

Council Minutes September 14, 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 14th day of September, 2021 with the following members present:

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

constituting a quorum.

Staff present included:

Jimmy Stathatos	City Manager
Bryn Meredith	City Attorney
Michael Wells	City Secretary
Chuck Carlisle	Facilities and Risk Manager
Meg Jakubik	Strategic Services Manager
Maria Joyner	Finance Director
Paula McPartlin	Assistant Finance Director
Maria Redburn	Library Director
Andrea Roy	Development Director
Jeff Williams	Police Chief
Bill Walker	Fire 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

Pastor Joe McCrary of First Assembly of God DFW 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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Three individuals signed up for Open Forum. They removed their names prior to the start of the meeting.

PRESENTATIONS

- **Discussion on the Quarterly Investment Report for the Fiscal 3rd Quarter ending June 30, 2021.**

Assistant Finance Director Paula McPartlin stated the total market value of the City's portfolios at the end of the third quarter was \$131,496,269, as compared to \$142,343,985 at the end of the second quarter, which is a 11.3 percent decrease from the same period the previous year. The City has spent \$24,435,332 on the Phase Next Project and \$23,775 related to the Bedford Performing Arts Center and has earned \$3,448,637 in accumulated interest as of the end of the third quarter for these projects.

Tim Pinion with Valley View Consulting, the City's investment advisors, presented the quarterly financial report. He stated the quarter end average yield for City funds was 0.36 percent and for State Water Implementation Revenue Fund for Texas (SWIRFT) funds was 0.12 percent, for an overall average yield of 0.30 percent. Interest earnings on the total portfolio was \$99,311 for the quarter and \$386,716 year-to-date. He stated the City's portfolio yields compare favorably to benchmark yield and presented information on United States Treasury yield curves. He stated the Federal Reserve is not expected to increase rates until at least early 2023 and discussed the economic impact of the COVID-19 delta variant and the rate of inflation, as well as the City's investment strategy.

In response to questions from Council, Mr. Pinion confirmed that the decrease in the portfolio is mainly due to spending on the Phase Next project. Ms. McPartlin stated the City's Investment Policy is approved by Council annually pursuant to the Public Funds Investment Act. Changes to the Policy include removing the City Manager and Assistant City Manager as authorized investment officers, though they would remain on the Investment Committee, and adding the Senior Accountant to the Committee, as well as making that position an authorized investment officer. There was discussion on the City's investment strategy.

Mayor Boyter discussed Tom Ross, who was formally an employee of the City as well as Valley View Consulting, and thanked him for what he did for the City.

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 by the following items by consent: 1, 2, 3 and 4.

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

1. **Consider approval of the following City Council minutes:**
 - a) **August 12, 2021 work session**
 - b) **August 17, 2021 special session**
 - c) **August 24, 2021 regular meeting**
 - d) **September 7, 2021 special session**

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This item was approved by consent.

2. Consider a resolution approving the City of Bedford Investment Policy.

This item was approved by consent.

3. Consider a resolution adopting the method for making written requests for public information.

This item was approved by consent.

4. Consider a resolution authorizing the City Manager to enter into an interlocal agreement with Tarrant County for reimbursement of staff hours expended during operation of the Northeast Tarrant County Vaccination Clinic.

This item was approved by consent.

PERSONS TO BE HEARD

5. The following individual has requested to speak to the Council tonight under Persons to be Heard:

- a) Michael Johnson, 804 Morning Glory Lane Bedford, TX 76021 - requests to speak to Council regarding Planned Parenthood and abortion.**

Mr. Johnson was unable to attend the meeting.

NEW BUSINESS

6. Consider an ordinance adopting the annual budget for the City of Bedford, Texas for the fiscal period of October 1, 2021 through September 30, 2022; 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 on the annual budget. She discussed the City's budget policy cycle, the City's tax rate history, trends in General Fund revenue and expenditures, and a five-year forecast of revenues, expenditures, and fund balance. She discussed economic conditions, including per capita comparisons with neighboring cities for budget and employees per 1,000 residents, and the City's sales tax history, including the impact of the COVID-19 pandemic. She presented information on the revenues by fund, expenditures by department and classification of all funds, and revenues and expenditures in the General Fund. She presented information on the Debt Service Fund, including the debt service schedule and the annual funding requirements. She presented information on the Water and Sewer Fund, including revenues and expenditures, projections from the Trinity River Authority, and current rates, with staff recommending no increases to the water and sewer rates. She presented information on the Stormwater Fund, including revenues and expenditures, and stated staff recommends an increase of \$0.50 per month on the stormwater rate. There was discussion on the employees per capita statistic and the purpose of the stormwater fee to cover maintenance of the stormwater system, including drainage channels, creeks, flumes, etc.

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Ms. Jakubik presented information on the tax rate calculations, with the current tax rate being \$0.569000 per \$100 valuation, the no-new-revenue rate being \$0.549319 per \$100 valuation, the voter-approval rate being \$0.552691 per \$100 valuation, and the one used in the proposed budget and the maximum that can be considered being \$0.552000 per \$100 valuation, a three percent decrease from the current rate. A comparison with the previous year's tax rate shows a 10.5 percent decrease in the debt component and a 0.6 percent increase in the maintenance and operations component. She presented the impact of the tax rate on the tax bill for the average resident, which at the proposed rate is an increase of approximately \$30.00 per year on the average home in Bedford, and a breakdown of the monthly cost allocation for City services.

Ms. Jakubik presented information on changes to the General Fund, including a three percent cost of living adjustment (COLA) for all employees and market adjustments to the public safety step plan; a video producer position for the Communications Department; the City's share of the cost for the mental health coordinator position; increases for forensic laboratory services and travel and training for the Police Department, as well as leasing replacement equipment for their body and in-car camera system; a part-time emergency management coordinator position, an increase for program funding, and three-year replacement cycles for extractors/dryers and workout equipment for the Fire Department; and a transfer to start a library technology fund. Other General Fund changes include an expansion of the Laserfiche records management system for the City Secretary's Office; an update to the City's Master Plan for the Development Department; a Tyler Content Management System for the Finance Department; a brake lathe for Fleet; a security camera system for the Law Enforcement Center; technology and furniture upgrades for the Fire Department training room; a replacement defibrillator; and two mowers and an excavator for the Parks Division. Changes following the budget work session include a \$10,000 increase to the fireworks budget for larger shells and an even split of the Special Events personnel salaries between the General Fund and the Tourism Fund.

There was discussion on the use of the \$242,489 in unallocated funds remaining, including lowering the tax rate further or funding other supplemental requests, including body cameras for the Fire Marshal's Office for arson investigations and increasing the hours for certain Library employees. There was further discussion the impact of lowering the tax rate to \$0.549 on the average homeowner's tax bill, the increase to the stormwater fee, and saving the unallocated funds for unexpected maintenance or equipment replacement during the fiscal year.

Motioned by Councilmember Culver, seconded by Councilmember Almendarez, to approve an ordinance adopting the annual budget for the City of Bedford, Texas for the fiscal period of October 1, 2021 through September 30, 2022, to include the \$7,050 for body cameras for the Fire Department; 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.

7. Consider an ordinance levying taxes for the Tax Year 2021 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.

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Ms. Jakubik stated this item is to approve the tax rate based on the revenue approved as part of the budget. The \$0.522 per \$100 valuation tax rate would be a 2.99 percent decrease in the tax rate.

Motioned by Councilmember Culver, seconded by Councilmember Gagliardi, that the property tax rate be increased by the adoption of a tax rate of 0.552000, which is effectively a zero percent increase in the tax rate.

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

After discussion on the wording of the motion, the following motion was made:

Motioned by Councilmember Culver, seconded by Councilmember Gagliardi, that the property tax rate be increased by the adoption of a tax rate of 0.552000, which is effectively a 0.488 percent increase in the tax rate.

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

8. Consider a resolution to ratify the property tax increase as reflected in the FY 2021-2022 City of Bedford Program of Services (Budget).

Ms. Jakubik stated that because the adopted tax rate is above the no new revenue tax rate, there is an increase in taxes which requires this item.

Motioned by Councilmember Cogan, seconded by Councilmember Almendarez, to approve a resolution to ratify the property tax increase as reflected in the FY 2021-2022 City of Bedford Program of Services (Budget).

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

9. Consider a resolution authorizing the City Manager to purchase the Axon in-car/body camera system in the amount of \$659,515.52 to be paid in annual installments over a 60-month program period.

Police Chief Jeff Williams presented information regarding this item. He stated the current camera system was installed in 2017 and the equipment is experiencing failures and is no longer under warranty, and the needs of the Police Department have exceeded the system's capabilities. After research, staff recommends the Axon system. Capabilities of the system include the ability to combine all cameras at a scene into one incident, an increased number of triggers that would activate the cameras, and that it is cloud-based. The new system would increase the body-worn cameras to 78, in-car cameras to 25, and would include equipment for two interview rooms. The cost for the first year is \$125,000 and \$132,925 each year afterwards. All equipment will be replaced at the two-and-a-half-year mark with new equipment. In answer to questions from Council, Chief Williams stated Axon is the industry leader, which would allow easier sharing between police departments, and reviewing camera footage would be quicker. The old cameras may be sent to other Animal Control or other departments within the City. Equipment failures with the current system include battery issues causing the cameras to not activate or record. There was discussion on the life span of the camera system, Fire Department cameras, possible grant funding to help offset costs, and potential liabilities for equipment malfunctions.

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Motioned by Councilmember Cogan, seconded by Councilmember Steves, to approve a resolution authorizing the City Manager to purchase the Axon in-car/body camera system in the amount of \$659,515.52 to be paid in annual installments over a 60-month program period.

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

10. Consider a resolution authorizing the City Manager to enter into an agreement with King Consultants for asbestos abatement, demolition, and site clearing at 1725 Bedford Road in the amount of \$40,400.

Facilities and Risk Manager Chuck Carlisle presented information regarding this item. He stated the property was purchased in 2010, along with another building that was demolished to allow for the view of the new Library building. The house was constructed in 1970 and does not have any historical value. An asbestos survey was required as the house is located on commercial property, which came back positive. If the City wanted to keep the building, the asbestos would still have to be abated. The house further has a roof leak and requires foundation work. The drive approach next to the house would be maintained after demolition.

Motioned by Councilmember Gagliardi, seconded by Councilmember Almendarez, to approve a resolution authorizing the City Manager to enter into an agreement with King Consultants for asbestos abatement, demolition, and site clearing at 1725 Bedford Road in the amount of \$40,400.

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

11. Mayor/Council Member Reports

Mayor Boyter reminded everybody about North Texas Giving Day, which ends September 23, 2021.

12. City Manager/Staff Reports

City Manager Jimmy Stathatos stated recommended projects using funds from the American Rescue Plan Act would be on the agenda for the September 28, 2021 Council meeting. He stated a Chalk It Up event would be held on October 2, 2021 at Harris Ryals Park.

EXECUTIVE SESSION

- a) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease, or value of real property - real property for redevelopment purposes.
- b) Pursuant to Section 551.071, Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter - legal interpretation of land use classification.
- c) Pursuant to Section 551.087, deliberation regarding economic development negotiations - 3600 Harwood Road.
- d) Pursuant to Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - evaluation of the City Manager.
- e) Pursuant to Section 551.071, consultation with City Attorney, regarding Motel 6 located at 3100 Crystal Springs Street.

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Council convened into Executive Session pursuant to Texas Government Code Section 551.072, to deliberate the purchase, exchange, lease or value of real property - real property for redevelopment purposes; Section 551.071, Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter - legal interpretation of land use classification; Section 551.087, deliberation regarding economic development negotiations - 3600 Harwood Road; Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - evaluation of the City Manager; and Section 551.071, consultation with City Attorney, regarding Motel 6 located at 3100 Crystal Springs Street, at 7:19 p.m.

Council reconvened from Executive Session at 8:52 p.m. Any necessary action to be taken as a result of the Executive Session will be during the Regular Session.

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

Motioned by Councilmember Culver, seconded by Councilmember Gagliardi, to approve the increase to the City Manager's salary as discussed in Executive Session.

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

ADJOURNMENT

Mayor Boyter adjourned the meeting at 8:58 p.m.

Michael Boyter, Mayor

ATTEST:

Michael Wells, City Secretary