

**Council Minutes March 23, 2021**

**STATE OF TEXAS §**

**COUNTY OF TARRANT §**

**CITY OF BEDFORD §**

**The City Council of the City of Bedford, Texas, met in Regular Session at 6:00 p.m. via videoconference, on the 23rd 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 was absent from the meeting.

Staff present included:

Jimmy Stathatos  
Cliff Blackwell  
Bryn Meredith  
Michael Wells  
Gary Johnson  
Kenny Overstreet  
Andrea Roy  
Kelly Snook

City Manager  
Assistant City Manager  
City Attorney  
City Secretary  
Interim Police Chief  
Public Works Director  
Development Director  
Interim Capital Projects Director

**REGULAR SESSION**

The Regular Session began at 6:00 p.m.

**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.

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

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

Motion approved 6-0-0. Mayor Boyter declared the motion carried.

- 1. Consider approval of the following City Council minutes:  
a) March 9, 2021 regular meeting**

This item was approved by consent.

### **COUNCIL RECOGNITION**

- 2. Proclamation recognizing the week of April 11-17, 2021 as National Public Safety Telecommunicators Week.**

Mayor Boyter read a proclamation recognizing the week of April 11-17, 2021 as National Public Safety Telecommunicators Week. Dispatch Shift Supervisor Amy James accepted the proclamation.

- 3. Proclamation declaring the month of April 2021 as Child Abuse Prevention Month in the City of Bedford.**

Mayor Boyter read a proclamation recognizing the month of April 2021 as Child Abuse Prevention Month in the City of Bedford. Janice Harton with Alliance for Children accepted the proclamation.

### **NEW BUSINESS**

- 4. Consider a resolution authorizing the City Manager to enter into an agreement with Halff Associates, Inc. for a Risk and Resilience Assessment and Emergency Response Plan, in the amount of \$74,000.**

Public Works Director Kenny Overstreet presented information on this item. He stated the America's Water Infrastructure Act (AWIA) legislation requires that community water systems serving populations greater than 3,300 and less than 50,000 shall complete a risk and resiliency assessment. The City's assessment would include risks from terrorist acts and natural hazards; the resiliency of the pipes, construction, physical barriers, source water, water collection, intake, pretreatment, storage and distribution facilities; review of monitoring practices and the financial infrastructure of the system; the storage and use of various chemicals; and the operation and maintenance of the system. Once the assessment is completed, the City would be required to complete an emergency response plan. The first phase of the agreement with Halff includes identifying critical assets and threat scenarios, a consequence and vulnerability study to determine threat likelihood, the risk and resiliency assessment, and certifying the assessment with the Environmental Protection Agency (EPA). The second phase would include reviewing the assessment and identifying what needs to be corrected, preparing a draft emergency response plan, running a threat scenario and making needed adjustments to the plan, and finalizing the plan and filing it with the EPA. The total cost of the agreement is \$74,000 and would be paid out of the Water Fund.

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In response to questions from Council, Mr. Overstreet stated the plan can be updated at any time and it is recommended that a threat scenario be performed once a year. There was discussion on the last emergency response plan after the 9/11 attacks; the frequency of updating the plan and any annual financial obligations moving forward; other firms that were contacted about the assessment; the certification necessary to develop emergency response plans; the City's critical infrastructure; possible recommendations coming from the assessment; that the assessment is not about water quality; and the standards for cities with larger populations.

Motioned by Councilmember Culver, seconded by Councilmember Cogan, to approve a resolution authorizing the City Manager to enter into an agreement with Half Associates, Inc. for a Risk and Resilience Assessment and Emergency Response Plan, in the amount of \$74,000.

Motion approved 6-0-0. Mayor Boyter declared the motion carried.

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

No reports were given.

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

Regarding the sidewalk section discussed at the last Council meeting, City Manager Jimmy Stathatos reported that staff would need to work with some property owners due to the slope of their yard and a minor retaining wall may need to be installed. The total estimated cost for the sidewalk is \$98,000. There are funds available in the Street Improvement Economic Development Corporation (SIEDC) fund balance to pay for the sidewalk during the current fiscal year and staff will ask for a budget adjustment at the next SIEDC meeting. The installation could start by the end of July.

#### **a) Stakeholder selection process for the Performing Arts Center project.**

Mr. Stathatos stated staff wants to make sure they are fulfilling Council's vision for the Performing Arts Center project and he discussed options for the stakeholders, including a formal committee or multiple public meetings to solicit input. He asked Council if they wanted something in terms of formalizing the stakeholder selection process. Interim Capital Projects Director Kelly Snook stated three workshops will be held, which will provide the City with the final programming for the Center to move forward with the design and construction documents. She stated Council previously appointed a steering committee for the project, which included Mayor Boyter and Councilmembers Culver and Sabol. Mr. Stathatos recommended having televised public outreach meetings and cautioned the project may become politicized if only certain people are selected.

Drew Everston and Matt Lorenz with BRW Architects discussed the public outreach meeting process and stated the first meeting would be focused on information gathering, with the following meetings including design charettes. There was discussion on the number of stakeholders; the nature of the workshops as stated in BRW's contract; avenues to gather information, including virtual or in-house meetings; the range of stakeholders to gather the best possible data; including stakeholders involved in the discussion on Generations Park, such as groups previously located in the park; contacting other groups, businesses, schools, and residents; Council's desire for a community-wide stakeholder outreach; forming a steering committee to help provide guidance on the project; the Communications team and BRW working on public outreach; public buy-in to the project's vision; the project's budget constraints; and ensuring transparency regarding the process and Council's expectations. Council was of the consensus to form a steering committee

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comprised of Councilmembers Burnett, Culver, and Sabol to communicate with and provide guidance to the stakeholders. Councilmember Culver stated she would remove herself from the committee if Councilmember Gagliardi wanted to be on it.

### **b) Discussion about whether to move forward with the Old Bedford School bathroom project.**

Mr. Stathatos stated Council requested staff meet with BRW Architects about their opinion on the Old Bedford School (OBS) bathroom project. BRW advised they would be finished with their workshops within four months and would then have a better idea how the bathrooms fit into the overall plan for the Performing Arts Center (Center). The representatives from BRW recommended Council wait on how the concept design of the Center would interact with the existing building and then decide on the bathrooms at that time. There was discussion on the need for the bathrooms prior to the construction of the new facility; previous Council direction on the issue; the previous \$175,000 cost estimate provided by the previous architectural firm; the timeframe for construction; the impact on programming at the OBS with delaying the project; moving forward on the bidding process; programming at the OBS once it reopens; and obtaining a cost estimate for the bathrooms. Council was of the consensus for staff to bring back a cost estimate at the next meeting to continue the discussion on this item.

### **EXECUTIVE SESSION**

- a) Pursuant to 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) Pursuant to 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) Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – Bedford Hotels, LLC.**
- d) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease or value of real property – possible acquisition of real property for redevelopment purposes.**
- e) Pursuant to Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – evaluation of the City Manager.**

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; Section 551.072, to deliberate the purchase, exchange, lease or value of real property – possible acquisition of real property for redevelopment purposes; and Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – evaluation of the City Manager, at 7:24 p.m.

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Council reconvened from Executive Session at 8:43 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.**

No action was necessary as a result of the Executive Session.

**ADJOURNMENT**

Mayor Boyter adjourned the meeting at 8:43 p.m.

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Michael Boyter, Mayor

ATTEST:

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Michael Wells, City Secretary