailing Address: P.O. Box 961011, Fort Worth, Texas, 76161-0011; Attn: Steve Raborn, Early Voting Clerk).

SECTION 5. That early voting by personal appearance shall be conducted at the County's Main Early Voting polling location: 2700 Premier Street, Fort Worth, Texas, 76111. Branch offices for early voting by personal appearance shall be established as outlined in the election agreement with Tarrant County. The anticipated branch early voting locations to be located within the City of Bedford include the Bedford Public Library, 2424 Forest Ridge Drive and the Pat May Center at 1849 B Central Drive.

In accordance with SB 1970 and at which time the final polling places are made available to the City, they will be listed in the Notice of Election and said Notice will be attached as an amendment to this resolution.

Early voting by personal appearance will begin on Monday, May 2, 2011 and will end on Tuesday, May 10, 2011. Hours designated for early voting by personal appearance shall be as set forth below:

May 2 – May 6	Monday – Friday	8:00 a.m. – 5:00 p.m.
May 7	Saturday	7:00 a.m. – 7:00 p.m.
May 8	Sunday	11:00 a.m. – 4:00 p.m.
May 9 – May 10	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board shall be appointed and designated in accordance with the provisions of the election agreement with the Tarrant County Elections Administrator.

- SECTION 6.** That all resident qualified electors of the City shall be permitted to vote at said election, and on the day of the election, such electors shall vote at the polling place designated for the election precinct in which they reside. This election shall be held and conducted in accordance with the aforesaid election agreement, election laws of the Texas Election Code, the Federal Voting Rights Act of 1965, as amended, the Charter of the City of Bedford, and as may be required by law. All election materials and proceedings shall be printed in both English and Spanish.
- SECTION 7.** That combined ballots may be utilized containing all of the offices and propositions to be voted on at each polling place, provided that no voter shall be given a ballot or permitted to vote for any office or proposition on which the voter is ineligible to vote. The County's voting equipment will be utilized for this election.
- SECTION 8.** That the Election Judge and officers for each polling place and the Early Voting Ballot Board shall be appointed in accordance with the provisions of the election agreement for the conducting of the election on the aforesaid election date with Tarrant County.
- SECTION 9.** That the Mayor is authorized to execute the aforesaid election agreement for and on behalf of the City.
- SECTION 10.** That the expenses of the joint election shall be borne as outlined in the election agreement with Tarrant County.
- SECTION 11.** That a runoff election, if necessary, ensuing from the May 14, 2011 General Election shall be held on Saturday, June 18, 2011.

PASSED AND APPROVED this 8th day of February 2011, by a vote of ___ ayes, ___ nays, and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



Important Dates for Candidates City of Bedford General Election – May 14, 2011



- Sat., February 12, 2011** First day to file an application for a place on the ballot.
(City Offices are closed February 12, 2011, but will be open for filing on February 14, 2011)
- Mon., March 14, 2011** Deadline to file an application for a place on the ballot
(Must be received in the City Secretary's Office by 5:00 p.m.)
- Tues., March 15, 2011** Drawing for place on the ballot at 5:00 p.m. in City Hall, Council Chambers (Date subject to change – all candidates will be notified if change is made)
- Tues., March 22, 2011** Last day for a candidate to withdraw application for a place on the ballot.
(Withdrawal of candidacy form must be received in the City Secretary's Office by 5:00 p.m.)
- Thurs., April 14, 2011** Last day to register to vote in order to be able to vote in May 14th election.
- 1st report of candidate/officeholder campaign finance report due.
(This is the 30-day prior to Election Day report.)
- Mon., May 2, 2011** Early voting by personal appearance begins.
- Fri., May 6, 2011** Last day to receive applications for early voting ballots to be voted by mail.
- 2nd report of candidate/officeholder campaign finance report due.
(This is the 8-day prior to Election Day report.)
- Tues., May 10, 2011** Last day to vote early by personal appearance.
- Sat., May 14, 2011** *****ELECTION DAY*** 7:00 a.m. to 7:00 p.m.**
(Vote at Pat May Center ONLY)
- May 17-25, 2011** Official dates within which to canvass election returns and administer oaths of office for newly elected officials; unless runoff election is necessary.
(Candidates will be notified of specific canvassing date following Election Day.)
- Wed., May 25, 2011** Drawing for place on runoff ballot at 5:00 p.m. in City Hall, Council Chambers, if necessary.
(Date subject to change – all candidates will be notified if change is made)
- Sat., June 18, 2011** ***** Runoff Election, if necessary*****
- July 15, 2011 &
January 15, 2012** Last day for timely filing of semi-annual report of contributions and expenditures from campaigns.



Council Agenda Background

PRESENTER & ITEM:

Council member reports on City business:

- ✓ Councilman Brown: Provide information to Council on Tarrant County Day at the Capitol.

DISCUSSION:

N/A

RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Letter of Request

Jakubik, Megan

From: Wells, Michael
Sent: Friday, January 28, 2011 2:57 PM
To: Jakubik, Megan
Subject: FW: Agenda Item

From: Brown, Chris
Sent: Friday, January 28, 2011 2:55 PM
To: Wells, Michael
Subject: Agenda Item

Michael:

Will you please put "Provide information to Council on Tarrant County Day at the Capitol" on the Council meeting for February 8th.

Thank you,
Chris

Chris Brown
Bedford City Council
Mayor Pro Tem
817 689 7074
www.ci.bedford.tx.us