

Council Minutes February 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 6:30 p.m. via videoconference on the 9th day of February, 2021 with the following members present:

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

constituting a quorum.

Councilmember Gagliardi arrived at 5:52 p.m.

Staff present included:

Jimmy Stathatos	City Manager
Cliff Blackwell	Assistant City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Meg Jakubik	Strategic Services Manager
Maria Joyner	Finance Director
Paula McPartlin	Assistant Finance Director
Kenny Overstreet	Public Works Director
Andrea Roy	Development Director
Kelly Snook	Interim Capital Projects Director

WORK SESSION

Mayor Boyter called the Work Session to order at 5:30 p.m.

City Manager Jimmy Stathatos introduced new Communications Director Molly Fox.

• First Quarter Financial Report.

Strategic Services Manager Meg Jakubik gave a financial report on the first quarter of the City's fiscal year. She cautioned that they were not the final, audited numbers, and expenses eligible for Coronavirus Aid, Relief, and Economic Security (CARES) Act funding have not yet been moved to the appropriate fund. She presented information on the General Fund, including a comparison of actual and budgeted revenue and expenditures, and a comparison of revenues and expenditures from Fiscal Year 2020 and 2021. She presented information on the Water and Sewer Fund, including three-year histories of revenue and expenditures. She presented information on other funds, including Tourism, Stormwater, and the Street Improvement Economic Development Corporation (SIEDC). There was discussion on operational transfers, a

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delay in the collection on property taxes, Fire Department expenditures, decreases Tourism Fund revenue, and the collection of hotel/motel occupancy tax, including the process for taking legal action on hotels/motels that are delinquent in paying their taxes.

- **Introduction of Brown Reynolds Watford Architects (BRW), selected for the professional services contract for the Performing Arts Center at the Old Bedford School.**

Craig Reynolds, Chris Sano, and Andrew Evertson with Brown Reynolds Watford Architects (BRW) presented a background of their company; an overview of the other members of the design team; the design process; the programming and concept design phase; multiple workshops; and the other projects on which they have worked. There was discussion on incorporating the Old Bedford School (OBS) building into the project; making the City's facilities more usable to create a destination and improve the City's economics; better utilizing the OBS property; fixing the acoustics in the OBS; the various phases of the project; making something unique to Bedford; and engaging the residents in the process. In response to a question from Council, the representatives from BRW stated the design process would take approximately five months to get to a finalized design.

- **Discussion regarding the Cultural Commission.**

There was discussion on the Cultural Commission's current purpose statement, their original purpose for the creation of a cultural district, Council's goals for the Commission, and proposed Commission projects, including wrapping the City's signal boxes. There was further discussion on the impact of COVID-19 on potential Commission projects; new chairperson Kim Brown; the Commission pausing their activities until the COVID-19 pandemic is over; whether the Commission is clear on their purpose and their direction from Council; direction from Council on the signal box wrapping project and the collection of funds for projects; a joint work session with the Council and the Cultural Commission; a joint work session with the Council and all boards and commissions; the lack of venues for cultural events due to COVID-19 and construction; the impact of future improvements to the City's signal boxes on the wrapping project; providing the Commission better focus and direction; and boards and commissions in other cities. Council was of the consensus to first have a work session amongst themselves to discuss all the City's Boards and Commissions.

Mayor Boyter adjourned the Work Session at 6:42 p.m.

REGULAR SESSION

The Regular Session began at 6:47 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Boyter called the meeting to order.

INVOCATION

Councilmember Sartor gave the invocation.

PLEDGE OF ALLEGIANCE

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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 Burnett, seconded by Councilmember Sabol, 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) January 26, 2021 regular meeting**

This item was approved by consent.

NEW BUSINESS

- 2. Consider an ordinance authorizing amendments to the adopted annual budget of the City of Bedford, Texas for the fiscal period of October 1, 2020 through September 30, 2021; 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. She stated the first amendment to the budget is the transfer of \$250,000, from savings in the General Fund due to Coronavirus Aid, Relief, and Economic Security (CARES) Act funding, to the Economic Development Fund for a business assistance program. The second amendment is to incorporate changes to the Street Improvement Economic Development Corporation budget for additional projects approved at their board meeting on January 19, 2021.

Motioned by Councilmember Sartor, seconded by Councilmember Culver, to approve an ordinance authorizing amendments to the adopted annual budget of the City of Bedford, Texas for the fiscal period of October 1, 2020 through September 30, 2021; providing for intra-fund and/or intra-departmental transfers; providing for investment of idle funds; and declaring an effective date.

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

- 3. Consider a resolution accepting the report from the independent auditor and the audited financial statements and the single audit report for the fiscal year ending September 30, 2020 and providing an effective date.**

Assistant Finance Director Paula McPartlin stated this item is for the acceptance of the Comprehensive Annual Finance Report (CAFR) for the fiscal year ending September 30, 2021. The audit report was presented by the auditing firm of Weaver and Tidwell, L.L.P. to the City's Audit Committee on January 28, 2021. Weaver and Tidwell found the City's financial statements for the fiscal year presented fairly in material respects without any material misstatements. Further, the single audit for the CARES funding found the City was in compliance. The City

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received an unmodified on both reports, which is the highest level of assurance the auditors are allowed to give.

Jennifer Ripka with Weaver and Tidwell presented an overview of the CAFR and the independent auditor's report and reiterated that they issued an unmodified, or clean, opinion. There were no internal control weaknesses, material deficiencies, or non-compliance with the financial statements. She stated they also performed a single audit of the CARES funding and issued an unmodified opinion, further noting there were no material weaknesses or significant deficiencies regarding the funding. She presented an overview of the City's revenues, expenditures, and ending fund balances. There was discussion on the audit process, the City's debt and retirement plan funding, and the process if the auditors find something alarming.

Motioned by Councilmember Burnett, seconded by Councilmember Cogan, to approve a resolution accepting the report from the independent auditor and the audited financial statements and the single audit report for the fiscal year ending September 30, 2020 and providing an effective date.

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

4. Consider a resolution authorizing the City Manager to enter into a professional services contract with Brown Reynolds Watford Architects (BRW) for a Performing Arts Center at the Old Bedford School property.

Interim Capital Projects Director Kelly Snook presented information regarding this item, which is a professional services contract with Brown Reynolds Watford Architects (BRW) for a Performing Arts Center at the Old Bedford School property. She stated the agreement includes the visioning and conceptualizing phase of the design process.

Motioned by Councilmember Sabol, seconded by Councilmember Burnett, to approve a resolution authorizing the City Manager to enter into a professional services contract with Brown Reynolds Watford Architects (BRW) for a Performing Arts Center at the Old Bedford School property.

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

5. Consider a resolution authorizing the City Manager to expend funds and enter into an interlocal agreement with Tarrant County for street improvements on L. Don Dodson Drive from Forest Ridge Drive to Central Drive, Forest Ridge Drive from Harwood Road to Cheek-Sparger Road, and Forest Ridge Drive from SH121/

Public Works Director Kenny Overstreet presented information regarding this item, which is an interlocal agreement with Tarrant County to overlay portions of L. Don Dodson Drive and Forest Ridge Drive. He stated the City has partnered with Tarrant County the last several years on various road projects. The City would be responsible for paying for the asphalt and half of the fuel costs, with Tarrant County providing the labor and equipment. There was discussion on the benefits of working with the County. In response to a question from Council, Mr. Overstreet stated the County is slated to start the project on March 1 and the work should take approximately four weeks.

Motioned by Councilmember Culver, seconded by Councilmember Sartor, to approve a resolution authorizing the City Manager to expend funds and enter into an interlocal agreement

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with Tarrant County for street improvements on L. Don Dodson Drive from Forest Ridge Drive to Central Drive, Forest Ridge Drive from Harwood Road to Cheek-Sparger Road, and Forest Ridge Drive from SH121/183 to Bedford Road.

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

- 6. Consider a resolution authorizing the City Manager to enter into an agreement with TexOp Construction, LP in the amount of \$81,649.50 for asphalt milling on L. Don Dodson Drive from Forest Ridge Drive to Central Drive, Forest Ridge Drive from Harwood Road to Cheek-Sparger Road, and Forest Ridge Drive from SH121/183 to Bedford Road, utilizing the Tarrant County cooperative purchasing agreement.**

Mr. Overstreet presented information regarding this item. He stated the top two inches of asphalt would need to be removed before Tarrant County can perform the overlay on L. Don Dodson Drive and Forest Ridge Drive. The City has utilized TexOp Construction for this process the previous three years using the interlocal agreement with Tarrant County.

Motioned by Councilmember Sabol, seconded by Councilmember Cogan, to approve a resolution authorizing the City Manager to enter into an agreement with TexOp Construction, LP in the amount of \$81,649.50 for asphalt milling on L. Don Dodson Drive from Forest Ridge Drive to Central Drive, Forest Ridge Drive from Harwood Road to Cheek-Sparger Road, and Forest Ridge Drive from SH121/183 to Bedford Road, utilizing the Tarrant County cooperative purchasing agreement.

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

7. Mayor/Council Member Reports

Mayor Boyter reported on a blood drive held by Carter BloodCare. He stated it was well attended and thanked the residents who participated.

8. City Manager/Staff Reports

a) Update on the Old Bedford School restroom remodel.

Assistant City Manager Cliff Blackwell asked if Council wanted to move forward with the restroom remodel on the second floor of the Old Bedford School (OBS) if the building was being incorporated into the performing arts center project. He discussed delays in the remodel project and stated the plans were not received until late the previous year. In response to questions from Council, Mr. Blackwell stated if Council wants to incorporate the OBS building into the design of performing arts center, he recommends holding off on any major construction on the building. Doing so would not impact any contractual obligations, improvements to the OBS theater, or future tenants. He further stated the directive from Council on the restrooms was a budget of \$175,000. There was discussion on delaying or moving forward on the restroom remodel and having Brown Reynolds Watford Architects (BRW) look at the restroom plans. A majority of Council was in favor of moving forward on the restroom remodel and having BRW review the plans to see if they have any objections. Mr. Blackwell discussed fixtures that are to be installed in the OBS theater for ONSTAGE.

EXECUTIVE SESSION

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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) 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 and Section 551.074, personnel matters – City Attorney, at 7:39 p.m.

Council reconvened from Executive Session at 8:04 p.m. Any necessary action to be taken as a result of the Executive Session will be during the Regular Session.

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

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

ADJOURNMENT

Mayor Boyter adjourned the meeting at 8:05 p.m.

Michael Boyter, Mayor

ATTEST:

Michael Wells, City Secretary