

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in work session at 5:00 p.m., and regular session at 6:30 p.m. in the Council Chamber of City Hall, 2000 Forest Ridge Drive on the 10th day of August 2010 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	City Manager
David Miller	Deputy City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Cliff Blackewell	Director of Administrative Services
David Flory	Police Chief
John Kubala	Public Works Director
Mirenda McQuagge-Walden	Managing Director of Community Services
Maria Redburn	Library Manager
Bill Syblon	Development Director

### **WORK SESSION**

Mayor Story called the work session to order at 5:00 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, 7, 8, 9, 10 and 11.

- **Discuss Water and Waste Water Utility Rates.**

City Manager Beverly Queen explained that at the budget work session last week, staff was beginning to collect information from the Trinity River Authority (TRA) concerning what is going to be required for the cost of water purchases and waste water treatment from TRA and the City of Hurst.

Ms. Queen introduced Allen Mullens of Pros Consulting who performed an update of the rate changes in treatment costs. He stated that the main goal was to maintain a sound, self-sufficient Utility Fund. They performed a five-year projection with known and anticipated cost increases. Historically, starting in 2007, the cash revenues were not sufficient to cover the cash expenditures. This was corrected last year and additional funds were added to the cash reserves for the fund. Sewer increases were flat but started

going up two years ago while water rates have been going up significantly. Compared to last year, the cost for water purchases is going up 16% which includes a significant increase in raw water costs.

There is also a 10% increase in the cost of waste water treatment. Another component of the increase is that starting this year, staff is adjusting its estimates on the City's take so it will put them ahead of the curve as opposed to having to make it up at the end.

Mr. Mullens explained the reason it was beneficial to have 140 days of cash reserves in the Utility Fund is because capital costs for water and sewer are expensive. Currently, the cash reserves are at 19 days.

At the current rates, there are projected gaps between revenues and expenditures due again to the increase in treatment costs and potential capital projects the City will have to undertake. The proposed rate increases would be commensurate with the increases in water and treatment costs as well as an increase in the cumulative cash balance and the days of cash reserve.

TRA's budget meeting for the water project is scheduled September 2. Staff is not planning on bringing any recommendations on rate changes to Council before that time in order to see TRA's final budget numbers.

- **Presentation by the Community Affairs Commission regarding programs to promote the use of solar power in Bedford.**

David Franklin of the Community Affairs Commission stated that he is working on a subcommittee which discusses areas of focus on sustainable energy. Solar power makes the most sense in Bedford due to the density of the City, and the fact that solar power is silent, requires no moving parts, requires less space, leaves less of a footprint, and is more aesthetically acceptable. The subcommittee has picked out three areas in which to promote solar power:

- 1) A survey placed on the City's website to determine the level of interest in solar power and in what areas citizens are interested.
- 2) Content created on the City's website.
- 3) A workshop scheduled for September 11 at 2:00 p.m. at the Library.

Afterwards, they plan on holding additional workshops, looking at the survey and discussing options for future projects. There are two speakers scheduled for the first workshop, one to provide an introduction to solar power and one from Axiom, the company installing the solar panels at the new Library, to provide an update on that project.

### **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:**

- **Section 551.071, Consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments.**

Council convened into Executive Session pursuant to the Texas Government Code regarding Section 551.071, Consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments at approximately 5:49 p.m.

Council reconvened from Executive Session at approximately 6:20 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**

Regular Session began at 6:30 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 Turner to approve the following items by consent: 2, 4, 7, 8, 9, 10 and 11.

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

**PERSONS TO BE HEARD**

1. **The following individuals have requested to speak to the Council tonight under Persons to be Heard:**
  - a) **Stacey MacDonald, 2608 Willow Bend, Bedford, TX 76021 – Requested to speak to the council regarding a code issue and the safety of children.**

Stacey MacDonald, 2608 Willow Bend, Bedford, TX 76021 – She came before Council as a concerned citizen. It was brought to her attention that the Kwik Kar located at 2812 Central has constructed a dog run. She does not know if the lot is zoned commercial or residential. She was concerned about the safety of children as the dog run backs up to the Children's Courtyard. The fence is a four foot high chain link enclosure. She had talked to several persons at code enforcement, Development Director Bill Syblon, and Animal Control and there is no code written to prevent this type of facility being built next to a children's daycare. She stated that the City shouldn't allow dog run facilities next to schools, day cares or adult day cares. She asked that Council look at what is best for the community and what is best for the children and to update the City's Zoning Ordinance.

**APPROVAL OF THE MINUTES**

2. **Consider approval of the following City Council minutes:**
  - a) **July 27, 2010 regular meeting**

This item was approved by consent.

**NEW BUSINESS**

3. **Consider a proposed tax rate and set public hearings on the proposed tax rate.**

Director of Administrative Services Cliff Blackwell presented the proposed tax rate and requested that the Council set the public hearing on the proposed tax rate. The City recently published the Notice of Effective Tax Rate and presented that rate at the Budget Work Session. In that notice and presentation,

the effective tax rate was \$0.491609; the rollback rate was \$0.527903, while the current tax rate is \$0.4633 cents. Tonight, Council is to consider a maximum tax rate to be voted on September 14, 2010 and to set two public hearings on the tax rate, the first on August 24, 2010 at 6:30 p.m. and the second on August 31, 2010 at 6:30 p.m.

City Manager Beverly Queen and Mr. Blackwell came up with some recommendations in the revenue stream to help close the gap if the effective tax rate is adopted. They were able to bring a balance to the budget with the effective tax rate. Items they looked at included reevaluating the garbage and recycling revenue in the form of franchise fees, upping the property tax collection rate to 99%, and adjustments to the sales tax dollars. With a combination of the above and the reduction in the supplemental for the revitalization program, they were able to close the gap to the effective rate. They are also proposing to fund the entire \$313,000 debt service payment for the Library from the debt reserves. Other changes included increasing the Teen Court contribution to match the current costs in this year's budget, tweaking the HEBISD contribution for the school resource officer to match the most recent contract, and adjusting the fees for SPLASH as was discussed in the budget work session. The last major change was the City just began a program this year to reimburse the General Fund from the Storm Water Fund. \$100,000 was repaid in this year's budget but none was included in next year's. In running the calculations, they determined they could put another \$60,000 in next year's budget. The net effect reduces the revenue in the general fund by about \$7,000 net and expenditures by about \$10,000. Debt service revenue would increase by about \$156,000.

They were able to accomplish the three goals from the budget work session:

- 1) Incorporate the entire debt service for the Library into the debt service tax rate.
- 2) Continue to fund a portion of the replacement Police Department Tahoes from the general fund.
- 3) Get back to the effective tax rate.

Motioned by Councilman Champney, seconded by Councilman Brown to consider a maximum tax rate of \$0.491609 per \$100 valuation.

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

Since the Council is considering a maximum tax rate equal to the effective tax rate, there will be no public hearings on the tax rate. There will still be a public hearing on the budget at the August 24, 2010 Council meeting.

**4. Call a public hearing on the proposed FY 2010/2011 budget to be held on August 24, 2010 at 6:30 p.m.**

This item was approved by consent.

**5. Receive the certified anticipated collection rate from the Tarrant County Tax Assessor Collector for the City of Bedford.**

Mr. Blackwell stated that this is the anticipated tax collection rate that was sent to the County and that it is at 100%. If it is not at 100%, it would have to be adjusted on the truth-in-taxation worksheets next year.

This item is for informational purposes only. No Council action is necessary.

**6. Receive the 2010 Ad Valorem Tax Roll from the Tarrant Appraisal District.**

Mr. Blackwell stated that as indicated in the budget work session, the July certified tax roll listed the estimated taxable values for the City at \$2,858,471,846. This represented a decline in taxable values for the second consecutive year. The first year the decline was 1.42% while this year the City is looking at a 4% decline.

This item is for informational purposes only. No Council action is necessary.

7. **Consider a resolution accepting and authorizing payment for a utility easement from Billy V. Taylor, Lot 16, Block 1, Nottingham Addition to the City of Bedford for the sum of One Dollar (\$1.00) and other good and valuable consideration.**

This item was approved by consent.

8. **Consider a resolution authorizing the City Manager or their designee to proceed with posting "No Parking" signs on the west side of Durango Ridge Drive.**

This item was approved by consent.

9. **Consider a resolution authorizing the City Manager to enter into an agreement with Modernfold Door and Specialties of D/FW, Inc. to furnish and install operable panel partitions at the Boys Ranch Activity Center in an amount not to exceed \$22,155.**

This item was approved by consent.

10. **Consider a resolution authorizing the City Manager to enter into a contract with DFW Scanning to provide scanning services for Aperture Card and Roll Scanning in the amount not to exceed \$16,529.**

This item was approved by consent.

11. **Consider a resolution authorizing the City Manager to enter into an Interconnection Agreement with Oncor.**

This item was approved by consent.

## **12. Council member reports**

- **Mayor Story**

- ✓ **Report on the Tarrant County Mayors Council meeting of August 2, 2010.**

Mayor Story attended the Tarrant County Mayors Council meeting along with Councilman Brown. The Workforce Development Board announced that they are going to offer transportation classes at UTA which are open to the public and City employees. They also are offering free courses to public works personnel. They are considering giving a course in Bedford if they can get enough people to sign up.

- ✓ **Comments concerning volunteers for the Super Bowl.**

Mayor Story stated that they are really into signing up volunteers for the Super Bowl. Tony Dorsett is the chairperson of the volunteer gathering force. Instructions for signing up can be found in the official Super Bowl magazine available at City Hall as well as on the official website at [www.northtexasuperbowl.com](http://www.northtexasuperbowl.com). They are looking at getting 10,000 volunteers to do such things as park cars and seat people.

## **13. City Manager/Staff reports**

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

## **14. Take any action necessary as a result of the Executive Session.**

No action was necessary as a result of Executive Session.

**ADJOURNMENT**

Mayor Story adjourned the meeting at 7:15 p.m.

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Jim Story, Mayor

ATTEST:

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Michael Wells, City Secretary