

Council Minutes July 14, 2020

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 and Regular Session at 7:30 p.m. via videoconference on the 14th day of July, 2020 with the following members present:

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

constituting a quorum.

Councilmember Gagliardi was absent from the meeting.

Staff present included:

Cliff Blackwell	Interim City Manager
Matt Butler	City Attorney
Michael Wells	City Secretary
Chuck Carlisle	Facilities and Risk Manager
Meg Jakubik	Strategic Services Manager
Kenny Overstreet	Public Works Director
Kelly Snook	Interim Capital Projects Director
Bill Syblon	Development Director

WORK SESSION

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

• Presentation by David Pettit Economic Development.

Natalie Moore with David Pettit Economic Development (DPED) stated she and David Pettit were tasked to create a Tax Increment Reinvestment Zone (TIRZ) and GFF Planning is providing master planning services as a sub-consultant under the contract. In June, there was a charrette lead by Brian Moore of GFF Planning and tonight's presentation is the conceptual plan based on feedback from that meeting. They plan to receive the Master Plan in August. Ms. Moore stated that the creation process includes two main documents, the creation ordinance and the financing plan, which is approved by ordinance. The next step is to establish the boundaries for the TIRZ, develop projections for future land uses, draft a financing cash flow model, and develop the TIRZ project and financing plan. Ms. Moore stated there are two ways to create the new tax, through new construction and/or annual appreciation of real property. DPED hopes to bring the creation ordinance, which requires a public hearing, to Council in September.

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In response to questions from Council, Mr. Pettit stated that per statute, the Tax Increment Financing (TIF) board is between five to fifteen people, 18 years and older. He stated in Texas, they have found the best practice is that the city council is the board and that each taxing jurisdiction that participates gets one seat on the board. The TIF board is primarily there to finalize the project and financing plan, which is approved by ordinance, and provide recommendations to the city council.

Brian Moore with GFF Planning presented information on the conceptual design and site analysis. He stated he wanted to ensure everyone was on the same page with discussions from the previous meeting; determining reasons for coming to Bedford and what makes it special; desire for a community center, perhaps music-related; making it a smart park; desire for something experiential and entertaining; single family adjacencies versus multi-family, non-traditional single family; and maximize the natural topography of the site. He stated the challenges include no hard corner for visibility of retail and restaurant development, and park space not duplicating the programming at the Boys Ranch Park.

Mr. Moore stated they focused on what makes the site special by focusing on the trees. They divided the area into five zones and highlighted the attributes of each zone to help determine which trees to work around and with. He discussed the different types of uses on the site including townhomes; nontraditional single-family development; retail and experiential oriented restaurants; and family-oriented spill-over space between restaurants. He stated the plan includes a central green space with pavilions off to the side and a strategically located townhome development immediately adjacent.

There was discussion regarding green space; if the park is city or neighborhood oriented; the number of developers that will be involved; multifamily user versus owner-driven user; fire lanes; ADA accessibility in the green space; back entry two-car garages; density; building an attraction site, not a townhome community; creating a community gathering place; various events happening throughout the space; fewer townhomes; adding additional retail; a covered stage; outdoor cinema; and space for food trucks. Mr. Moore stated he would like to add additional programmatic details to the park space and return to Council.

- **Discussion on performing an efficiency study/survey of the City of Bedford organization. **This item requested by Councilmember Sabol.**

Councilmember Sabol stated David Eisenlorh with Bakertilly advised the performance review should be done before the new city manager arrives. The length of time and scope of the project depends on what is required. She stated the study should be considered an operation review, performance study, efficiency study, or transition study. Ms. Sabol stated the organization and operations assessment was closest to what Council had in mind. It includes organizational design, staffing requirements analysis, operational assessment, workforce planning and succession management, and culture and change management. She stated the audit could cost \$40,000 to \$50,000.

There was discussion regarding gathering more information, getting specific pricing, setting goals for the new city manager, and doing a review on a regular basis.

- **Discuss viability plans for a meeting/entertainment venue(s) to provide a destination and to simultaneously stimulate economic development. *Item requested by Councilmember Sabol**

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This item was not discussed.

REGULAR SESSION

The Regular Session began at 7:51 p.m.

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.

ANNOUNCEMENTS/UPCOMING EVENTS

No announcements were made.

OPEN FORUM

Nobody signed up to speak during Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

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

Motion approved 6-0-0. Mayor Pro Tem Sabol declared the motion carried.

- 1. Consider approval of the following City Council minutes:**
 - a) June 2, 2020 work session**
 - b) June 9, 2020 regular session**

This item was approved by consent.

NEW BUSINESS

- 2. Public hearing and consider an ordinance to rezone Lot 1A, Block 1, Family Video Addition of Bedford, located at 1600 Bedford Road, Bedford, Texas from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit/Animal Hospital (H/SUP), specific to Section 3.2.C.10.g, Animal Hospitals and Clinics for the care and temporary boarding of domestic household pets, vet offices, clinics, of the City of Bedford Zoning Ordinance, allowing for Bedford Family Vet to operate a veterinary office. The subject property is generally located south of Bedford Road and east of Forest Ridge Drive. (PZ-SUP-2020-50028)**

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Development Director Bill Syblon presented information regarding this item, which is to rezone Lot 1A, Block 1 Family Video Addition to allow Bedford Family Vet to operate a veterinary office. He stated that minor interior and exterior changes will be made to the space. Services offered at this location will include veterinary services and temporary boarding of domestic pets.

Mayor Boyter opened the public hearing at 7:56 p.m.

Nobody chose to speak during the public hearing.

Mayor Boyter closed the public hearing at 7:57 p.m.

In response to questions from Council, the architect stated there is no shared HVAC and there is insulation in the walls to control noise from one tenant to the other.

Motioned by Councilmember Sartor, seconded by Councilmember Culver, to approve an ordinance to rezone Lot 1A, Block 1, Family Video Addition of Bedford, located at 1600 Bedford Road, Bedford, Texas from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit/Animal Hospital (H/SUP), specific to Section 3.2.C.10.g, Animal Hospitals and Clinics for the care and temporary boarding of domestic household pets, vet offices, clinics, of the City of Bedford Zoning Ordinance, allowing for Bedford Family Vet to operate a veterinary office. The subject property is generally located south of Bedford Road and east of Forest Ridge Drive. (PZ-SUP-2020-50028)

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

3. Consider a resolution of the City Council of the City of Bedford, Texas approving an Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code and the City's Economic Development Incentive Policy and Program, with Chick-fil-A, Inc.

Development Director Bill Syblon presented information on this item, which is to approve an Economic Development Program Agreement with Chick-fil-A, Inc. He stated this is a redevelopment of an existing building located at 1805 Central Drive. He stated several utilities, including gas and electric lines, need to be relocated to accommodate construction. Chick-fil-A requests a 380 agreement in the amount of \$280,000 to offset the approximately \$450,000 it will cost to relocate the utilities, as well as a rebate of permit fees up to \$20,000. Additionally, Chick-fil-A has to convert a portion of Plaza Parkway to accommodate parking needs of the restaurant; they will perform the work and request the City to reimburse them in an amount not to exceed \$380,000. Chick-fil-A will spend approximately \$3,500,000 to redevelop the site, will maintain at least 50 jobs at this location, and can make \$4,000,000 in gross revenue at this store.

In response to questions from Council, Mr. Syblon stated approximately \$80,000 in sales tax will be generated for the City, in addition to property tax. The estimated timeline for the project is to open January 2022, or possibly the fall of 2021. There was discussion regarding the process of bringing Chick-fil-A to Bedford.

Motioned by Councilmember Cogan, seconded by Councilmember Burnett, to approve a resolution of the City Council of the City of Bedford, Texas approving an Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code and the City's Economic Development Incentive Policy and Program, with Chick-fil-A, Inc.

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

4. Consider a resolution of the City Council of the City of Bedford, Texas, directing its designated officer to calculate the voter-approval tax rate in the manner provided for a special taxing unit pursuant to Section 26.04(c-1), Texas Tax Code.

Strategic Services Manager Meg Jakubik presented information on this item, which is to direct the designated officer to calculate the voter-approved tax rate as provided for in Section 26.04(c-1), Texas Tax Code. Ms. Jakubik stated this is a procedural vote to ascertain how Council wants to move forward. When SB 2 revised the tax code and changed the voter approval from 8% to 3.5 percent, it included a provision that would allow an entity to calculate their voter approved rate at 8 percent, if during the current tax year, a disaster was declared for their area. Ms. Jakubik stated Council was not deciding the tax rate but simply a procedural vote on how Council wants the tax rate calculated given the current circumstances with the disaster declaration.

In response to questions from Council, Ms. Jakubik stated the Tarrant County Tax Assessor Collector is the City's designated officer and there is no fiscal impact from the decision made.

Motioned by Councilmember Sabol, seconded by Councilmember Burnett, to approve a resolution directing its designated officer to calculate the voter-approval tax rate in the manner provided for a special taxing unit pursuant to Section 26.04(c-1), Texas Tax Code.

Motion approved 5-1-0. Mayor Boyter declared the motion carried.

Voting in favor of the motion: Mayor Boyter, Councilmember Sartor, Councilmember Cogan, Councilmember Sabol and Councilmember Burnett

Voting in opposition to the motion: Councilmember Culver

5. Consider a resolution approving the logos for Generations Park and the Center.

Interim City Manager Cliff Blackwell presented information on this item, which is to approve the logos for Generations Park and the Center. Mr. Blackwell stated that the submitted logos were ranked the highest among all councilmembers.

Motioned by Councilmember Culver seconded by Councilmember Sabol, to approve a resolution approving the logos for Generations Park and the Center.

Motion approved 4-2-0. Mayor Boyter declared the motion carried.

Voting in favor of the motion: Mayor Boyter, Councilmember Sabol, Councilmember Burnett and Councilmember Culver

Voting in opposition to the motion: Councilmember Sartor and Councilmember Cogan,

6. Consider a resolution authorizing the Interim City Manager to enter into an agreement with I.S. Construction Group, LLC, in an amount not to exceed \$228,000, utilizing the Texas Interlocal Purchasing System (TIPS), for a full remodel of four bathrooms, an addition of a men's locker room and an office relocation for the Utility Superintendent at the Public Works Service Center.

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Public Works Director Kenny Overstreet presented information on this item, which is to authorize the Interim City Manager to enter into an agreement with I.S. Construction Group, LLC to remodel four bathrooms, a men's locker room, and an office relocation at the Public Works Service Center.

Mr. Overstreet stated staff began the remodel process two years ago. During that time, a slab leak was identified in the men's restroom and that all restrooms would have to be brought into compliance with the Americans with Disabilities Act (ADA).

In response to questions from Council, Facilities and Risk Manager Chuck Carlisle stated the original quoted amount from FY 2018/19 did not include bringing all bathrooms into compliance with the ADA, as well as the addition of the locker room and an office.

Motioned by Councilmember Burnett seconded by Councilmember Culver, to approve a resolution authorizing the Interim City Manager to enter into an agreement with I.S. Construction Group, LLC, in an amount not to exceed \$228,000, utilizing the Texas Interlocal Purchasing System (TIPS), for a full remodel of four bathrooms, an addition of a men's locker room and an office relocation for the Utility Superintendent at the Public Works Service Center.

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

7. Mayor/Council Member Reports

There were no reports.

EXECUTIVE SESSION

- a) Pursuant to Section 551.074, personnel matters - City Manager search.
- b) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease or value of real property - Block 2, Lot 1, Bedford Baptist Temple Sub.
- c) Pursuant to Section 551.0087, deliberation regarding economic development negotiations relative to Plaza Center Addition Lot AR1A and Bedford Plz Addition 1989H Blk A Lot 4B1.

Council convened into Executive Session pursuant to Texas Government Code Section 551.074, personnel matters – City Manager search; Section 551.072, to deliberate the purchase, exchange, lease or value of real property - Block 2, Lot 1, Bedford Baptist Temple Sub.; and Section 551.0087, deliberation regarding economic development negotiations relative to Plaza Center Addition Lot AR1A and Bedford Plz Addition 1989H Blk A Lot 4B1, at 8:39 p.m.

Council reconvened from Executive Session at 9:03 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 taken as a result of the Executive Session.

ADJOURNMENT

Mayor Boyter adjourned the meeting at 9:03 p.m.

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Michael Boyter, Mayor

ATTEST:

Michael Wells, City Secretary