

Council Minutes September 13, 2022

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 13th day of September, 2022 with the following members present:

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

constituting a quorum.

Staff present included:

Jimmy Stathatos	City Manager
Caryn Riggs	Assistant City Manager
Andrea Roy	Assistant City Manager
Bryn Meredith	City Attorney
Michael Wells	City Secretary
Meg Jakubik	Strategic Services Manager
Maria Redburn	Library Director
Cheryl Taylor	Public Works Director
Bill Walker	Fire Chief
Blake Williams	Purchasing Manager
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

Reverend Balaji Boyalla with Saint Michael Catholic Church gave the invocation.

PLEDGE OF ALLEGIANCE

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

OPEN FORUM

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Bob Cochrane, 2252 Bedford Circle, Bedford – Mr. Cochrane signed up to speak on Item #13. He asked that the public be given the opportunity to see what the facility would look like that once the City Manager concluded negotiations regarding the Performing Arts Center. City Manager Jimmy Stathatos confirmed that the public would be able to do so, and that staff is planning a lot of public outreach.

PERSONS TO BE HEARD

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

- a) Tom Culbert, 1925 Charleston Drive, Bedford, Texas 76022 – requests to speak to Council regarding Generations Park and the City in general.**

Mr. Culbert stated he is concerned about The Center at Generations Parks, specifically when the seniors would be allowed to use the facility. He felt the room at the Library was too small for senior dances. Mr. Stathatos stated that he believes The Center would be available for senior dances starting in early November. Mr. Culbert stated he is concerned about seniors having to pay additional fees to use The Center. Mr. Stathatos replied that it would be less expensive for all residents, including seniors, with the YMCA as opposed to the facility being run by City staff and discussed Silver Sneakers and other programs offered by the YMCA to help lower costs for seniors. He further stated all other programs currently at the Old Bedford School would continue and seniors would also be able to join and participate in programs at The Center. There was discussion on an upcoming strategic planning session where there may be further discussion on expanding senior activities.

CONSIDER APPROVAL OF ITEMS BY CONSENT

City Manager Jimmy Stathatos presented an overview of the items on the consent agenda. In response to a question from Council regarding Item #2, Mr. Stathatos stated Bedford is the first city he has worked for where they take responsibility for residents' sidewalks. In other cities, residents are responsible to fix or replace damaged sidewalks and are held liable for any damage or injuries resulting from a damaged sidewalk. He discussed the expenses related to sidewalks and stated the City is unable to do every sidewalk every year.

Regarding a question from Council on Item #5, Mr. Stathatos stated that the upgrade to the school zone flashing system would begin that month. Regarding a question on Item #7, he confirmed that the project would include Bedford Road and several other streets.

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

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

- 1. Consider approval of the following City Council minutes:**
a) August 23, 2022 regular meeting
b) August 30, 2022 special session

This item was approved by consent.

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- 2. Consider a resolution authorizing the City Manager, or his designee, to utilize the City of Grapevine's contract with Manning Concrete Sawing, through the Master Interlocal Cooperative Purchasing Agreement, in an estimated amount of \$750,000, for the 2023 Concrete Sidewalk, Accessibility Ramps, Concrete Street Panels, Driveway, and Curb and Gutter Reconstruction at Various Locations Project.**

This item was approved by consent.

- 3. Consider a resolution authorizing the City Manager, or his designee, to enter into an agreement with Curtco, Inc., utilizing the City of Grand Prairie's contract for pavement crack and joint sealing services, through the Master Interlocal Cooperative Purchasing Agreement, in an estimated amount of \$150,000, for the 2023 Crack and Joint Sealing Program.**

This item was approved by consent.

- 4. Consider a resolution authorizing the City Manager, or his designee, to enter into an agreement with Stripe-A-Zone, Inc., utilizing the City of Grand Prairie's Pavement Marking Services contract, through the Master Interlocal Cooperative Purchasing Agreement, in an estimated amount of \$200,000, for the 2023 Pavement Markings Services Program.**

This item was approved by consent.

- 5. Consider a resolution authorizing the City Manager, or his designee, to purchase an AI 500-070 School Zone Flasher System from Paradigm Traffic Systems, in the amount of \$70,800, utilizing the Local Government Purchasing Cooperative Purchasing Agreement (BuyBoard).**

This item was approved by consent.

- 6. Consider a resolution authorizing the City Manager, or his designee, to execute a professional services contract for an Information Technology (IT) Equipment Recovery and Recycling Program with Technology Assets LLC dba Global Asset, through the Local Government Purchasing Cooperative (BuyBoard).**

This item was approved by consent.

- 7. Consider a resolution authorizing the City Manager, or his designee, to utilize the City of Grand Prairie's contract with Reynolds Asphalt and Construction Company in an estimated amount of \$2,400,000 for the 2023 Pavement Resurfacing Services Project, through the Master Interlocal Cooperative Purchasing Agreement.**

This item was approved by consent.

NEW BUSINESS

- 8. Consider an ordinance adopting the annual budget for the City of Bedford, Texas for the fiscal period of October 1, 2022 through September 30, 2023; providing for intra-fund and/or intra-departmental transfers; providing for investment of idle funds; and declaring an effective date.**

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Strategic Services Manager Meg Jakubik presented information regarding this item. She stated the expense budget includes the part-time investigator for the Police Department. There was discussion on expending an additional \$80,000 to \$85,000 to reduce the residential membership rate at The Center at Generations Park by \$5.00. Ms. Jakubik confirmed that the fund balance would still remain above the 20 percent threshold with the additional expenditure.

Motioned by Mayor Pro Tem Sabol, seconded by Councilmember Dawkins, to approve and adopt the annual budget for the City of Bedford fiscal period October 1, 2022 through September 30, 2023; the budget total is \$85,076,665 while the total operating revenues are presented at \$84,848,202, using the not-to-exceed rate of 0.495726; and include the \$80,000 adjustment for the YMCA.

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

9. Consider an ordinance levying taxes for the Tax Year 2022 for the City of Bedford, Texas; establishing the Ad Valorem Tax Rate of _____ per one hundred dollars valuation; providing for the apportionment of taxes for interest and sinking and for general operating needs; providing penalties and interest for delinquent taxes; and providing an effective date.

Ms. Jakubik presented information regarding this item. She stated Council set the maximum not-to-exceed rate at \$0.495726 per \$100 valuation, which is the same as the Voter-Approved rate and is effectively a 2.34 percent decrease on the tax rate. The tax rate is split at \$0.367497 per \$100 valuation for maintenance and operations and \$.0128229 per \$100 valuation for debt service.

Motioned by Mayor Pro Tem Sabol, seconded by Councilmember Cogan, that the property tax rate be decreased by the adoption of a tax rate of \$0.495726, which is effectively a 2.34 percent decrease in the tax rate.

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

10. Consider a resolution to ratify the property tax increase as reflected in the FY 2022-2023 City of Bedford Program of Services (Budget).

Ms. Jakubik presented information regarding this item. She explained that even though the tax rate is decreased, there is an increase in absolute revenue in relation to property values, primarily on maintenance and operations.

Motioned by Councilmember Farco, seconded by Councilmember Gagliardi, to approve a resolution to ratify the property tax increase as reflected in the FY 2022-2023 City of Bedford Program of Services (Budget).

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

11. Consider an ordinance amending the schedule of water rates by amendment of Section 1., Ordinance No. 2020-3287; providing a repealing clause; providing a severability clause; and declaring an effective date.

Ms. Jakubik presented information regarding this item. She stated the City's rate consultant recommended an increase in water rates year, based on increases from the Trinity River Authority (TRA) and planned expenditures by the City, to ensure revenue was sufficient for expenses;

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however, that increase came in lower than staff originally was going to recommend. There was discussion on the increased rates from the TRA, including passing along that increase to the City's customers; and ensuring revenue is sufficient for operations as the City's costs are also increasing. In response to questions from Council, Ms. Jakubik stated staff is not recommending a change to the stormwater fee but there will be an increase in the fee for solid waste and recycling.

Motioned by Councilmember Gagliardi, seconded by Councilmember Dawkins, to approve an ordinance amending the schedule of water rates by amendment of Section 1., Ordinance No. 2020-3287; providing a repealing clause; providing a severability clause; and declaring an effective date.

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

12. Consider an ordinance amending the schedule of sewer rates by amendment of Section 1., Ordinance No. 2020-3288; providing a repealing clause; providing a severability clause; and declaring an effective date.

Ms. Jakubik presented information regarding this item. She stated the proposed increase in sewer rates is primarily driven by the TRA but also to ensure revenues are sufficient to cover expenses. In response to questions from Council, Ms. Jakubik confirmed that the rate changes would go into effect on January 1 and that the increase for both water and sewer rates would be approximately \$7.25 on the average summer bill.

Motioned by Councilmember Gagliardi, seconded by Councilmember Cogan, to approve an ordinance amending the schedule of sewer rates by amendment of Section 1., Ordinance No. 2020-3288; providing a repealing clause; providing a severability clause; and declaring an effective date.

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

13. Consider a resolution authorizing the City Manager to finalize and execute a Construction Manager at Risk contract with Steele & Freeman, Inc of Fort Worth Texas, for the construction of a performing arts center on the property of the Old Bedford School.

Projects Manager Gary Johnson presented information regarding this item. He stated a committee evaluated eight responses to a request for qualifications and interviewed the top two firms. Steele & Freeman was the top pick, based a great deal on their performance at Generations Park, including keeping the project on time and under budget even with price escalations and supply chain issues.

In response to questions from Council, Mr. Johnson presented an overview of the next steps in the process. He estimated the construction documents to be finalized by the following spring or early summer. Steele & Freeman would obtain bids from contractors and develop the guaranteed maximum price, which would then require Council approval. In response to further questions, Mr. Johnson stated that a geotechnical firm would do borings on the OBS property and give feedback on the soil conditions to Steele & Freeman and the architects. There was discussion on the use of the construction manager at risk process as opposed to direct bidding, including that any cost savings would not go back to the City under the direct bidding process.

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In response to questions from Council, City Manager Jimmy Stathatos stated there is more money than what was previously set aside by Council for the project due to interest. There was discussion on needs at other facilities, including the roof at City Hall; funding mechanisms to pay for the performing arts center; and a master facility audit. Mr. Stathatos stated approving the project would not minimize the ability to do any of the City's needs discussed to that point. There was further discussion on retrofitting the City's fire stations for the modern needs of the firefighters; projections on what revenue the performing arts center would bring in; assessing the needs of other City facilities; investing in the City's infrastructure; and that the item being presented is for the construction manager at risk and not the facility itself.

Motioned by Councilmember Gagliardi, seconded by Mayor Pro Tem Sabol, to approve a resolution authorizing the City Manager to finalize and execute a Construction Manager at Risk contract with Steele & Freeman, Inc of Fort Worth Texas, for the construction of a performing arts center on the property of the Old Bedford School.

Motion approved 6-1-0. Mayor Boyter declared the motion carried.

Voting in favor of the motion: Mayor Boyter, Councilmember Dawkins, Councilmember Cogan, Mayor Pro Tem Sabol, Councilmember Steves, and Councilmember Gagliardi.

Voting in opposition to the motion: Councilmember Farco

14. Consider a resolution authorizing the City Manager, or his designee, to purchase various types of kitchen appliances for The Center at Generations Park building with Ace Mart Restaurant Supply, through the Local Government Purchasing Cooperative (BuyBoard), and with Home Depot Pro, through the Omnia Public Sector Purchasing Cooperatives, in an estimated amount of \$70,000.

Purchasing Manager Blake Williams presented information regarding this item. He stated it would authorize the use of the cooperatives to take advantage of economies of scale as well as having access to a wide variety of items needed for the facility.

Motioned by Councilmember Farco, seconded by Councilmember Steves, to approve a resolution authorizing the City Manager, or his designee, to purchase various types of kitchen appliances for The Center at Generations Park building with Ace Mart Restaurant Supply, through the Local Government Purchasing Cooperative (BuyBoard), and with Home Depot Pro, through the Omnia Public Sector Purchasing Cooperatives, in an estimated amount of \$70,000.

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

15. Consider a resolution of the City of Bedford, Texas approving the American Rescue Plan Act Appropriation Plan; and recognizing and appropriating expenditures within the Fiscal Year 2022 Coronavirus Local Fiscal Recovery Fund Budget for a fire station alerting system.

Fire Chief Bill Walker presented information regarding this item. He discussed improvements to the basic notification process used at fire stations and apparatus. A request for proposal for a new alerting system was issued and after evaluation by staff, Brynx was recommended as they were the first choice and had the best pricing. Staff further worked with the Information Technology Department to ensure the technology used by Brynx is appropriate. Chief Walker stated the Brynx system would work with the computer aided dispatching system and is a fully integrated, end-to-end, cloud-based platform designed to accomplish multiple tasks. Features of the platform include

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fade-in alert tones; red lights as opposed to the current bright white lights; segregation of calls between units; status monitor boards, and safety features, including automatic door closures and gas shutoffs at the fire stations. He discussed cardiac events for firefighters related to how they are woken up for calls.

In response to question from Council, Chief Walker stated the system could be installed within a couple of months. He discussed the reasoning for Brynx being less expensive than other companies; their technology; staff's reasoning for recommending them; and their other clients, including the City of Detroit.

Motioned by Councilmember Gagliardi, seconded by Councilmember Cogan, to approve a resolution of the City of Bedford, Texas approving the American Rescue Plan Act Appropriation Plan; and recognizing and appropriating expenditures within the Fiscal Year 2022 Coronavirus Local Fiscal Recovery Fund Budget for a fire station alerting system.

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

16. Consider a resolution of the City of Bedford, Texas approving the American Rescue Plan Act Appropriation Plan; and recognizing and appropriating expenditures within the Fiscal Year 2022 Coronavirus Local Fiscal Recovery Fund Budget for a generator for the Public Works Service Center.

City Manager Jimmy Stathatos presented information regarding this item. He stated Council previously authorized the generator at a cost of \$500,000 but the City was able to purchase it for \$337,898.14. There was discussion regarding the balance of the American Rescue Plan Act Appropriation funds and the next scheduled payment to the City.

Motioned by Councilmember Farco, seconded by Councilmember Gagliardi, to approve a resolution of the City of Bedford, Texas approving the American Rescue Plan Act Appropriation Plan; and recognizing and appropriating expenditures within the Fiscal Year 2022 Coronavirus Local Fiscal Recovery Fund Budget for a generator for the Public Works Service Center.

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

17. Mayor/Council Member Reports

No reports were given.

18. City Manager/Staff Reports

City Manager Jimmy Stathatos thanked Council and staff for the budget. He stated Council would be holding a strategic planning session in the fall and recommended cancelling one of the regular meetings to hold the session.

EXECUTIVE SESSION

- a) Pursuant to Section 551.074. to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee, including deliberation regarding the following officers or employees – Councilmember Place 3/Mayor Pro Tem

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Council convened into Executive Session pursuant to Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee, including deliberation regarding the following officers or employees – Councilmember Place 3/Mayor Pro Tem, at 6:59 p.m.

Council reconvened from Executive Session at 7:30 p.m.

19. 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 7:31 p.m.

Michael Boyter, Mayor

ATTEST:

Michael Wells, City Secretary