

Council Minutes February 10, 2015

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 5:45 p.m. in the Conference Room, Work Session at 6:00 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 10th day of February, 2015 with the following members present:

Jim Griffin
Michael Boyter
Ray Champney
Jim Davisson
Steve Farco
Roger Fisher
Roy W. Turner

Mayor
Council Members

constituting a quorum.

Staff present included:

Beverly Griffith
David Miller
Stan Lowry
Michael Wells
Chuck Carlisle
Natalie Foster
Wendy Hartnett
Tom Hoover
Jerry Laverty
Mirenda McQuagge-Walden
James Tindell

City Manager
Deputy City Manager
City Attorney
City Secretary
Risk and Contract Services Manager
Marketing Specialist
Special Events Manager
Public Works Director
Environmental Specialist
Managing Director
Fire Chief

CONFERENCE ROOM WORK SESSION

Mayor Griffin called the Work Session to order at 5:45 p.m.

- **Interviews for appointment to Bedford's Citizen Boards and Commissions.**

The Council conducted interviews to Bedford's Citizen Boards and Commissions.

Mayor Griffin adjourned the Work Session at 5:55 p.m.

COUNCIL CHAMBER WORK SESSION

Mayor Griffin called the Work Session to order at 6:00 p.m.

- **Review and discuss items on the regular agenda and consider placing items for approval by consent.**

Council discussed placing the following items on consent: 2, 6, 7, 8, 9, 10, 11, and 12.

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Fire Chief James Tindell presented information regarding Item #7, which is to remount a current 2008 Ford ambulance. In the remounting process, the patient compartment is removed from the chassis, a new chassis is placed underneath, and the compartment is completely renovated. The ambulance would then be utilized for another five years before being sent to auction. In answer to questions from Council, Chief Tindell stated that remounting would save approximately \$80,000 over purchasing a new ambulance.

Risk and Contractual Services Manager Chuck Carlisle presented information regarding Item #8, which is for an update to the Clean Fleet Policy first adopted in 2006. In 2012, the Environmental Protection Agency (EPA) designated 10 counties in the north Texas region as non-attainment for ozone pollution, which lead the North Central Texas Council of Governments (NCTCOG) to take action and develop an air quality standard. A State Implementation Plan is required for all non-attainment areas to demonstrate how ozone will be reduced. The update to the Policy will not cost the City any additional funds but by not adopting it, the City would not be eligible for clean fleet grants. In answer to questions from Council, Mr. Carlisle stated that the City is required to adopt a vehicle idling policy, which does not affect the Police or Fire Departments and requires that vehicles not idle for longer than five minutes except in cold weather; that any new vehicles the City purchases will meet the Policy and that staff may look at smaller, more fuel-efficient vehicles; and that the update to the Policy would not require the City to purchase new vehicles but would make the operation of the current fleet more efficient.

Public Works Director Tom Hoover presented information regarding Item #9. This item would utilize the interlocal agreement with Grand Prairie for thermal plastic striping. Funding in the amount of \$84,000 for striping comes out of 4B, with the remaining \$15,000 in the budget being used to paint street names on curbs and for specialized painting at certain facilities. The thermal plastic will last several years. Staff is also doing improvements at Forest Ridge Drive and Harwood Road, where the new trail extension was constructed. In answer to questions from Council, Mr. Hoover stated that striping would start when the ground temperature is 70 degrees; that by utilizing the interlocal agreement, the City would not need to go out for bids, which would save approximately \$6,000; and that the City would see significant savings by partnering with Grand Prairie.

Mr. Hoover presented information regarding Item #10. In late October of 2014, Saber Development was awarded a contract in the amount of approximately \$400,000 for the rehabilitation of the sewer that runs through the Boys Ranch. This was to be done in conjunction with the Boys Ranch improvements. The improvement plans were received from the consultant for the Boys Ranch, which were then incorporated into the sewer design. The Army Corp of Engineers made changes that would require the sewer line that serves the existing restroom to be an aerial crossing. As this is not ideal, it was decided to move the sewer line. Further, the restroom that is part of Phase 2 of the Boys Ranch improvements could not be served by the new sewer as it will be at a lower elevation. He stated that these improvements could be made now or there would have to be the aerial crossing and a lift station to serve the future restroom. Staff would ensure that the backfill is extra compacted where the line runs across an existing baseball field and materials will be stockpiled for where the line crosses part of the infield. In answer to questions from Council, Mr. Hoover stated that a lift station would cost between \$80,000 and \$100,000; that the City will be saving money in the long run; and that funding would come from the Utility Maintenance Fund and the 2010 Water and Sewer Certificates of Obligation.

Mr. Hoover presented information regarding Item #11. The number one project identified by the Water Master Plan was for a large diameter main to be connected to the existing water tower on Bedford Road, and then extended to the southwest to Brown Trail and connected to the existing mains there. The area would have to be isolated to make the connection and therefore, staff wants to do the project while the weather is cooler and there is less demand on the water system. Pacheco Koch has done other projects in the City and staff is comfortable recommending them for the project. In answer to a question from Council, Mr. Hoover stated that this was a project that could be done with in-house engineering in the future. In answer to a question from Council, City Manager Beverly Griffith stated that in regard to hiring engineering staff, information requested by Council is still being compiled.

- **Presentation regarding the possible implementation of Stage 2 Drought Measures and current water supply levels.**

Environmental Specialist Jerry Laverty stated that the latest information from the Tarrant Regional Water District (TRWD) shows the City to be in an extreme drought. The reservoir storage level is at 62.3 percent as of January 23, which is really close to Stage 2. Stage 1 limits watering to twice a week and requires a five percent decrease in usage. When the reservoirs get to 60 percent, Stage 2 will be initiated. The reservoirs supply 1.8M residents and TRWD's primary customers are Fort Worth, Arlington, Mansfield and Trinity River Authority (TRA). He stated that weekly watering advice can be found on the Lawn Whisperer Facebook page and information will be put out on the City's social media accounts.

Mr. Hoover stated that in Stage 1, watering is restricted to twice a week and cannot be done between 10:00 a.m. and 6:00 p.m.; that hosing down paved areas is prohibited; that watering can be done with a hose with a nozzle, including for the foundation, at anytime except between 10:00 a.m. and 6:00 p.m.; that variances are given out for new sod; that it is encouraged that car washing be limited to a handheld bucket and a hose with a nozzle; that swimming pool owners are encouraged to reduce filling and draining their pools; and that sports fields can always be watered. Stage 2 occurs when the water supply drops to 60 percent or below, and Stage 3 occurs when the water supply drops to 40 percent. If the supply goes above 60 percent, it has to remain at that level for 30 days in a row in order to go back to Stage 1. In Stage 2, watering is reduced to once a week; a 10 percent reduction in water consumption is the goal; swimming pools cannot be refilled with automatic valves; HOAs or anybody with fountains will be asked to stop that operation; and foundations and new landscaping can only be watered up to two hours a day with a handheld hose with a nozzle. In Stage 3, there is no outside watering allowed, except for the foundation, and there would be no variances for landscaping. In answer to questions from Council, Mr. Hoover stated that the City, along with TRA and the cities of Grapevine, North Richland Hills, Colleyville and Euless, were unanimous in going to Stage 2; that the TRWD would give the cities 30 days before enforcement; that signs will be put up and information put out on social media; that in Phase 2, drip lines can be used up to two hours a day; that the State has asked the major purveyors of water to come up with contingency plans for alternate sources of water and staff can ask the TRWD if they have any presentations regarding their plans; that Stage 2 restrictions may go into effect on April 1; and that citizens need to be prepared for this to be a lasting change.

- **Presentation regarding application for State Water Implementation Fund for Texas (SWIFT).**

Mr. Hoover stated that in 2013, the State legislature authorized the transfer of \$2B from the Rainy Day Fund into the State Water Implementation Fund for Texas (SWIFT). This fund generates \$800M to \$900M for lending to political subdivisions, a certain percentage of which is for water conservation. In November, staff talked with a consultant regarding approaching this funding through the water conservation side. The City needs to replace aging and leaking water mains with new mains, thereby conserving water. Staff went to the TWDB's Region C Planning Group who agreed to modify the State's plan. The next step would be then to get the TWDB to modify the plan. The City is asking for \$90M, which would replace three quarters of the City's system, as well as implement Automated Meter Reading (AMR). He stated that the funding is a loan, not a grant, and the City would take out a loan for whatever amount is needed at the time. The City has only asked for reimbursement for actual construction costs. If the City gets the full amount, it could realize between \$8M to \$20M in savings in financing costs. In answer to questions from Council, Mr. Hoover stated that the consultant cost approximately \$13,000 and was paid out of the Utility Fund; that the interest rate on these loans is around one percent, while the City typically pays in the low two percent range on its bonds; that these funds cannot be used to refinance existing loans; that the interest rate is not fixed; that the approval of funds is generally good for approximately five to ten years; that the funds were established through a constitutional amendment; and that the replacement of water mains is something the City would need to do regardless. There was discussion on assistance from the State Representative's Office.

Mayor Griffin adjourned the Work Session at 6:53 p.m.

REGULAR SESSION 6:30 P.M.

The Regular Session began at 7:01p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION (Pastor Jim Pack, City Life Church)

Pastor Jim Pack of City Life Church gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

ANNOUNCEMENTS/UPCOMING EVENTS

Marketing Specialist Natalie Foster stated that the Cultural Commission will be holding ArtsTalk on Monday, February 23 at the Old Bedford School, where the past year's achievements, upcoming events and the new events calendar will be discussed. The wine reception will be at 6:30 p.m., with the program starting at 7:00 p.m. The Community Affairs Commission will be hosting a Business Roundtable on Thursday, March 5 from 8:00 a.m. to 9:00 a.m., with breakfast being served at 7:30 a.m. Updates will be given on economic development, Bedford Commons, and ShopBedfordFirst.com. There are still spaces available at ArtsFest on Saturday, March 28 for artists that want to display and sell their art. She discussed the 100 year anniversary at the Old Bedford School.

OPEN FORUM

Starr Finn, 1545 Forest Park Circle #238, Bedford – Ms. Finn signed up to speak on Item #6 regarding the resolution for the sale of beer at 4thFest. She is concerned that the flood gates have been opened up for alcohol in the City and there are five establishments with over 50 percent in alcohol sales. She thinks that the City needs a standard and to send the right message. She is not talking about a prohibition but a balance. She believes the wrong message is being sent to the culture and youth when alcohol is free flowing, and that it also causes problems with the Police Department. She cited Biblical passages regarding drunkenness and alcohol. She asked that Council consider how much the door has been opened to alcohol and the message being sent to the youth. She discussed that the “new normal” is not God’s way.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilmember Champney, seconded by Councilmember Davisson, to approve the following items by consent: 2, 6, 7, 8, 9, 10, 11, and 12.

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

COUNCIL RECOGNITION

1. Proclamation declaring February 2015 as Love Your Library Month in the City of Bedford.

Mayor Griffin read a proclamation declaring February 2015 as Love Your Library Month in the City of Bedford. Library Director Maria Redburn and Mary Woodward were present to accept the proclamation. Ms. Redburn discussed the Library being given the 2014 Achievement in Excellence in Libraries Award from the Texas Municipal Library Directors Association, which she presented to Ms. Woodward for her work in the Library getting the award.

APPROVAL OF THE MINUTES

2. Consider approval of the following City Council minutes:
- a) January 22, 2015 joint work session
 - b) January 22, 2015 work session
 - c) January 27, 2015 regular meeting

This item was approved by consent.

PERSONS TO BE HEARD

3. The following individual has requested to speak to the Council tonight under Persons to be Heard:
- a) Tom Culbert, 1925 Charleston, Bedford, Texas 76022 – Requested to speak to the Council regarding the Senior Activity Center.

Tom Culbert, 1925 Charleston Drive, Bedford, Texas – Mr. Culbert expressed concerns about the Senior Center dance, which brings a lot of people together and is good for socializing and a good physical activity. In order to have these dances, they need 50 people to attend at \$6.00 a person to pay for the band, and they also have a basket for donations for snacks. A woman had a birthday party and her sons and daughter paid for the band, so they only charged \$2.00 and 80 people signed in. The attendance at the last two dances has been 58 and 79 people. He wants Council to know how important the dance is to the people that attend them and to weigh heavily before cutting it back to every other week. He stated another way to keep up the attendance is to have people at the door to meet people coming to the dance. The Dance Committee resigned in mass and now there is not a regular committee for the event. Twenty-one people signed up to volunteer to help with the dances but have not been utilized. He wanted to make Council aware of all the things they have to go through to keep the dance going every week. He discussed the dances being on Mondays and the rumors they are being cut to every other week. In answer to questions from Council, Mr. Culbert stated that the jam sessions are held on Friday and usually have 25 people in a circle and another 25 around the circle; that they needed 50 people to attend the dances to break even; and that he does not know if they average enough to break even. Council discussed that there is no effort on the Council's part to cutting the dances to once a week and that they are self-funded; that Councilmember Fisher would pay for a dance; that before staff changed anything, they would discuss it with the people involved; that other activities are being explored; and asking for Boy Scouts to attend to make the event cross-generational. In answer to further questions from Council, Mr. Culbert stated that they have four bands that rotate and some do not draw well; and that Pete & Patty are the best band.

NEW BUSINESS

4. Consider a resolution authorizing the City Manager to dissolve the City's 401(a) plan through the International City Management Association Retirement Corporation (ICMA-RC), effective April 1, 2015.

City Manager Beverly Griffith presented information regarding this item and Item #5. She stated that the 401(a) plan through ICMA served as the City's only and primary retirement plan for several years. The City deposited 12 percent of an employee's annual compensation with no contribution from the employee. In 2009, a proposal was brought to Council to join the Texas Municipal Retirement System (TMRS), which is common amongst municipalities. In TMRS, employees contributed five percent of their gross compensation with a two-to-one match from the City. In conjunction with this, the amount put into ICMA was reduced to four percent. The 401(a) remained active for a period of five years due to the structure of the accounts, including loans. The first opportunity to look at a more competitive participation in TMRS was October 1, 2015. Funding was allocated for a conversion to a seven percent employee contribution with a two-to-one match from the City. In order to make this change cost neutral, ICMA contributions would need to be discontinued. Both of these actions would become effective April 1, 2015. The ICMA funds would remain in an inactive status for one year and would require employees

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to close their accounts and either transfer or withdraw their funds by March 31, 2016. In answer to questions from Council, Ms. Griffith stated that if approved, the TMRS portion would happen automatically, with the only difference being the contribution; mandatory employee meetings regarding ICMA will be scheduled for the weeks of March 9 and March 23; additional things may be done for employees with specialized situations if needed; and that there has been discussion on putting together source information regarding what financial companies are out there and training sessions with an independent third party. There was discussion on the effect these changes would have on employees.

Motioned by Councilmember Fisher, seconded by Councilmember Davisson, to approve a resolution authorizing the City Manager to dissolve the City's 401(a) plan through the International City Management Association Retirement Corporation (ICMA-RC), effective April 1, 2015.

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

5. Consider an ordinance to increase the rate of deposit to the Texas Municipal Retirement System by the employees of the City of Bedford from 5% to 7% effective April 1, 2015.

This item was discussed with Item #4.

Motioned by Councilmember Fisher, seconded by Councilmember Farco, to approve an ordinance to increase the rate of deposit to the Texas Municipal Retirement System by the employees of the City of Bedford from 5% to 7% effective April 1, 2015.

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

6. Consider a resolution authorizing the sale of beer at 4thFEST held at the Boys Ranch Park on July 4, 2015.

This item was approved by consent.

7. Consider a resolution authorizing the City Manager to enter into a contract with BuyBoard Cooperative Purchasing Network for the purchase of one ambulance modular remount on a 2015 Ford F550 chassis in the amount of \$125,815.50.

This item was approved by consent.

8. Consider a resolution adopting the North Central Texas Council of Governments Clean Fleet Vehicle Policy.

This item was approved by consent.

9. Consider a resolution authorizing the City Manager to utilize the City of Grand Prairie's Pavement Marking Service Contract with Stripe-A-Zone in the amount of \$84,899.68 through a Master Interlocal Cooperative Purchasing Agreement.

This item was approved by consent.

10. Consider a resolution authorizing the City Manager to approve Change Order #1 for the Bedford Boys Ranch Sanitary Sewer Renewal and Rehabilitation Project in the amount of \$85,709.55.

This item was approved by consent.

11. Consider a resolution authorizing the City Manager to enter into a Professional Services Contract with Pacheco Koch, LLC in the amount of \$50,389 for the design services for a water line on Bedford Road between Brown Trail and Somerset Terrace.

This item was approved by consent.

12. Consider a resolution appointing members to serve on Bedford's Citizen Boards and Commissions.

This item was approved by consent.

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

✓ **Animal Shelter Advisory Board - Councilmember Fisher**

Councilmember Fisher reported that the Board met the previous week and there were no dangerous animal issues or multi-pet permits to discuss. He stated that most of the City's Boards and Commissions do not have an open forum component and that they are under the direction of the Council on the goals and ideas of the Council, and public forum is not conducive in that arena. He invited anybody who wanted to speak at a Board and Commission meeting to sign up to speak to the Council.

✓ **Beautification Commission - Councilmember Turner**

Councilmember Turner stated that the next Commission meeting will be held Monday, February 16. They are actively involved in scheduling events for the whole year. He recognized Chairperson Marty Geer who was in attendance.

✓ **Community Affairs Commission - Councilmember Boyter**

Councilmember Boyter recognized Roy Savage, Gary Morlock, Sal Caruso and Mark Massey who were in attendance. He discussed the Business Roundtable on March 5 at the Library. Breakfast will be at 7:30 a.m. with discussion from 8:00 a.m. to 9:00 a.m.

✓ **Cultural Commission - Councilmember Champney**

Councilmember Champney stated he was unable to attend the previous meeting. He discussed the ArtsTalk event scheduled for February 27.

✓ **Library Board - Councilmember Davisson**

Councilmember Davisson stated that the Library Survey will be out on February 13 at the Library and on the website.

✓ **Parks & Recreation Board - Councilmember Davisson**

Councilmember Davisson reported that the Parks and Recreation Survey will be out in mid-February at the Library and on the website.

✓ **Teen Court Advisory Board - Councilmember Farco**

Councilmember Farco reported that there will be a Scholarship Subcommittee meeting on Thursday to discuss how much is being given out in scholarships. There will be a sponsorship meeting on February 20 for their annual banquet scheduled for April 16 at the Hurst Convention Center. The silent auction starts at 6:00 p.m. and the banquet will be from 7:00 p.m. to 9:00 p.m.

14. Council member Reports

Mayor Griffin reported that he, Councilmember Turner, Councilmember Champney and Councilmember Farco attended the groundbreaking for the new ICU Unit at HEB Hospital. They are targeting to be open by July of 2016.

15. City Manager/Staff Reports

No report was given.

EXECUTIVE SESSION

To convene in the conference room, if time permits, in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- a) Pursuant to Section 551.087, deliberation regarding economic development negotiations with the City of Euless.
- b) Pursuant to Section 551.074, personnel matters – annual performance review of the City Manager.

Council convened into Executive Session pursuant to Texas Government Code Section 551.087, deliberation regarding economic development negotiations with the City of Euless and Section 551.074, personnel matters – annual performance review of the City Manager at 7:44 p.m.

Council reconvened from Executive Session at 9:46 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.

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

Motioned by Mayor Griffin, seconded by Councilmember Davisson, to accept the retirement of the City Manager and enter into a settlement agreement, subject to the final preparation by the Mayor and the City Attorney with the following terms: one year's salary, to include the car allowance; all accrued leave per the City's policies to be paid in a lump sum; an additional 30 days salary; and vesting in the City's retiree health savings plan provided there is no cost or penalty to the City, effective this evening. Mayor Griffin further moved to name Chief Roger Gibson as Interim City Manager effective immediately with full authority of the City Manager.

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

ADJOURNMENT

Mayor Griffin adjourned the meeting at 9:47 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary