

**Council Minutes August 8, 2023**

**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 8th day of August, 2023 with the following members present:**

Michael Boyter	Mayor
Amy Sabol	Mayor Pro Tem
Nichelle D. Dawkins	Councilmembers
Steve Farco	
Rob Gagliardi	

constituting a quorum.

Councilmember Steves was absent from the meeting. Councilmember Cogan arrived at 6:44 p.m.

Jimmy Stathatos	City Manager
Caryn Riggs	Assistant City Manager
Bryn Meredith	City Attorney
Michael Wells	City Secretary
Stephanie Ayers	Human Resources Director
Mark Long	Parks and Recreation Director
Brady Olsen	Finance Director
Wes Morrison	Community Development Manager
Blake Williams	Purchasing Manager
Jeff Williams	Police Chief

**REGULAR SESSION**

The Regular Session began at 6:01 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.

## Council Minutes August 8, 2023

### COUNCIL RECOGNITION

- **Presentation to the City of a plaque from the United States Coast Guard.**

Donna Day with the United States Coast Guard Auxiliary presented a plaque thanking the City for providing a facility for their training needs.

- **Consider a resolution authorizing the Beautification Advisory Board to recognize residential and commercial properties for maintaining, improving, and/or keeping property visually attractive to the community.**

Beautification Advisory Board Member Misty Mallory presented information on the awards, which will be presented on August 26, 2023. No action was taken on this item.

### PRESENTATIONS

- **Presentation regarding the City's Water, Sewer, and Stormwater rate structure and options to provide revenues to maintain adequate operating reserves and fund capital needs.**

Chris Ekrut with NewGen Strategies & Solutions recommended the City continue to pass through increases from the Trinity River Authority (TRA) to the residents for water purchases and wastewater treatment. He stated failure to do so would mean less resources to maintain the City's internal infrastructure. He presented information on the City's current rates and two rate plan options, including their impact on revenues, reserves, and debt service coverage. The first option would include funding a capital project with cash for \$310,500 and would increase revenue by 6.2 percent, 3.5 percent being for the TRA passthrough. There would be an increase of \$8.75 on the average summer bill and \$6.93 on the average winter bill. The second option would roll the capital improvement project into a bond package, and would increase revenue by five percent, mostly related to the TRA passthrough. There would be an increase of \$7.31 on the average summer bill and \$5.49 on the average winter bill.

Mr. Ekrut presented a comparison of the City's rates to neighboring cities and residential frequency distribution, and recommended the City explore implementing an inclining block, or conservation-based, rate structure to better encourage conservation. Mr. Ekrut presented a comparison of the City's stormwater rates compared to other cities, and recommended no changes to the rates until the stormwater master plan is completed.

In response to questions from Council, Assistant City Manager Caryn Riggs stated the proposed budget includes the first rate plan option.

- **Discussion regarding the YMCA.**

City Manager Jimmy Stathatos stated the item was requested by Councilmember Gagliardi and that there would be quarterly meetings moving forward.

John-Michael Corn, Chief Strategy Officer for the YMCA of Metropolitan Fort Worth, stated membership increased from approximately 4,200 to over 10,000. Their retention rate is approximately 65 percent, while the usual retention rate is around 50 percent. Their net promoter score is 77 percent, while a score of 50 percent or better is considered good. Mr. Corn stated needed improvements include better communication both with the City as well as the

## Council Minutes August 8, 2023

community through social media, community updates, the quarterly meetings, and weekly meetings with City staff. Other areas of improvement include the cleanliness and maintenance of the facility. Mr. Corn stated that summer saw their usage skyrocket and they did not react quick enough with cleaning and maintenance crews. Since then, they tripled the number of cleaning crews, the new executive director is ensuring her crews are performing routine walkthroughs, and the employee in charge of facilities and maintenance for all the YMCA of Metropolitan Fort Worth is officing out of Bedford until the issues are resolved and a standard meeting the needs of the community and the usage of the building is established. Mr. Corn felt there has been dramatic improvement over the past three weeks. He discussed wear and tear to the building, which he stated was a good thing in that it means it is being used, and that misuse of the building, such as paint being picked off by children during summer camp, has been addressed. He discussed YMCA members bringing issues to the attention of staff.

Jaye Helm, Chief Financial Officer for the YMCA of Metropolitan Fort Worth, presented a financial forecast for the year. He stated they had 3,428 membership units by July. Net revenue over expenses shows a projected loss of approximately \$175,000 for the year. He discussed the \$5.00 discount for residents, which is projected to amount to \$141,615 for the full year and stated that total participation by Bedford residents is between 72 and 73 percent. Mr. Helm stated the equipment finance cost is \$151,861. He discussed inflation relative to energy and staffing costs.

Councilmember Gagliardi discussed the cost of The Center and the total bond package for Generations Park. He stated he appreciated the response from the YMCA ramping up the cleaning. He discussed his tours of the YMCA in response to social media posts, where he found many things that were shocking. Councilmember Gagliardi further stated that a consultant on the project prior to the construction of The Center expressed the importance of keeping the facility clean. He further discussed the savings to the taxpayers through the partnership with the YMCA and that he is looking forward to improved communication.

There was discussion on the wear-and-tear to the building and planned maintenance after the summer season; the cleanliness of the building; the financial report, including projections, marketing, the increase in staff during the third quarter with the opening of the outdoor water park, memberships, and the potential impact on membership when the outdoor water park closes for the year; the controversy surrounding the project from the beginning; public-private partnerships; and the importance of getting the project right, including consequences if there is failure in getting it right.

Mr. Stathatos presented information on the operational costs for The Center. He stated the pro forma done for the facility in 2019 showed a \$900,000 deficit with higher membership rates. Assistant City Manager Caryn Riggs displayed the monthly rates proposed in the pro forma and the rates for the former Boys Ranch Activity Center (BRAC) compared to the current rates for The Center, showing them to be lower in almost every category. She stated the BRAC lost approximately \$566,000 in its final year of operation. Mr. Stathatos discussed the \$5.00 discount offered to residents to help ramp up initial membership, and recommended it be discontinued starting January 1 for new memberships. He discussed the recommendation to lease the fitness equipment, including for warranty and maintenance purposes, and stated that it would cost approximately \$300,000 to purchase the equipment. Ms. Riggs presented a comparison of recreation center rates in other cities and stated The Center's rates are in line with those of similar size and/or those with outdoor aquatics.

## **Council Minutes August 8, 2023**

There was discussion on the difference in costs to operate the recreation facilities in other cities; member retention; residential membership at other YMCA facilities and the resident discount in Bedford; and employee recruitment and retention, including lifeguards. Mr. Corn discussed issues related to the change out of the chlorination system by the pool manufacturer, and stated the YMCA would cover any costs over what the original tank system cost. There was further discussion on membership data from other YMCA facilities; membership at The Center moving forward; the impact on the City's subsidy for operations; the YMCA board; staffing at The Center; and members and visitors bringing issues to the attention of staff.

### **PUBLIC COMMENTS**

Tom Jacobsen, 1632 Bedfordshire Street, Bedford - Mr. Jacobsen signed up to speak on the YMCA presentation. He stated he is a user of The Center and has been a member of other YMCA recreation centers as well as other gyms. He discussed the volume of users and the \$700,000 in savings by contracting with the YMCA. Mr. Jacobsen stated he was told by YMCA staff that they have approximately 13,000 members, 3,300 of whom are active older adults and 64 percent of whom are families with children. He discussed the usage of the facility compared to facilities in area cities and stated that such usage creates problems, including wait times for use of equipment and amenities, as well as maintenance and cleanliness. Mr. Jacobsen discussed the reasons people come to The Center, including the amenities and rates. He further discussed issues with staffing, including lifeguards, the size of the weight room, and the lack of showers in the pool area. He felt The Center could be a community focal point as good or better than the Library.

Tom Culbert, 1925 Charleston Drive, Bedford - Mr. Culbert did not speak on an item on the agenda as required to speak under Public Comments.

Joseph Stout, 5505 Janet Lane, Colleyville. Mr. Stout signed up to speak on the YMCA presentation. He explained that he owns property in Bedford. He stated there was a comment made at a public hearing on the project several years ago about wanting the facility to be the crowning jewel of Bedford and he felt that goal had been achieved. He felt the park, lake, and The Center look great and are beautiful. Mr. Stout stated he has not experienced the negatives or problems other people have spoken about. He felt The Center could be a focal point of the community and bring people together because they have programs for everybody. He further felt it would be attractive to new residents and businesses to help revitalize the community and that it was a great business decision to get the YMCA to help run it.

Bruce Emery, 1632 Lexington Place, Bedford. Mr. Emery signed up to speak on the YMCA presentation. He stated the community did not realize the need for such a facility and discussed the various amenities at The Center as well as the different generations of people who use it. He stated the City did not anticipate how popular The Center would be. Mr. Emery further discussed the customer experience and felt that The Center's design, the people there, the atmosphere of the employees, and staff development are all fun. He stated as many as 1,200 people a day visit The Center, more than any other businesses in Bedford besides grocery stores. Mr. Emery felt the communication amongst the YMCA staff itself could be better and stated their website was not updated recently about changes to the pool schedule.

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

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

## Council Minutes August 8, 2023

Motioned by Councilmember Gagliardi, seconded by Councilmember Cogan, to approve the following items by consent: 1, 2, 3, 4, 5, 6 and 7.

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

1. **Consider approval of the following City Council minutes:**
  - a) **July 11, 2023 regular meeting**

This item was approved by consent.

2. **Consider a resolution authorizing the City Manager or his designee to renew the annual contract for the purchase of office supplies, furniture, and other as-needed goods from Amazon Business, LLC, in an estimated amount of \$160,000, with Omnia Public Sector Purchasing Cooperative.**

This item was approved by consent.

3. **Consider a resolution authorizing the City Manager or his designee to renew the annual contract for the purchase of maintenance, repair, and operational supplies from Home Depot Pro, in an amount not to exceed \$100,000, with Omnia Public Sector.**

This item was approved by consent.

4. **Consider a resolution authorizing the City Manager or his designee to enter into a cooperative purchasing agreement with the Harris County Department of Education, dba Choice Partners Purchasing Cooperative.**

This item was approved by consent.

5. **Consider a resolution authorizing the City Manager or his designee to purchase carpet from Gomez Floor Covering, Inc., through the Buyboard purchasing cooperative, in an estimated amount of \$82,728.85.**

This item was approved by consent.

6. **Consider a resolution authorizing the City Manager or his designee to enter into a contract with the Hurst-Euless-Bedford Independent School District to provide four School Resource Officers for the 2023/2024 school year, in the amount of \$381,294.32, paid for by the District.**

This item was approved by consent.

7. **Consider a resolution of the City of Bedford, Texas finding that Oncor Electric Delivery Company LLC's application to amend its Distribution Cost Recovery Factor and update generation riders to increase distribution rates within the City should be denied.**

This item was approved by consent.

## Council Minutes August 8, 2023

8. **Receive the 2023 Ad Valorem Tax Roll from the Tarrant Appraisal District as certified by the Chief Appraiser Jeff Law.**

No action was taken on this item.

9. **Receive the certified anticipated collection rate from the Tarrant County Tax Assessor Collector for the City of Bedford, Texas.**

No action was taken on this item.

### **PERSONS TO BE HEARD**

10. **The following individuals have requested to speak to the Council tonight under Persons to be Heard:**

- a) **Sal Caruso, 148 Ravenswood Drive, Bedford, Texas 76022 – Requests to speak to Council regarding Commissions and Boards.**

Mr. Caruso discussed the City advertising for volunteers for boards and commissions and stated he was disappointed that he did not see a senior advisory board, apartment advisory board, charter review board, or YMCA board listed. He discussed previous times he and others, including members of Council, discussed a senior advisory board. He asked why Council has not yet moved forward on it and he hoped one would be in place to help with planning for the new senior center. Mr. Caruso stated an apartment advisory board was presented at a Council strategic planning session but there was no discussion on it. He felt such a board would be a good thing for the City due to the number of apartment complexes. Mr. Caruso discussed a charter review board to help change or strengthen language of the charter to be voted on by the residents. He discussed the YMCA board and felt that the current issues may not be present, and communication would have been strengthened, if it had been assembled earlier. He stated having residents volunteer was good for the City. Mr. Caruso advised Council that they are elected by the residents and represent 50,000 people, and that they do not work for the City Manager, City employees, the Mayor, or a member of Council who has more sway. He praised Councilmember Gagliardi for standing alone.

There was discussion on the proposed Boards and Commissions, encouraging involvement by residents, codifying proposed boards and commissions, the City's Charter, and having the senior community appoint a senior advisory board as opposed to Council.

- b) **Tom Burnett, 2253 Bedford Circle, Bedford, Texas 76021 – Requests to speak to Council regarding the Bedford Center YMCA.**

Mr. Burnett stated issues started with The Center in January and there was no response from the YMCA staff. He felt that there are customer service issues that are not being addressed, along with organizational, operational, and maintenance issues, which are embarrassing to both the City and the YMCA. Mr. Burnett discussed the budget documents presented by the YMCA and the \$3,200,000 in annual debt service for The Center, including its impact on the tax rate. He discussed social media complaints that were seemingly ignored and the importance of Council responding to complaints. He further discussed emails he felt showed the YMCA was not addressing issues, including damage to the walls by summer campers, and that their staff was not supervising or walking the building to inspect for cleanliness. He discussed Councilmember Gagliardi's tour of the facility, who he stated was shocked by the neglect.

## Council Minutes August 8, 2023

Mr. Burnett discussed what he felt were red flags in the agreement and negotiations with the YMCA, including how they could operate The Center for \$300,000 less than the City, which he felt raised questions about their staffing levels and quality. He discussed other cities that do not contract with the YMCA offering programs such as Silver Sneakers. Mr. Burnett stated at the meeting on the management agreement, no member of Council asked about the cost of the fitness equipment or if staff had visited other cities where the YMCA operates their recreation center, and there was no mention of cleaning or general floor management in the presentation by the YMCA. Mr. Burnett discussed the YMCA's budget plan and asked how they would manage deficits, which he felt could be through cutting expenses and staff hours. He stated the average size of other area YMCA facilities is 37,600 square feet and none have two pools and felt the YMCA did not have the experience to maintain a facility the size of The Center. He further stated that seven of the ten area YMCAs lose money.

Mr. Burnett discussed the agreement with the YMCA and expressed his dissatisfaction with the terms of the agreement. He provided several examples of items within the contract that he took issue with including the lack of language to include the use of The Center as an emergency shelter and warming/cooling station; qualifiers regarding maintenance and janitorial conditions; language preventing the YMCA from allowing issues to accumulate so the City would then be responsible for paying for them; and allowing City staff coming in for reviews. He asked about the City taking over third-party contracts from the YMCA in case of termination of the management agreement and if the YMCA would have to pay for the use of additional recreation and athletic facilities as spelled out in the agreement. Mr. Burnett felt the language regarding termination of the agreement if Council does not approve a sufficient budget for the operations of The Center favors the YMCA. Further, Mr. Burnett discussed a proposed YMCA board, including its makeup, how the board would provide monthly updates to Council.

City Manager Jimmy Stathatos stated that every item in the agreement was included in the Council packet when it was approved and the reason for authorizing the negotiations was to get the equipment ordered due to supply chain issues. He further stated that the savings with the YMCA was initially estimated at \$600,000 and is now calculated to exceed \$700,000. He discussed staff members working with the YMCA and the construction company during the transitional period of The Center opening. Mr. Stathatos stated it was felt at the time the City did not have a competent staff to run The Center and he was tasked with finding a solution, which was approved by Council. He stated the agreement is a management agreement, not a lease or a landlord-tenant agreement, and that the City has not given up rights to the building.

There was discussion on the legalities of the agreement. Mr. Burnett stated that the Council packet only contained some of the deal points of the agreement and a landlord-tenant agreement would provide protection and felt that the language in the current agreement was too broad and difficult to interpret. There was discussion on opportunities for improvement in the relationship between the City and the YMCA.

### **c) Keith Walter, 2508 Lakeview Drive, Bedford Texas 76021 – Requests to speak to Council regarding the YMCA and Generations Park.**

Mr. Walter stated his home was 300 yards from The Center and 200 yards from the dumpster. He stated he has a vested interest in The Center doing well and if the City and YMCA are unable to turn it around, it would hurt his property value. He stated the YMCA is providing a service to the community with a special emphasis on the youth and underprivileged. He stated that City officials said the YMCA could run The Center cheaper than the City and has more

## Council Minutes August 8, 2023

experience. Mr. Walter stated he expected more from the \$58,000,000 investment and thought they would have trash dumpsters the first day, but it took until February 20 for them to get any, and that staff were placing trash bags on the ground. He further stated there were issues as late as July, with staff having to disinfect the area to help with the stench. He felt this was a health hazard to the park and surrounding neighborhoods, and that he is having rodent and fly issues at his house. He was disappointed that the first documentation of cleanliness issues was January 9 and felt the agreement with the YMCA was lacking rewards for excellence or consequences for deficiencies. Mr. Walter stated the Council is quick to take credit for good things with the park but place blame on previous Councils for problems. He stated the citizens are watching to see what Council is willing and unwilling to do to fix the issues.

### **NEW BUSINESS**

**11. Consider an ordinance authorizing the issuance of the City of Bedford, Texas Combination Tax and Revenue Certificates of Obligation, Series 2023A; specifying the terms and features of the certificates; providing for the payment of the certificates and resolving other matters incident and related thereto and providing an effective date.**

Finance Director Brady Olsen presented information regarding this item. He stated the \$17,000,000 in project funding would not affect the current tax rate. The bonds were priced that morning, and BOK had the best rate at 3.9 percent. The bonds would fund such items as the Central Fire Station, a fire training facility, Animal Shelter renovations, and a senior center.

Motioned by Councilmember Gagliardi, seconded by Councilmember Cogan, to approve an ordinance authorizing the issuance of the City of Bedford, Texas Combination Tax and Revenue Certificates of Obligation, Series 2023A; specifying the terms and features of the certificates; providing for the payment of the certificates and resolving other matters incident and related thereto and providing an effective date.

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

**12. Consider a resolution authorizing the City Manager or his designee to enter into an agreement with AETNA for the City's employee medical and dental benefits effective October 1, 2023.**

Human Resources Director Stephanie Ayers presented information regarding this item and Item #13. She stated the City currently contracts with Aetna/Texas Health Aetna for medical and dental insurance. The contract with Aetna includes five renewal periods and she recommended not releasing a new request for proposal for insurance benefits based on the favorable renewals from Aetna. She presented an overview of historic employee premiums per month, which showed a reduction of 12 percent since 2016. She stated the benchmark for employee cost per month is \$13,000 and the City is currently at \$10,063. Ms. Ayers presented an overview of current medical benefit costs and proposed renewals, which shows an increase of 4.2 percent with a \$176,948 premium credit, for an overall decrease of approximately \$11,000. She stated the only plan design change is an increase to the deductible for the high-deductible health plans (HDHP) from \$2,800 to \$3,000 as required by the IRS.

Ms. Ayers presented an overview of the current dental benefit costs and proposed renewals. Aetna is proposing a five percent increase in cost, or \$11,197.80, with an addition of orthodontia for adults on the preferred provider organization (PPO) plans.



## Council Minutes August 8, 2023

Ms. Ayers stated staff is recommending not renewing the contract with Texas Health Resources for an employee clinic, which costs approximately \$48,500 per year, due to low utilization. She explained the clinic was implemented when the City only offered HDHP plans, with no Health Savings Account (HSA) contributions from the City. Since that time, the City implemented co-pay plans and HSA contributions. Ms. Ayers stated staff is also recommending a short-term disability plan, paid for by the City. The plan would cover 60 percent of an employee's salary for a maximum of 12 weeks, which would also cover pregnancy. The total cost of the plan would be approximately \$56,000, which would be offset by canceling the employee clinic. Ms. Ayers presented an overview of other benefit renewals.

There was discussion on how Bedford's benefits package compares to benchmark cities, the impact of benefits on recruitment and retention, and providing employees a breakdown of their salary and benefits.

Motioned by Mayor Pro Tem Sabol, seconded by Councilmember Dawkins, to approve a resolution authorizing the City Manager or his designee to enter into an agreement with AETNA for the City's employee medical and dental benefits effective October 1, 2023.

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

### **13. Consider a resolution authorizing the City Manager or his designee to enter into an agreement with New York Life for the City's employee Short-Term Disability policy effective October 1, 2023.**

Motioned by Councilmember Gagliardi, seconded by Councilmember Farco, to approve a resolution authorizing the City Manager or his designee to enter into an agreement with New York Life for the City's employee Short-Term Disability policy effective October 1, 2023.

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

### **14. Consider a resolution authorizing the City Manager or his designee to execute a three-year OpenGov Financials Utility Billing Suite Service Agreement, through Vertosoft, LLC, using the Texas Department of Information Resources (DIR) purchasing cooperative.**

Finance Director Brady Olsen presented information regarding this item. He stated the City has a dedicated utility billing team that does not have the needed tools to give the level of service he would like to see the City deliver. The OpenGov software would allow staff access to live data and has a calling feature to inform residents when they are behind on their bills. The Development Department has used OpenGov over the past year and are happy with their performance. Mr. Olsen stated staff looked at different options in the market and spent a day with representatives from OpenGov discussing citizen needs and internal processes, and they feel OpenGov is the right partner for this service. Further, the vendor for the current software announced it would no longer be supported.

In response to questions from Council, Mr. Olsen stated OpenGov and the current software can be run at the same time during the transition period, which should take approximately six months. He further stated there would be a citizen marketing campaign for the new software as well as for the City's new bank. The OpenGov software costs between \$10,000 and \$15,000 more than the current software depending on the year.

## Council Minutes August 8, 2023

Motioned by Mayor Pro Tem Sabol, seconded by Councilmember Cogan, to approve a resolution authorizing the City Manager or his designee to execute a three-year OpenGov Financials Utility Billing Suite Service Agreement, through Vertosoft, LLC, using the Texas Department of Information Resources (DIR) purchasing cooperative.

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

**15. Consider a resolution authorizing the City Manager or his designee to negotiate and execute an architectural and design services agreement with Oxley, Williams, and Tharp Architects, in an estimated amount of \$108,000, to provide drawings and other services needed to convert the old YMCA building located at 3524 Central Drive into a Senior Citizen's Center.**

Parks and Recreation Director Mark Long presented information regarding this item. He explained the City purchased the building and worked with Oxley, Williams, and Tharp Architects (OWT) on the as-builts, and it is now time for the design phase. It was determined the building would require significant repairs and remodeling for it to properly serve the needs of the senior community. Architectural and design documents are needed to provide technical support, inform the construction bidding process, and ensure all health, safety and building codes would be met during the construction. The project scope includes all architectural, civil, structural, mechanical, electrical, and plumbing designs. Mr. Long stated staff feels OWT possesses the qualifications to provide the requested services. Funding would come from the Series 2023A Certificates of Obligation. Mr. Long explained there would be engagement with the senior community on the project to ensure it is done right.

Motioned by Councilmember Gagliardi, seconded by Councilmember Cogan, to approve a resolution authorizing the City Manager or his designee to negotiate and execute an architectural and design services agreement with Oxley, Williams, and Tharp Architects, in an estimated amount of \$108,000, to provide drawings and other services needed to convert the old YMCA building located at 3524 Central Drive into a Senior Citizen's Center.

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

**16. Consider a resolution authorizing the City Manager or his designee to approve the rejection of submissions relative to project 2023-29 for Operations of Generations Park Ball Park Complex.**

Purchasing Manager Blake Williams presented information regarding this item. He explained parameters are established when going out for bids and if during the negotiation process, it is evident that the vendor is coming up against or exceeding those boundaries, the best practice is to end negotiations, reject the bid, and rebid the project. This would allow vendors who were not selected the opportunity to submit under the new requirements. Mr. Williams stated the scope of work would be retooled and the project would be rebid.

In response to questions from Council, Mr. Williams stated the rebidding process would be shorter than what was done originally as the basis for the scope of work has already been established. Mr. Long explained that staff worked with the YMCA and other leagues on tournaments at the ballfields, which generated approximately \$3,000 in a four-week time-period. There was discussion on what it would take for the City to run the ballfields.

## Council Minutes August 8, 2023

Motioned by Councilmember Gagliardi, seconded by Councilmember Farco, to approve a resolution authorizing the City Manager or his designee to approve the rejection of submissions relative to project 2023-29 for Operations of Generations Park Ball Park Complex.

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

### **17. Discussion on City Code of Ordinances Section 4.15.A and C about PUDs, their creativity and lot coverages. \*\*This item requested by Councilmember Farco**

Councilmember Farco requested this item be placed on the agenda for discussion. He stated the City has limited space and there are selective areas where developers or future developers are coming in to work with the City. He stated the City's Planned Unit Development (PUD) standards require a lot coverage of 40 percent, which he felt handcuffs these developers and stifles creativity. He stated PUDs in other cities have the percentages reversed and discussed inconsistencies in Bedford's ordinances. He felt with Bedford Commons and possibly Meadow Park, these issues need to be addressed to streamline the process for future development.

In response to a question from Councilmember Farco, City Manager Jimmy Stathatos stated any such changes would need to go through the Planning and Zoning Commission first and then to Council. Community Development Manager Wes Morrison discussed the PUD restrictions and stated those thresholds are not uncommon. City Attorney Bryn Meredith explained that a textual amendment would have to be approved to allow a developer to ask for a different threshold. There was discussion on various ways the ordinance could be amended, including by removing the language regarding lot coverage in the PUD ordinance and relying on the lot coverage language in the base zoning district.

Councilmember Farco stated his intent for the item was to see if Council was in favor of staff looking at the ordinance for changes for future development. In response to questions from Councilmember Farco, Mr. Morrison stated the requirement would stop the development process if a developer was not able to work with the 40 percent threshold and that the application of that section of the ordinance has not been consistently applied. He discussed ambiguity in the lot coverage language covering straight zoning districts. Councilmember Farco felt the 40 percent standard inhibits creativity from the beginning and stated that Council would still have final approval on the development of properties. There was discussion on updating the PUD ordinance, the ambiguity and inconsistency of the language for the residential zoning districts, the reason for the 40 percent threshold, drainage issues, and the City's Master Plan. Council was of the consensus for staff to examine the lot coverage sections of the PUD ordinance.

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

Councilmember Dawkins complimented the Beautification Advisory Board for the business and residential awards. She reported that residents could volunteer for the fall sweep scheduled for September 16.

Councilmember Farco thanked Jose Morales at the Animal Shelter, who worked with another organization when dozens of cats were brought in, managing to save all but one. He further thanked volunteers who donated money, food, and supplies for the cats.

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

**Council Minutes August 8, 2023**

No report was given.

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

Executive Session was not held.

**ADJOURNMENT**

Mayor Boyter adjourned the meeting at 10:04 p.m.

---

Michael Boyter, Mayor

ATTEST:

---

Michael Wells, City Secretary