

Council Minutes May 25, 2021

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Regular Session at 6:00 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 25th day of May, 2021 with the following members present:

Michael Boyter	Mayor
Amy Sabol	Mayor Pro Tem
Cindy Almendarez	Councilmembers
Dan Cogan	
Ruth Culver	
Rob Gagliardi	

constituting a quorum.

Staff present included:

Jimmy Stathatos	City Manager
Bryn Meredith	City Attorney
Michael Wells	City Secretary
Joey Lankford	Interim Fire Chief
Kenny Overstreet	Public Works Director
Andrea Roy	Development Director
Cheryl Taylor	City Engineer
Chris Techau	Interim Street and Drainage Supt.
Jeff Williams	Police Chief

REGULAR SESSION

The Regular Session began at 6:00 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Boyter called the meeting to order.

INVOCATION

Mayor Pro Tem Sabol 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.

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PRESENTATIONS

- **Presentation to the Bedford Fire Department for achieving an Insurance Service Organization (ISO) Class 1 rating.**

Jeff Edwards with the Insurance Service Organization (ISO) stated Bedford's Public Protection Classification (PPC) 1 rating will go into effect June 1, 2021. A community needs to score 90 or above out of 105.5 possible points on the ISO Fire Suppression Rating System to obtain a Class 1 rating. Only 391 communities across the country have achieved the Class 1 rating out of the 45,521 fire services rated by the ISO across the country, with 69 being in Texas. Mr. Edwards discussed the various elements that go into the PPC rating. The City scored 9.78 points out of 10 on emergency communications; 41.76 points out of 50 for the Fire Department; 39.53 points out of 40 for the City's water supply; and 5.01 points out of 5.50 for community risk reduction. Overall, the City scored 93.02 points out of a possible 105.5. The rating is used by the insurance industry to determine homeowner and business insurance rates. Mr. Edwards and Joel Duke with the State Fire Marshal's Office presented plaques recognizing Bedford's ISO Class 1 rating.

- **Presentation on the 2021 mosquito control program.**

Interim Street and Drainage Superintendent Chris Techau presented a comparison of mosquito trap statistics between 2019 to 2020, as well as trap information for 2021 to date. He stated there were less traps set in 2020 compared to 2019 due to COVID-19 and that there have been no positive trap sites so far in 2021. He presented a comparison of Tarrant County trap information between 2019 and 2020, and treatments by City staff in 2020. Mr. Techau discussed mosquito treatments, including larviciding. He stated Tarrant County has begun testing in-house and there is a one-day turnaround in receiving results.

There was discussion on the number of feet of creeks treated by staff; staffing for the mosquito control program; the timeliness of receiving results with Tarrant County doing in-house testing; the effectiveness of starting larviciding early and overlapping; Bedford's statistics compared to neighboring cities and Bedford dedicating more resources for its program; Bedford assisting neighboring cities; mosquito issues at Stormie Jones Park; concerns related to the recent rain events; communication with residents; updating Council on the program in the future; and the impact of former Street and Drainage Superintendent, the late Jerry Laverty.

CONSIDER APPROVAL OF ITEMS BY CONSENT

City Manager Jimmy Stathatos presented an overview of the items on the consent agenda.

Motioned by Councilmember Culver, seconded by Mayor Pro Tem Sabol, to approve the following items by consent: 1 and 2.

Motion approved 6-0-0. Mayor Boyter declared the motion carried.

1. **Consider approval of the following City Council minutes:**
 - a) **May 11, 2021 regular meeting**

This item was approved by consent.

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2. **Consider a resolution of the City of Bedford, Texas finding that Oncor Electric Delivery Company LLC's application for Approval to Amend its Distribution Cost Recovery Factor to increase distribution rates within the City should be denied; authorizing participation with Oncor Cities Steering Committee; authorizing the hiring of legal counsel and consulting services; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.**

This item was approved by consent.

NEW BUSINESS

3. **Public hearing and consider an ordinance to rezone Abstract 11, Tracts 2B06A1 & 2B6C, Allen, Alexander Survey, located at 2921 Brown Trail, Suite #110, Bedford, Texas, from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit (H/SUP), specific to Section 3.2.C.2.a, Churches, Temples and Synagogues of the City of Bedford Zoning Ordinance, allowing for Magen Yisheinu, Inc. to operate a synagogue. The subject property is generally located west of Brown Trail and south of Carolyn Lane. (PZ-SUP-2021-014).**

Development Director Andrea Roy presented information regarding this item, which is a request for rezoning allowing for the operation of a synagogue. She stated the property is located at the southwest corner of Carolyn Drive and Brown Trail in an existing two-story office building, with full wraparound parking. She stated the congregation has 30 to 40 individuals, which requires ten parking spaces. Services would primarily be held on Saturdays, which is complimentary to existing businesses in the building. She displayed the interior layout of the building and stated the maximum occupancy of the 1,854 square foot suite is 40 people.

Mayor Boyter opened the public hearing at 6:33 p.m.

Nobody chose to speak during the public hearing.

Mayor Boyter closed the public hearing at 6:33 p.m.

In response to a question from Council, Ms. Roy confirmed that the applicant currently does services in Bedford.

Motioned by Councilmember Culver, seconded by Councilmember Gagliardi, to approve an ordinance to rezone Abstract 11, Tracts 2B06A1 & 2B6C, Allen, Alexander Survey, located at 2921 Brown Trail, Suite #110, Bedford, Texas, from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit (H/SUP), specific to Section 3.2.C.2.a, Churches, Temples and Synagogues of the City of Bedford Zoning Ordinance, allowing for Magen Yisheinu, Inc. to operate a synagogue. The subject property is generally located west of Brown Trail and south of Carolyn Lane. (PZ-SUP-2021-014).

Motion approved 6-0-0. Mayor Boyter declared the motion carried.

4. **Consider a resolution authorizing the City Manager to enter into a contract with Atkins Brothers Equipment Company Inc. in the amount of \$716,403 for the SWIFT-20-11 Forest Ridge Drive 12-Inch Water Line from Bedford Road to Harwood Road.**

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City Engineer Cheryl Taylor presented information regarding this item, which is to replace approximately 3,000 feet of eight-inch water line with 12-inch water line to provide service to the new Generations Park facility. The project also includes replacing approximately 100 feet of six-inch sanitary sewer line along Bedfordshire. She stated the water line replacement was initially going to be part of the Generations Park project but was separated out to be funded from loans through the State Water Implementation Fund for Texas (SWIFT). Eleven bids were received, with the low bidder being Atkins Brothers at \$716,403. The design engineer Halff Associates reviewed the bid tabulations and provided a recommendation letter to award the project to Atkins. Halff contacted and received favorable references from three cities where Atkins Brothers worked on similar projects. The contract time for the project is 150 days and construction should begin in late summer or early fall.

In response to questions from Council, Ms. Taylor stated that Atkins Brothers previously bid on projects in Bedford, but their bids were too high. She confirmed the contractor would have certificates of insurance and bonding. She further stated at least one lane in Forest Ridge will be closed during construction, but the current project on Harwood Road should be completed within 30 to 60 days. There was discussion on the impact of the project on school traffic.

Motioned by Councilmember Gagliardi, seconded by Mayor Pro Tem Sabol, to approve a resolution authorizing the City Manager to enter into a contract with Atkins Brothers Equipment Company Inc. in the amount of \$716,403 for the SWIFT-20-11 Forest Ridge Drive 12-Inch Water Line from Bedford Road to Harwood Road.

Motion approved 6-0-0. Mayor Boyter declared the motion carried.

5. Consider a resolution authorizing the City Manager to enter into an agreement with Reynolds Asphalt and Construction Company in the amount of \$1,125,000 for the 2021 Street Mill Overlay/Reclamation at Various Locations Project, utilizing the City of Grand Prairie's contract for services price agreement through the Master Interlocal cooperative purchasing agreement.

Public Works Director Kenny Overstreet presented information regarding this item. He stated preventative maintenance is more cost effective than performing a total rebuild or reconstruction of a street. He discussed the process for doing mill and overlays as well as reclamation of streets. The scope of the project is 44,216 square yards. He stated the Street Improvement Economic Development Corporation (SIEDC) and City Council approved a budget of \$1,125,000 for six locations in Bedford, including three mill and overlays and three reclamations. Reynolds Asphalt has done several projects in Bedford and subcontracts with TexOp Construction for the milling. Mr. Overstreet discussed communication with residents regarding the projects.

There was discussion regarding the six locations, including portions of Dora Street, Red Oak Lane, Scenic Hills Drive, Hickory Court, Meadow Wood Lane, and Meadow Wood Court. In response to questions from Council, Mr. Overstreet stated he was told by Reynolds Asphalt that they would be able to move forward on this project and they did not see any holdups on supplies or materials. He confirmed he had driven the streets in question and stated he did not believe there were concerns with getting construction materials. He further felt the evaluation of the streets in question would not change after the reexamination of all Bedford streets requested by the SIEDC.

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Motioned by Councilmember Cogan, seconded by Councilmember Gagliardi, to approve a resolution authorizing the City Manager to enter into an agreement with Reynolds Asphalt and Construction Company in the amount of \$1,125,000 for the 2021 Street Mill Overlay/Reclamation at Various Locations Project, utilizing the City of Grand Prairie's contract for services price agreement through the Master Interlocal cooperative purchasing agreement.

Motion approved 6-0-0. Mayor Boyter declared the motion carried.

6. Discussion and action regarding the appointment of Board and Commission Liaisons and the Mayor Pro Tem.

Council was of the consensus for Ms. Sabol to continue as Mayor Pro Tem.

Existing liaisons remained appointed to Boards and Commissions as listed below without notation and newly appointed positions and liaisons are underlined.

Animal Shelter Advisory Board: Councilmember Culver

Beautification Commission: Mayor Boyter

Community Affairs Commission: Mayor Pro Tem Sabol

Cultural Commission: Councilmember Gagliardi

Library Board: Councilmember Cogan

Parks and Recreation Board: Councilmember Almendarez

Teen Court Advisory Board: Councilmember Almendarez

Trinity River Authority: Councilmember Culver

Audit Committee: Mayor Boyter, Councilmember Culver, Mayor Pro Tem Sabol

Industrial Development Authority: Councilmember Culver, Councilmember Cogan, Mayor Pro Tem Sabol

Economic Development Foundation: Mayor Boyter

Street Improvement Economic Development Corporation: Councilmember Gagliardi, Councilmember Culver, Councilmember Boyter, Mayor Pro Tem Sabol

Investment Committee: Mayor Boyter

Health Facilities Development Corporation: Councilmember Cogan, Mayor Pro Tem Sabol, Councilmember Gagliardi

Motioned by Councilmember Cogan, seconded by Councilmember Gagliardi, to approve the Council liaisons as presented.

Motion approved 6-0-0. Mayor Boyter declared the motion carried.

7. Mayor/Council Member Reports

No reports were given.

8. City Manager/Staff Reports

City Manager Jimmy Stathatos stated that the waiver of permit fees related to the February winter storm event ended the previous day and that residents saved just under \$3,400 from Council's action on the waivers. He discussed the upcoming budget process.

EXECUTIVE SESSION

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- a) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease, or value of real property - possible acquisition of real property for redevelopment purposes.
- b) Pursuant to Section 551.071, consultation with City Attorney regarding possible contract regarding jail services.
- c) Pursuant to Section 551.074, personnel matters - City Manager agreement.

Council convened into Executive Session pursuant to Texas Government Code Section 551.072, to deliberate the purchase, exchange, lease or value of real property - possible acquisition of real property for redevelopment purposes; Section 551.071, consultation with City Attorney regarding possible contract regarding jail services; and Section 551.074, personnel matters - City Manager agreement, at 6:54 p.m.

Council reconvened from Executive Session at 7:33 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.

Motioned by Councilmember Boyter, seconded by Councilmember Culver, to amend the employment agreement of the City Manager as discussed in Executive Session.

Motion approved 6-0-0. Mayor Boyter declared the motion carried.

ADJOURNMENT

Mayor Boyter adjourned the meeting at 7:34 p.m.

Michael Boyter, Mayor

ATTEST:

Michael Wells, City Secretary