

Council Minutes June 25, 2019

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 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 25th day of June, 2019 with the following members present:

Jim Griffin	Mayor
Michael Boyter	Councilmembers
Dan Cogan	
Ruth Culver	
Roger Fisher	
Amy Sabol	

constituting a quorum.

Councilmember Sartor arrived at 5:58 p.m.

Staff present included:

Brian Bosshardt	City Manager
Cliff Blackwell	Assistant City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Sean Fay	Fire Chief
Natalie Foster	Public Information Officer
Jeff Gibson	Police Chief
Kenny Overstreet	Public Works Director
Bill Syblon	Economic Development Director

WORK SESSION

Mayor Griffin called the Session to order at 5:31 p.m. He stated Councilmember Sartor was running late and there were issues with the Council meeting being shown on AT&T U-verse.

• Discussion on Tax Increment Reinvestment Zones and Public Improvement Districts.

Nick Bulaich with Hilltop Securities presented an overview of Tax Increment Reinvestment Zones (TIRZ) and Public Improvement Districts (PID). He stated a TIRZ is a defined zone within the City limits created by council action to provide infrastructure and public improvements within the zone. Any increase in taxable values can be diverted into a TIRZ fund. Property owners in a TIRZ pay the same tax rate as those outside of it, with incremental taxes being redirected into the TIRZ fund. He gave an overview of administrative responsibilities with a TIRZ. In response to questions from Council. Mr. Bulaich stated the length of a TIRZ and a city's contribution is determined by council policy; that a TIRZ is a performance-based reimbursement economic development tool; and the appraisal district sets the value increments within the TIRZ.

Mr. Bulaich stated a PID is similar to a TIRZ, but a city can also levy a capital and/or maintenance assessment, which can be applied to residential, commercial, multi-family or retail properties. A capital assessment can be prepaid at any time. The goal of a PID is to limit repayment of the special benefit to those within the PID and, unlike a TIRZ, the assessment does not change based on property value. Cities can issue special revenue bonds, which can be paid from the capital assessments. Mr. Bulaich provided an overview of concepts related to PIDs, including tax stacks, value to lien ratio, value proposition, due diligence on the developer, reimbursement vs “dirt” bonds, bond structure, affordability of development and long-term commitment and involvement by a city. He provided an overview of administrative responsibilities with a PID.

There was discussion on TIRZ and PID in other cities. In response to questions from Council, Mr. Bulaich stated cities are using TIRZ and PID for revitalization of older areas without burdening the entire city. A capital assessment would cease once it is completely paid; however, a maintenance assessment is ongoing, and would be subject to an annual budget update approved by Council. There was discussion on bonds related to TIRZ and PID and the impact of the newly implemented tax cap. City Manager Brian Bosshardt stated TIRZ and PID are tools that can be used as part of the City’s redevelopment strategy.

- **Discussion regarding the state of Code Enforcement in the City and changes made in enforcement efforts since this item was last brought to Council.**

Councilmember Boyter requested this item be placed on the agenda for discussion. He stated he reacted emotionally to a speaker’s allegations at the previous meeting and apologized to the staff. He stated based on bodycam footage, the Code Supervisor acted professionally and respectfully. He stated he is passionate about the work being done and where the City is going, and discussed the Strategic Plan, specifically regarding organizational excellence.

Police Chief Jeff Gibson presented an overview of the Code Compliance Division. He stated they are allotted for one code technician, four code officers and one code supervisor, but for the previous year, they have been operating with only one and a half full-time equivalents. One of the challenges was employees not meeting expectations leading to separations. The Police Department performed its due diligence in recruiting and Code is now fully staffed, with the recently hired code officers already being certified. He stated Code is transitioning to be under the Development Department and being renamed Neighborhood Services. In response to questions from Council, Chief Gibson stated parking complaints were handled by the Traffic Division while Code was dealing with its staffing issues. He anticipates Code becoming more proactive and collaborating further with other organizations and the community.

Mr. Bosshardt stated Council approved a neighborhood services manager position the previous year, who will oversee outreach into the neighborhoods, and the Code Supervisor is working on a policy with respect to how code is affected in neighborhoods. Chief Gibson stated the Volunteers in Police Service (VIPS) are assisting Code with re-inspections and widespread complaints such as high grass and weeds and recycling carts in view. Code officers will still be able to issue citations when they move under Development. Councilmember Fisher stated the accusation made against the Code Supervisor the previous meeting was false, she acted professionally, and she and staff deserve Council’s apology. Councilmember Sabol stated she did not believe the accusation against the Code Supervisor, but the resident did have a genuine complaint regarding a code issue. Chief Gibson stated Code is directed to examine surrounding properties when responding to code issues, and the notice residents receive regarding code issues is being changed to read “Warning” as opposed to “Notice of Violation” to avoid confusion.

Mayor Griffin adjourned the Work Session at 6:44 p.m.

REGULAR SESSION

The Regular Session began at 6:52 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION (Pastor Robert White, Freedom Church)

Pastor Robert White of Freedom 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, 4thFest at the Boys Ranch Park; a “Flick with Fido” event at the Bark Park on July 12, 2019; and Blues and BBQ from August 30 to September 1, 2019.

OPEN FORUM

Tom Culbert, 1925 Charleston Drive, Bedford – Mr. Culbert signed up to speak on Item #11. He stated the Senior Center no longer had a liaison or a manager. He discussed the attendance at the Senior Center dances and bingo.

CONSIDER APPROVAL OF ITEMS BY CONSENT

City Manager Brian Bosshardt presented an overview of items on the consent agenda.

Motioned by Councilmember Boyter, seconded by Councilmember Fisher, to approve the following items by consent: 1, 2 and 3.

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

- 1. Consider approval of the following City Council minutes:
a) June 11, 2019 regular meeting**

This item as approved by consent.

- 2. Consider a resolution removing a member from the Parks and Recreation Board.**

This item was approved by consent.

- 3. Consider a resolution authorizing the City Manager to enter into a three-year contract with Cintas Corporation to supply janitorial products, rugs, and shop towels in an amount not to exceed \$32,000 per year.**

This item was approved by consent.

4. The following individuals have requested to speak to the Council tonight under Persons to be Heard:

- a) Josh Santillan and Sergio Santos, Central Arts of Bedford, 2816 Central Drive #149, Bedford, Texas 76021 - Request to speak to Council regarding the arts in Bedford and their future plans.**

Josh Santillan and Sergio Santos, 2816 Central Drive #140, Bedford, Texas, representing Central Arts of Bedford, discussed the recent dialogue on the arts in the City. They presented information on the impact of putting art into empty storefronts had on the Bedford Meadows Shopping Center, and the businesses that are now located there. They stated the art created an environment that made the shopping center viable to other businesses. They presented data showing from where people came to their events, and discussed programming at Central Arts, including concerts, film nights, gallery shows, art classes, summer day camps, and after-school programs. They discussed partnerships with companies and other non-profits, their other location in the City of Hurst, their volunteers, the late Councilmember Ray Champney's vision to make Bedford a cultural destination, their role in the community, and their partnership with the City. They stated they are a part of the arts in Bedford and want to continue the dialogue with the City and see it dialogues turn into action. They discussed their relationship with the shopping center owners and their engagement with Hurst in the Belaire Shopping Center, which Hurst plans to revitalize and make the center of their art district. There was discussion regarding the impact of art on economic development, what Bedford can do to further the success of Central Arts and shopping centers, and partnering with the City.

- b) Dorothy McWhorter, 1600 Martha Drive, Bedford, Texas 76022 - Request to speak to Council regarding the June 11, 2019 City Council Meeting.**

Dorothy McWhorter, 1600 Martha Drive, Bedford, Texas – Ms. McWhorter discussed Fire Chief Sean Fay's report at the previous Council meeting about the state of the City's emergency warning system. She asked what the people's and Council's priorities were after approving \$5,500,000 for the arts. She stated the City is responsible for the safety and welfare of residents and hoped Council and the people give the City Manager the necessary funds to provide basic services to all the residents.

Ms. McWhorter discussed four councilmembers having conflicts with the City Manager and her thoughts during the meeting. She stated the City Manager provided Council with all the information he received, and per the City Charter, Council implements policies, not the City Manager. She stated Council felt they needed more input from citizens than what was provided in the bond and approved putting the survey on the website to do so, with the City Manager passing along the information. She asked why survey input was not secured prior to the item being placed on the ballot. She requested the City Manager not be dragged into conflicts between Councilmembers. She stated the Council's Code of Conduct was violated at the previous meeting and work session when one councilmember instigated a confrontation with another. She stated the rules against using indecorous language was also violated. She stated Council failed to apply to themselves the rule regarding conduct unbecoming found in Citizen's Rights During Council Meeting, citing the body language of one Councilmember while another one is speaking. She called upon the Mayor to assure all Code of Conduct violations are identified during meetings and made part of the public record in the minutes, which she hopes will return professionalism in the Chambers. She stated she looks for the ability to rise to the occasion in a leader, and that Council is being given that opportunity.

5. Employee Service Recognition

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

Orlando Prieto, Police Department - 5 years of service
Deborah Carlisle, Police Department - 20 years of service
Ryan Hancock, Fire Department - 15 years of service
Michael Barnhart, Fire Department - 20 years of service

NEW BUSINESS

6. Public hearing and receive Council direction regarding the appointment of a Charter Review Commission.

City Secretary Michael Wells presented information regarding this item. He stated Section 11.17 of the City Charter requires a public hearing be held every five years after an amendment to the Charter to receive input on the appointment of a Charter Review Commission. He presented an overview of the duties of the Commission and stated a resolution formally establishing one would be presented at the next meeting if Council chose so desired. He asked for direction on the appointing members to the Commission as the Charter is silent regarding an appointment process. He stated Council can place amendments to the Charter on the ballot without a Commission.

Mayor Griffin opened the public hearing at 8:08 p.m.

Dorothy McWhorter, 1600 Martha Road, Bedford, Texas – Ms. McWhorter asked if there were any new state laws applicable to the Charter. Mayor Griffin stated there were no state law or City requirements related to the Charter.

Mayor Griffin closed the public hearing at 8:08 p.m.

Council was of the consensus to not appoint a Charter Review Commission.

7. Consider an ordinance amending Chapter 2. "Administration," Article IV. "Boards, Commissions, and Committees," Division 3. "Community Affairs Commission," Section 2-232 - Subcommittees of the City of Bedford Code of Ordinances; repealing all ordinances in conflict herewith; containing a savings clause; and declaring an effective date.

Mr. Wells presented information regarding this item. He stated Sal Caruso, Chairperson of the Community Affairs Commission, requested at the previous Council meeting that the Faith Based Outreach and City Expo subcommittees be removed and that subcommittees for block parties and their awards program be added.

Motioned by Councilmember Boyter, seconded by Councilmember Culver, to approve an ordinance amending Chapter 2. "Administration," Article IV. "Boards, Commissions, and Committees," Division 3. "Community Affairs Commission," Section 2-232 - Subcommittees of the City of Bedford Code of Ordinances; repealing all ordinances in conflict herewith; containing a savings clause; and declaring an effective date.

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

8. Consider a resolution of the City Council of the City of Bedford, Texas approving a Retail Center Revitalization Program Grant, pursuant to Chapter 380 of the Texas Local Government Code and the City's Economic Development Incentive Policy and Program, to Rainbow Shop, LLC.

Development Director Bill Syblon presented information regarding this item. He stated the Retail Center Revitalization Program is a matching grant to assist retail centers with façade improvements, with the goal to revitalize older commercial corridors. The applicant is the owner of the Stonegate Shopping Center. He stated the owner owes taxes from 2018 but is making good on the payments. The owner's goal is to paint the entire center and rehabilitate the pylon sign; however, this application is for the part of the center where Turning Point Beer is located. Based on the program guidelines and quotes submitted for the work, they are eligible for a matching grant of approximately \$13,000, which would be paid from the Economic Development Fund. In response to questions from Council, Mr. Syblon confirmed the grant is performance-based and would not be paid until completion of the work. There was discussion on advertising the program to other shopping centers. Mr. Syblon stated the program does not apply to stand-alone buildings; however, there is flexibility under Chapter 380 of the Local Government Code to engage with single tenant property owners. He stated per the center's management company, the improvements to the center will come in phases, with this item being for the first phase. There was discussion regarding the unpaid taxes. Mr. Syblon stated the painting will be the same color scheme currently on the building.

Motioned by Councilmember Cogan, seconded by Councilmember Fisher, to approve a resolution of the City Council of the City of Bedford, Texas approving a Retail Center Revitalization Program Grant, pursuant to Chapter 380 of the Texas Local Government Code and the City's Economic Development Incentive Policy and Program, to Rainbow Shop, LLC.

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

9. Consider a resolution authorizing the City Manager to expend funds and enter into an interlocal agreement between the City of Bedford and the City of Euless, Texas to designate a fiscal agent for the engineering, design, construction, management and costs of roadway improvements at the intersection of Heritage Avenue, Woodpark Lane and Cheek Sparger Road.

Public Works Director Kenny Overstreet presented information on this item. He stated the Council previously authorized an interlocal agreement with the cities of Euless and Colleyville, and Tarrant County, for design of a traffic signal and a traffic study for the intersection of Heritage Avenue, Woodpark Lane and Cheek Sparger Road. After the study, there was discussion on widening the road to maintain traffic flow and improve the stacking of vehicles. The option recommended by staff would allow for the stacking of nine to twelve vehicles and provide a left turn lane going north on Heritage Avenue. The \$22,500 for the design work would be paid from the \$100,000 approved for the traffic signal project. An item will be brought to the Street Improvement Economic Development Board and Council seeking funding for the road construction, estimated to be \$185,000.

Motioned by Councilmember Fisher, seconded by Councilmember Culver, to approve a resolution authorizing the City Manager to expend funds and enter into an interlocal agreement between the City of Bedford and the City of Euless, Texas to designate a fiscal agent for the

engineering, design, construction, management and costs of roadway improvements at the intersection of Heritage Avenue, Woodpark Lane and Cheek Sparger Road.

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

10. Mayor/Council Member Reports

Mayor Griffin reported he participated in the dedication of the walkway and commemorative stones honoring police officers and volunteers at the Law Enforcement Center the previous week. He also participated in an event at the Northeast Subcourthouse benefiting United Way with County Commissioner Gary Fickes.

Councilmember Fisher stated he was proud of Council for the effort they put in at their special session the previous week.

Councilmember Boyter stated Council had a productive work session and came together with a vision and ideas for the bond.

Councilmember Culver stated the contentious Council meeting led Council to come together and work as a team, and she appreciates each member of Council.

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

✓ Animal Shelter Advisory Board

No report was given.

✓ Beautification Commission

Councilmember Boyter stated the Board is unique in that they are a working commission and are passionate for what they do. They are taking the initiative with strategic planning and applying it to their future, including the impact they can have at other parks besides the Boys Ranch.

✓ Community Affairs Commission

No report was given as there was no quorum.

✓ Cultural Commission

Councilmember Sabol reported on a recent finger-painting team exercise held at Central Arts of Bedford and thanked Mayor Griffin and Councilmember Boyter for attending.

✓ Library Advisory Board

Councilmember Cogan reported the Board met and reviewed the quarterly report. He presented information on Library statistics.

✓ Parks and Recreation Board

Councilmember Sartor encouraged people to attend 4thFest. He discussed working with Councilmember Boyter on collaborations between the Board and the Beautification Commission.

✓ **Teen Court Advisory Board**

No report was given.

12. City Manager/Staff Reports

City Manager Brian Bosshardt reported staff plans to present information on the use of the Tourism Fund for an art non-profit grant program at the Council meeting on July 23, 2019. He stated the City closed on the sale of the Clubhouse for Special Needs property.

ADJOURNMENT

Mayor Griffin adjourned the meeting at 8:37 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary