

**Council Minutes February 25, 2020**

**STATE OF TEXAS §**

**COUNTY OF TARRANT §**

**CITY OF BEDFORD §**

**The City Council of the City of Bedford, Texas, met in Work Session at 5:30 p.m. and Regular Session at 7:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 25th day of February, 2020 with the following members present:**

Michael Boyter	Mayor
Tom Burnett	Councilmembers
Dan Cogan	
Ruth Culver	
Roger Fisher	
Amy Sabol	
Rusty Sartor	

constituting a quorum.

Staff present included:

Cliff Blackwell	Interim City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Sean Fay	Fire Chief
Natalie Foster	Public Information Officer
Meg Jakubik	Strategic Services Manager
Maria Joyner	Finance Director
Kenny Overstreet	Public Works Director
Cissy Sylo	Capital Projects Director

**COUNCIL CHAMBER WORK SESSION**

Mayor Boyter called the Work Session to order at 5:31 p.m.

• **Presentation on the 6Stones Community Powered Revitalization Program.**

Teresa Grady with 6Stones presented information on the 2019 Community Powered Revitalization Fall Blitz, including the number of homes, occupants, volunteers and volunteer hours as well as groups that asked to be placed in Bedford, Bedford businesses that supported the Blitz, and businesses that provided in-kind help. She gave an overview of all the work done in Bedford as part of the Blitz. She presented information on the CPR Program in Bedford since 2009, including the number of homes, volunteer hours, in-kind donations, match money, administrative fees, retail value and return-on-investment. Jennifer Leney presented information on other 6Stones programs, including the New Hope Center, Operation Back to School, Night of Hope, and LIGA, as well as a new pilot program called MOMENTUM, which is a mentoring program in collaboration with Catholic Charities and various churches. She discussed issues related to the impending sale of the property where they are located. There was discussion regarding concerns about the City partnering with a religious organization; how people get in

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connection with 6Stones; the impact of 6Stones' programs on volunteers; the logistics behind CPR; Operation Back to School; the CPR Program's history; and the impact of 6Stones on the collaboration between neighboring cities.

- **Report on Fire Department activities for Fiscal Year 2018-2019.**

Fire Chief Sean Fay gave a report on Fire Department activities for Fiscal Year 2018 – 2019. He presented information on the Department's organizational structure, and stated changes include the Administrative Assistant position reporting to the Senior Administrative Assistant and the addition of three more staff members. He presented a breakdown of the Department's budget of \$8,097,067, with a majority of costs being for personnel, followed by supplies, maintenance, contractual services, utilities, and debts/transfers. Chief Fay reported the Department responded to 4,111 calls for fire service, a 2.56 percent increase over the previous year, with an average response time on Priority 1 calls of 4:24. The Department responded to 5,132 calls for Emergency Medical Service (EMS), a 5.3 percent increase over the previous year, with an average response time of 4:11. He discussed the impact of moving to a new ambulance billing service and record management system on the data for calls for service. There was discussion on statistics for mutual aid with other cities. Chief Fay stated there were 12,225 hours of training for Fire Department personnel. He reported on the statistics from the Fire Marshal's Office, including inspections and investigations. He discussed the Department's community involvement, including events, fire prevention safety talks, fire extinguisher demonstrations and the installation of smoke detectors. Notable achievements include promotions, the retirement of Kiki Box, new apparatus, including a new ambulance and rehab trailer, and the renewal of the Heart Safe Community certification.

In response to questions from Council, Chief Fay stated the Department has four open positions. There was discussion on the impact of the additional positions approved by Council and the hiring process. There was further discussion on the second set of personal protective equipment worn by firefighters. Chief Fay stated there was a slight increase in response time for fire calls, which is primarily due to the construction on Highway 121. There was discussion on the trend in increased EMS calls, which Chief Fay feels will continue, and the causes, including the number of medically based businesses in the City, aging demographics, and highway traffic. There was discussion on EMS 15 to assist with the increased number of calls for service, and other Department programs, including the Vial of Life pocket, the Knox Box program for residential properties, and the Ambulance Subscription Program. There was discussion on adding the Knox Box program to the Department's budget.

Mayor Boyter adjourned the Work Session at 6:37 p.m.

### **EXECUTIVE SESSION**

- a) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease or value of real property - Block 1, Lot 1, Bedford School Addition.
- b) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease or value of real property - Abstract 1607 Tract 11e01 William Wallace Survey.
- c) Pursuant to Section 551.087, receive an update on economic development negotiations related to Plaza Center Addition Lot AR 1A and Bedford Plaza Addition 1989 H Block A Lot 4B 1.
- d) Pursuant to Section 551.074, personnel matters - City Manager search.
- e) Pursuant to Section 551.074, personnel matters - Interim City Manager contract.

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Council convened into Executive Session pursuant to Texas Government Code Section 551.072, to deliberate the purchase, exchange, lease or value of real property - Block 1, Lot 1, Bedford School Addition; Section 551.072, to deliberate the purchase, exchange, lease or value of real property - Abstract 1607 Tract 11e01 William Wallace Survey; Section 551.087, receive an update on economic development negotiations related to Plaza Center Addition Lot AR 1A and Bedford Plaza Addition 1989 H Block A Lot 4B 1; Section 551.074, personnel matters - City Manager search; and Section 551.074, personnel matters - Interim City Manager contract, at 6:42 p.m.

Council reconvened from Executive Session at 7:35 p.m. Council was unable to finish the Executive Session and will convene again at the end of the Regular Session.

### **REGULAR SESSION**

The Regular Session began at 7:40 p.m.

### **CALL TO ORDER/GENERAL COMMENTS**

Mayor Boyter called the meeting to order.

### **INVOCATION (Reverend Balaji Boyalla, St. Michaels Church)**

Reverend Balaji Boyalla of St. Michaels Church gave the invocation.

### **PLEDGE OF ALLEGIANCE**

The Pledges of Allegiance to the flags of the United States and Texas were given.

### **ANNOUNCEMENTS/UPCOMING EVENTS**

Public Information Officer Natalie Foster reported on upcoming events, including the Library Mardi Gras Gala on March 21, 2020 and a residential outreach meeting at the Movie Tavern on March 30, 2020. She reported the Library would be closed for a makeover from March 30 to April 3, 2020.

Mayor Boyter recognized a representative with Valentino's Pizza who brought pizza for everybody in attendance.

### **COUNCIL RECOGNITION**

#### **1. Employee Service Recognition**

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

Lee Shiflet, Fire Department - 20 years of service  
Jacquelyn Bedell, Library - 5 years of service

#### **2. Recognition of the City of Bedford's 23rd Consecutive Certificate of Achievement for Excellence in Financial Reporting.**

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Mayor Boyter presented the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada to Finance Director Maria Joyner, Assistant Finance Director Paula McPartlin, and Senior Accountant Crystal Segovia.

### **OPEN FORUM**

Cindy Ferguson, 1029 Black Street, Hurst, Texas – Ms. Ferguson signed up to speak on Item #5. She stated she is a cat advocate who supports trap-neuter-return, and cities that have adopted the program have seen the euthanasia and intake rates for cats decrease. She serves as a volunteer at the Richland Hills animal shelter and stated they have so few cats since implementing the program they now take them from other cities. She stated studies show that trap and remove/kill does not work, as other cats will move into the area where cats are removed. She stated the program would save the City money and cats do not need to be killed just because they live outside.

### **CONSIDER APPROVAL OF ITEMS BY CONSENT**

Interim City Manager Cliff Blackwell presented an overview of items on the consent agenda.

Motioned by Councilmember Culver, seconded by Councilmember Burnett, to approve the following items by consent: 3 and 4.

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

- 3. Consider approval of the following City Council minutes:**
  - a) February 4, 2020 work session**
  - b) February 11, 2020 regular meeting**

This item was approved by consent.

- 4. Consider an order cancelling the May 2, 2020 general election and declaring unopposed candidates for City Council Place 4 and Place 6 be elected to the office in accordance with provisions of Subchapter C of Chapter 2, Texas Election Code.**

This item was approved by consent.

- 5. The following individual has requested to speak to the Council tonight under Persons to be Heard:**
  - a) Minnie V. Wesbee, 1503 Tennis Drive Apt 208, Bedford, TX 76022 - Requested to speak to Council regarding: City not picking up stray cats, little being done about vehicles not inspected driving around, and why no development like Euless.**

Minnie V. Wesbee, 1503 Tennis Drive Apt 208, Bedford – Ms. Wesbee discussed stray cats running around the City, including an aggressive one in the area where she lives. She stated when she called Animal Control, she was told they pick up dogs but not cats. Ms. Wesbee stated she called the Police Department on a person in her apartment complex with an expired inspection sticker and was told there was nothing they can do because it was on private property; however, she stated the person is driving on the streets. She felt action should be taken on this issue. Ms. Wesbee asked why Bedford does not have development like what is happening in the City of Euless.

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In response, Mayor Boyter stated Council has taken actions recently to focus on economic development and there will soon be initiatives by staff and Council related to economic development.

### **NEW BUSINESS**

- 6. Consider a resolution accepting the report from the independent auditor and the audited financial statements for the fiscal year ending September 30, 2019 and providing an effective date.**

Finance Director Maria Joyner stated this item is for the acceptance of the annual finance report for the fiscal year ending September 30, 2019, and that the audit report was presented by the auditing firm of Weaver and Tidwell, L.L.P. to the City's Audit Committee on January 30, 2020. Jennifer Ripka with Weaver and Tidwell presented an overview of the Comprehensive Annual Financial Report (CAFR) and the independent auditor's report. She stated Weaver issued an unmodified, or clean, opinion, which is the highest level of assurance that can be placed on financial statements. She stated Weaver takes a risk-based approach to the audit and reviews areas that are material and significant. In response to questions from Council, Ms. Ripka presented an overview of the City's pension through the Texas Municipal Retirement System (TMRS). She stated the City is funded at 64 percent of the total liability, which is lower than surrounding cities primarily due to the amount of time the City has been in TMRS. There was discussion on debt capacity, debt ratios and fund balance. Ms. Ripka stated she does not see anything alarming in the debt ratios as shown in the report and the percentage of the following year's budgeted expenditures is at a good percentage of the unassigned General Fund balance. She discussed a new standard that was implemented regarding capitalized interest.

Motioned by Councilmember Sabol, seconded by Councilmember Culver, to approve a resolution accepting the report from the independent auditor and the audited financial statements for the fiscal year ending September 30, 2019 and providing an effective date.

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

- 7. Consider a resolution authorizing the Interim City Manager to purchase Hot Mix Asphalt Concrete (HMAC), in an amount not to exceed \$650,500, from Reynolds Asphalt & Construction Company, through the Tarrant County Master Interlocal Cooperative Purchasing Agreement.**

Public Works Director Kenny Overstreet presented information regarding this item, which is to purchase hot mix asphalt concrete from Reynolds Asphalt & Construction Company for in-house street repairs as well as the overlay of Forest Ridge and Brown Trail approved by Council the previous month. This item is in the Street Improvement Economic Development Corporation (SIEDC) budget.

Motioned by Councilmember Fisher, seconded by Councilmember Burnett, to approve a resolution authorizing the Interim City Manager to purchase Hot Mix Asphalt Concrete (HMAC), in an amount not to exceed \$650,500, from Reynolds Asphalt & Construction Company, through the Tarrant County Master Interlocal Cooperative Purchasing Agreement.

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

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- 8. Consider a resolution authorizing the Interim City Manager to enter into a contract with Don Smith Concrete, LLC, in the amount of \$391,252.50, for the 2020 Concrete Sidewalk, Accessibility Ramps, Concrete Street Panels, Driveway and Curb and Gutter Reconstruction at Various Locations Project.**

Mr. Overstreet presented information regarding this item. He stated the City started contracting out various concrete repairs through the SIEDC four years ago. Several bids were received for this project, with Don Smith Concrete being the lowest. The company's references were checked, and they received positive reviews, with their projects being on time and at or under budget.

Motioned by Councilmember Culver, seconded by Councilmember Cogan, to approve a resolution authorizing the Interim City Manager to enter into a contract with Don Smith Concrete, LLC, in the amount of \$391,252.50, for the 2020 Concrete Sidewalk, Accessibility Ramps, Concrete Street Panels, Driveway and Curb and Gutter Reconstruction at Various Locations Project.

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

- 9. Consider a resolution authorizing the Interim City Manager to enter into a contract with Reynolds Asphalt & Construction Company, in the amount of \$1,091,420, for the 2020 Street Mill and Overlay at Various Locations Project.**

Mr. Overstreet presented information regarding this item, which is to perform 74,200 square yards of street milling and overlay at various locations throughout the City. The streets included in the project are part of year two of the Fugro pavement assessment study. Numerous bids were received on this project, with the low bid from Reynolds Asphalt coming in \$308,000 under the budgeted amount. He stated the remainder could be used on other projects, and that Reynolds has done work in the City previously and has good references.

Motioned by Councilmember Sartor, seconded by Councilmember Culver, to approve a resolution authorizing the Interim City Manager to enter into a contract with Reynolds Asphalt & Construction Company, in the amount of \$1,091,420, for the 2020 Street Mill and Overlay at Various Locations Project.

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

- 10. Consider a resolution recommending award of a construction contract for the Community Development Block Grant (CDBG), Project No. B-19-UC-48-0001-12-5, to McClendon Construction Company, Inc. for the Bedford Court East Paving Improvements (Brown Trail to Hurst City Limits) in the amount of \$489,349, of which the City of Bedford's obligation is \$323,519.**

Mr. Overstreet presented information regarding this item. He stated the City Council held a public hearing in January 2019 to approve a resolution pursuing grant funding from the Tarrant County 45th Year Community Development Block Grant (CDBG) 45th Year. The City received funding and chose Schrickel, Rollins and Associates for the design work. Tarrant County bid the project and the lowest bid came in at \$489,349. The CDBG allowed the City \$165,830 and the budgeted amount in the SIEDC is \$295,950. The outstanding portion will come from the remainder of the 2013 General Obligation Bond.

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Motioned by Councilmember Sabol, seconded by Councilmember Cogan, to approve a resolution recommending award of a construction contract for the Community Development Block Grant (CDBG), Project No. B-19-UC-48-0001-12-5, to McClendon Construction Company, Inc. for the Bedford Court East Paving Improvements (Brown Trail to Hurst City Limits) in the amount of \$489,349, of which the City of Bedford's obligation is \$323,519.

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

**11. Consider a resolution authorizing the Interim City Manager to expend funds and enter into the first amendment to the interlocal agreement with Tarrant County, approved on January 28, 2020, for street improvements to include Harwood Road from Oak Valley Drive to 500 feet west.**

Mr. Overstreet presented information regarding this item. He stated Tarrant County completed an asphalt overlay on Harwood Road between Forest Ridge Drive and Central Drive in the spring of 2018. There was a water main break in October of that year, which blew out a section of the roadway. The City made repairs to the main and the asphalt; however, the roadway began to ripple afterwards. Tarrant County agreed to redo that portion of Harwood Road after they complete the mill and overlay projects in the interlocal agreement approved by Council at their meeting on January 28, 2020.

Motioned by Councilmember Burnett, seconded by Councilmember Sabol, to approve a resolution authorizing the Interim City Manager to expend funds and enter into the first amendment to the interlocal agreement with Tarrant County, approved on January 28, 2020, for street improvements to include Harwood Road from Oak Valley Drive to 500 feet west.

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

**12. Consider a resolution authorizing the Interim City Manager to enter into an interlocal agreement with Tarrant County for reimbursement, up to \$100,000, of the City of Bedford's costs for the roadway improvements on Cheek-Sparger Road at Woodpark Lane/Heritage Avenue.**

Mr. Overstreet presented information regarding this item. He stated the City entered into an interlocal agreement with the cities of Euless and Colleyville, as well as Tarrant County, for the design and construction of a traffic signal at Woodpark Lane/Heritage Avenue and Cheek-Sparger Road, as well as widening of the roadway. The bids for the roadway improvements, the cost of which Bedford would be responsible, came in at \$259,178, which is above the engineer's estimated cost of \$142,000. He stated Mayor Boyter received a letter from Tarrant County Precinct 3 Commissioner Gary Fickes offering to match funds up to \$100,000 to help cover the additional expense.

Motioned by Councilmember Cogan, seconded by Councilmember Sabol, to approve a resolution authorizing the Interim City Manager to enter into an interlocal agreement with Tarrant County for reimbursement, up to \$100,000, of the City of Bedford's costs for the roadway improvements on Cheek-Sparger Road at Woodpark Lane/Heritage Avenue.

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

**13. Mayor/Council Member Reports**  
**a) Report on Phase Next branding**

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### **b) Report on arts and entertainment facility at the Old Bedford School**

Mayor Boyter reported the Council conducted more special meetings and work sessions to address matters in the City, including Phase Next. He stated members of Council broke off into individual groups, with Phase Next branding represented by Councilmembers Sabol, Fisher and Culver, and the arts and entertainment facility represented by himself and Councilmembers Sabol and Culver, in order to have productive discussions with staff and the contractors working on these projects.

### **14. Report on most recent meeting of the following Boards and Commissions:**

#### **✓ Animal Shelter Advisory Board**

No report was given.

#### **✓ Beautification Commission**

No report was given.

#### **✓ Community Affairs Commission**

Mayor Boyter reported on the Business Owners Town Hall meeting hosted by the Commission held the previous evening. He stated it was a dialogue where businesses spoke about their interactions with the City and opportunities to partner were discussed to help the City and businesses be more successful. He stated the Commission will update the Council on the event at the meeting on March 10, 2020 and constructive ideas whereby the City can be more engaged in supporting local businesses would be worked on.

#### **✓ Cultural Commission**

No report was given.

#### **✓ Economic Development Foundation**

No report was given.

#### **✓ Library Advisory Board**

Councilmember Cogan reported there are two openings on the Board, and they will be recruiting for new members. He discussed the closing of the Library from March 30 to April 3, 2020 for improvements. He reported on the upcoming Mardi Gras Gala event scheduled for March 21, 2020.

#### **✓ Parks and Recreation Board**

No report was given.

#### **✓ Teen Court Advisory Board**

No report was given.

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### ✓ Senior Center Representative

Councilmember Cogan thanked the Council for the recent discussion on recreation and Senior Center programming during the Phase Next construction. He stated he and Councilmember Burnett will report to the seniors on what was decided regarding Senior Center programming.

### 15. City Manager/Staff Reports

Interim City Manager Cliff Blackwell congratulated Josh Kiss in the Fire Department for his promotion to Medical Operations Officer, Bobby LaPenna and Mike Hager in the Police Department for their promotion to Captain, and the Finance Department on their CAFR award.

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Council reconvened from Executive Session at 8:58 p.m. Any necessary action to be taken as a result of the Executive Session will be during the Regular Session.

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

Motioned Mayor Boyter, seconded by Councilmember Burnett, to approve a contract with the Interim City Manager.

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

#### **ADJOURNMENT**

Mayor Boyter adjourned the meeting at 9:00 p.m.

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Michael Boyter, Mayor

ATTEST:

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Michael Wells, City Secretary