

Council Minutes July 24, 2012

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 24th day of July, 2012 with the following members present:

Jim Griffin	Mayor
Michael Boyter	Council Members
Chris Brown	
Jim Davisson	
Patricia Nolan	
Sherri Olsen	
Roy W. Turner	

constituting a quorum.

Staff present included:

Beverly Griffith	City Manager
David Miller	Deputy City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Roger Gibson	Police Chief
John Kubala	Public Works Director
Jill McAdams	Human Resources
Mirenda McQuagge-Walden	Managing Director of Community Services
Jacquelyn Reyff	Planning Manager
Bill Syblon	Development Director

**WORK SESSION**

Mayor Griffin called the Work Session to order at 5:30 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: 3, 8 and 10.

Council discussed Item #11 regarding the contract with the Tarrant County Tax Assessor and Collector. City Manager Beverly Griffith explained that this contract did go through the Commissioner's Court. The County did not supply their budget but staff was able to obtain information off of their website. The County did provide a summary of their cost of services survey. The account rate was calculated by taking their total expenses and dividing it by the total number of accounts. The last increase was in 2008 from \$0.50 per account to \$0.65 per account. Council was of the consensus to vote on this item during the regular session.

- **Presentation by Robert Hinkle and Lara Kohl, NTE, regarding the S.H. 183 expansion.**

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Lara Kohl with Bluebonnet Construction presented Council an update on the S.H. 183 expansion. With her were Robert Hinkle and Tommy Williamson of NTE. This project starts at the I-35W interchange and runs through Haltom City, North Richland Hills, the interchange at North East Mall, Hurst, Bedford and ends in Euless, just shy of Industrial Boulevard. It involves the complete reconstruction of main lanes and frontage roads, as well as the adding managed toll lanes. The project not only improves mobility but also serves as an economic driver as well as adding employment opportunities. It employs 104 companies with 1,000 people working directly on the project. There are nearly 140 disadvantaged business enterprises working on the project. So far, 1.42M cubic yards of dirt have been excavated with 0.8M cubic yards of concrete poured. \$442M has been spent so far and the project is on track to be complete by June of 2015.

The developer is in charge of operations and maintenance, which includes cleaning, mowing, pothole repair, ice and snow removal and motorist assistance. They also assist the Police and Fire Departments in responding to incidents. In regards to utility relocation, there is approximately 500,000 linear feet of utilities that need to be moved. This involves working with several municipalities and utility companies.

Recent activity includes opening a new westbound frontage road between Norwood Drive and Precinct Line Road, switching the westbound main lanes from Murphy Drive to Central Drive, switching traffic from Central Drive to Bedford Road onto new pavement, and the construction of the first residential noise wall along the westbound frontage road from Stonegate Drive to Brown Trail. This will be the first of 11 noise walls along the corridor. Looking ahead, there will be a complete swap, where everything that has been closed will reopen, while those that have been opened will be closed. On the westbound side, the Central Drive on-ramp and the Bedford Road off-ramp will be opened, while the off-ramps on Central Drive from S.B. 121 and Norwood Drive will be closed. On the eastbound side, this week they are starting to work on the main lanes and shifting that traffic to the north. The Bedford Road on-ramp will be closed.

The main areas of construction in the third quarter will include excavating a lot of dirt, drainage work and building retaining walls west of Precinct Line Road. There will be work on the retaining wall at Norwood Drive and the construction of the Norwood Drive Bridge. As previously mentioned, the westbound Bedford Road off-ramp and the westbound Central Drive on-ramp will be opened. Finally, the Murphy Drive/Westpark Bridge construction should be completed by next month. In regards to activity in the western part of the construction, they are working mainly on the center lanes and constructing frontage roads. The Haltom Road and Denton Highway bridges are being reconstructed and the direct connections from the managed lanes to I-35W are being built.

Ms. Kohl advised that there is a Beat the Traffic app that is free through the project's website at [northtarrantexpress.com](http://northtarrantexpress.com). People can also stay informed through the project's website and hotline, Facebook, Twitter or people can visit the public information center in North Richland Hills.

Council discussed with Ms. Kohl that on westbound S.H. 183 to I.H. 820 in Hurst at the South Glenview exit, the curves are a lot sharper than expected and whether there was anything similar to that being planned in Bedford. Ms. Kohl stated that she would look into correcting the issue in Hurst and will examine the plans for Bedford though, because the highway through Bedford is much straighter than Hurst, she does not expect any such issues. In response to questions from Council, Police Chief Roger Gibson stated that though there have been issues with the Police and Fire Departments due to the construction, the developer has been good at responding to incidents with their equipment and personnel. Further, NTE has been very responsive to problems identified by the Police Department and Public Works. In response to further questions from Council, Ms. Kohl stated that there was some validity to "first in, first out". She will examine if anything can be done with changing the lanes on southbound Central Drive during peak hours as traffic gets backed up to L. Don Dodson Drive.

- **Present report on the 2012 City of Bedford Fourth Fest.**

Special Events Coordinator Wendy Hartnett presented a report on the 2012 City of Bedford Fourth Fest. The goals of the festival were to provide a community event, foster economic growth, encourage citizen involvement and to produce a phenomenal festival. She listed many of the sponsors including Texas Roadhouse who did all the catering for free, McCalister's who helped with dinner, American Ice, Dr. Pepper, EZGO, and Speedpro Imaging who did the frame signs for free. Objectives that the festival was able to achieve included the extensive volunteer program, major parking changes, multi-year agreements, new sponsors such as Bell Helicopter and Brown Mackie College, and departmental synergy. The attendance at Splash was 1,237 for the day and they reached capacity at 3:30 p.m.

In presenting a four-year breakdown of revenues versus expenditures, Ms. Hartnett stated that they are going in the right direction. The festival is a hard catch since it was in the middle of the week and it is a short event. The festival is reevaluated every year in order to maximize what is being done. In regards to the volunteer program, it started in 2010 and has gradually been getting better. This year, the Court provided 21 volunteers who worked a total of 189 hours. Non-profits are paid back \$10.00 an hour; therefore, the Court volunteers saved the City \$1,890. The Trinity Troy Anns provided 28 volunteers at 135 hours, the Kiwanis provided nine volunteers at 144 hours and TWU provided 11 volunteers at 51 hours. On-site parking at \$15.00 brought in a total of \$4,387. The City's portion of the Bedford Library Friends' parking totaled \$1,900. The event will continue to begin at 4:00 p.m. in order to reduce expenses and increase revenue.

Future challenges include adding more sponsors, including co-sponsors such as Bell Helicopter and Brown Mackie College, who are able to enjoy benefits both at 4thFest and BluesFest. Also, parking options such as on-site and Pennington Field will continue to be optimized. They will also examine adding City drink and pizza sales in the food court area. Finally, the event will continue to be themed, with next year being a celebration of Bedford's 60th birthday.

Ms. Hartnett stated she would look into the suggestions from Council for adding a food truck alley with a competition for who has the best food, as well as having citizens decorate their houses with the winner for the best-dressed house being a VIP at the festival. In response to questions from Council, Ms. Hartnett stated that the festival is paid for through hotel/motel occupancy taxes and fees collected by sponsors. She stated that it is not the intent to break even; they do the best they can to increase revenue and provide a great event. In terms of increasing revenue and decreasing expenses, there were other suggestions from Council regarding a sponsorship for the fireworks program and for adding cabanas similar to BluesFest. In regards to the cabanas, Ms. Hartnett explained that currently, people can bring their own canopies to the event and for BluesFest, they are not getting a good return on investment so they will not be offered this year. Regarding issues with the fireworks, she first gave special thanks to their technician Greg, and explained that the electronic ignition on several of the rails failed, with 40% of the shells not firing. The vendor, Western Enterprises, acknowledged the problem and fully refunded the show. Council recognized Ms. Hartnett and Managing Director of Community Services Mirenda McQuagge-Walden for getting the word out on the festival as a lot of new people attended this year. City Manager Beverly Griffith stated that there is a lot that goes on behind the scenes at the event and that there is a lot of spirit because of Ms. Hartnett and her ability to draw the best out of people.

- **Presentation of Design of Phase I of the Boys Ranch Master Plan.**

Managing Director of Community Services Mirenda McQuagge-Walden presented information on the design of Phase I of the Boys Ranch Master Plan. The purpose of tonight's presentation is to display the 95% complete plans for the first phase, which includes work on the lake, drainage and ancillary improvements. Staff is requesting feedback from Council before the documents are finalized. Kimley-

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Horn has been contracted to do the design and when funding has been done, they will assist in the bidding process. The Parks and Recreation Board has reviewed the plans and gave their feedback.

Mark Hatchell of Kimley-Horn and Associates stated that the Master Plan was based on a lot of ideas that came from meetings with the Parks and Recreation Board, the Council and with the community. The Boys Ranch is the heart and soul of Bedford. It has been an idea for a long time to improve the Park by getting things in the right locations and putting together the final mix of attractions and facilities. Different phases of development were identified. From a safety and maintainability standpoint, the creek and dredging of the lake were the most logical first steps in the development. The goals of the first phase are to improve the functionality and usability of the trails, picnic areas and playgrounds; to upgrade the overall image and aesthetics of the park; and, to remove sediment and improve maintainability of the ponds and channel.

The project is true to the intent of the Master Plan. It was presented to the Parks and Recreation Board and they received feedback on colors and features. The project starts south of the drainage work south of Harwood. The whole channel would be improved with new ledge stone edging, which would sit on a concrete ledge that provides a safety aspect and allows for easier maintenance. To increase the circulation around the channel and pond, three waterfall weirs and pedestrian bridges would be installed. The lake would be reshaped and graded to ease some of the tight places around the adjacent neighborhood. Two water aerators and a fountain at the headwaters would be installed. Also included would be two fishing piers, a new picnic pavilion, two 30-foot hexagonal pavilions, trails and landscaping features at the waterfall weirs. He also discussed the playground upgrades including shading. He stated the next steps were to address comments from Council and once the design is completed, to wait for the City to determine a funding mechanism. Kimely-Horn would then help with bidding and construction. He stated that advertising and bidding the project would take two months and there would be approximately 10-12 months for construction.

In answer to questions from Council, Mr. Hatchell stated that the new design of the lake, with the concrete edge and stone ledges would be easier to maintain. The center of the lake would also be deepened. He stated that parks maintenance trucks generally use the lighter trails to get down to the main areas of the park. In regards to the volleyball court, Ms. McQuagge-Walden explained that the Parks and Recreation Board wanted to move it out of the Boys Ranch to Central Park. Mr. Hatchell discussed grading an area of the Park for seating during events like FourthFest, which in the future could be developed as an amphitheater. The plans are done with long term construction techniques in mind; therefore, there should be no problems with the items specified for approximately the next five years.

Council was of the consensus to move forward with the design.

Mayor Griffin adjourned the Work Session at 6:41p.m.

### **EXECUTIVE SESSION:**

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

- Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments.
- Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1Rb, Bedford Meadows Shopping Center.

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Council convened into Executive Session pursuant to Texas Government Code Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments and Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1Rb, Bedford Meadows Shopping Center at 9:40 p.m.

Council reconvened from Executive Session at 10:00 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.

### **REGULAR SESSION 6:30 P.M.**

The Regular Session began at 6:48 p.m.

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

Mayor Griffin called the meeting to order.

### **INVOCATION (Dr. Timothy Pierce, Woodland Heights Baptist Church)**

Dr. Timothy Pierce of Woodland Heights Baptist Church gave tonight's invocation.

### **PLEDGE OF ALLEGIANCE (Cub Scout Pack #0254, Hilory Conchola - Leader)**

Cub Scout Pack #0254, lead by Hilory Conchola, along with Cubmaster Rich Krutenat, and Cub Scouts Nathan Krutenat, Parker Campbell and Nicolas Krutenat, lead the Pledge of Allegiance.

### **OPEN FORUM**

Layne Gossett, 1813 Rollingwood Court, Bedford, Texas – Mr. Gossett signed up to speak on Council agendas and background information on-line. Mr. Gossett stated that the minutes for the past several Cultural Commission meetings were not on-line. Council and staff discussed that this was an administrative oversight and that it would be corrected.

Janet Easton, 2213 Wembley Wood, Bedford, Texas – Ms. Easton signed up to speak on the Cultural District but chose not to speak until she had more information.

John Ferebee, 3817 Hillwood Way, Bedford, Texas – Mr. Ferebee signed up to speak on the Cultural District but chose not to speak until he had more information.

Dave Ferebee, 1208 Oak Grove Lane, Bedford, Texas - Mr. Ferebee signed up to speak on the Cultural District but chose not to speak until he had more information.

Bill Ellis, 1004 Monterrey Street, Bedford, Texas - Mr. Ellis signed up to speak on the Cultural District but chose not to speak until he had more information.

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

Motioned by Councilmember Olsen, seconded by Councilmember Brown, to approve the following items by consent: 3, 8 and 10.

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

### **COUNCIL RECOGNITION**

## 1. Employee Service Recognition

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

Joseph Lynn, Fire Department – 5 years of service  
Marcos Espinoza, Fire Department – 5 years of service  
Christopher West, Police Department – 15 years of service  
Jill McAdams, Human Resources – 15 years of service  
Loquita Traylor, Administrative Services – 40 years of service

## **PERSONS TO BE HEARD**

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

- a) **Ray Champney, 2300 Marshfield Drive, Bedford, TX – Requested to speak to the Council regarding leveraging the Cultural District, CBDZ and The Mayors Challenge, a national competition designed to inspire cities.**

Ray Champney, 2300 Marshfield Drive – Mr. Champney stated that the idea of a cultural district first started in 2009 with a presentation he did for the Mayor and Council regarding arts and culture as an economic engine. In 2008, the State changed the rules regarding the cultural district designation. This type of district would create a point of differentiation from other cities. Tonight he wants to present his concept and perception of what the district could be, how it all could come together, and the potential benefits for the City.

Mr. Champney explained that the whole idea of creating a different scenario in central Bedford goes back to 2004. It never got any legs but the concept spurred him on. He sent an email to Council and began to speak of the idea of a creating point of differentiation. In 2009, after getting elected, he came back with the proposal regarding arts and culture as an economic engine. The concept of the Central Bedford Development Zone (CBDZ) began in 2010. The CBDZ and the District are two separate projects and he has been the one trying to link them. He sees the District as a potential catalyst for the CBDZ. Kimley-Horn began a survey of the CBDZ in 2011 and at every meeting he attended, he tried to insert the District. The City has established a Cultural Commission and they have an excellent chairperson in Alicia McGlinchey. Their vision of the District is to revitalize central Bedford using existing assets that are not being fully utilized such as the Boys Ranch, the Trinity Arts Theater, the OnStage Theater, the Trinity Arts Guild, the Senior Center, FourthFest, BluesFest, and the Old Bedford School. Consolidating these assets together in a cultural district makes sense and would reposition Bedford from a standpoint of having arts and culture. There should be a focus on the Old Bedford School, the Library and the surrounding greenbelt. He visualizes a landscape architect redesigning the landscape and incorporating an amphitheater, band shell or gazebo. There would be formalized programs such as is being done with Twilight Thursdays. He has visited the Levitt Pavilion in Arlington and they have programs 52 weeks a year at no cost to the city. He also visualizes a series of mini-kiosks or pavilions where artists can come in and sell their arts and crafts as well as give instructions. He also feels that the old library is an ideal location for an arts center.

In regards to the CBDZ, Mr. Champney feels that if the District is established, it would create density in that area. This density would be more attractive to retailers and developers. He further sees targeting businesses and receiving commitments with companies that have relationships with arts and culture. If there is a focus on arts and culture as an economic engine, the process can be leveraged to move forward.

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Mr. Champney then presented an opportunity with the Mayors' Challenge, which is supported by the Bloomberg Philanthropies. The program has no strings attached. There are 1,300 cities eligible and he believes that Bedford can win. The deadline for submitting the application is September 14. The benefits to Bedford of the District and linking it to the CBDZ are to revitalize and open up the City and to build a greater sense of community. The potential of the \$5M prize would do wonders for projects such as the landscaping outside of the Old Bedford School and the Library. It would also give the City tremendous local and national exposure, which can be used as a marketing tool to attract new businesses. None of this involves monies from the City. He has explored this concept with developers and management companies and nobody has had a negative response. He states that the District has the support of the Arts Council Northeast, the Trinity Arts Guild, Judge Whitley, County Commissioner Fickes, HEB ISD School Board President Dr. Gene Buinger, Bedford residents and President of Tarrant County College Dr. Larry Darlage. He feels there is an opportunity to embrace the community and the area and to create a unique position for the City. He believes the window of opportunity exists now with the \$5M competition and with the highway expansion.

Council discussed Mr. Champney's presentation. It was explained that a small team of department managers has been put together to review potential projects that would meet the problem solving criteria of the contest. Potentially, one of the projects could be the CBDZ. There was a discussion on the distinction between the Cultural District and the CBDZ. The District is made up of the Library, Boys Ranch and the Old Bedford School. The first step in the process was to seek a cultural district designation from the State; however, there were not enough criteria to achieve that recognition. The offshoot from that was the creation of the Cultural Commission, whose goal is to identify the types of art and culture going on around the City then report back to Council. Those activities could then be leveraged as the City moves forward with the CBDZ.

### **APPROVAL OF THE MINUTES**

3. Consider approval of the following City Council minutes:
  - a) July 10, 2012 regular meeting
  - b) July 16, 2012 work session

This item was approved by consent.

### **NEW BUSINESS**

4. Public hearing and consider an ordinance to rezone a portion of property known as Lot 1RB, Block 1, Bedford Meadows Shopping Center Addition, 2824 Central Drive, #331, from Heavy Commercial to Heavy Commercial/Specific Use Permit/Children's Daycare Center. The property is generally located south of Harwood Road and east of Central Drive. (Z-224)

Planning Manager Jacquelyn Reyff presented information regarding this ordinance. Just for Kids has been operating in the shopping center for 17 years and is asking to move into the main part of the center. The section they are currently in is being demolished by the shopping center owner. Parking remains from the previous development; though the new play area will take up 7 spaces, parking is still in excess of what is required. The play area will be fenced and have two points of egress. The material for the fencing will be screening material on two or three sides and chain link fence on one side. The play area is 50 feet from the adjacent residential property, which meets the requirements of the Zoning Ordinance. There will be no change to the footprint so there is no need to update the landscaping.

Mayor Griffin opened the public hearing at 7:37 p.m.

Nobody chose to speak at tonight's public hearing.

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Mayor Griffin closed the public hearing at 7:37 p.m.

The applicant, Robin Smith, 2828 Central Drive, responded to questions from Council. She stated that where the playground is going to be, they no longer have to cross traffic as they can access it from the back of the new location. There is a thin median where it backs up to the adjacent oil change business. She feels that it is safer than how they are operating now and that measures will be taken to ensure the safety of the children. The state agency that controls and licenses those types of businesses felt that it is a better location. She feels that the play area is of sufficient size and is safe enough.

Motioned by Councilmember Turner, seconded by Councilmember Davisson, to approve an ordinance to rezone a portion of property known as Lot 1RB, Block 1, Bedford Meadows Shopping Center Addition, 2824 Central Drive, #331, from Heavy Commercial to Heavy Commercial/Specific Use Permit/Children's Daycare Center. The property is generally located south of Harwood Road and east of Central Drive. (Z-224)

Motion approved 6-1-0. Mayor Griffin declared the motion carried.

Voting in favor of the motion: Mayor Griffin, Councilmember Boyter, Councilmember Davisson, Councilmember Olsen, Councilmember Turner and Councilmember Brown.

Voting in opposition to the motion: Councilmember Nolan

### **5. Public hearing to receive citizen comments on the City's application for the Texas Parks and Wildlife Department Local Park Grant Program.**

Ms. McQuagge-Walden reported to the Council and the audience that all of the Cultural Commission minutes were now posted to the website.

Ms. McQuagge-Walden presented information regarding this item. The public hearing is to receive citizen comments on the City's application for the Texas Parks and Wildlife Department Local Grant Program. In 2010, the City Council approved the Boys Ranch Master Plan. In March of 2011, the City submitted an application for a grant of \$500,000. The City did not receive the grant and after that, the State Legislature suspended funding for the program. The United States Congress released federal funding and some has come to State of Texas to fund smaller local level park grants in the amount of \$100,000. The DFL Group moved forward on a pro-bono basis since the City did not receive the original grant and has come forward to work on this grant. The same application will be submitted for funding a fishing pier, lake dredging, drainage improvements, trails, disc golf and an amphitheater. It is hoped that with a smaller award, the City will be more competitive. By having a Master Plan on file, the City already has points. The application for the grant is due by August 1.

Mayor Griffin opened the public hearing at 7:48 p.m.

Ray Champney, 2300 Marshfield Drive - Mr. Champney stated that it would make it \$5,100,000.

Mayor Griffin closed the public hearing at 7:49 p.m.

### **6. Consider a resolution of the City of Bedford, Tarrant County, Texas hereinafter referred to as "applicant," designating certain officials as being responsible for, acting for, and on behalf of the applicant in dealing with the Texas Parks & Wildlife Department, hereinafter referred to as "department," for the purpose of participating in the Local Park Grant Program, hereinafter referred to as the "program"; certifying that the applicant is eligible to receive program assistance; certifying that the applicant matching share is readily available; dedicating the proposed site for permanent public park and recreational uses; and certifying that the**

**application has been submitted to the appropriate regional council of governments for the Texas Review and Comment System (TRACS) review.**

Ms. McQuagge-Walden presented information regarding this resolution. This resolution would allow City staff to submit an application on behalf of the City for the grant. The City would have to put up a match of \$100,000 and the proposed funding is well within the scope of the project.

John Fain of the DFL Group answered questions from Council. He stated that riparian refers to plants that are associated with rivers and streams. If awarded the grant, the City has three years to expend the funds. He does not feel that the City would get extra points for the finished work on the drainage to the creek. The basketball court was taken out of the application because it is no longer on the Master Plan.

Motioned by Councilmember Brown, seconded by Councilmember Turner, to approve a resolution of the City of Bedford, Tarrant County, Texas hereinafter referred to as "applicant," designating certain officials as being responsible for, acting for, and on behalf of the applicant in dealing with the Texas Parks & Wildlife Department, hereinafter referred to as "department," for the purpose of participating in the Local Park Grant Program, hereinafter referred to as the "program"; certifying that the applicant is eligible to receive program assistance; certifying that the applicant matching share is readily available; dedicating the proposed site for permanent public park and recreational uses; and certifying that the application has been submitted to the appropriate regional council of governments for the Texas Review and Comment System (TRACS) review.

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

**7. Consider a resolution of the City Council of the City of Bedford, Texas approving an Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code and the City's Economic Development Incentive Policy and Program, with Legacy Alliance Holdings, LLC. (Legacy)**

This item was discussed in Executive Session.

Motioned by Councilmember Turner, seconded by Councilmember Davisson, to approve a resolution of the City Council of the City of Bedford, Texas approving an Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code and the City's Economic Development Incentive Policy and Program, with Legacy Alliance Holdings, LLC. (Legacy)

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

**8. Consider a resolution authorizing the City Manager to enter into a contract with the Hurst-Euless-Bedford Independent School District to provide two School Resource Officers for school year 2012/13, in the amount of \$142,178, paid for by the District.**

This item was approved by consent.

**9. Consider a resolution authorizing the City Manager to enter into a contractual agreement for employee health, life and long term disability insurance benefits with CIGNA.**

Human Resources Director Jill McAdams presented information regarding this resolution. She introduced Lisa Mizell with Benefits Seminar Plus, who worked as the benefits consultant and broker.

Ms. McAdams presented an overview of the insurance bidding process. The City competitively bids out insurance products once a year. Benefits Seminar Plus, the broker, completes the RFPs and sends

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them out to insurance carriers. They further analyze the bids, negotiate with the carriers and bring back the bids with recommendations. This year, they are looking at medical, life and long-term disability insurance. Beginning five years ago, an employee insurance committee was put together, which goes through the process along with staff and the broker. This helps them understand what goes into their benefits from a cost standpoint and the impact of their choices on health care. There was good participation this year with 12 employees. The members of the committee take back information to their departments, explain the process and bring back any questions.

Life and long-term disability insurance were bid out together. Both benefits are currently with Hartford. Within the last 12 months, claims have equaled 300% of premium. In addition, medical claims from health insurance are considered when insurance companies bid. Based on usage, Hartford had an increase of \$61,000. Of the 21 carriers asked to submit a quote, eight provided a quote of which three, Hartford, Cigna and Lincoln, were considered competitive. The other companies declined to bid for reasons including not being competitive with rates and the City's ratio of police and fire employees. Cigna offered the most competitive rate as well as a 1% reduction on medical insurance if the City considered them for life and long-term disability insurance. They also offered to lock in the rate for three years. There is one difference in the Cigna plan in that the accelerated death benefit is 50% up to \$100,000, compared to the current 75% up to \$150,000. As this benefit has not ever been used, Ms. McAdams feels that it will not be seen as a major discouragement.

In regards to medical insurance, back in the 06-07 Fiscal Year, staff took a hard look at premiums. Rates were going up and the City was pricing itself out of the market. Employees were then transitioned over to a high deductible health plan, which led to a substantial decrease in the cost of premiums. The City took the decrease and looked for a medical provider for an employee health clinic, which has become one of the City's flagship benefits. There was initially a 12% increase in premium totals last year; however, Benefits Seminar Plus negotiated with the carriers to get down to a 1% increase. This year, the City was not as lucky. There are substantial claims that are driving the increase. Six carriers were contacted and three, Cigna, BlueCross BlueShield (BBS), and United Health Care (UHC), provided bids. Cigna's final bid contained a 13% increase over current rates, or \$195,000. BBS came in 33% and UHC 46% over current rates. The Cigna bid includes a stipend of \$12,000 for employee wellness programming. The City's employee wellness program was recently spotlighted at ICMA. The initial bid from Cigna was 15% over current rates, but was reduced by 1% as an incentive to add them as the carrier for life and long-term disability insurance and an additional 1% because of the wellness program.

What are driving the increased cost are five very large claims over \$100,000 each and three claims over \$50,000 each. The adjusted paid loss ratio was 94.88% of premium dollars and is now trending 112% over premium. Other factors include the cost of medical inflation, federal and state mandates, reinsurance, the average age and lifestyle of participants and administrative costs.

The base plan has deductibles of \$2,500 for individuals and \$5,000 for families. Currently, there are 140 employees on the plan, of which nine have met their deductible. There have been 11 family deductibles met out of 111 members on the plan. The buy-up plan has deductibles of \$1,500 for individuals and \$3,000 for families. Of the 20 individuals on the plan, 13 have met their deductible. There has been one family deductible out of six on the plan.

Positive trends include the following: 82% generic drug utilization compared to 76.4% in Cigna's Book of Business (BOB) and up from 77.5% last year; preventative care utilization up from 60.2% last year to 65.5% and compared to 51.6% in the BOB; primary care office visits per thousand down from 2,468.2 to 2,389.3 and compared to a norm of 3,320.7 from the BOB; an increase in completion of Health Risk Assessments from 154 to 192; and emergency room costs down from \$197.83 per member per year to \$169.56 per member per year. How the increase of \$195,000 will be allocated will not be determined until the budget process.

Ms. McAdams and Ms. Mizell answered questions from Council. In regards to the police and fire ratios, this issue is not specific to Bedford and those companies would not have bid on any municipality. There has been a redevelopment of the employee wellness program with monetary incentives to get a physical, pushing the Lunch and Learns, Weight Watchers and yoga classes. The City pays 100% of the employee cost and 70-75% of the dependent cost. Dental insurance is not included in this particular item. Vision insurance is an additional benefit, for which employees pay 100%. In regards to the consideration of reducing life insurance coverage, currently the benefit is two times the employee's salary up to \$150,000. The current bid has a savings of \$14,000. The life insurance claims being 300% of premium paid is due to the death of one of the participants. In regards to the wellness program, participation varies by topic and level of interest. An average of 30 employees attends the Lunch and Learns; there was nearly 100% completion of health risk assessments; and 55 people took part in a blood pressure challenge. Approximately 300 people currently take the insurance. One large claim will soon be eligible for Social Security; however, there are no other large claims that are in that category. In regards to the speakers and food provided at Lunch and Learns, CIGNA has a speaker circuit and everything is paid through the money provided by CIGNA.

Motioned by Councilmember Turner, seconded by Councilmember Brown, to approve a resolution authorizing the City Manager to enter into a contractual agreement for employee health, life and long term disability insurance benefits with CIGNA.

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

**10. Consider a resolution approving the City of Bedford's Section 125 Plan that allows employees to make contributions for insurance premiums and Health Savings Accounts (HSA) on a pre-tax basis as allowable under the Internal Revenue Service (IRS) Code Section 125.**

This item was approved by consent.

**11. Consider a resolution authorizing the City Manager to enter into a contract with Ron Wright, Tarrant County Tax Assessor-Collector, and Tarrant County, for the assessment and collection services of ad valorem taxes levied by the City of Bedford; and providing an effective date.**

Administrative Services Director Cliff Blackwell presented information regarding this resolution. This contract is for tax assessing and collecting services from the Tarrant County Tax Assessor. Some of the services they provide, in addition to assessing and collecting taxes, include reports that can be found on-line, the tracking of accounts and delinquencies, and the assessment of penalties and interest. This information is provided to the City on a daily basis. They are also relied on for the Truth in Taxation publications, including calculating the effective and rollback rates that are put in the newspaper. The County has been doing this for the past 20 years on behalf of the City. Previously, the fee was \$0.65 cents per account; however, after a new review, the fee was raised to \$0.90 per account. This is an impact of an additional \$4,000 to the budget. Staff has attempted to obtain information from the County but still does not know where the new fee comes from.

Council discussed the alternatives to the contracting with the County such as bringing the process in-house. It was stated that additional staff would have to be added and the cost for postage alone would be more than the contract amount of \$14,000.

Motioned by Councilmember Brown, seconded by Councilmember Davisson, to approve a resolution authorizing the City Manager to enter into a contract with Ron Wright, Tarrant County Tax Assessor-

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Collector, and Tarrant County, for the assessment and collection services of ad valorem taxes levied by the City of Bedford; and providing an effective date.

Motion approved 6-1-0. Mayor Griffin declared the motion carried.

Voting in favor of the motion: Mayor Griffin, Councilmember Boyter, Councilmember Davisson, Councilmember Olsen, Councilmember Turner and Councilmember Brown.

Voting in opposition to the motion: Councilmember Nolan

### **12. Consider all matters incident and related to approving and authorizing publication of notice of intention to issue Series 2012 Certificates of Obligation, including the adoption of a resolution pertaining thereto.**

Mr. Blackwell presented information regarding this resolution. He stated that any time the City goes out to borrow money to fund capital projects, it partners with firms that it contracts with for this type of service. These include financial advisors through First Southwest Company and legal counsel through the City's bond counsel, Fulbright and Jaworski. This item addresses seeking the funding for the approved loan from the Texas Water Development Board, which was approved in October 2011 for sanitary sewer projects. The Board established a deadline of October 1 of 2013 in which the program will end if the City does not have the funding. To secure the funding, the City must start acting now in order to post a notice of intent to issue certificates of obligation. By statute, the City has to wait 31 days from the first publication before Council can be presented the ordinance issuing the certificates. The bond counsel felt that it was in the best interest of the City to separate this and Item #13 so in the case of any problems, the funding for that item does not get tied up. This item is for \$630,000, which is the exact amount approved in the loan and it is to publish the notice of intent to issue certificates of obligation.

In answer to questions from Council, Laura Alexander of First Southwest explained that publishing the notice of intent gives the Council authority to act at the meeting at September 11 but it is not binding; however, they would need some indication of Council's intent by August 10. The standard process for this type of loan is through certificates of obligation.

Motioned by Councilmember Brown, seconded by Councilmember Davisson, to approve a resolution approving and authorizing the publication of a notice of intent to issue Series 2012A Certificates of Obligation.

Councilmember Brown amended his motion to approve a resolution approving and authorizing the publication of a notice of intent to issue Series 2012 Certificates of Obligation, seconded by Councilmember Davisson.

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

### **13. Consider all matters incident and related to approving and authorizing publication of notice of intention to issue Series 2012A Certificates of Obligation, including the adoption of a resolution pertaining thereto.**

Mr. Blackwell presented information regarding this resolution. This item is to consider the publication of a notice of intent to issue Series 2012A Certificates of Obligation. What was designed in this issuance are water and sewer related projects. Council has between tonight and preferably August 10 to narrow down where they want to go to with these projects. From the list that was presented to Council at their previous meeting are storm water projects as well as the Dora Street project, which is a General

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Obligation bond as it was voted on in 2001. If Council decides to move forward with that project, it does not need to be posted in the notice.

Motioned by Councilmember Brown, seconded by Councilmember Davisson, to approve a resolution approving and authorizing the publication of a notice of intent to issue Series 2012A Certificates of Obligation.

Motion approved 6-0-1. Mayor Griffin declared the motion carried.

Voting in favor of the motion: Mayor Griffin, Councilmember Boyter, Councilmember Davisson, Councilmember Nolan, Councilmember Turner and Councilmember Brown.

Abstaining from voting on the motion: Councilmember Olsen

Council adjourned into Executive Session prior to the reports on Boards and Commission.

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

#### **✓ Animal Control Board – Councilmember Olsen**

No report was given.

#### **✓ Animal Shelter Advisory Board - Councilmember Olsen**

Councilmember Olsen reported that the internet homepage now features a cat and dog of the week. The Shelter is at full capacity with dogs. Finally, the the Shelter is getting ready for their fall festival.

#### **✓ Beautification Commission – Councilmember Turner**

Councilmember Turner was not able to attend the last Commission meeting.

#### **✓ Community Affairs Commission - Councilmember Boyter**

Councilmember Boyter reported that the Commission is working on an upcoming business roundtable and is anticipating a good turnout. They are also reinvigorated by their efforts to push the Shop Bedford First program.

#### **✓ Cultural Commission - Councilmember Nolan**

Councilmember Nolan reported that the Commission met the previous night. The surveys are all done and will be going out to artists and groups to access venue opportunities. By the end of August, the Commission will have something concrete on what is available for the artists and groups.

#### **✓ Library Board – Councilmember Brown**

Councilmember Brown reported that the Board met last Wednesday and reminded everybody about the book sale this weekend. It will held on Friday, Saturday and Sunday and they are asking for volunteers to help set up on Thursday.

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

No report was given.

#### **✓ Senior Citizen Advisory Board - Councilmember Turner**

Councilmember Turner was unable to attend the last Board meeting.

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

No report was given.

**15. Council member reports**

No other reports were given.

**16. City Manager/Staff Reports**

✓ **Report from Police Chief Roger Gibson to discuss how staff reports crime stats, regarding D Magazine article. \*\*\*Requested by Council Member Patricia Nolan**

Council discussed this item prior to convening into Executive Session.

Police Chief Roger Gibson explained how the information was compiled in the D Magazine article. First, the data listed was from 2010. They also used 2009 data for the City of Lancaster and for another city, they grabbed all the data from Denton County and averaged it out. The vast majority of cities use Uniform Crime Reports (UCR) in reporting their crime data, while Bedford uses the National Incident-Based Reporting System (NIBRS). Bedford was the first city in Texas to start using NIBRS. Chief Gibson recalled that at one time, it was federally mandated that entities move to NIBRS; however, large entities balked at moving so the mandate went away. The main difference between the two systems is that UCR only captures the most serious offense during an incident and counts it as one, while NIBRS captures more information and counts every crime during an incident. In 2010, the City had 175 aggravated incidents reported under NIBRS; inputting that data into UCR drops the number of offences down to 126, or a 39% difference. This is the first time this has become an issue. In reporting to outside entities, such as the media, UCR data can be used but it would not match the annual report issued by the Department. Compared to the 2010 data, 2011 had an 18% decrease in violent crimes and an 11% decrease in property crimes. For violent crimes, that is the second lowest number in the previous eight years; for non-violent crimes, it is the lowest number in ten years. For this year, through the end of July, violent crime has been reduced by 25% from 2010 to 2012. One thing the Department wants to target is repeat victimization.

Council and staff discussed publishing information on the website to get word out about discrepancies and the reasons the D Magazine article was not valid or correct; switching back over to UCR; the surrounding cities that also use NIBRS; and reporting data under both systems. In answer to questions from Council, Chief Gibson stated the totality of information collected under NIBRS is greater than what is captured under UCR and that this is the system that the FBI wants everybody to go to. Violent crime is considered to be murder, sexual assault, aggravated assault and robbery.

Council was of the consensus for the Police Department to provide both sets of data in their annual report; to publish the information provided by Chief Gibson on the City's website; and to send a letter to D Magazine rebuffing the information they provided and that in the future, they should pull the UCR data.

City Manager Beverly Griffith had no report.

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

Item #4 was approved during the Regular Session.

**ADJOURNMENT**

Mayor Griffin adjourned the meeting at 10:06 p.m.

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Jim Griffin, Mayor

ATTEST:

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Michael Wells, City Secretary