

**Council Minutes September 8, 2015**

**STATE OF TEXAS §**

**COUNTY OF TARRANT §**

**CITY OF BEDFORD §**

**The City Council of the City of Bedford, Texas, met in 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 8th day of September, 2015 with the following members present:**

Jim Griffin  
Ray Champney  
Steve Farco  
Roger Fisher  
Dave Gebhart  
Rusty Sartor  
Roy W. Turner

Mayor  
Council Members

constituting a quorum.

Staff present included:

Roger Gibson  
Kelli Agan  
Stan Lowry  
Michael Wells  
Cliff Blackwell  
Natalie Foster  
Les Hawkins  
Meg Jakubik  
Jill McAdams  
Emilio Sanchez  
James Tindell

City Manager  
Assistant City Manager  
City Attorney  
City Secretary  
Administrative Services Director  
Public Information Officer  
Interim Police Chief  
Strategic Services Manager  
Human Resources Director  
Planning Manager  
Fire Chief

**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, 8, 9, 10 and 11.

In answer to questions regarding Item #8 for Blackboard Connect, Strategic Services Manager Meg Jakubik stated that the City can send unlimited messages; that the fee is structured on the number of accounts; that to capture residents' cell phone numbers, the City advertises through the website, the City magazine, and at City events; that publicly available land lines are uploaded into the system; that staff will look at having fliers at City facilities; that there is a character limit for text messages but that staff works to siphon down messages; that the City was contacted by a competitor, who was unable to personalize messages through information captured from warrants and utility billing; that the City used the leverage with the competitor to work with Blackboard to reduce their rate with the contingency that the City agrees to a three-year contract; and that the savings is over \$19,000.

Administrative Services Director Cliff Blackwell presented information regarding Item #9. He stated that the Public Funds Investment Act dictates that the governing body must review the Investment Policy at least once annually. The main changes are to the makeup of the Investment Committee and the

## **Council Minutes September 8, 2015**

investment officers by removing the positions of Deputy City Manager and Managing Director and adding the position of Assistant City Manager. Further, the amount of required training for investment officers that have completed their initial training has been reduced to eight hours every two years. In answer to questions from Council, Mr. Blackwell stated that the Federal Deposit Insurance Corporation (FDIC) component of the Policy was already covered in the beginning of the document and is not really a form of collateral. In answer to questions from Council, Tom Ross with Valley View Consulting stated that the City's funds are insured by the FDIC or are collateralized by pledged securities; and that the City's Investment Policy requires that the funds be 102 percent collateralized.

In answer to questions from Council regarding Item #10, Mr. Blackwell stated that the differences between the hard copy of the agreement presented to Council at the meeting and the one that was in their packet are minute and mostly grammatical in nature. It was stated that there were no changes to the deal points of the agreement.

Mr. Blackwell presented information regarding Item #11, which is the Notice of Intent to Issue Certificates of Obligation (COs). Once this item is approved, the next items are to publicize that the City intends to issue COs, receive bond pricing from the Texas Water Development Board (TWDB), and come back to Council at the November 10 meeting to ask for approval of the ordinance. By that time, the rates should be finalized, with the closing of the bond proceeds being around December 9. The TWDB will close their bond sale on November 4.

Mayor Griffin adjourned the Work Session at 6:14 p.m.

### **REGULAR SESSION**

The Regular Session began at 6:30 p.m.

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

Mayor Griffin called the meeting to order. He stated that the City had a fantastic BluesFest the previous weekend and commented on staff's teamwork and customer-oriented attitude. He stated that everybody did a great job and made Bedford proud, which he also heard from vendors, performers and others at the event. He stated that Council appreciates everything staff does.

### **INVOCATION**

Councilmember Sartor gave the invocation.

### **PLEDGE OF ALLEGIANCE**

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

### **ANNOUNCEMENTS/UPCOMING EVENTS**

Public Information Officer Natalie Foster stated that the tenth annual Dog Splash Day and 2K9 walk-run will be Saturday at the Boys Ranch Park. The walk-run will be around the Boys Ranch from 8:30 a.m. to 9:30 a.m., with the Dog Splash Day starting at 10:00 a.m. There will be competitions for best costume and diving, and dogs must have proof of current rabies shots and a City license. Also on Saturday, the Crud Cruiser will be at Meadow Park from 9:00 a.m. to 11:00 a.m., where residents can bring their household hazardous waste for recycling. Proof of residency is required. The following weekend, the Old Bedford School will be holding a two-day centennial event. On Saturday, September 19 from 3:00 p.m. to 6:00 p.m., there will be a reception to meet former students. On Sunday, September 20, starting at 4:00 p.m., there will be live music, a car show, a photo booth, and a historical scavenger hunt, ending with theatrical fireworks.

## **Council Minutes September 8, 2015**

Ms. Foster presented an update on the Boys Ranch Master Plan. The Texas Department of Parks and Wildlife came out in mid-August before the lake was dredged and moved 75 game fish to Lake Worth. As the lake was draining, staff coordinated with the construction crew to relocate bottom feeding fish to other Bedford parks. Staff patrolled the lake property to help assist any wildlife that needed to be relocated, with turtles taken to area creeks. At the direction of Parks and Wildlife, buckets of water were placed high around the lake to encourage ducks to head to higher lake areas. The construction crews continue to excavate and reshape the lake, the island has been removed and a fountain will be installed to help circulation and healthy wildlife conditions. Parks and Wildlife and the Army Corps of Engineers will be building fish habitats under the water to research how the fish adapt and breed. Currently, several bridge structures have been put in place and the kids play area is near completion; however, a fence has been installed to keep people out until construction is complete. Depending on weather conditions and the light, Phase I is scheduled to be complete by the end of November.

### **OPEN FORUM**

Nobody chose to speak during Open Forum.

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

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

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

### **COUNCIL RECOGNITION**

#### **1. Proclamation proclaiming September 2015 as Blood Cancer Awareness Month in the City of Bedford.**

Mayor Griffin read a proclamation proclaiming September 2015 as Blood Cancer Awareness Month in the City of Bedford. Mark Lenc with the North Texas Chapter of the Leukemia and Lymphoma Society accepted the proclamation.

### **APPROVAL OF THE MINUTES**

#### **2. Consider approval of the following City Council minutes:**

- a) August 25, 2015 regular session**
- b) September 1, 2015 special session**

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, Drive, Bedford, Texas 76022 – Requested to speak to Council regarding the Senior Center and Procedures.**

Tom Culbert, 1925 Charleston Drive, Bedford – Mr. Culbert stated that he did not know if the Senior Center was making any headway on the dance funds or the voluntary contributions to the food fund, and asked if ample money was being collected. He stated that there used to be \$10,000 in the dance fund, which went down to \$2,000 before the dance committee was dissolved. There is no longer a Senior Center Advisory Board because the Council dissolved it. He asked if the Center is rudderless, if they are making headway and is there any control. He stated that they have averaged 58 people at the last four dances at \$6.00 per person for a total \$348. They are not paying the trios as much as the bigger bands and they are paying a man to dance with the unescorted women at the dances. He asked if success is

## Council Minutes September 8, 2015

being achieved in the dances. There was discussion on the dances being well run; that staff is managing events and activities; and that a Council liaison has been added for senior citizens. Mr. Culbert stated that the Council has a restrictive speaking agenda. There was discussion on how citizens can sign up to speak on the agenda and the City providing events and activities for seniors. Mr. Culbert stated that as a tax payer, he is concerned about whether the dances are making or losing money. There was discussion that most City facilities are not profit centers; that the Senior Center brings in approximately \$15,000 a year in revenue; that staff will look into the funding for food and dances; Council members coming to the dances; that any citizen has the ability to contact staff or the Council at any time to bring forward issues; that the former Advisory Board was ineffective; a series of meetings that have been held with the Senior Center Manager Cathy Haskell, Community Services Manager Eric Valdez, and Assistant City Manager Kelli Agan regarding the direction of Center; new activities that may be offered at the Center including lectures and yoga classes; Council and seniors wanting the dances to continue; line items that have been budgeted for the Senior Center including a new patio and partitions; that the dances pay for themselves and the City having funding in case they do not; the objective being to have a better Center than the City's neighbors; staff and Council being accessible and customer service oriented; and citizens not having to wait until Council meetings to get action on issues. There was Council discussion on the Open Forum portion of the agenda including changing it to the previous structure whereby people could address any concerns at the end of the meeting; the reasons for the changes including enhancing citizens ability to speak as previously, Council was unable to respond to topics that were not on the agenda; the Persons to be Heard portion of the agenda; and the Texas Open Meetings Act.

### **NEW BUSINESS**

- 4. Consider an ordinance adopting the annual budget for the City of Bedford, Texas for the fiscal period of October 1, 2015 through September 30, 2016; levying taxes for 2015; providing for intra-fund and/or intra-departmental transfers; providing for investment of idle funds; and declaring an effective date.**

Strategic Services Manager Meg Jakubik presented information regarding this item. The draft budget was presented to Council at the end of July and an in-depth work session was held over what the City Manager and staff were proposing to fund the operations of the City for Fiscal Year 2015-2016. She thanked all of staff for their assistance in putting together the budget. There was discussion on the work done by staff and the transparency of the budget.

Councilmember Gebhart stated that he was going to vote against the budget but wanted to explain why. He stated that he has the utmost respect for staff, and he is not dissatisfied with how the budget was put together. He stated that he has a philosophical difference with funds going to a private charity and he does not believe it is appropriate for public money to go them. It was explained to him that the funds go towards general improvements but after a lot of thought and discussion with other members of Council and other leaders, he does not agree that it is appropriate application under the general welfare clause. He stated that it is strictly a matter of philosophy of how government should operate, how the funds should be used that are entrusted to them and what they should do to follow their charge to uphold the Constitution.

There was discussion on the language required by the State regarding a property tax increase and that the tax rate to be voted on is the exact same rate that funded the City the previous year.

In response to Councilmember Gebhart, Councilmember Fisher stated the charitable organization being discussed is 6Stones, on which he serves as a member of the board. He stated that he does not care if the City gives money to them or not. He cares about the results of the money that the City has given them, which goes directly back into community and has impacted 40 to 50 homes. This includes renovations on homes due to Code issues whose owners were unable to do the work themselves. He stated that the City could write the owner a ticket or fix the issue and put a lien against the property. He stated that 6Stones helps cities with these issues by getting together businesses, churches and the community, with the cities providing seed money to cover their costs. They get 1,600 volunteers to clean up neighborhoods twice a year. He stated the money paid into 6Stones is small compared to the value

## Council Minutes September 8, 2015

the City receives. Typically the homes are in the older part of the City, property values are maintained or increased, and time-on-market has been considerably decreased. He stated that they are the best spent funds by the finest non-profit in the country and that the City should be proud it is growing from the HEB area.

There was discussion on the budget including it addressing the future. There was further discussion on 6Stones including money coming back into the City; concerns with the program at first; the program serving as an economic development investment; and the value provided by 6Stones exceeding the City's contributions. Councilmember Gebhart stated that he does not question the 6Stones ministry and that they do great work and thanked the other members of Council for speaking their minds and disagreeing in a civil way.

Motioned by Councilmember Champney, seconded by Councilmember Farco, that property taxes increase by the adoption of a tax rate of \$0.494830 per \$100.00 assessed valuation; and approve an ordinance adopting the annual budget for the City of Bedford, Texas for the fiscal period October 1, 2015 through September 30, 2016.

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

Voting in favor of the motion: Mayor Griffin, Councilmember Sartor, Councilmember Champney, Councilmember Farco, Councilmember Turner and Councilmember Fisher

Voting in opposition to the motion: Councilmember Gebhart

### **5. Consider a resolution to ratify the property tax increase as reflected in the 2015/2016 City of Bedford Program of Services (Budget).**

Ms. Jakubik presented information regarding this item, which is a procedural vote required by House Bill 3195. Any time a tax rate is adopted that exceeds the effective rate, it is a requirement to ratify the property tax revenue increase. The increase is coming from changes in values in property and the actual tax rate is not changing.

Motioned by Councilmember Farco, seconded by Councilmember Turner, to approve a resolution to ratify the property tax increase as reflected in the 2015/2016 City of Bedford Program of Services (Budget).

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

### **6. Consider an ordinance amending the schedule of water rates by amendment of Section 1., Ordinance No. 14-3107; providing a repealing clause; providing a severability clause; and declaring an effective date.**

Ms. Jakubik presented information regarding this item, which is for the approval of the water rates. She stated that as was discussed in the budget process and work sessions, the City had a consultant examine water rates and determined that there was sufficient revenue to support the system. Per Council direction, staff is recommending a pass-through of the increase of water purchase costs from the Trinity River Authority (TRA), which is over 17 cents per 1,000 gallons. The volume rate would increase from \$3.38 to \$3.55 per 1,000 gallons. Further, staff is recommending a two percent increase on base rates to account for the debt service on the loan with the SWIFT funding. There would be a placeholder for that revenue to have adequate surplus to incur that debt service when it is passed later in the year.

There was discussion on water and sewer rates increasing every year; previous Councils not passing through rate increases; the need for new infrastructure and the increasing costs of infrastructure; the City being beholden to another entity for water; the SWIFT loan allowing for the redevelopment of 75 percent of the water and sewer system at a savings of up to \$20M in interest payments based on current rates; the age of the infrastructure and water main breaks; the proper use of government funds; transparency and honesty; and looking forward and taking care of things in an orderly way.

## Council Minutes September 8, 2015

Motioned by Councilmember Turner, seconded by Councilmember Champney, to approve an ordinance amending the schedule of water rates by amendment of Section 1., Ordinance No. 14-3107; providing a repealing clause; providing a severability clause; and declaring an effective date.

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

**7. Consider an ordinance amending the schedule of sewer rates by an amendment of Section 1., Ordinance No. 14-3108; providing a repealing clause; providing a severability clause; and declaring an effective date.**

Ms. Jakubik presented information regarding this item, which is for the approval of the sewer rates. She stated that the Water/Sewer Fund is an enterprise fund that operates like a business in that expenses are recouped through fees. The consultant found that the water revenue was sufficient to cover its operational costs and sewer revenue was being subsidized by water revenue. Staff is recommending that the situation be rectified so that the both components of the system are supporting its own operations. Staff is recommending a two-part increase in the volume rate, with a \$0.15 per 1,000 gallon increase directly tied to the increased costs from TRA to treat wastewater, and a \$0.186 per 1,000 gallons to meet the operational needs of the system. The total impact is an increase on the rate from \$2.21 to \$2.55 per 1,000 gallons. Because volume fluctuates and only provides so much revenue to the system, staff is also recommending an increase of five percent to the base rates.

Motioned by Councilmember Champney, seconded by Councilmember Turner, to approve an ordinance amending the schedule of sewer rates by an amendment of Section 1., Ordinance No. 14-3108; providing a repealing clause; providing a severability clause; and declaring an effective date.

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 Blackboard, Inc., to provide a mass notification system for the City of Bedford, in the amount of \$18,926.70.**

This item was approved by consent.

**9. Consider a resolution approving the City of Bedford Investment Policy.**

This item was approved by consent.

**10. Consider a resolution authorizing the Mayor to enter into a Financing Agreement between the Texas Water Development Board (TWDB) and the City of Bedford, for financial assistance from the State Water Implementation Revenue Fund for Texas.**

This item was approved by consent.

**11. Consider all matters incident and related to approving and authorizing publication of notice of intention issue certificates of obligation, including the adoption of a resolution pertaining thereto.**

This item was approved by consent.

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

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

Councilmember Fisher reminded everybody about Bark Day at Splash and the 2K9 run. He discussed the ducks at the Boys Ranch Lake and stated that bread is not good for them and it is being thrown into peoples' yards. Signs will be installed asking people to not feed bread to the ducks. Staff has agreed to

## **Council Minutes September 8, 2015**

feed the ducks twice a day with a dietary blend of duck food, which will reduce the nuisance to residents and make for healthier wildlife.

### ✓ **Beautification Commission - Councilmember Turner**

Councilmember Turner reported that the Commission will meet on the third Monday of the month and that the Crud Cruiser event will be on Saturday from 9:00 a.m. to 11:00 a.m.

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

Councilmember Farco reported that the Commission will host a residential outreach meeting on September 17 from 7:00 p.m. to 8:00 p.m. at the Library. They will also host a block party on October 1 in the Rollingwood neighborhood.

### ✓ **Cultural Commission - Councilmember Champney**

Councilmember Champney reported that the Levitt Pavilion in Arlington kicked off their fall series at the same time the record-setting BluesFest was being held, which demonstrates the demand for the types of the things the City is doing.

### ✓ **Library Advisory Board - Councilmember Farco**

Councilmember Farco reported that the Board will meet the following Wednesday. The Library Friends open house is Sunday, September 13 at the Library at 2:00 p.m. North Texas Giving Day is September 17 and online donations can be made from 6:00 a.m. to midnight.

### ✓ **Parks and Recreation Board - Councilmember Sartor**

Councilmember Sartor reported that the Board met on September 3 and many items were put on the table to improve the parks. He stated that they could not praise City staff enough for what was going on at the Boys Ranch with the wildlife. He stated that the Board voted on a new way to market the parks, which will be introduced to the Council in the near future.

### ✓ **Teen Court Advisory Board - Councilmember Gebhart**

Councilmember Gebhart reported that the Board met on September 3 and the primary discussion was centered on the fundraising dinner, including how they might continue to raise funds in the future, the disposition of the budget, and the awards presented. Jack Boyd, a Bedford resident, was appointed as the teen representative to the Board. The Teen Court program is looking to achieve 10,000 hours of public service by the end of the year.

### ✓ **Senior Citizen Liaison - Councilmember Turner**

No report was given.

## **13. Council member Reports**

Councilmember Farco stated that employees have gone above and beyond during City events such as block parties, animal adoption days, broken water mains, the removal of fish and turtles at the Boys Ranch, BluesFest and FourthFest and wanted to thank them personally. He discussed the attitude created by City Manager Roger Gibson and Ms. Agan, as well as senior staff.

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

## **Council Minutes September 8, 2015**

Mr. Gibson thanked Council for their kind words regarding BluesFest and discussed the work done by Ms. Foster, Special Events Manager Wendy Hartnett and Events and Cultural Coordinator Jeff Florey and the rest of staff during the event.

### **ADJOURNMENT**

Mayor Griffin adjourned the meeting at 7:52 p.m.

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Jim Griffin, Mayor

ATTEST:

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Michael Wells, City Secretary