

**Council Minutes October 12, 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 12th day of October, 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
Maria Joyner	Finance Director
Joey Lankford	Deputy Fire Chief/Fire Marshal
Andrea Roy	Development Director
Cheryl Taylor	Public Works Director
Jeff Williams	Police Chief
Mark Williams	Deputy Fire Chief/EMS
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**

Joseph Cartwright of Reimagine Men DFW gave the invocation.

**PLEDGE OF ALLEGIANCE**

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

**COUNCIL RECOGNITION**

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- **Proclamation recognizing Monday, November 1, 2021 as National Family Literacy Day.**

Mayor Boyter read a proclamation recognizing Monday, November 1, 2021 as National Family Literacy Day. Donna Moore with the Daughters of the American Revolution, Captain Nathaniel Mills Chapter, accepted the proclamation.

### **OPEN FORUM**

Nobody signed up to speak during Open Forum.

### **PRESENTATIONS**

- **Presentation on the BedfordROCKS Trail Program.**

Beautification Commission Chairperson Marty Geer stated the BedfordROCKS Trail Program began with Commissioner Bonnie Cooper seeing a similar program in another city. Commissioner Yvonne Garcia then developed how to incorporate such a program with World Kindness Day. The Commission will have a fall sweep event, followed by a rock painting class at the Library on October 23, 2021. Ms. Garcia stated the purpose of the Program is for residents of all ages to paint rocks with positive messages. There have been three rock painting classes with 67 attendees and 187 rocks have been painted to date. Residents that were unable to attend the classes can paint rocks at home and drop them off at the Library. She invited residents to place painted rocks at designated areas of the trails beginning at the Library on World Kindness Day on November 13, 2021.

- **Presentation by Craig Reynolds with BRW Architects and Project Manager Gary Johnson, regarding the Performing Arts Center.**

City Manager Jimmy Stathatos stated the presentation is the culmination of meetings between a subcommittee of Council, BRW Architects, Project Manager Gary Johnson, and other staff. He recommended the next step for the project be a public unveiling.

Craig Reynolds with BRW Architects discussed different projects occurring in the City, including the Old Bedford School (OBS), Generations Park, and Bedford Commons. He further discussed the input of the subcommittee of Council in devising what would be seen in the presentation and presented an overview of the three workshops held with the subcommittee. The first workshop focused on the design process and precedent examples. He discussed the project site in context with Generations Park, Bedford Commons, and the Library, as well as the open space and dedicated parkland on the site. He stated the purposes of the project are theatrical performances, music concerts, a visual art gallery, event spaces, a conference center, and outdoor amenities. Success for the project included bringing usage to the OBS, creating a cultural arts identity, energizing the site, serving as a catalyst for Bedford Road, complementing Bedford Commons, becoming a revenue generator, and creating a destination. Project goals include being a catalyst for other City activities, economic development, creating energy on site, and developing a cultural showpiece.

Chris Sano with BRW Architects presented information on the second workshop, which was focused on pulling together the ideas in the first workshop and included a collaborative planning exercise. He discussed and displayed examples of inspiration coming out of the exercise, including a multipurpose venue with daylight space and/or retractable seating; integration of views; art galleries; a multi-purpose conference center; site integrations, including an events lawn and

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art moments; arts identity and branding; food trucks; walking trails; picnic groves; outdoor rooms; activity zones; water features; exhibits; shade; and festival lighting.

Aaron Fisher with BRW Architects presented information on the third workshop, which focused on bringing everything together and developing the concept on what the various elements of the project would be and how they could be arranged on the site, as well as potential costs. The purpose of that workshop was to bring together and align the project's purpose, vision, and definitions of success to develop strategies for the project.

Mr. Reynolds stated that it was felt a multi-purpose venue, with retractable seats and meeting rooms, was more suitable than a dedicated black box theater. He presented information on the budget for the project, with the baseline budget being \$8,400,000, which increases to \$9,000,000 by expanding the size of the multipurpose room and adding an additional meeting room. Further increasing the size of the multipurpose room, increasing the size of dressing rooms, including a ticket box office and concessions, and additional site improvements would increase the budget to \$10,000,000. He discussed alternate bid items being included when bidding out the project. He stated that the higher budget does include the entire site, but he recommended designing the entire property so that the future objectives are known. Mr. Sano presented a master plan layout for the entire site showing different zones.

There was discussion on the possibilities for, and the flexibility of, the site; eliminating certain ideas during the workshop process, including a concert hall; doing a phased, or tiered, approach to the project; creating a destination and activating the City; the uniqueness of the project and site; site integration and activation; making the OBS lawn a venue in its own right; the project complementing and integrating with the Bedford Commons, Generations Park, and the Library; branding throughout the City; creating a cultural arts identity; and revenue generation. There was further discussion on the next steps in the process, including sharing resident feedback on the project with Council and deciding on the scope of the project.

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

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

Motioned by Councilmember Culver, seconded by Councilmember Gagliardi, to approve the following item by consent: 1

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

- 1. Consider approval of the following City Council minutes:  
a) September 28, 2021 regular meeting**

This item was approved by consent.

### **NEW BUSINESS**

- 2. Consider an ordinance amending the stormwater drainage charges and monthly stormwater system fees by amending Ordinance No. 16-3182; providing a repealing clause; providing a severability clause; and declaring an effective date.**

Finance Director Maria Joyner presented information regarding this item, which is to adopt changes to the stormwater drainage rate as discussed during the budget work session on August

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12, 2021. She stated the Stormwater Fund is stable; however, it does not have the capacity to fund upcoming capital needs. Revenues average approximately \$1,600,000 a year, with expenses averaging approximately \$1,500,000, with a fund balance of approximately 94 percent. The current rates are \$4.50 per month for residents and \$4.00 for seniors, with commercial charges based on the size of the property's impervious surfaces multiplied by \$4.50. The proposed \$0.50 rate increase would add approximately \$185,000 per year in additional revenue to help pay the debt service for approximately \$3,400,000 in projects over the following three years, including channel improvements for State Highway 183 and a stormwater drainage study. She stated the last increase to the fee was in 2016, when it went from \$3.50 per month to \$4.50.

Chris Ekrut with NewGen Strategies & Solutions presented a comparison of Bedford's rates with other communities. He stated the existing fee is sufficient for current activities but not for the needed capital improvements. He presented a breakdown of the drainage capital plan over the following five years, totaling approximately \$7,670,000, with the current focus being the projects in the first three years. He discussed the funding plan for the capital projects and recommended a \$0.50 per month increase in the stormwater fee.

In response to questions from Council, Mr. Ekrut stated that cities do not examine and update their drainage fees frequently, though stormwater utilities are something that needs much attention across the state. There was discussion regarding the balance between residential and commercial rates; the projects on the drainage capital projects list and how they were prioritized; and the proposed drainage study, including its scope, a previous study performed in 2011 that was not followed up on, and how often such studies should be performed.

Motioned by Councilmember Steves, seconded by Councilmember Cogan, to approve an ordinance amending the stormwater drainage charges and monthly stormwater system fees by amending Ordinance No. 16-3182; providing a repealing clause; providing a severability clause; and declaring an effective date.

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

### **3. Consider a resolution of the City of Bedford, Texas approving the American Rescue Plan Act Funding Appropriation Plan; and recognizing and appropriating Phase I within the Fiscal Year 2021 Coronavirus Local Fiscal Recovery Fund Budget.**

City Manager Jimmy Stathatos presented information regarding this item. He stated the City received approximately \$6,200,000 this year from the American Rescue Plan Act Funding Appropriation (ARPA) Plan and will receive approximately the same amount the following year. He discussed the parameters the City must stay within for the use of the funds and that staff wanted to ensure that every project was approved by Council. He stated the Texas Water Development Board should be informing staff shortly whether State Water Implementation Funds for Texas (SWIFT) funds could be used for the Cummings Water Tower project; if not, then staff would explore using ARPA funds instead. Staff has worked with other cities on how they are utilizing the funding. There was discussion on additional projects to be paid from ARPA funding, the parameters for the use of the funding, and that the City has until 2024 to declare how the funds are to be used and 2025 to spend the funds. In response to questions from Council, Mr. Stathatos stated the reason for using SWIFT funds for the Cummings Tower Project is because the City is paying interest on funds that do not have projects tied to them. There was discussion on the deadlines for the second installment of ARPA funding.

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Mr. Stathatos and other staff members, including from the Fire Department, presented an overview of each recommended project totaling \$1,531,948 as follows: server virtualization project - \$305,000; Police Department desktop refresh project - \$112,500; ambulance modular remount - \$231,633; 2022 Ford F550 chassis for an ambulance - \$392,944; fire station study proposal - \$97,000; Fire Department desktop refresh project - \$78,000; firefighter thermal imagers - \$155,300; NFPA standards fire station boots - \$20,300; firefighter light-weight gear - \$49,000; fire helmets - \$56,271; medical vaults and Knox Box Key Secure for ambulances - \$29,000; and firefighter small tools - \$5,000.

There was discussion on the medical Knox boxes in ambulances and the Knox box program for residents.

Motioned by Councilmember Culver, seconded by Councilmember Gagliardi, to approve a resolution of the City of Bedford, Texas approving the American Rescue Plan Act Funding Appropriation Plan; and recognizing and appropriating Phase I within the Fiscal Year 2021 Coronavirus Local Fiscal Recovery Fund Budget.

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

- 4. Consider a resolution authorizing the City Manager to enter into a contract with Siddons-Martin Emergency Group, LLC for the purchase of one replacement ambulance, being a 2022 Ford F550 Type I ambulance, one Knox Key Secure system, and one Knox MedVault in the amount of \$392,988.**

Deputy Fire Chief Mark Williams presented information regarding this item. He stated the current 2009 ambulance is past its usefulness within the fleet and is unreliable. It further does not have a powered stretcher lift system nor a Knox narcotic securing vault. The 2009 unit would be traded in, which will leave three active ambulances and two in reserve. Deputy Chief Williams stated there is an approximate 12-to-14-month delivery time for the new ambulance due to the chip shortage.

Motioned by Councilmember Almendarez, seconded by Councilmember Cogan, to approve a resolution authorizing the City Manager to enter into a contract with Siddons-Martin Emergency Group, LLC for the purchase of one replacement ambulance, being a 2022 Ford F550 Type I ambulance, one Knox Key Secure system, and one Knox MedVault in the amount of \$392,988.

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

- 5. Consider a resolution authorizing the City Manager to enter into a contract with A&M Construction and Utilities, Inc. in an amount not to exceed \$3,076,712 for the SWIFT 21-12 West Pipeline Road Water and Sanitary Sewer Replacement between Arwine Cemetery Road and Raider Drive project.**

Public Works Director Cheryl Taylor presented information regarding this item. She stated the City of Euless notified Bedford in 2020 that they would be reconstructing Pipeline Road, and Bedford owns and maintains water and sanitary sewer lines within the Euless rights-of-way. This project would include the relocation of over 7,400 linear feet of water pipe and over 5,500 linear feet of sanitary sewer pipe, along with related appurtenances. Eight bids were received for the project, with the low bid being from A&M Construction and Utilities, Inc in the amount of \$3,076,712. The water line improvements would be paid from the 2015 SWIFT Certificates of Obligation, with the sanitary sewer being paid from 2012 Combination Tax and Revenue

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Certificates of Obligation and the Utility Repair Fund. Halff Associates, the design engineer for the project, reviewed the bids and recommended A&M Construction after receiving several favorable references for similar projects in other cities. The contract time for the project is 270 days. The contract documents will be sent to the Texas Water Development Board for approval, so construction is anticipated to begin sometime after the first of the year. There was discussion on previous contracts Bedford entered with A&M Construction and the amount remaining in the 2015 SWIFT funds.

Motioned by Councilmember Gagliardi, seconded by Councilmember Culver, to approve a resolution authorizing the City Manager to enter into a contract with A&M Construction and Utilities, Inc. in an amount not to exceed \$3,076,712 for the SWIFT 21-12 West Pipeline Road Water and Sanitary Sewer Replacement between Arwine Cemetery Road and Raider Drive project.

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

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

Councilmember Cogan reported the pumpkins for the Library Pumpkin Patch would arrive the following day and volunteers are needed to help unload them. The Pumpkin Patch will run from October 14, 2021 until Halloween. The Library's Beer and Brats event will be held October 23, 2021.

Mayor Pro Tem Sabol stated the Community Affairs Commission Residential Roundtable is scheduled for October 27, 2021 at the Movie Tavern.

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

City Manager Jimmy Stathatos reported the Musical Collaboration Celebration would be held at the Old Bedford School on Saturday. He further reported that staff is tabulating the results of a restaurant and retail survey, which would be released in November, and a resident survey would be completed in the fall.

### **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 551.087, deliberation regarding economic development negotiations – 3600 Harwood Road.**
- c) Pursuant to Section 551.071, consultation with City Attorney, regarding Motel 6 located at 3100 Crystal Springs Street.**
- d) Pursuant to Section 551.071, consultation with City Attorney regarding short-term rental ordinance.**

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 551.087, deliberation regarding economic development negotiations - 3600 Harwood Road; Section 551.071, consultation with City Attorney, regarding Motel 6 located at 3100 Crystal Springs Street; and Section 551.071, consultation with City Attorney regarding short-term rental ordinance, at 7:36 p.m.

Council reconvened from Executive Session at 8:06 p.m. Any necessary action to be taken as a

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result of the Executive Session will be during the Regular Session.

**8. 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 8:07 p.m.

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Michael Boyter, Mayor

ATTEST:

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Michael Wells, City Secretary