

Council Minutes March 8, 2016

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 8th day of March, 2016 with the following members present:

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

constituting a quorum.

Staff present included:

Roger Gibson	City Manager
Kelli Agan	Assistant City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Natalie Foster	Public Information Officer
Jeff Gibson	Police Chief
Wendy Hartnett	Special Events Manager
Kenny Overstreet	Interim Public Works Director
Emilio Sanchez	Planning Manager
Bill Syblon	Development Director
Brandi West	Grant Administrator

COUNCIL CHAMBER 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: 1, 4, 5, 6, 7, 8, 9 and 10.

In answer to questions from Council regarding Item #4, Special Events Manager Wendy Hartnett stated that the City used to get a five percent discount for paying early from the previous company, which accounts for the \$1,000 increase in the cost; that there is no difference in the product; that the insurance company did settle at \$94,000 and the language in the contract did cover the City for damages to a property the previous year; and that in regard to preventing damage to residential homes, all four inch shells have been taken out of the show and they have moved to a maximum of three inch shells with a more dynamic display.

Grant Administrator Brandi West presented information regarding Item #5, which is the continuation of support costs for the Repeat Victimization Unit (RVU) storefront. She stated that they learned in February the same funding was received for the same grant for the previous fiscal year. In answer to questions from Council, Ms. West confirmed that the grant is for Fiscal Year 2016-17 and does not require a match

Council Minutes March 8, 2016

from the City. There was discussion on Ms. West helping with the Cultural District and Police Chief Jeff Gibson giving a report on RVU activities and its benefits to the community.

Ms. West presented information regarding Item #6. She stated that it is time for Bowly, the City's Police Department canine, to retire and this item is asking for a Criminal Justice Division Justice Assistance Grant for a new canine unit. It includes a new canine, training, associated equipment and a canine-fitted SUV. The grant also does not require a match from the City. There was discussion on ensuring that that Officer Andrew Versocki is able to keep Bowly after she retires.

Chief Gibson presented information regarding Item #7, which is to allow the City of Euless to staff one officer in the RVU storefront. This would allow all three Mid-Cities agencies to have an officer in the storefront property to exchange information and work collectively as a group. There are no jurisdictional boundaries with the storefront so resources can be utilized by whoever needs them the most at the time. Follow-ups can be managed along with the RVU and costs will be shared as well.

Chief Gibson presented information regarding Item #8, which is to replace a message switch. The Department has managed to double the life of the current switch, and there have been difficulties with the equipment staying operational. This item is to buy the new switch as well as the software and other items necessary to integrate the Computer Aided Design (CAD) and New World systems together. In answer to questions from Council, Chief Gibson stated that once approved, agents from New World will be scheduled to start the project; and that funding comes from a 911 fund, bond monies, and the Information Technology Department's travel budget.

Strategic Services Manager Meg Jakubik presented information regarding Item #9. The City participates in an Oncor Steering Committee whereby Bedford works with other cities on issues related to Oncor, which gives them group negotiating power. Streetlights are not individually metered but are on a tariff schedule based on the number and type of streetlights, and estimated wattage, with the City being billed for the number of lights in operation. The Steering Committee requested that Oncor audit all of the cities and it was found that there were some additional streetlights of which they were not aware and some in their books that were no longer in operation. That information has since been channeled to the billing company so the City is appropriately billed moving forward. Oncor has brought a settlement agreement, in the amount of \$20,775.48, to back pay the City for the estimated overbilling. There is no clear way to know how long this issue occurred since the lights are not metered, so they came up with a standard calculation method. In answer to questions from Council, Ms. Jakubik stated that the Steering Committee would have been involved in developing the standard methodology; and that periodic audits may be a way to ensure this issue does not happen again. In regards to the possible buyout of Oncor, Ms. Jakubik stated that the case is currently before the Public Utility Commission; that they have to make a decision within the month whether the proposal to do a real estate investment trust is in the best interest of the public; that the Steering Committee has filed briefs stating their concerns; and that the main concern is that with the Asset Division issuing dividends to shareholders and avoiding federal taxes, no savings would be passed along to rate payers. In answer to questions from Council regarding the City maintaining an inventory of streetlights, Interim Public Works Director Kenny Overstreet stated that the City does not maintain an inventory and staff uses the Oncor website to submit outages. Ms. Jakubik further stated that all the street lights are not metered and are on a tariff schedule; that to maintain an inventory of streetlights would mean having to know the type of lights and the wattage, which would have different schedules; that LED lights have a different cost structure; and that other cities have found that switching to LED lights has not yet met the break-even point of being more cost effective.

Mr. Overstreet presented information regarding Item #10, which is to enter into the City of Grand Prairie's pavement marking contract. The contract has been used for the previous four years with Stripe-A-Zone. The budgeted amount for this item is \$120,000 and the actual cost is \$105,000. The remaining \$15,000 will be used for various other markings such as street names on curbs. In answer to a question from Council, Mr. Overstreet confirmed that interlocal agreements are a framework to get a pool of resources to have services and goods cheaper than being individually sourced out or the City trying to get them by itself; and that he is confident that this is the best deal for the City.

Council Minutes March 8, 2016

Mayor Griffin adjourned the Work Session at 5:54 p.m.

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 relative to Block 1, Lot 1D, Shops at Central Park.
- b) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Bedford Commons.
- c) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to "Project Orchard."

Council convened into Executive Session pursuant to Texas Government Code Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1D, Shops at Central Park; Section 551.087, deliberation regarding economic development negotiations relative to Bedford Commons; Section 551.087, deliberation regarding economic development negotiations relative to "Project Orchard", at 5:56 p.m.

Council reconvened from Executive Session at 6:11 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

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

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION (Pastor David T. Freeman, First Assembly of God)

Pastor David T. Freeman of First Assembly of God 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 reported that the annual Egg Hunt and Easter Celebration will be on March 19 from 10:00 a.m. to 2:00 p.m. at the Boys Ranch Activity Center and will feature arts, crafts, snacks, pictures with the Easter Bunny and an egg hunt with over 10,000 eggs. People are also invited to bring their dogs for a special egg hunt. ArtsFest will be held on April 2 from 10:00 a.m. to 8:00 p.m. and will feature live music, family art activities, juried art selections, food trucks, and craft beer and wine for sale. The Beautification Commission is looking for volunteers for Clean Up Bedford Day on April 9 and they will be given supplies and an assigned area to clean up.

Ms. Foster presented an update on the Boys Ranch construction. All of the fountains and most of the lighting structures have been put in and tested. The monument signs will be going in soon and once they are in, brick pavers will be placed. Crews laid concrete for the tee boxes for the disc golf course before the rain moved in. The lake is about half full but construction has been halted due to the rain.

Council Minutes March 8, 2016

Mayor Griffin stated the Volunteer Banquet was a great event and thanked Special Events Manager Wendy Hartnett, Cultural Coordinator Jeff Gibson, Old Bedford School Assistant Cortney Sims, Ms. Foster and Margaret Kiss for their hard work. He also thanked Fleet and Facility Services Manager Chuck Carlisle and members of his staff including Chris Clark and Mike Radoyevich for painting the Council Chambers.

Mayor Griffin gave special thanks to employees at the Police and Fire Departments and other members of City staff who were involved in cooperating and helping with the City of Euless in their tragedy. It was important as a City to reach out and help them, and they stepped up and did a fantastic job. He also thanked the residents who did a tremendous job showing an outpouring of love and compassion for the people of Euless, including leaving cards and flowers, fixing food, and coming to the service for Officer Hofer. He thanked staff and the residents for showing what Bedford is about, in showing how much they care and love their neighbors, and it is a great testament about who they are as a City and a community.

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: 1, 4, 5, 6, 7, 8, 9 and 10.

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

APPROVAL OF THE MINUTES

1. **Consider approval of the following City Council minutes:**
 - a) **February 23, 2016 regular session**

This item was approved by consent.

PERSONS TO BE HEARD

2. **The following individual has requested to speak to the Council tonight under Persons to be Heard:**
 - a) **Barbara Blalock, 1116 Timber View, Bedford, Texas 76021 – Requested to speak to the Council regarding the proposed ordinance eliminating parking cars and boats on driveways.**

Barbara Blalock, 1116 Timber View, Bedford, Texas – Ms. Blalock stated she attended the Council meeting on February 9 and was stunned when a man in her neighborhood berated Council Members for his perception of below standard houses in Bedford. She and her husband have lived in Timber View Estates for 25 years and it is a wonderful neighborhood. There are 20 families that have lived their longer than she has. Everybody keeps up their properties and look out for each other. They have a homeowners association that takes care of the entrances to the neighborhood and 48 out of 52 pay families pay their dues each year. She is delighted that families can buy motorhomes and boats that they might keep in their yards. In the neighborhood, she knows of only one motorhome, one boat that is now gone, and one trailer. In regards to house prices dropping because of trailers, boats and motorhomes, she does not believe that is true and stated that homes usually sell within 48 hours for top dollar. The main reasons people move out are to go to senior homes or having passed away. She did not know where the photos displayed by the man were from but they were not from Timber View Estates. She stated that if someone had enough time and energy to berate Council frequently, she suggested they go out to spend their time and energy volunteering in needy areas in Bedford, such as with the School District, Meals on Wheels,

Council Minutes March 8, 2016

the Tarrant Area Food Bank, 6Stones and the First Methodist Church in Hurst. She asked if the neighborhood is so bad, why he not moves.

- b) Carlo Gill, 3221 Timber Grove, Bedford, Texas 76021 – Requested to speak to Council regarding trash pick-up and parking trailers, boats, and recreational vehicles in residential areas.**

Carlo Gill, 3221 Timber Grove, Bedford, Texas – Mr. Gill stated that his concerned about this problem in the community and that nobody really cares. He has lived in his house for 30 years and he has seen some cases of large vehicles being parked and people do not care about their size or condition. He thinks that members of the City Council had some reason for this and surveyed the area of each Councilmembers' homes. He stated he found a small storage trailer at a house leased by the Mayor. It was stated by Council that the Council rules state that individual members of Council are not on trial and Mr. Gill's comments should be directed to Council as a full body. Mr. Gill stated that he checked where the Councilmembers lived and one or two have problems with boats or storage trailers. Some of the areas had homeowners associations so had some rules and regulations on what could be parked. He displayed photos of a trailer parked at a house on Spring Valley Drive and stated that 18 out of 21 homes objected to it, and would sign a petition putting an ordinance in place. He stated that police have been called on the trailer six or seven times and nobody has done anything. From a neighbor, he learned that the previous owner used to transport horses and had horses grazing in their backyard. He asked how far people could go with this kind of thing. He stated that on Clear View Drive there is the same issue with a trailer and most people in the neighborhood objected to it. He did not want to continue this until he found out what kind of support he had in the public. He stated that 49 out of 50 people with whom he discussed this issue would back an ordinance regarding parking trailers in a residential area. He discussed kids walking out on the roads and stated that a child would probably have to die before something is done. He contacted storage places and found they charged \$119.95 per month for trailers and between \$75.00 and \$85.00 per month for boats. He stated that he has seen cords running from trailers into homes. In speaking with a friend who is an attorney about what needs to be done, he was told to get a petition. He heard that a petition was sent to the Council and it was turned down, and asked how Council can turn down a petition as they are voted in by the residents. He stated that he has not heard anything in the three times he has come to speak to Council about what kind of ordinance could be done. He was asked to go to the police who cannot do anything about it and who them refers him back to Council. He asked does somebody have to get run over before Council decides to do something. He stated that if he needed to come up with a petition he would like Council involved, but he is fine if Council does not care about it. He asked if there was a reason he could not put out a petition and how many people needed to sign it before it is approved. He showed a picture of a tractor with 250 gallon propane tanks on the trailer and stated he fought 35 years ago to stop this type of thing happening in Bedford.

Council discussed the accusation of Council doing or not doing things; sharing some of Mr. Gill's concerns; staff being in the process of researching other cities' ordinances to see how they might fit in Bedford; petitions; maintaining property owner's rights; aesthetics and quality of life; Mr. Gill's accusations being unfair; and working with Mr. Gill on an ordinance.

- c) Bobby Arriola - Requested to speak to Council regarding municipal funding to access the TLETS/TCIC/NCIC System, which is funded thru NCTCOG; giving access to those system funded by tax payer dollar and being misappropriated; and unauthorized access onto the public governmental 911 system.**

Mr. Arriola did not attend the meeting.

- d) Joyce Johnson, 1701 Brookhaven Circle, Bedford, Texas 76022 – Request to speak to Council regarding potential risks to health and air quality, due to natural gas emissions from hydraulic fracturing, and avoidance of releasing information.**

Joyce Johnson, 1701 Brookhaven Circle, Bedford, Texas – Ms. Johnson discussed the health effects of natural gas extraction; adverse health and environmental problems related to fracking sites; The National Resources Defense Council (NRDC); communities protecting themselves; curbing air pollution across the

entire system by having strong air standards; bills backed by the oil and gas industry limiting the ability for local communities to decide if they want fracking in their communities; the rise of public land use; gas being taken from under the City creating holes underground; the birds in her back yard having gone away due to bad air from the fracking from a well north of her house; banning fracking on public lands; information on well sites being incomplete; maps showing vapors from fracking in North Texas and the Barnett Shale; the oil and gas industry obtaining exemptions from the Clean Air and Clean Drinking Water Acts; the Air Quality Index developed by the Environmental Protection Agency; increased levels of ozone; natural gas emissions being responsible for extreme weather; laws exempting gas companies from disclosing the nature of contaminants from fracking; horizontal drilling; toxic silica sand; decomposed plant life becoming toxic when disturbed and vapors escaping to the surface; fracking fluid causing chemicals to waft through the air; chemicals leaking into the ground water; Physicians for Social Responsibility and their public health concerns regarding the Barnett Shale; carcinogens, methane and endocrine-disrupting chemicals being released during fracking; physicians being unable to get information on what their patients have been exposed to; the United States becoming the largest exporter of gas in the world; a Cornell University paper on the impact of gas drilling on human and animal health; and a report from the EU Commission on fracking. Ms. Johnson requested that Councilmember Turner seek help and direction from the NRDC and review the reports from Cornell University and the EU Commission and give the City a report. Council stated that there is no drilling or fracking in Bedford.

NEW BUSINESS

- 3. Public hearing and consider an ordinance to rezone Lot 1A, Block 6, Bedford Forum Addition, located at 1817 Reliance Parkway, Bedford, Texas from Planned Unit Development (PUD) to amended PUD, specific to Section 4.15 of the City of Bedford Zoning Ordinance, allowing for Aldwin Zim to construct three 20,000 square foot multi-tenant warehouse buildings on the site. The property is generally located east of Reliance Parkway and north of Airport Freeway. (Z-287)**

Planning Manager Emilio Sanchez presented information regarding this item, which is a request to amend the Bedford Forum Planned Unit Development (PUD) to allow Aldwin Zim to construct three, 20,000 square foot multi-tenant tilt-wall warehouse buildings at 1817 Reliance Parkway. The Planning and Zoning Commission recommended approval of this item at their February 11 meeting. The Comprehensive Land Use Plan has the property as commercial.

Mayor Griffin opened the public hearing at 7:18 p.m.

Nobody chose to speak during the public hearing.

Mayor Griffin closed the public hearing at 7:18 p.m.

In answer to a question from Council, Mr. Sanchez confirmed that the proposed plan does meet the landscaping requirements of the Bedford Forum PUD.

Motioned by Councilmember Champney, seconded by Councilmember Farco, to approve an ordinance to rezone Lot 1A, Block 6, Bedford Forum Addition, located at 1817 Reliance Parkway, Bedford, Texas from Planned Unit Development (PUD) to amended PUD, specific to Section 4.15 of the City of Bedford Zoning Ordinance, allowing for Aldwin Zim to construct three 20,000 square foot multi-tenant warehouse buildings on the site. The property is generally located east of Reliance Parkway and north of Airport Freeway. (Z-287)

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

- 4. Consider a resolution authorizing the City Manager to enter into a contract with Pyro Shows for the 2016 4thFest Fireworks Program in the amount of \$30,000.**

This item was approved by consent.

5. **Consider a resolution of the City Council of Bedford, Texas, authorizing the submission of the grant application for the Repeat Victimization Unit Storefront to the Office of the Governor, Criminal Justice Division.**

This item was approved by consent.

6. **Consider a resolution of the City Council of Bedford, Texas, authorizing the submission of the grant application for a new Canine Unit and vehicle to the Office of the Governor, Criminal Justice Division.**

This item was approved by consent.

7. **Consider a resolution authorizing the City Manager to enter into an Interlocal Agreement with the City of Hurst and the City of Euless for the space sharing arrangement of a police sub-station.**

This item was approved by consent.

8. **Consider a resolution authorizing the City Manager to purchase a new Mobile Message Switch and related components from Tyler Technologies, Inc., in the amount of \$18,250.**

This item was approved by consent.

9. **Consider a resolution authorizing the City Manager to enter into a Settlement and Release Agreement with Oncor Electric Delivery Company LLC regarding audit findings for unmetered streetlights.**

This item was approved by consent.

10. **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 \$105,000 through a Master Interlocal Cooperative Purchasing Agreement.**

This item was approved by consent.

11. **Report on most recent meeting of the following Boards and Commissions:**
 - ✓ **Animal Shelter Advisory Board - Councilmember Fisher**

No report was given.

- ✓ **Beautification Commission - Councilmember Turner**

Councilmember Turner reported that the Commission will next meet on Monday, March 21. He reminded everybody about Clean Up Bedford Day and the need for volunteers, and stated that there will be free food available at Meadow Park.

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

Councilmember Farco reported that a residential outreach was held on February 25 and had over 100 attendees. He thanked City Manager Roger Gibson and Councilmember Fisher, as well as staff, who all did excellent jobs. He thanked members of the Commission in attendance for the work they have done for the City, including going above and beyond to ensure that citizens have access to Council and staff on a regular basis through outreaches and block parties.

Council Minutes March 8, 2016

✓ **Cultural Commission - Councilmember Champney**

Councilmember Champney discussed the Trinity Arts Guild's 55th anniversary.

✓ **Library Advisory Board - Councilmember Farco**

Councilmember Farco reported that 3,500 people attended the tenth annual Seuss Festival on Sunday. He reminded everybody that the Library Satisfaction Survey is available until March 15.

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

Councilmember Sartor reported that the Board met the previous week and the majority of the time was spent on discussing the Boys Ranch, which is doing well. He encouraged everybody to look at the new lights installed at the Boys Ranch at night.

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

Councilmember Gebhart reported that the Board met on Thursday, March 3. He was unable to attend and will have a more detailed report at the next Council meeting.

✓ **Senior Citizen Liaison - Councilmember Turner**

No report was given.

12. Council member Reports

Councilmember Fisher stated that the previous week, the City of Euless and the HEB area suffered a tremendous loss when Police Officer David Hofer was shot in the line of duty. Out of a tragedy, new types of heroes emerge such as, Mayor Linda Martin, the Euless City Council, Police Chief Michael Brown and his department, and the citizens of Euless. This also includes the citizens of Hurst and Bedford, and the nation, who responded with an overwhelming show of affection, and who should be commended. He stated that first responders should always get an extra pat on the back. The pageantry and honor of a first responder's funeral is amazing and is something special for very special people. He thanked residents who brought food and bought lunch for first responders. To Mayor Martin and to the City of Euless, he stated their steady leadership carried the entire Metroplex. He gave a special thank you to first responders, who do something he could not. To Officer Hofer, he stated that he did know him but that his life dedicated to service has had an impact on his life and those of his children.

Councilmember Turner seconded Councilmember Fisher's elegant expression of grief and sorrow.

Councilmember Champney discussed the excellent comments made by Councilmember Fisher and stated that the events demonstrated the sense of community and everybody coming together. He stated that most people have good will and it was heartening to see how the community came together as one to support a fallen hero. This kind of thing will continue to make the country great and there is a need for more recognition of the good that is being done. It was a tragic event but said a great deal about the local community and the national community for their support.

Councilmember Sartor echoed Councilmember Fisher's comments. He attend the ceremony with his 16 year old and his wife, and sat with a friend who has sons that are with the Euless and Bedford Police Departments, and a son whose fiancée is with the North Richland Hills Police Department. She was a proud and humble mother who knows the risk her sons take every day they go to work. He encouraged citizens to tell officers how much they are appreciated. He further stated how much he himself appreciates officers and what they do to keep everybody safe.

Council Minutes March 8, 2016

Councilmember Gebhart stated he was able to attend the funeral service and it was incredibly moving. What he took away from the event was how much the community respects and loves those that stand on the line to protect people from the evil that is out there. The stadium was filled for one purpose, which was to honor that man who made the ultimate sacrifice for his community. To first responders, he stated that the community stands with them, and honors and appreciates what they do. He stated if they needed anything, the Council would help provide it to them. He prayed blessings on the Hofer family and every family that has had to deal with this loss.

Mayor Griffin discussed the upcoming 6Stones Community Powered Revitalization Spring Blitz on April 8 and 9 and he encouraged people to volunteer to help improve homes in Bedford, as well as Hurst and Euless.

13. City Manager/Staff Reports

City Manager Roger Gibson thanked the members of Council for their comments regarding the law enforcement community. He stated that in the last couple of years, a dangerous profession has become even more so. Line of duty deaths by gunfire from January 1 are up 300 percent over the same time period the previous year. Between the political climate and the mental health crisis that continues to get worse, their job get exponentially more dangerous. He stated that as a former police chief, when somebody thanked a police officer it went up on their commendation board, which was viewed regularly.

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

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

ADJOURNMENT

Mayor Griffin adjourned the meeting at 7:32 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary