

**Council Minutes March 9, 2021**

**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 7:00 p.m. via videoconference, on the 9th day of March, 2021 with the following members present:**

Michael Boyter  
Tom Burnett  
Dan Cogan  
Ruth Culver  
Amy Sabol  
Rusty Sartor

Mayor  
Councilmembers

constituting a quorum.

Councilmember Gagliardi arrived at 5:44 p.m.

Staff present included:

Jimmy Stathatos  
Cliff Blackwell  
Bryn Meredith  
Michael Wells  
Chuck Carlisle  
Maria Joyner  
Joey Lankford  
Paula McPartlin  
Andrea Roy  
Kelly Snook

City Manager  
Assistant City Manager  
City Attorney  
City Secretary  
Facilities and Risk Manager  
Finance Director  
Interim Fire Chief  
Assistant Finance Director  
Development Director  
Interim Capital Projects Director

**WORK SESSION**

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

- **Update from the City Attorney on Governor Abbott's recent Executive Order.**

City Attorney Bryn Meredith updated Council on Governor Abbott's Executive Order GA-34, which eliminated certain COVID-19 requirements, including the mask mandate, occupancy limitations for private businesses, and the requirement that outdoor gatherings of ten or more people be pre-approved by the Mayor. He stated cities are having to decide what they can do regarding employees and city-owned buildings. The City can still mandate that all employees wear face coverings and socially distance, and has the authority to require visitors to City-owned facilities wear a face covering and socially distance; however, the Governor's order does not allow the City to issue any type of criminal citation for non-compliance. The only recourse for the City would be to ask the visitor to leave or refuse to serve them. Mr. Meredith stated the City could issue its

## Council Minutes March 9, 2021

own disaster declaration and require that permission from the Mayor or the City Manager be required prior issuing a permit for a gathering.

Council was of the consensus to continue the mandate that City employees wear masks with exceptions for employees that are socially distanced. There was discussion no longer mandating employee temperature checks and screening, and the number of employees that have been vaccinated. Council agreed to continue requesting patrons to City facilities to wear masks. There was discussion on opening facilities, including the Library, to more people and at what percentage of occupancy; opening the Roy Savage Pool; what neighboring cities are doing as far as facility capacity; the occupancy load and average attendance at the Library; enforcing the wearing of masks; opening up more rooms at the Library and reducing the time to quarantine materials; and allowing practices and games for outdoor sports. Council was of the consensus to open the Library at 75 percent capacity; to not pursue a local disaster declaration; and to open the City's parks for outdoor sports.

- **Discussion on the Quarterly Investment Report for the Fiscal 1st Quarter ending December 31, 2020.**

Assistant Finance Director Paula McPartlin stated the total value of the City's portfolios at the end of the first quarter was \$142,333,802, as compared to \$150,971,914 at the same time the previous year, representing a 5.7 percent decrease. The City has spent \$7,678,430 on the Phase Next Project and \$10,925 related to the Bedford Performing Arts Center. The City earned \$3,325,001 in accumulated interest as of the end of the first quarter.

Tom Ross with Valley View Consulting, the City's investment advisors, presented the quarterly financial report. He stated the balance in the City funds was approximately \$110,748,000, with an average quarterly yield of 0.41 percent. The balance of the State Water Implementation Revenue Fund for Texas (SWIRFT) portfolio \$31,595,000, with an average quarterly yield of 0.31 percent. The average quarterly yield for the entire portfolio was 0.39 percent. He discussed the Treasury yield curve and the stock market, and stated the Fed announced they would not increase their rate through 2023 and possibly 2024. Mr. Ross presented an overview of the City's investment holdings, the composition of the portfolio, a comparison to the previous quarter, and the allocation of the investments across various City funds. There was discussion on the amount of funds for Phase Next, and low interest rates and the decline in interest income.

- **Review of generator options for the Center at Generations Park.**

Interim Capital Projects Director Kelly Snook presented information regarding this item. She stated it was determined that the Center would not be part of the City's Emergency Operations Center (EOC) during the programming of Generations Park. Therefore, the current plans provide only for the salvage of the generator previously attached to the Boys Ranch Activity Center (BRAC). There were discussions amongst staff regarding the need for a new generator versus the use of the existing one, and for relocating the existing generator to City Hall Building A at a cost of approximately \$50,000. Steele and Freeman also provided a quote to relocate and reuse the existing generator for the new Center at a cost of approximately \$80,000 to \$95,000. Ms. Snook stated the Center could provide community warming and cooling center services, serve as a distribution hub for supplies, and act as an ancillary work space for City employees and administrative staff during emergency recovery operations, even though it is not part of the EOC. She presented multiple options for Council to consider, including reuse of the existing generator, the purchase of a new generator of various kilo-volt-ampere (KVA), costs, and their ability to

## Council Minutes March 9, 2021

power various portions of the facility. She stated any costs would come from the owner's betterment allowance built into the contract for Phase Next.

There was discussion on the generator at the current EOC in City Hall Building B; the condition of the BRAC generator; the maintenance inspection schedule for all the City's generators; whether it was necessary to power the elevator at the Center in an emergency; that the current generator or a new one at the same KVA would only power the west wing of the Center and emergency lighting in the rest of the facility; the capacity of the west wing; the different generator options; powering the restrooms and showers; and that the elevator has a battery pack to allow it to return to the ground floor in case of a power outage.

City Manager Jimmy Stathatos stated he favors the option to reuse the current 250KVA generator at the Center with the knowledge it may need to be replaced in the future. He further stated Council may want to do more with the funding as it is early in the project. There was discussion on the decision for Generations Park to not be part of the EOC; the history of staff discussion on the generator, including that it preceded the winter storm event; the cost to relocate and reuse the existing generator; the needs for the EOC; and wiring the generator so that it could possibly be upsized in the future.

Council was of the consensus to reuse the existing 250KVA generator from the old BRAC at the Center, representing a savings of approximately \$50,000 over the purchase of a new one to power the west wing of the building in its entirety and emergency lighting in the rest of the building, but not the elevator.

- **Review of berm and monument sign design revisions at Generations Park.**

The discussion on the berm design was postponed to a future meeting.

Ms. Snook stated revisions were made to the sketches presented at the previous Council meeting for the monument signs at the entry off Forest Ridge Drive and Harwood Road based on comments from Council. She displayed updated designs, including how the signs would look at night with lighting. There was discussion on the Forest Ridge Drive entrance having too many signs; putting a sign at the corner of Forest Ridge Drive and Harwood Road; the location and designs of the signs; screening a traffic control box at the southwest corner of the Forest Ridge Drive entrance; having a sign at the entrance by the Post Office; wayfinding signs for the interior of the park; using the logo and branding on the signs; and tying in the park signage with the branding and design of the entrance signs to the City.

Council was of the consensus for two digital signs, one at the Forest Ridge Drive entrance and the ballfield entrance; to have signage at the entrance off of the Post Office; to have a digital monument sign at the corner of Forest Ridge Drive and Harwood Road; and to have less signage at the entrance at Forest Ridge Drive. Ms. Snook stated there are two digital signs budgeted. There was discussion on the traffic flow in and out of the park and having more modern signage. Council was of the further consensus to have the digital signs be at the Forest Ridge Drive entrance and the corner of Forest Ridge Drive and Harwood Road; to only have signage at the northwest corner of the Forest Ridge Drive entrance; to have more use of the logo; and to have more modern-looking signage.

### **REGULAR SESSION**

The Regular Session began at 7:30 p.m.

## Council Minutes March 9, 2021

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

Mayor Boyter called the meeting to order.

### **INVOCATION**

Councilmember Sartor gave the invocation.

### **PLEDGE OF ALLEGIANCE**

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

### **OPEN FORUM**

Nobody signed up to speak during Open Forum

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

Motioned by Councilmember Sabol, seconded by Councilmember Burnett, to approve the following item by consent: 1

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

- 1. Consider approval of the following City Council minutes:**
  - a) February 23, 2021 regular meeting**

This item was approved by consent.

### **PERSONS TO BE HEARD**

- 2. The following individuals have requested to speak to the Council tonight under Persons to be Heard:**
  - a) Ellie Pitts, 2132 Shady Brook Drive, Bedford, Texas 76021 - Request to speak to Council regarding a petition for the extension of sidewalks on a portion of Shady Brook Drive from property numbers 2012 to 2148 and the Methodist Church.**

Ellie Pitts, 2132 Shady Brook Drive, Bedford – Ms. Pitts stated she and her neighbors are petitioning for a sidewalk on Shady Brook Drive and that they are the only block on that street without one. They feel it is a safety issue and would also beautify the neighborhood. Many school children walk home from Shady Brook Elementary and there is a blind curve between Shady Lane and Bedford-Eules Road. She stated they have not been able to reach two residents but 14 of the neighbors have signed a petition for the sidewalk.

There was discussion on the adding the sidewalk to the following year's Street Improvement Economic Development Corporation budget or possibly paying for it out of the City's fund balance; the estimated cost of the sidewalk of \$102,000; reaching out to the Calvary Chapel Church regarding the sidewalk; and the logistics for installing a sidewalk. Council was of the consensus to proceed with looking into installing the sidewalk.

## Council Minutes March 9, 2021

- 3. Consider a resolution authorizing the City Manager to enter into an agreement with American National Bank of Texas to provide depository and related banking services to the City of Bedford from May 1, 2021 through April 30, 2023 with an option for three one-year term extensions.**

Assistant Finance Director Paula McPartlin presented information regarding this item. She stated the Texas Local Government Code requires the City competitively solicit and select a qualified financial institution to serve as its primary depository bank. Valley View Consulting assisted with the preparation and distribution of the request for applications (RFA) and evaluation of the received applications. The City Council approved a resolution the previous September to allow banks outside the City's municipal boundaries to submit applications, which led to 14 additional banks being eligible, and the RFA was submitted to 23 financial institutions.

Finance Director Maria Joyner stated six banks submitted applications, four of which were outside the City's boundaries. American National Bank of Texas (ANBTX) was invited to meet with staff and demonstrated their online banking platform and their transition plan if selected. Staff received positive feedback from the references provided by ANBTX. Staff believes ANBTX provides the most advantageous application for the City and the Investment Committee voted to recommend the City Council award the contract to ANBTX at their meeting on February 25, 2021. Tom Ross with Valley View Consulting presented an overview of the selection process and discussed the advantage of opening the process to banks outside of the City's boundaries. He stated the savings with ANBTX over a five-year period would be approximately \$123,000 compared to the proposal by the current bank, and they can provide all the services the City requires.

Motioned by Councilmember Culver, seconded by Councilmember Sartor, to approve a resolution authorizing the City Manager to enter into an agreement with American National Bank of Texas to provide depository and related banking services to the City of Bedford from May 1, 2021 through April 30, 2023 with an option for three one-year term extensions.

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

- 4. Consider a resolution authorizing the City Manager to reschedule and cancel regular Council meetings in 2021.**

City Manager Jimmy Stathatos presented information regarding this item, which is an item placed on the agenda each year to cancel any meetings that may fall around a holiday, when it would not be conducive to hold meetings.

Motioned by Councilmember Burnett, seconded by Councilmember Gagliardi, to approve a resolution authorizing the City Manager to reschedule and cancel regular Council meetings in 2021.

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

### **5. Mayor/Council Member Reports**

No reports were given.

### **6. City Manager/Staff Reports**

No report was given

**Council Minutes March 9, 2021**

**EXECUTIVE SESSION**

- a) Section 551.071, consultation with City Attorney regarding pending or contemplated litigation for the enforcement of city ordinances relative to the real property located at 3009 Glenwood Court, also described as Lot 3, Block 2 of the CANTERBURY ADDITION, in the City of Bedford.
- b) Section 551.071, consultation with City Attorney regarding pending or contemplated litigation for the enforcement of city ordinances relative to the real property located at 3228 Hickory Court, also described as Lot 27, Block 2 of the OAK VIEW HILLS ADDITION, in the City of Bedford.
- c) Section 551.071, consultation with City Attorney regarding pending or contemplated litigation - Bedford Hotels, LLC.
- d) Pursuant to Section 551.074, personnel matters - City Attorney

Council convened into Executive Session pursuant to Texas Government Code Section 551.071, consultation with City Attorney regarding pending or contemplated litigation for the enforcement of city ordinances relative to the real property located at 3009 Glenwood Court, also described as Lot 3, Block 2 of the CANTERBURY ADDITION, in the City of Bedford; Section 551.071, consultation with City Attorney regarding pending or contemplated litigation for the enforcement of city ordinances relative to the real property located at 3228 Hickory Court, also described as Lot 27, Block 2 of the OAK VIEW HILLS ADDITION, in the City of Bedford; Section 551.071, consultation with City Attorney regarding pending or contemplated litigation - Bedford Hotels, LLC; and Section 551.074, personnel matters - City Attorney, at 8:01 p.m.

Council reconvened from Executive Session at 8:52 p.m. Any necessary action to be taken as a result of the Executive Session will be during the Regular Session.

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

Motioned by Councilmember Culver, seconded by Councilmember Burnett, to take legal action as discussed in Executive Session.

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

**ADJOURNMENT**

Mayor Boyter adjourned the meeting at 8:53 p.m.

---

Michael Boyter, Mayor

ATTEST:

---

Michael Wells, City Secretary