



## A G E N D A

Regular Meeting of the Bedford City Council  
Tuesday, March 23, 2021  
Bedford City Hall Building A  
2000 Forest Ridge Drive  
Bedford, Texas 76021

Council Chamber Regular Session 6:00 p.m.

COMPLETE COUNCIL AGENDAS AND BACKGROUND INFORMATION ARE AVAILABLE FOR REVIEW  
ONLINE AT <http://www.bedfordtx.gov>

In accordance with order of the Office of the Governor issued March 16, 2020, the City of Bedford City Council will conduct its meeting scheduled at 5:30 p.m. on Tuesday, March 23, 2021, at City Hall by video conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID19). There will be no public access to the location described above. Residents interested in the Council meeting can watch it live on the City’s website at <https://bedfordtx.gov/250/City-Council-Meetings-Online> or tune in to channels 16 (Spectrum) or 99 (AT&T).

The agenda packet and meeting information are posted online at <https://bedfordtx.gov/AgendaCenter/City-Council-2>. You may provide written comments on specific agenda items prior to the meeting by filling out the Comment Form at <https://bedfordtx.gov/FormCenter/City-Council-11/City-Council-Meeting-Sign-Up-Form-51>, emailing [citysecretary@bedfordtx.gov](mailto:citysecretary@bedfordtx.gov) or calling 817-952-2104. You may also use the Comment Form to sign up to speak on specific agenda items during the meeting by phone. You must provide a valid phone number and you will be called during the meeting at the appropriate time. All comments and requests to speak need to be received by 3:00 p.m. the day of the meeting.

### REGULAR SESSION

#### CALL TO ORDER/GENERAL COMMENTS

#### INVOCATION

#### PLEDGE OF ALLEGIANCE

**OPEN FORUM** *(The public is invited to address the Council on any topic that is posted on this agenda. Citizens desiring to speak on Public Hearing(s) must do so at the time the Public Hearing(s) are opened. In order to speak during Open Forum, a person must first sign in with the City Secretary prior to the Regular Session being called to order. Speakers will be called upon in the order in which they sign in. Any person not signing in prior to the commencement of the Regular Session shall not be allowed to speak under Open Forum. Further, Open Forum is limited to a maximum of 30 minutes. Should speakers not use the entire 30 minutes Council will proceed with the agenda. At the majority vote of the Council the Mayor may extend the time allotted for Open Forum.)*

**CONSIDER APPROVAL OF ITEMS BY CONSENT** *(Consent items are deemed to need little Council deliberation and will be acted upon as on business item. Any member of the City Council may request that an item be withdrawn from the Consent Agenda and placed before the City Council for full discussion. Approval of the Consent Agenda authorizes the City Manager, or a designee, to implement each item in accordance with staff recommendation.)*

1. Consider approval of the following City Council minutes:
  - a) March 9, 2021 regular meeting

## COUNCIL RECOGNITION

2. Proclamation recognizing the week of April 11-17, 2021 as National Public Safety Telecommunicators Week.
3. Proclamation declaring the month of April 2021 as Child Abuse Prevention Month in the City of Bedford.

## NEW BUSINESS

4. Consider a resolution authorizing the City Manager to enter into an agreement with Halff Associates, Inc. for a Risk and Resilience Assessment and Emergency Response Plan, in the amount of \$74,000.
5. Mayor/Council Member Reports
6. City Manager/Staff Reports
  - a) Stakeholder selection process for the Performing Arts Center project.
  - b) Discussion about whether to move forward with the Old Bedford School bathroom project.

## EXECUTIVE SESSION

To convene in closed session in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- a) Section 551.071, consultation with City Attorney regarding pending or contemplated litigation for the enforcement of city ordinances relative to the real property located at 3009 Glenwood Court, also described as Lot 3, Block 2 of the CANTERBURY ADDITION, in the City of Bedford.
  - b) Section 551.071, consultation with City Attorney regarding pending or contemplated litigation for the enforcement of city ordinances relative to the real property located at 3228 Hickory Court, also described as Lot 27, Block 2 of the OAK VIEW HILLS ADDITION, in the City of Bedford.
  - c) Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – Bedford Hotels, LLC.
  - d) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease or value of real property – possible acquisition of real property for redevelopment purposes.
  - e) Pursuant to Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – evaluation of the City Manager.
7. Take any action necessary as a result of the Executive Session.

*(Any item on this posted agenda may be discussed in executive session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.)*

## ADJOURNMENT

### **CERTIFICATION**

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the outside window in a display cabinet at the City Hall of the City of Bedford, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: **Friday, March 19, 2021 at 5:00 p.m.**, and remained so posted at least 72 hours before said meeting convened.

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**Michael Wells, City Secretary**

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**Date Notice Removed**

(Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in City functions and activities. Auxiliary aids and services or accommodations must be requested in writing to the City Secretary's Office a minimum of seventy-two hours (72) hours prior to the scheduled starting time of the posted meeting. Requests can be delivered in person or mailed to the City Secretary's Office at 2000 Forest Ridge Drive, Bedford, TX 76021, or emailed to [citysecretary@bedfordtx.gov](mailto:citysecretary@bedfordtx.gov). Some requests may take longer due to the nature, extent and/or availability of such auxiliary aids, services or accommodations.)



# Council Agenda Background

**PRESENTER:** Michael Wells, City Secretary

**DATE:** 03/23/21

**Minutes**

**ITEM:**

Consider approval of the following City Council minutes:

- a) March 9, 2021 regular meeting

**DISCUSSION:**

N/A

**ATTACHMENTS:**

March 9, 2021 regular meeting

**Council Minutes March 9, 2021**

**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 7:00 p.m. via videoconference, on the 9th day of March, 2021 with the following members present:**

Michael Boyter  
Tom Burnett  
Dan Cogan  
Ruth Culver  
Amy Sabol  
Rusty Sartor

Mayor  
Councilmembers

constituting a quorum.

Councilmember Gagliardi arrived at 5:44 p.m.

Staff present included:

Jimmy Stathatos  
Cliff Blackwell  
Bryn Meredith  
Michael Wells  
Chuck Carlisle  
Maria Joyner  
Joey Lankford  
Paula McPartlin  
Andrea Roy  
Kelly Snook

City Manager  
Assistant City Manager  
City Attorney  
City Secretary  
Facilities and Risk Manager  
Finance Director  
Interim Fire Chief  
Assistant Finance Director  
Development Director  
Interim Capital Projects Director

**WORK SESSION**

Mayor Boyter called the Work Session to order at 5:31 p.m.

- **Update from the City Attorney on Governor Abbott's recent Executive Order.**

City Attorney Bryn Meredith updated Council on Governor Abbott's Executive Order GA-34, which eliminated certain COVID-19 requirements, including the mask mandate, occupancy limitations for private businesses, and the requirement that outdoor gatherings of ten or more people be pre-approved by the Mayor. He stated cities are having to decide what they can do regarding employees and city-owned buildings. The City can still mandate that all employees wear face coverings and socially distance, and has the authority to require visitors to City-owned facilities wear a face covering and socially distance; however, the Governor's order does not allow the City to issue any type of criminal citation for non-compliance. The only recourse for the City would be to ask the visitor to leave or refuse to serve them. Mr. Meredith stated the City could issue its

## Council Minutes March 9, 2021

own disaster declaration and require that permission from the Mayor or the City Manager be required prior issuing a permit for a gathering.

Council was of the consensus to continue the mandate that City employees wear masks with exceptions for employees that are socially distanced. There was discussion no longer mandating employee temperature checks and screening, and the number of employees that have been vaccinated. Council agreed to continue requesting patrons to City facilities to wear masks. There was discussion on opening facilities, including the Library, to more people and at what percentage of occupancy; opening the Roy Savage Pool; what neighboring cities are doing as far as facility capacity; the occupancy load and average attendance at the Library; enforcing the wearing of masks; opening up more rooms at the Library and reducing the time to quarantine materials; and allowing practices and games for outdoor sports. Council was of the consensus to open the Library at 75 percent capacity; to not pursue a local disaster declaration; and to open the City's parks for outdoor sports.

- **Discussion on the Quarterly Investment Report for the Fiscal 1st Quarter ending December 31, 2020.**

Assistant Finance Director Paula McPartlin stated the total value of the City's portfolios at the end of the first quarter was \$142,333,802, as compared to \$150,971,914 at the same time the previous year, representing a 5.7 percent decrease. The City has spent \$7,678,430 on the Phase Next Project and \$10,925 related to the Bedford Performing Arts Center. The City earned \$3,325,001 in accumulated interest as of the end of the first quarter.

Tom Ross with Valley View Consulting, the City's investment advisors, presented the quarterly financial report. He stated the balance in the City funds was approximately \$110,748,000, with an average quarterly yield of 0.41 percent. The balance of the State Water Implementation Revenue Fund for Texas (SWIRFT) portfolio \$31,595,000, with an average quarterly yield of 0.31 percent. The average quarterly yield for the entire portfolio was 0.39 percent. He discussed the Treasury yield curve and the stock market, and stated the Fed announced they would not increase their rate through 2023 and possibly 2024. Mr. Ross presented an overview of the City's investment holdings, the composition of the portfolio, a comparison to the previous quarter, and the allocation of the investments across various City funds. There was discussion on the amount of funds for Phase Next, and low interest rates and the decline in interest income.

- **Review of generator options for the Center at Generations Park.**

Interim Capital Projects Director Kelly Snook presented information regarding this item. She stated it was determined that the Center would not be part of the City's Emergency Operations Center (EOC) during the programming of Generations Park. Therefore, the current plans provide only for the salvage of the generator previously attached to the Boys Ranch Activity Center (BRAC). There were discussions amongst staff regarding the need for a new generator versus the use of the existing one, and for relocating the existing generator to City Hall Building A at a cost of approximately \$50,000. Steele and Freeman also provided a quote to relocate and reuse the existing generator for the new Center at a cost of approximately \$80,000 to \$95,000. Ms. Snook stated the Center could provide community warming and cooling center services, serve as a distribution hub for supplies, and act as an ancillary work space for City employees and administrative staff during emergency recovery operations, even though it is not part of the EOC. She presented multiple options for Council to consider, including reuse of the existing generator, the purchase of a new generator of various kilo-volt-ampere (KVA), costs, and their ability to

## **Council Minutes March 9, 2021**

power various portions of the facility. She stated any costs would come from the owner's betterment allowance built into the contract for Phase Next.

There was discussion on the generator at the current EOC in City Hall Building B; the condition of the BRAC generator; the maintenance inspection schedule for all the City's generators; whether it was necessary to power the elevator at the Center in an emergency; that the current generator or a new one at the same KVA would only power the west wing of the Center and emergency lighting in the rest of the facility; the capacity of the west wing; the different generator options; powering the restrooms and showers; and that the elevator has a battery pack to allow it to return to the ground floor in case of a power outage.

City Manager Jimmy Stathatos stated he favors the option to reuse the current 250KVA generator at the Center with the knowledge it may need to be replaced in the future. He further stated Council may want to do more with the funding as it is early in the project. There was discussion on the decision for Generations Park to not be part of the EOC; the history of staff discussion on the generator, including that it preceded the winter storm event; the cost to relocate and reuse the existing generator; the needs for the EOC; and wiring the generator so that it could possibly be upsized in the future.

Council was of the consensus to reuse the existing 250KVA generator from the old BRAC at the Center, representing a savings of approximately \$50,000 over the purchase of a new one to power the west wing of the building in its entirety and emergency lighting in the rest of the building, but not the elevator.

- **Review of berm and monument sign design revisions at Generations Park.**

The discussion on the berm design was postponed to a future meeting.

Ms. Snook stated revisions were made to the sketches presented at the previous Council meeting for the monument signs at the entry off Forest Ridge Drive and Harwood Road based on comments from Council. She displayed updated designs, including how the signs would look at night with lighting. There was discussion on the Forest Ridge Drive entrance having too many signs; putting a sign at the corner of Forest Ridge Drive and Harwood Road; the location and designs of the signs; screening a traffic control box at the southwest corner of the Forest Ridge Drive entrance; having a sign at the entrance by the Post Office; wayfinding signs for the interior of the park; using the logo and branding on the signs; and tying in the park signage with the branding and design of the entrance signs to the City.

Council was of the consensus for two digital signs, one at the Forest Ridge Drive entrance and the ballfield entrance; to have signage at the entrance off of the Post Office; to have a digital monument sign at the corner of Forest Ridge Drive and Harwood Road; and to have less signage at the entrance at Forest Ridge Drive. Ms. Snook stated there are two digital signs budgeted. There was discussion on the traffic flow in and out of the park and having more modern signage. Council was of the further consensus to have the digital signs be at the Forest Ridge Drive entrance and the corner of Forest Ridge Drive and Harwood Road; to only have signage at the northwest corner of the Forest Ridge Drive entrance; to have more use of the logo; and to have more modern-looking signage.

### **REGULAR SESSION**

The Regular Session began at 7:30 p.m.

## Council Minutes March 9, 2021

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

Mayor Boyter called the meeting to order.

### **INVOCATION**

Councilmember Sartor gave the invocation.

### **PLEDGE OF ALLEGIANCE**

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

### **OPEN FORUM**

Nobody signed up to speak during Open Forum

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

Motioned by Councilmember Sabol, seconded by Councilmember Burnett, to approve the following item by consent: 1

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

1. **Consider approval of the following City Council minutes:**
  - a) **February 23, 2021 regular meeting**

This item was approved by consent.

### **PERSONS TO BE HEARD**

2. **The following individuals have requested to speak to the Council tonight under Persons to be Heard:**
  - a) **Ellie Pitts, 2132 Shady Brook Drive, Bedford, Texas 76021 - Request to speak to Council regarding a petition for the extension of sidewalks on a portion of Shady Brook Drive from property numbers 2012 to 2148 and the Methodist Church.**

Ellie Pitts, 2132 Shady Brook Drive, Bedford – Ms. Pitts stated she and her neighbors are petitioning for a sidewalk on Shady Brook Drive and that they are the only block on that street without one. They feel it is a safety issue and would also beautify the neighborhood. Many school children walk home from Shady Brook Elementary and there is a blind curve between Shady Lane and Bedford-Eules Road. She stated they have not been able to reach two residents but 14 of the neighbors have signed a petition for the sidewalk.

There was discussion on the adding the sidewalk to the following year's Street Improvement Economic Development Corporation budget or possibly paying for it out of the City's fund balance; the estimated cost of the sidewalk of \$102,000; reaching out to the Calvary Chapel Church regarding the sidewalk; and the logistics for installing a sidewalk. Council was of the consensus to proceed with looking into installing the sidewalk.

## Council Minutes March 9, 2021

- 3. Consider a resolution authorizing the City Manager to enter into an agreement with American National Bank of Texas to provide depository and related banking services to the City of Bedford from May 1, 2021 through April 30, 2023 with an option for three one-year term extensions.**

Assistant Finance Director Paula McPartlin presented information regarding this item. She stated the Texas Local Government Code requires the City competitively solicit and select a qualified financial institution to serve as its primary depository bank. Valley View Consulting assisted with the preparation and distribution of the request for applications (RFA) and evaluation of the received applications. The City Council approved a resolution the previous September to allow banks outside the City's municipal boundaries to submit applications, which led to 14 additional banks being eligible, and the RFA was submitted to 23 financial institutions.

Finance Director Maria Joyner stated six banks submitted applications, four of which were outside the City's boundaries. American National Bank of Texas (ANBTX) was invited to meet with staff and demonstrated their online banking platform and their transition plan if selected. Staff received positive feedback from the references provided by ANBTX. Staff believes ANBTX provides the most advantageous application for the City and the Investment Committee voted to recommend the City Council award the contract to ANBTX at their meeting on February 25, 2021. Tom Ross with Valley View Consulting presented an overview of the selection process and discussed the advantage of opening the process to banks outside of the City's boundaries. He stated the savings with ANBTX over a five-year period would be approximately \$123,000 compared to the proposal by the current bank, and they can provide all the services the City requires.

Motioned by Councilmember Culver, seconded by Councilmember Sartor, to approve a resolution authorizing the City Manager to enter into an agreement with American National Bank of Texas to provide depository and related banking services to the City of Bedford from May 1, 2021 through April 30, 2023 with an option for three one-year term extensions.

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

- 4. Consider a resolution authorizing the City Manager to reschedule and cancel regular Council meetings in 2021.**

City Manager Jimmy Stathatos presented information regarding this item, which is an item placed on the agenda each year to cancel any meetings that may fall around a holiday, when it would not be conducive to hold meetings.

Motioned by Councilmember Burnett, seconded by Councilmember Gagliardi, to approve a resolution authorizing the City Manager to reschedule and cancel regular Council meetings in 2021.

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

### **5. Mayor/Council Member Reports**

No reports were given.

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

No report was given

## Council Minutes March 9, 2021

### EXECUTIVE SESSION

- a) Section 551.071, consultation with City Attorney regarding pending or contemplated litigation for the enforcement of city ordinances relative to the real property located at 3009 Glenwood Court, also described as Lot 3, Block 2 of the CANTERBURY ADDITION, in the City of Bedford.
- b) Section 551.071, consultation with City Attorney regarding pending or contemplated litigation for the enforcement of city ordinances relative to the real property located at 3228 Hickory Court, also described as Lot 27, Block 2 of the OAK VIEW HILLS ADDITION, in the City of Bedford.
- c) Section 551.071, consultation with City Attorney regarding pending or contemplated litigation - Bedford Hotels, LLC.
- d) Pursuant to Section 551.074, personnel matters - City Attorney

Council convened into Executive Session pursuant to Texas Government Code Section 551.071, consultation with City Attorney regarding pending or contemplated litigation for the enforcement of city ordinances relative to the real property located at 3009 Glenwood Court, also described as Lot 3, Block 2 of the CANTERBURY ADDITION, in the City of Bedford; Section 551.071, consultation with City Attorney regarding pending or contemplated litigation for the enforcement of city ordinances relative to the real property located at 3228 Hickory Court, also described as Lot 27, Block 2 of the OAK VIEW HILLS ADDITION, in the City of Bedford; Section 551.071, consultation with City Attorney regarding pending or contemplated litigation - Bedford Hotels, LLC; and Section 551.074, personnel matters - City Attorney, at 8:01 p.m.

Council reconvened from Executive Session at 8:52 p.m. Any necessary action to be taken as a result of the Executive Session will be during the Regular Session.

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

Motioned by Councilmember Culver, seconded by Councilmember Burnett, to take legal action as discussed in Executive Session.

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

### ADJOURNMENT

Mayor Boyter adjourned the meeting at 8:53 p.m.

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Michael Boyter, Mayor

ATTEST:

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Michael Wells, City Secretary



# Council Agenda Background

**PRESENTER:** Michael Boyter, Mayor

**DATE:** 03/23/21

Council Recognition

**ITEM:**

Proclamation recognizing the week of April 11-17, 2021 as National Public Safety Telecommunicators Week.

**DISCUSSION:**

Across the nation in times of intense personal crisis and community-wide disasters, the first access point for those seeking all classes of emergency services is 9-1-1. The local and county emergency communications centers that receive these calls have emerged as the first and single point of contact for persons seeking immediate relief during an emergency.

The Bedford Police Department is celebrating April 11-17, 2021 as National Public Safety Telecommunicators Week, which honors the thousands of men and women who respond to emergency calls, dispatch emergency professionals and equipment, and render life-saving assistance to the citizens of the United States.

Each year, the second full week of April is dedicated to public safety telecommunicators. The observance was first introduced by the Contra Costa County California Sheriff's Office in 1981. By the mid-1980s, members of the Virginia and North Carolina chapters of the Association of Public Safety Communications Officials (APCO) began participating in the observance. In 1991, the national APCO organization convinced Congress of the need of a formal proclamation.

Police Chief Gary Johnson and Dispatch Supervisor Amy James will accept the proclamation on behalf of the Bedford Police Telecommunicator/Dispatch Division.

**ATTACHMENTS:**

Proclamation



CITY OF  
**BEDFORD**

# Proclamation

*WHEREAS, emergencies can occur at any time that require police, fire, or emergency medical services; and*

*WHEREAS, when an emergency occurs the prompt dispatching of first responders and City personnel is critical to the protection of life and preservation of property; and*

*WHEREAS, the safety of our first responders and City personnel is dependent upon the quality and accuracy of information obtained from citizens who telephone the City of Bedford emergency communications center; and*

*WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and*

*WHEREAS, Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and*

*WHEREAS, Public Safety Telecommunicators of the City of Bedford have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and*

*WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance in their job in the past year.*

*NOW, THEREFORE, let it be known that I, Michael Boyter, Mayor of the City of Bedford, and the City Council do hereby proclaim the week of April 11-17, 2021, as:*

## ***National Public Safety Telecommunicators Week***

*in the City of Bedford, in honor of the men and women whose diligence and professionalism keep our city and citizens safe.*

*In witness whereof, I have hereunto set my hand and  
caused the seal of the City of Bedford to be affixed this  
23rd day of March 2021.*

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Michael Boyter, Mayor





# Council Agenda Background

**PRESENTER:** Michael Boyter, Mayor

**DATE:** 03/23/21

Council Recognition

**ITEM:**

Proclamation declaring the month of April 2021 as Child Abuse Prevention Month in the City of Bedford.

**DISCUSSION:**

Jamie Harton with Alliance For Children will accept the proclamation.

**ATTACHMENTS:**

Proclamation



CITY OF  
**BEDFORD**

# Proclamation

*WHEREAS, children are our future and our greatest resource; and*

*WHEREAS, every child deserves a nurturing family and safe environment to grow into a healthy, productive member of the community; and*

*WHEREAS, child abuse is one of our nation's most serious public health problems and threatens the safety of our community; and*

*WHEREAS, in Tarrant County, 6,203 children were confirmed as victims of child abuse or neglect in 2020; and*

*WHEREAS, Alliance For Children provided trauma-informed services to 2,125 children in 2020;*

*WHEREAS, finding solutions to prevent child abuse is a community responsibility and depends on the involvement of all citizens; and*

*WHEREAS, effective child abuse prevention, investigation and treatment programs succeed because of partnerships among public and private agencies, schools, religious organizations, medical services, and the business community.*

*Now therefore, I, Michael Boyter, Mayor of the City of Bedford, Texas, and the City Council, do hereby proclaim the month of April 2021 as*

## ***Child Abuse Prevention Month***

*in the City of Bedford, Texas and urge all citizens to work together to help reduce child abuse and neglect significantly in the years to come.*

*In witness whereof, I have hereunto set my hand and  
caused the seal of the City of Bedford to be affixed this  
23rd day of March, 2021.*

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Michael Boyter, Mayor





# Council Agenda Background

**PRESENTER:** Kenny Overstreet, Public Works Director

**DATE:** 02/23/21

**Council Mission Area:** Provide a safe and friendly community environment.

**ITEM:**

Consider a resolution authorizing the City Manager to enter into an agreement with Halff Associates, Inc. for a Risk and Resilience Assessment and Emergency Response Plan, in the amount of \$74,000.

**City Attorney Review:** Yes

**SUMMARY:**

The America's Water Infrastructure Act (AWIA) legislation requires that community water systems serving populations greater than 3,300 and less than 50,000 shall assess the risks to, and resilience of, its water system and submit certification to the United States Environmental Protection Agency (EPA). The AWIA compliance deadline for the Client's water system is June 30, 2021 and the EPA's certification of completion deadline is December 30, 2021.

**BACKGROUND:**

At a minimum, the risk and resilience assessment must consider the following risks to, and resilience of, its system:

- The risk to the system from malevolent acts and natural hazards;
- The resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system;
- The monitoring practices of the system;
- The financial infrastructure of the system;
- The use, storage, or handling of various chemicals by the system; and,
- The operation and maintenance of the system.

The AWIA requires water utilities to complete an Emergency Response Plan (ERP) in order to integrate the findings of the Risk and Resiliency Assessment after the Risk and Resilience Assessment is complete. The deadline to submit the Emergency Response Plan certification to the EPA is within six months of the Risk and Resilience Assessment, but no later than December 30, 2021. The Emergency Response Plan is expected to address:

1. Strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system.
2. Plans and procedures that can be implemented, and identification of equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water.
3. Actions, procedures, and equipment which can obviate or significantly lessen the impact of a malevolent act or natural hazard on the public health and the safety and supply of drinking water provided to communities and individuals, including the development of alternative source water options and construction of flood protection barriers.
4. Strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system.

Halff Associates, Inc. has submitted a proposal to the City that identifies the scope of work to be performed and outlines the two phases of preparing and finalizing the Risk and Resilience Assessment and the Emergency Response Plan. Prior to the finalization of the Emergency Response Plan, City specifications will be implemented to improve the safety and reliability of the City of Bedford's water supply. Communication between Halff Associates, Inc. and City staff will extend throughout the project and at various stages of development. A certification of completion will be submitted to an EPA administrator by Halff Associates, Inc. no later than the current deadline submission date of December 30, 2021.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into an agreement with Halff Associates, Inc. for a Risk and Resilience Assessment and Emergency Response Plan, in the amount of \$74,000.

**FISCAL IMPACT:**

FY 20/21 Contractual Services Budget:	\$17,000
FY 20/21 Contract Labor Budget:	<u>\$57,000</u>
Amount:	\$74,000

**ATTACHMENTS:**

Resolution  
Proposal

RESOLUTION NO. 2021-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HALFF ASSOCIATES, INC. FOR A RISK AND RESILIENCE ASSESSMENT AND EMERGENCY RESPONSE PLAN, IN THE AMOUNT OF \$74,000.

WHEREAS, The America's Water Infrastructure Act (AWIA) legislation requires that community water systems serving populations greater than 3,300 and less than 50,000 shall assess the risks to, and resilience of, its water system and submit certification to the United States Environmental Protection Agency (EPA); and,

WHEREAS, the City Council of Bedford, Texas has determined that the purchase of a Risk and Resilience Assessment is necessary to be responsive to the needs of the community; and,

WHEREAS, the City Council of Bedford, Texas has determined that the purchase of an Emergency Response Plan provides a safe and friendly community environment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

- SECTION 1. That the findings above are found to be true and correct, and are incorporated herein.
- SECTION 2. That the City Council does hereby authorize the City Manager to enter into an agreement with Halff Associates, Inc. for a Risk and Resilience Assessment and Emergency Response Plan, in the amount of \$74,000.
- SECTION 3. That funding will come from the FY 20/21 Water Utility Fund Contractual Services and Contract Labor line items.

PRESENTED AND PASSED this 23rd day of March 2021, by a vote of \_\_\_ ayes, \_\_\_ nays and \_\_\_ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

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Michael Boyter, Mayor

ATTEST:

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Michael Wells, City Secretary



March 11, 2021

Kenneth Overstreet  
Director of Public Works  
1813 Reliance Parkway, Bedford, TX 76021-6109  
Office: 817-952-2248 | Fax: 817-952-2240

RE: Risk and Resilience Assessment and Emergency Response Plan

Dear Kenneth:

HALFF ASSOCIATES, INC. (HALFF) is pleased to submit this proposal to the City of Bedford Public Works to assist the City in meeting the new EPA AWIA (America's Water Infrastructure Act) mandate to prepare a Risk & Resiliency Assessment (RRA) and a new Emergency Response Plan (ERP). The team we have assembled for this project offers expertise in the following areas:

- Direct experience with engineering design, relocation and rehabilitation for similar sized water utilities
- First-hand knowledge of the challenges of operating a water utility
- Expertise in the AWWA J100 standard
- Expertise in mitigation of natural and man-made hazards
- Asset management experience in above- and below-ground assets
- GIS Expertise

**Background:**

In 2018, AWIA established the requirement that all community water systems serving a population of greater than 3,300 must comply with Environmental Protection Agency (EPA) requirements for risk and resilience assessments and emergency response plans. The AWIA also requires all drinking water system providers who serve a population greater than 3,300 to prepare or revise their Emergency Response Plans (ERPs) to incorporate the findings of each risk and resilience assessment.

**Scope of Work:**

We will prepare both an RRA and ERP for the City of Bedford that will enhance the City's ability to withstand a wide variety of threats and streamline the preparation of these plans in order to certify completion by June 30, 2021. By the EPA deadline of December 30, 2021, we will provide Bedford Public Works with an ERP that clearly identifies emergency response needs and procedures and can be maintained as a living document.

**PHASE I: Risk & Resilience Assessment**

***Task 1: Identify Critical Assets and Threat Scenarios***

The first task will be to evaluate the threats to the Public Works Department's existing water assets and partner systems based on metrics associated with potential loss of life or serious injury; economic disruption; loss of confidence in the utility; and impacts to the environment. To expedite this task, the Halff Team will consult with utility staff to eliminate non-critical assets from any further assessment. We will develop and distribute a survey to gather information from stakeholders. Assets to be evaluated may include:

- Water treatment plans

- City-owned water wells
- Pipes for potable water transmission and distribution
- Ground storage, elevated tanks and distribution facilities
- Electronic, computer and other automated systems
- Other critical assets as identified by the City

### ***Task 2: Consequence and Vulnerability Analysis to Determine Threat Likelihood***

In this stage of the RRA, we will perform a quantitative ranking of the severe consequences that may result from threats to Bedford's critical water assets. Consequences to consider include:

- Service interruption
- Financial loss
- Serious injury or fatalities
- Economic impact to the City of Bedford and the customers in its service area
- Vulnerability of shared systems and connections.

Because of the many interrelationships in the City's water system, we will coordinate with adjoining systems to identify vulnerabilities and threats resulting from interdependency and proximity.

Vulnerabilities will be identified through site inspection reports, the evaluation of existing asset data, the survey responses obtained from the SAC, examination of existing system and partner mitigation plans, the Utility's operating procedures and financial management infrastructure. To determine relevant threats from natural hazards, we will analyze historical natural hazards data to identify threats of concern.

### ***Task 3: Risk & Resilience Assessment***

The primary task completed in this phase will be the Risk and Resilience Assessment of all identified Utility risks. We will quantify risk and identify preliminary options to promote resilience associated with the threats, vulnerabilities and their potential costs as identified in Task 2.

The baseline calculation of risk for each threat scenario will result in a full accounting of risks and projected financial impact for a broad range of hazards. We will review the results of the baseline RRA and potential countermeasures with staff. To prepare the final RRA, we will reconvene the SAC in a workshop to identify and prioritize operational and financial resiliency strategies that provide the City with the greatest human and financial benefits. The outcome of this final meeting will be an actionable plan of risk reduction alternatives.

### ***Task 4: EPA Certification of RRA***

Halff will prepare and submit a Certification of Completion to the EPA Administrator by June 30, 2021 to certify that Bedford Public Works has complied with the requirements of AWIA to "conduct an assessment of the risks to and resilience of its system."

## **PHASE II: Emergency Response Plan**

This project will develop a new ERP that responds to Bedford's emergency response needs and meets current requirements of AWIA 2018. An effective emergency response takes more than a plan. An ERP provides the greatest value if it is maintained as a living document and understood

by everyone in the organization. The Halff Team will develop a Bedford Public Works' ERP according to AWWA M19 guidance standards that will meet all EPA requirements, while establishing methods to help employees understand their roles and responsibilities in mitigating threats and responding to incidents.

***Task 1: Finalize Risk & Resilience Action Plan***

This task will build upon the assessment conducted in Task 3. We will identify preliminary options to promote resilience associated with the threats, vulnerabilities and their potential costs as identified in Task 2. A cost benefit analysis will be conducted in order to vet the preliminary options into an action plan ready for inclusion in a CIP program.

***Task 2: Review of Bedford's current ERP and Emergency Response Planning Documents for Connecting Utilities***

The planning process will build upon the findings of the RRA to engage utility personnel and other partners in Bedford's water supply and delivery system. The Halff Team will help the City define each partner's role in emergency response. Our cybersecurity team will meet with Bedford IT personnel and identified stakeholders to develop a map of connectivity among these partner systems and identify potential risks and responses for process control systems and enterprise systems.

***Task 3: Prepare Draft Emergency Response Plan (ERP)***

Once these roles and interdependencies are defined, the Halff Team will convene the SAC to facilitate a tabletop workshop that addresses both physical security and cybersecurity. The planning exercises will consider natural hazards, threats arising from malevolent acts, cyber threats and other risks identified in the RRA. The workshops will identify procedures, equipment and actions to detect, deter and mitigate threats, thereby improving the resilience of the system and protecting the general public, personnel, property and equipment. The outcomes of these sessions will consider:

- emergency interconnects options for temporary source disruption
- protection of water intakes
- construction of flood protection barriers
- operations and maintenance procedures
- chemical storage and handling
- asset management procedures
- financial readiness

Based on the specific actions defined in the plan, the Halff Team will recommend role-based training and communication activities for appropriate employees and procedures for ongoing plan review and maintenance, emergency drills and training to establish and maintain a culture of preparedness. To conclude the planning process, the Halff Team will incorporate the work session proceedings and recommendations into a draft plan document according to AWWA's M19 guidance for review.

***Task 4: Finalize Emergency Response Plan***

The team will then facilitate a plan review session with the SAC to finalize the document. The resulting ERP will be revised according to City specifications. When implemented, it will improve the safety and reliability of Bedford's water supply.

***Task 5: EPA Certification of ERP***

Make final revisions as necessary and certify completion of ERP to EPA Administrator.



**Deliverables:**

	<b>Deliverable</b>	<b>Budget</b>
<b>Phase I</b>		
Task 1: <i>Identify Critical Assets and Threat Scenarios</i>	Kick-off meeting. Establish Stakeholder Advisory Committee (SAC) Survey of utility stakeholders	\$5,500
Task 2: <i>Consequence and Vulnerability Analysis to Determine Threat Likelihood</i>	Report on consequences of threat scenarios. Meet with Stakeholder Advisory Committee (SAC) Database, interdependency & proximity threats	\$10,500
Task 3: <i>Risk &amp; Resilience Assessment</i>	RRA draft SAC priority-setting workshop Risk & Resiliency Assessment Report	\$20,500
Task 4: <i>EPA Certification of RRA</i>	Certification of Completion to EPA Administrator	\$2,500
<i>Subtotal:</i>		<b>\$39,000</b>
<b>Phase II</b>		
Task 1: <i>Finalize Risk &amp; Resilience Action Plan</i>	SAC priority-setting workshop, analysis of countermeasures and preparation of Action Plan	\$15,000
Task 2: <i>Review Current ERP and Emergency Response Planning Documents</i>	Review previous ERP and related documents Connectivity report of automated systems.	\$3,000
Task 3: <i>Prepare Draft Emergency Response Plan (ERP)</i>	Meeting with SAC Identification of Critical Risks Prepare Draft ERP	\$10,000
Task 4: <i>Finalize Emergency Response Plan</i>	Meeting with SAC to review draft Preparation of final ERP	\$4,500
Task 5: <i>EPA Certification of ERP</i>	Certification of Completion to EPA Administrator	\$2,500
<i>Subtotal:</i>		<b>\$35,000</b>
<b>Total:</b>		<b>\$74,000</b>

**Schedule:**

		<b>Phase I</b>					<b>Phase II</b>			
		<b>Task 1</b>	<b>Task 2</b>	<b>Task 3</b>	<b>Task 4</b>	<b>Task 5</b>	<b>Task 1</b>	<b>Task 2</b>	<b>Task 3</b>	<b>Task 4</b>
	<b>2021</b>									
<b>2021</b>	March									
	April									
	May									
	June									
	July - Sept									
	October									
	November									
	December									

Sincerely,  
HALFF ASSOCIATES, INC.

Kimberly M. Miller, AICP  
Principal Planner

Cc: Dennis Harr, P.E., CFM, Preston Dillard, P.E.