

AMENDED AGENDA

**Regular Meeting of the Bedford City Council
Tuesday, November 13, 2012
Bedford City Hall Building A
2000 Forest Ridge Drive
Bedford, Texas 76021**

**Conference Room Work Session 5:00 p.m.
Council Chamber Work Session 6:00 p.m.
Council Chamber Regular Session 6:30 p.m.**

**COMPLETE COUNCIL AGENDAS AND BACKGROUND INFORMATION ARE AVAILABLE FOR REVIEW
ONLINE AT <http://www.bedfordtx.gov>**

WORK SESSION - Conference Room

- **Presentation from Dunhill Properties regarding the Shops at Central Park**

WORK SESSION - Council Chamber

- **Review and discuss items on the regular agenda and consider placing items for approval by consent.**
- **Discuss a possible date(s) to hold a Council Work Session. ***This item requested by Mayor Griffin**

EXECUTIVE SESSION

To convene before the Regular Session, if time permits, in the conference room in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- a) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lots 12A and 13A, Oak Grove Estates.**
- b) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lots 1D and 1E, Shops at Central Park.**
- c) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lots 4BR1 and Block 1, Lot 4A, Northeast Community Hospital Addition and Block 1 Lot 4 Cimarron Plaza Addition. (Amended item)**

REGULAR SESSION 6:30 P.M.

CALL TO ORDER/GENERAL COMMENTS

INVOCATION (Lead Pastor Robert White, Cornerstone Church)

PLEDGE OF ALLEGIANCE (Cub Scout Pack 363, Loren Coleman, Leader)

OPEN FORUM

(The public is invited to address the Council on any topic that is posted on this agenda. Citizens desiring to speak on Public Hearing(s) must do so at the time the Public Hearing(s) are opened. In order to speak during Open Forum a person must first sign in with the City Secretary prior to the Regular Session being called to order. Speakers will be called upon in the order in which they sign in. Any person not signing in prior to the commencement of the Regular Session shall not be allowed to speak under Open Forum. Further, Open Forum is limited to a maximum of 30 minutes. Should speakers not use the entire 30 minutes Council will proceed with the agenda. At the majority vote of the Council the Mayor may extend the time allotted for Open Forum.)

CONSIDER APPROVAL OF ITEMS BY CONSENT

COUNCIL RECOGNITION

1. Recognition of Billy Lynch “Mr. Billy”, School Crossing Guard, for a Bedford Employee Commitment Award (BECA).
2. Proclamation recognizing Fire Safety Poster Contest Winners.

APPROVAL OF THE MINUTES

3. Consider approval of the following City Council minutes:
 - a) October 23, 2012 regular meeting
 - b) October 30, 2012 special meeting

OLD BUSINESS

4. Public hearing and consider an ordinance to rezone a portion of property known as Lot 1R1, Block 1, Harwood Hills Village Addition, 3350 Harwood Road, Bedford, Texas; specifically for the operation of a restaurant (McDonald’s) from Planned Unit Development (PUD) to Amended Planned Unit Development, Site Plan Modification, in the Highway Corridor Overlay District. The property is generally located south of Harwood Road and west of State Highway 121. (Z-225)

NEW BUSINESS

5. Consider a resolution authorizing the City Manager to move forward with the sale of the City-owned property known as Block 6, Lot 9 Oak Grove Estates, located at 2401 Brasher Lane, Bedford, Texas.
6. Consider a resolution authorizing the Mayor to certify the Chapter 59 Asset Forfeiture Report as required by Article 59.06 of the Code of Criminal Procedures.
7. Consider a resolution authorizing the Mayor to certify the Equitable Sharing Agreement and Certification as required by the United States Department of Justice.
8. Discussion and receive Council direction regarding the color scheme for the stealth cellular tower.
9. Staff report on the photographic traffic monitoring systems (i.e. red light cameras).
10. Report on most recent meeting of the following Boards and Commissions:
 - ✓ Animal Control Board – Councilmember Olsen
 - ✓ Animal Shelter Advisory Board - Councilmember Olsen
 - ✓ Beautification Commission – Councilmember Turner
 - ✓ Community Affairs Commission - Councilmember Boyter
 - ✓ Cultural Commission - Councilmember Nolan
 - ✓ Library Board – Councilmember Brown
 - ✓ Parks & Recreation Board - Councilmember Davisson
 - ✓ Senior Citizen Advisory Board - Councilmember Turner
 - ✓ Teen Court Advisory Board - Councilmember Olsen

11. Council member reports

12. City Manager/Staff Reports

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

(Any item on this posted agenda may be discussed in executive session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.)

ADJOURNMENT

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the outside window in a display cabinet at the City Hall of the City of Bedford, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: Friday, November 9, 2012 at 5:00 p.m., and remained so posted at least 72 hours before said meeting convened.

Michael Wells, City Secretary

Date Notice Removed

(Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in City functions and activities. Auxiliary aids and services or accommodations should be requested forty-eight (48) hours prior to the scheduled starting time of a posted council meeting by calling 817.952.2101.)



Council Agenda Background

PRESENTER: Bill Syblon, Development Director

DATE: 11/13/12

Work Session

ITEM:

Presentation from Dunhill Properties regarding the Shops at Central Park

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER: Jim Griffin, Mayor

DATE: 11/13/12

Work Session

ITEM:

Discuss a possible date(s) to hold a Council Work Session.

City Manager Review: _____

DISCUSSION:

Mayor Griffin requested this item be placed on the agenda for discussion.

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER: Beverly Griffith, City Manager

DATE: 11/13/12

Council Recognition

ITEM:

Recognition of Billy Lynch “Mr. Billy”, School Crossing Guard, for a Bedford Employee Commitment Award (BECA).

City Manager Review: _____

DISCUSSION:

The BECA is part of the City of Bedford’s Employee Recognition Program. In order for an employee to receive a BECA, he/she must display “above and beyond the call of duty” conduct or actions in their daily job function or other types of meritorious actions or conduct.

Any citizen, business owner or employee may nominate a City employee for a BECA by completing a form. The nominations are reviewed on a periodic basis by the City’s senior management team. The senior management team then votes on the nominations.

Mr. Lynch was nominated by Library Manager and Bedford Citizen Maria Redburn. In her nomination letter, Ms. Redburn states, “I would like to nominate Mr. Billy at the intersection of McLain and Cummings for a BECA Award. His corner is the center of the neighborhood. He arrives early and stays late each shift to ensure the safe passage of all the kids, walkers, and runners. He has special nicknames and kind words for all the children who come each day. Everyone is disappointed when he is off. At Christmas, he and his wife have gifts for the kids. He goes above and beyond each day to protect and create a sense of community.”

Mr. Lynch has been a School Crossing Guard since October of 2003 and has been a very active volunteer at the Police Department and member of the Citizens Police Academy Alumni Association.

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER: Jim Griffin, Mayor

DATE: 11/13/12

Council Recognition

ITEM:

Proclamation recognizing Fire Safety Poster Contest Winners.

City Manager Review: _____

DISCUSSION:

This event marks the 35th year of the Bedford Fire Safety Poster Contest. More than 4,000 poster entries were judged by the firefighters with assistance from the Bedford Citizens Fire Academy Alumni. Each entry received a recognition sticker and 1, 2, and 3 place ribbons were awarded to participants in each grade level in the seven Bedford schools visited. The posters illustrated life saving behaviors the students learned during the Fire Department F.A.L.S.E. Alarm Clown Program presented during Fire Prevention Week. This year's national theme was "Two Ways Out". Six posters, one from each grade level (1st – 6th), were chosen overall to represent "Bedford's Best". The top six posters will be displayed at the Bedford Public Library during the month of November.

ATTACHMENTS:

Proclamation



CITY OF
BEDFORD

Proclamation

WHEREAS, the United States has one of the highest fire death rates, per capita, in the world; and

WHEREAS, every year home fires result in thousands of deaths, injuries, and hundreds of millions of dollars in property loss. Careless cooking, unattended candles, and the misuse of matches and lighters cause many of these fires; and

WHEREAS, the theme for National Fire Prevention Week this year is “Two Ways Out.” School children across the nation were taught about fire escape plans; and

WHEREAS, this event marks the 35th year of the Bedford Fire Safety Poster Contest and more than 4,000 fire safety posters were entered by Bedford students and were recognized by the firefighters with the assistance of the Bedford Citizen’s Fire Academy Alumni; and

WHEREAS, each poster illustrated life saving behaviors learned by the students during the fire department’s FALSE Alarm Clown Program with six posters, one from each grade level (1st – 6th) chosen overall to represent “Bedford’s Best.”

NOW, THEREFORE, let it be known that I, Jim Griffin, Mayor of the City of Bedford, and the City Council ask the citizens of Bedford to join me in recognizing the following FIRE SAFETY POSTER CONTEST WINNERS:

Jessa Woode	1st Grade	Bedford Heights Elementary
Mckenna Smith	2nd Grade	Bedford Heights Elementary
Nicholas McDaniel	3rd Grade	Bedford Heights Elementary
Jennifer Nguyen	4th Grade	Meadow Creek Elementary
Sienna Encarnacion	5th Grade	Bell Manor Elementary
Anabel Villarreal	6th Grade	Stonegate Elementary

In witness whereof, I have hereunto set my hand and caused the seal of the City of Bedford to be affixed this 13th day of November, 2012.

JIM GRIFFIN, MAYOR





Council Agenda Background

PRESENTER: Michael Wells, City Secretary

DATE: 11/13/12

Minutes

ITEM:

Consider approval of the following City Council minutes:

- a) October 23, 2012 regular meeting
- b) October 30, 2012 special meeting

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

October 23, 2012 regular meeting
October 30, 2012 special meeting

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 5:30 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 23rd day of October, 2012 with the following members present:

Jim Griffin	Mayor
Michael Boyter	Council Members
Chris Brown	
Jim Davisson	
Patricia Nolan	
Sherri Olsen	
Roy W. Turner	

constituting a quorum.

Staff present included:

Beverly Griffith	City Manager
David Miller	Deputy City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Cliff Blackwell	Administrative Services Director
Eric Griffin	Deputy Police Chief
Don Henderson	Parks Superintendent
John Kubala	Public Works Director
Mirenda McQuagge-Walden	Managing Director of Community Services
Tommy Peterson	Code Enforcement Manager
Bill Syblon	Development Director

WORK SESSION

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

- **Review and discuss items on the regular agenda and consider placing items for approval by consent.**

Council discussed placing the following items on consent: 4, 9, 10, 11, 12, 13, 14, 15 and 16.

Council discussed tabling Items #6 through #8 due to recent concerns from the business community and in order to determine what Council's intents are in regards to these ordinances. Council was of the consensus to discuss these items during the Regular Session after Persons to be Heard.

City Manager Beverly Griffith presented information regarding Item #12. It is for a replacement asphalt paver funded through 4B and approved by the 4B Board in their new operating budget. It came in below budget.

Public Works Director John Kubala presented information on Item #13. It is for a battery-operated LED light tower system for \$15,658, which is under the budgeted amount of \$17,000. He also presented information regarding Item #14, which is for an agreement with the Tarrant County Community Development program for sanitary sewer improvements on Memphis Drive and Central Drive. The City was approved for \$92,175. The bid came in at \$96,544 and staff is recommending funding the additional amount through the Utility Maintenance Fund.

Ms. Griffith presented information regarding Item #15. It is for a mower that was approved during the budget process for \$18,000. This item came in under budget at \$17,950. She also presented information regarding Item #16, which is for a replacement vehicle for the Parks Department. It was budgeted for \$24,000 and the bid from the Buy Board was \$21,737. Additional equipment needs to be purchased but staff anticipates the item still coming under budget.

- **Per the request of Council to receive information, the Arts Council Northeast will present their request to extend their current lease at the Trinity Arts building.**

Ms. Griffith presented information regarding this item. She stated that the current lease agreement with the Arts Council Northeast expires in November. Previous discussions with Council have focused on their desire that the City deal equitably with the multiple arts groups that use or occupy the Trinity Arts Building. Staff has worked with the Arts Council and they have come up with some recommendations regarding the new lease agreement that they feel will be acceptable to all parties.

Lee Koch, President of Arts Council Northeast, spoke to the Council regarding her organization. In attendance with her was Bobbie McFarland. She stated that the Arts Council has worked real hard in bringing recognition to themselves and the City. Community service people and members of the Arts League have donated money to help refurbish the building. She stated that they are a small non-profit and they lose money every year. They try to pass on some of their costs including electricity, copiers and cleaning services. However, they cannot burden these small arts groups too much. She understood that there were concerns that the Arts Council was making a lot of money but she stated that they are not.

In answer to questions from Council, Ms. Koch stated that in regards to renewing the lease, they want to maintain the same cost structure. She stated that in regards to the cost structure with all the tenants, they can document and provide to the City their usage schedules. In regards to what the City covers as far as building expenses, these include the exterior of the building, air conditioning, elevators and mechanical issues. There have been recent issues with the leaks from the air conditioning. She stated that the documents provided to Council with her presentation only include revenue related to the operation of the building and is not comprehensive to the organization as a whole. She stated that they will no longer charge the City for their internet calendar.

Ms. Griffith presented the following proposed amendments to the lease agreement: 1) eliminating the support for the on-line calendar from the City's annual contributions; 2) including sponsorship to Taste of Northeast, which has never been clearly defined; 3) allowing subleases but requiring the City to be a signatory on those documents; 4) putting a cap on their cost recovery that the Arts Council can recoup from other organizations at 75% of their operating expenses; 5) requiring an annual report on building related expenses and revenue recovery; and 6) authorizing the City to audit those expenses and revenue recovery.

In answer to questions from Council, Ms. Koch stated that most of the classes at the building are provided by the subleases except for the summer art college. Ms. Griffith stated that she has received the last audited financial statements from the Arts Council. Ms. Koch stated that a schedule of hours and usage by the vendors would be included in the subleases.

Council was of the consensus to incorporate the changes presented by Ms. Griffith into the lease and to bring it back to Council for approval next month.

- **Receive update on Economic Development. ***Item requested by Councilmember Patricia Nolan**

Development Director Bill Syblon presented a recap of the previous fiscal year. Sales tax revenue was up 1%. Single family permits were up from one the previous year to three. They are seeing some redevelopment of larger tracts in the middle of the City. Single family remodel permits were up, which is indicative of property owners wanting to reinvest in their homes. There were 149 certificates of occupancy filed, of which 73 were for new businesses. There was a decrease in retail vacancies from 11% to 10% and he stated it is rare to find a shopping center that is 100% occupied. Office space went from 20% vacancy to 18% vacancy. In regards to recent activity, the Pentecostal Church of God moved

into an 80,000 square foot building that was vacant and rundown. They have invested \$3M to improve the property. They have occupied half of the building and are in the process of looking for other tenants. Wells Fargo moved out of their existing building and built a new bank on Central Drive. Brown Mackie College moved into a 30,000 square foot building on Highway 121. The owners of the Bedford Meadows Shopping Center have invested \$500,000 to improve the Center and have increased tenancy, including Twisted Root Burger Company. Locke Supply Company moved into a vacant and rundown 30,000 square foot big block space that was formally a Safeway and a Planet Pets. Restaurants include the very popular Old West Café. The Pho V Noodle House opened this past week and they will be applying for outdoor seating. On the Border constructed a new building behind their former building. Danny's Celtic Pub has opened as part of the Bedford Meadows Shopping Center. In regards to highway business retention, 25 businesses were physically impacted by the widening. Of those, eight did not reopen but 14 were retained. Some were able to remodel or rebuild in their current location and other moved off of the highway and into the City. Two businesses are relocating outside of the City. On the horizon, HEB ISD will be opening a \$25M, 100,000 square foot technical school along Highway 183 and Central Drive, which will house 1,200 students daily. The Movie Tavern is going to be expanding into the former Sack and Save location, doubling in size and becoming their flagship store. Applebee's will be going into the same shopping center. Chilli's has committed to building on the north side of Highway 183 next to Pappadeaux's. Cheddars will be investing in their store, which includes a partnership between the owner of the property, the City and AT&T. This also includes bringing down the former CI Host building. Burger King has submitted plans to build on Highway 183 and Bedford Road. Twisted Root Burger Company will going into the corner of Central Drive and Harwood Road at the location of the former 7-11 building. The City will be launching bedfordforbusiness.com in conjunction with shopbedfordfirst.com. This site will show alternate routes to businesses as construction continues and entrances and exits open and close. The City will also be able to talk about new businesses on this site. The shopbedfordfirst.com website has 267 businesses signed up as compared to 166 on a similar site in Hurst.

In answer to a question from Council, Mr. Syblon stated that in regards to the timetable for Twisted Root, they are currently in the plan review process for remodeling. He stated the company anticipates having a soft opening before the end of the year and to be officially open by early January.

Mayor Griffin adjourned the Work Session at 6:23 p.m.

EXECUTIVE SESSION

To convene before the Regular Session, if time permits, in the conference room in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- **Pursuant to Section 551.072, to deliberate the purchase, exchange, lease or value of real property relative to Block 6, Lots 8 and 9 Oak Grove Estates.**
- **Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot A1, Dallas Federal Addition.**

Council convened into Executive Session pursuant to Texas Government Code Section 551.072, to deliberate the purchase, exchange, lease or value of real property relative to Block 6, Lots 8 and 9 Oak Grove Estates and Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot A1, Dallas Federal Addition at approximately 6:24 p.m.

Council reconvened from Executive Session at 6:59 p.m. Council did not finish the Executive Session and will convene again at the end of the meeting.

Council convened into Executive Session at 8:53 p.m.

Council reconvened from Executive Session at 9:14 p.m. Any necessary action to be taken as a result of the Executive Session will occur during the Regular Session of the Bedford City Council Meeting.

REGULAR SESSION 6:30 P.M.

The Regular Session began at 7:06 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION (Senior Pastor Marty Akins, First Baptist Church of Bedford)

Senior Pastor Marty Akins of First Baptist Church of Bedford gave tonight's invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

OPEN FORUM

Nobody chose to speak under tonight's Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilmember Turner, seconded by Councilmember Davisson, to approve the following items by consent: 4, 9, 10, 11, 12, 13, 14, 15 and 16.

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

COUNCIL RECOGNITION

1. Employee service recognition.

The following employees received recognition for dedicated service and commitment to the City of Bedford:

Hiroko Laukhuf, Police Department – 5 years of service
Dwayne Streger, Public Services - 5 years of service
Shane Bean, Police Department – 10 years of service
Michael Green, Public Services – 15 years of service

2. Proclamation recognizing October 23-31, 2012, as National Red Ribbon Week.

Mayor Griffin read a proclamation recognizing October 23-31, 2012, as National Red Ribbon Week. Deputy Police Chief Eric Griffin and Technical Sergeant Randy Gardner were on hand to accept the proclamation.

PERSONS TO BE HEARD

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

- a) **Teresa LaMacchia, 1912 Highland Drive, Bedford, TX – Requested to speak to the Council regarding a fence permit that was approved then revoked for the StoneCourt Homeowner's Association.**

Teresa LaMacchia, 1912 Highland Drive – Ms. LaMacchia spoke on behalf of her homeowner's association (HOA), of which she is president. She stated that the association, as a community, determined that they needed to replace their perimeter fence. They did their due diligence in finding the best way to replace the fence to both maintain the integrity of their neighborhood and that was affordable. They approved a bid from a fence company. The company pulled a permit from the City and started work, including demolition of the old fence, but the permit was then revoked. As the company

had already started work, there is now a gap in their perimeter fence and another portion of their fence is partially completed. They were informed that the permit was issued in error and that the reason was that between commercial and residential properties, there needs to be a masonry fence as a visual barrier. Further, it is up to the residential area or the HOA to maintain the fence. Their HOA is 90% surrounded by commercial property. The masonry fence they currently have is in shambles. They had a study done in 2008, which showed the fence was done with inferior product and incorrectly installed in 1999. There are no footings underneath the fence and there is PVC pipe where there should be columns. Over time, pieces of the fence have collapsed and there are cracks in all of the panels. It is also difficult to keep anything clean between the fence and the Public Work Service Center. Trucks from the Service Center have also hit and damaged the fence. The new fence is double-sided pre-stained wood. There is a kickboard at the bottom to allow for proper drainage and a cap at the top. It cannot be climbed over. She is seeking some sort of resolution whereby the HOA can put up the new perimeter fence and not have to put a masonry fence back up. She does not think there is an HOA or residential area that can afford to replace their entire fence line with the same product without causing undue stress on the homeowners. It is also a safety issue as some parts of the fence are falling in. They have been told by the Permit Department to put the old fence back up but they cannot do that as the old fence has crumbled. She stated that it is difficult to put something back up that they as an association cannot maintain; however, a wood fence is something that can be maintained and it is not a safety issue and they do not have to worry about encroachments. In their original plan development, a masonry fence was required and they are willing to try and get a variance on that.

In answer to questions from Council, Ms. LaMacchia stated that she has spoken to surrounding businesses and has received letters from Atmos Energy and Craig's Collision stating they have no issue with the HOA going forward with the new fence. In speaking with Patrice Kleypas at the Service Center, she believes they are fully aware that the HOA is doing the fence. She stated that the HOA realized how bad the fence was from the study that was performed in 2008. They have done some maintenance on the fence including putting up new panels. It is to the point that it is compressing down so much that it does not do any good to do a panel here and a panel there. There is only one company that can do the panels they currently have. There are 146 homes in the subdivision and as a gated community, they are responsible for the streets and the fence. The requirement to have a masonry fence was in the HOA's original declaration, which can be dissolved as they are past the ten years. Ms. LaMacchia is asking to not have the ordinance requiring a masonry fence between incompatible districts and to either get a variance on their original plat or dissolving their current declaration and putting a new one in place. In regards to whether the burden falls on the commercial properties to put up a masonry fence if the residential property is no longer required to do so once their plat is changed, City Attorney Stan Lowry stated the burden falls on whoever causes the buffer to go away. He stated that the deed restrictions and covenants of the HOA are irrelevant to the discussion as they are private documents. Council would have to look at some relief from the ordinance perspective and possible amendments to the site plan.

In answer to further questions from Council, Ms. LaMacchia stated to replace the fence with masonry would cost \$300,000 as opposed to \$84,000 for the wood fence. In regards to seeking recourse from the developer, she stated that the developer had previously wiped his hand of other issues when he turned the development over to the HOA. The fence would be between five and six feet in height and it would be made of cedar. There is a kickboard at the bottom but no concrete. The fence would have a ten year warranty.

Council directed staff to work on a possible solution to Ms. LaMacchia's issue and to keep her informed of the progress.

b) Alex Calo, 3160 Harwood Road, Bedford, TX – Requested to speak to the Council regarding the City Sign Ordinance, specifically “Prohibited Signs”.

Alex Calo, 3160 Harwood Road – Mr. Calo represents Town and Country Cleaners. He addressed the Council regarding concerns about the Sign Ordinance. He has three stores in the City and one opened the first of October. When they applied and paid for a Grand Opening Permit, they were told that they could have as many bells and whistles as they wanted. He ordered banner signs, standard flags and swooper flags. He put them in the parking lot but was told by a City official the following day that

swooper flags were not allowed. He went back to the City to receive some clarification and talked to Code Enforcement Manager Tommy Peterson. Mr. Peterson stated that there is a two page guideline of what is and is not allowed. Mr. Calo stated that he wished he had been informed of this ahead of time. He asked for waiver to use the swooper flags for the grand opening and for an explanation on why these types of signs are not allowed in Bedford.

Council discussed the reasons that these types of signs are not allowed in the City; whether the shopping center had given any guidelines to Mr. Calo; and directing staff to ensure that the two page form is given out when a permit is requested.

APPROVAL OF THE MINUTES

- 4. Consider approval of the following City Council minutes:
a) October 9, 2012 regular meeting**

This item was approved by consent.

OLD BUSINESS

- 5. Consider a resolution of the City Council of the City of Bedford, Texas amending an Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code and the City's Economic Development Incentive Policy and Program, with Denali Properties, Inc.**

Development Director Bill Syblon presented information regarding this resolution. It is for an amendment to an agreement between the City and Denali Properties, Inc. that proposes the following: 1) to retain Cheddar's as a business in the City; 2) to demolish the former CI Host building; and 3) to construct a 65 foot stealth monopole to house cellular equipment currently on the CI Host building.

Motioned by Councilmember Brown, seconded by Councilmember Turner, to approve a resolution of the City Council of the City of Bedford, Texas amending an Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code and the City's Economic Development Incentive Policy and Program, with Denali Properties, Inc.

Motion approved 5-2-0. Mayor Griffin declared the motion carried.

Voting in favor of the motion: Mayor Griffin, Councilmember Boyter, Councilmember Davisson, Councilmember Turner and Councilmember Brown.

Voting in opposition to the motion: Councilmember Olsen and Councilmember Nolan.

NEW BUSINESS

- 6. Consider an ordinance amending Chapter 22. "Building and Building Regulations", Article XIII. "Fences", Section 22-554. "Definitions", Section 22-558. "Maintenance", and Section 22-559. "Construction Prohibited", of the City of Bedford Code of Ordinances; providing a savings clause; providing a severability clause; and providing an effective date.**

Deputy City Manager David Miller presented information regarding this ordinance. Recommended changes include the addition of the term "thoroughfare" to the definitions to mean any street in the City. There are also changes to the masonry requirement, in that if there is an existing masonry fence that requires a complete or partial replacement, it must be replaced with like materials and colors. The final change is to prohibit parallel fences closer than five feet apart.

Council discussed tabling this item; possible revisions to the ordinance; the effect this ordinance would have in regards to Ms. LaMacchia's situation; and the possibility of differentiating between fences along major thoroughfares and those that are not.

Motioned by Councilmember Brown, seconded by Councilmember Turner, to table Item #6 until the November 27 meeting.

Motion approved 5-2-0. Mayor Griffin declared the motion carried.

Voting in favor of the motion: Mayor Griffin, Councilmember Boyter, Councilmember Davisson, Councilmember Turner and Councilmember Brown.

Voting in opposition to the motion: Councilmember Olsen and Councilmember Nolan.

- 7. Consider an ordinance amending Chapter 54. "Environment", Article III-Nuisances, Section 54-68 (16) "Declaration of Nuisance", Section 54-70 (3) "Disposal, Trash and Debris", Section 54-73 (3) "Notice to Abate Violation; Failure to Comply; Correction by City", of the City of Bedford Code of Ordinances; providing a savings clause; providing a severability clause; and providing an effective date.**

Mr. Miller presented information regarding this ordinance. Recommended changes include that recycle bins and trash receptacles have to be out of public view during the times they are not authorized to be out for pickup. Another change is that trees that hang over the City's rights-of-way have to be trimmed up to 14 feet, as there has been difficulty in getting fire equipment down some streets. Finally, the City has adopted a placard system in regards to swimming pool violations and it would be made illegal for them to be removed without approval by the City.

Council discussed ordinances regarding the stacking of junk outside of residences; how the information is to be distributed to residents including through the Bedford Connection, blurbs in the water bills and on the City's website; and a grace period for enforcement of mid-January.

Motioned by Councilmember Nolan, seconded by Councilmember Olsen, to approve an ordinance amending Chapter 54. "Environment", Article III-Nuisances, Section 54-68 (16) "Declaration of Nuisance", Section 54-70 (3) "Disposal, Trash and Debris", Section 54-73 (3) "Notice to Abate Violation; Failure to Comply; Correction by City", of the City of Bedford Code of Ordinances.

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

Voting in favor of the motion: Mayor Griffin, Councilmember Boyter, Councilmember Davisson, Councilmember Olsen, Councilmember Nolan and Councilmember Turner.

Voting in opposition to the motion: Councilmember Brown

- 8. Consider an ordinance amending Chapter 6. "Advertising", Article III-Signs, Section 6 of the Code of Ordinances as amended, amending Section 6-67. "Definitions", amending Section 6-70 "Special Sign Types", of the City of Bedford Code of Ordinances; providing for an Exhibit "A" being amendments to the City of Bedford Sign Regulations; providing a savings clause; providing a severability clause; and providing an effective date.**

Mr. Miller presented information regarding this ordinance. This would amend the Sign Ordinance by changing the definition of "vehicle" and would prohibit vehicles advertising along the City's rights-of-way. They would be required to park the vehicles either on the side or rear of the building or, if not possible, within a reasonably close proximity to the front of the store.

Council discussed tabling this item.

Motioned by Councilmember Olsen, seconded by Councilmember Davisson, to approve an ordinance amending Chapter 6. "Advertising", Article III-Signs, Section 6 of the Code of Ordinances as amended, amending Section 6-67. "Definitions", amending Section 6-70 "Special Sign Types", of the City of Bedford Code of Ordinances; providing for an Exhibit "A" being amendments to the City of Bedford Sign Regulations; providing a savings clause; providing a severability clause; and providing an effective date.

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

Voting in favor of the motion: Councilmember Boyter, Councilmember Davisson, Councilmember Olsen, Councilmember Nolan, Councilmember Turner and Councilmember Brown.

Voting in opposition to the motion: Mayor Griffin.

- 9. Consider an ordinance amending the City of Bedford Code of Ordinances Appendix A, Schedule of Fees, by updating fees imposed by the City for processing customer transactions online and for the provision of certain services; containing a savings clause; repealing all ordinances in conflict herewith; and providing for an effective date.**

This item was approved by consent.

- 10. Consider a resolution authorizing the City Manager to enter into a non-exclusive distribution agreement with the North Texas Tollway Authority for the right to offer and issue TollTag® transponders to the traveling public at specific locations within the City of Bedford.**

This item was approved by consent.

- 11. Consider a resolution authorizing the City Manager to enter into an Interlocal Cooperation Contract with the Texas Department of Public Safety for the purpose of participating in an automated failure to appear (FTA) program in accordance with Section 706.008 of the Texas Transportation Code.**

This item was approved by consent.

- 12. Consider a resolution authorizing the City Manager to purchase a Weiler P385 asphalt paver in the amount of \$156,832 from Holt Cat through the BuyBoard Cooperative Purchasing Agreement.**

This item was approved by consent.

- 13. Consider a resolution authorizing the City Manager to purchase a Battery Operated LED Light Tower System from Light Towers USA in the amount of \$15,658.**

This item was approved by consent.

- 14. Consider a resolution authorizing the City Manager to enter into an agreement with Tarrant County and to recommend to the County to accept the bid and award a contract to PC Contractors, LLC in the amount of \$96,544.17 for the City of Bedford 38th Year Community Development Block Grant (CDBG) Sanitary Sewer Improvements Project (Memphis Drive/Central Drive).**

This item was approved by consent.

- 15. Consider a resolution authorizing the City Manager to purchase a replacement Toro Ground Master 7200/72 in the amount of \$17,950.82 through the Buy Board Cooperative Purchasing Program.**

This item was approved by consent.

16. Consider a resolution authorizing the City Manager to purchase a replacement 2013 Chevrolet 2500HD Silverado Extended Cab CC20953 in the amount of \$21,737 through the Buy Board Cooperative Purchasing Program.

This item was approved by consent.

17. Report on most recent meeting of the following Boards and Commissions:

- ✓ **Animal Control Board – Councilmember Olsen**

No report was given.

- ✓ **Animal Shelter Advisory Board - Councilmember Olsen**

Councilmember Olsen reported on the Pet Fair held the previous Saturday and how hard the Animal Shelter staff, the Police Department and volunteers had worked on the event. There was a new banner advertising the Fair at Forest Ridge Drive and Harwood Road. There was record attendance. There were 21 vendors and the Police Department and Fire Departments gave demonstrations of their K9 and arson dogs respectively. She worked inside the Shelter itself and it was packed with people. There were 16 adoptions, which set a record and were twice as many as the last two years combined. The event brought in revenue of close to \$1,000 and there was \$500 in additional donations. Ten citizens also gave blood.

- ✓ **Beautification Commission – Councilmember Turner**

Councilmember Turner reported that the Paper Shredding event this past Saturday was very successful. He stated that the 6Stones Garden Party will be held on Saturday, November 3.

- ✓ **Community Affairs Commission - Councilmember Boyter**

Councilmember Boyter had no report on the Commission. He commented that it was a fantastic weekend with so many wonderful events going on in the City.

- ✓ **Cultural Commission - Councilmember Nolan**

Councilmember Nolan reported that the Commission met the previous night. They are in the process of putting together a report to bring to Council to show what the Commission has been doing.

- ✓ **Library Board – Councilmember Brown**

Councilmember Brown reported that the Board met last Wednesday and there was discussion about some openings on the Board. He asked if anybody who is interested or knows somebody who would be interested to submit an application. The deadline to submit is Friday, November 2.

- ✓ **Parks & Recreation Board - Councilmember Davisson**

No report was given.

- ✓ **Senior Citizen Advisory Board - Councilmember Turner**

Councilmember Turner reported that the Board had a meeting on the October 15. They are making plans for the fall holiday dinner. The craft sale on October 6 was a big success. Cathy Haskell is the new director and she has been hard at work.

- ✓ **Teen Court Advisory Board - Councilmember Olsen**

No report was given.

18. Council member reports

Councilmember Turner stated that he will be unofficially representing the City at the HEB Chamber chili cook-off this Thursday from 5:00 p.m. to 8:00 p.m. at the Chamber offices.

Mayor Griffin reported that the CPR Fall Blitz held this past Friday and Saturday was a fantastic event. There were approximately 1,100 to 1,200 volunteers from the cities. On Friday, City employees were involved in working on one of the houses. On Saturday, Councilmember Boyter, Councilmember Brown and Councilmember Nolan were involved. It was exciting to see the collaborative effort between the three cities, 6Stones, businesses and organizations to do great work.

Mayor Griffin reminded everybody about the Fire Department Open House this Saturday at Fire Station 1.

19. City Manager/Staff Reports

City Manager Beverly Griffith reminded everybody about HalloweenFest on Saturday October 27 starting at 6:00 p.m. at the Boys Ranch Activity Center. Admission is a canned food item.

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

Item #5 was approved in the Regular Session.

ADJOURNMENT

Mayor Griffin adjourned the meeting at 9:15p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Special Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 30th day of October, 2012 with the following members present:

Jim Griffin	Mayor
Michael Boyter	Council Members
Chris Brown	
Jim Davisson	
Patricia Nolan	
Sherri Olsen	
Roy W. Turner	

constituting a quorum.

Staff present included:

Beverly Griffith	City Manager
David Miller	Deputy City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Jacquelyn Reyff	Planning Manager
Bill Syblon	Development Director

SPECIAL SESSION 6:30 P.M.

The Special Session began at 6:30 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

OLD BUSINESS

- 1. Public hearing and consider an ordinance to rezone the property known as Lots 50 and 51, J.R. Murphy Addition, located at 2709 Murphy Drive, Bedford, Texas, from Single-Family Residential Detached District (R-75) and Lot 52, J.R. Murphy Addition, located at 2713 Murphy Drive, Bedford, Texas, from Single-Family Residential Detached District (R-15) to Medium-Density-Residential-Single-Family Detached District (MD-3); declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty; and declaring an effective date. The properties are generally located south of Harwood Road and west of Murphy Drive. (Z-228)**

Planning Manager Jacquelyn Reyff presented information regarding this ordinance. It is to rezone the properties at 2709 and 2713 Murphy Drive from R-15 and R-75 Single Family Residential Detached District to MD-3 Medium-Density Residential – Single Family Detached District for the construction of 18 single family homes and a detention pond and open space area at Lot 11. There are currently two single family homes at the location. Over the last 20 years, there have been similar types of development on Murphy Drive whereby large single-family residential properties have been subdivided and replatted for the construction of medium-density single-family homes. There are specific design standards in this type of zoning. In both the concept plans and elevations submitted by the applicant, the standards would be met or in excess of what is required. Average lot sizes cannot be less than 4,000 square feet

and the applicant is proposing lot sizes of between 4,900 and 6,600 square feet. Lot widths are in excess of the required 45 feet and average closer to 50 feet. This type of zoning allows for zero lot lines; however, the applicant is including five foot side yards on both sides. Finally, the minimum floor area in the zoning is 1,250 square feet while the applicant is proposing a minimum floor area 1,800 square feet. Issues related to engineering and drainage will be required to meet code at the time of platting. The City's Comprehensive Plan indicates these locations to be residential in nature and this proposed zoning would not conflict with the Plan. The Planning and Zoning Commission approved this rezoning at their September 13 meeting by a vote of 6-0-0 with stipulations that language stating the minimum finished floor area to not be less than 1,800 square feet be added to the boxed notations and that the exhibit indicate the five foot side yards as well as that the homeowner's association being responsible for the maintenance of the detention area, open space and masonry wall.

Bill Stimmell of Coldwell Banker, P.O. Box 210155, Bedford, Texas spoke on behalf of the group bringing this item before Council. This group includes the developer, Tommy Cansler and the engineer, Keith Hamilton. He also represents the Sanders and Edwards families who are selling their property in the area. He is asking the Council to approve this project and that it will take older, rundown properties and replace them with nice new custom homes.

Chad Edwards, 2443 Dockside Drive, Grand Prairie, Texas spoke on behalf of his parents. They are long term residents of the area. His grandparents and parents both lived in the house. He also lived in the house and attended Trinity High School. His parents are looking forward to retirement and are looking to move on and take care of a smaller property. They favor this rezoning and the development of homes in this area.

In answer to questions from Council, Ms. Reyff stated that issues related the detention area and drainage in the subdivision would have to be planned for during the platting process. Council discussed the construction of the masonry wall in regards to having a concrete form at the bottom. City Attorney Stan Lowry stated that in relation to drainage and construction standards, the City has ordinances in place that the applicant would have to comply with in order to get a permit. He stated that it would not be appropriate to add language regarding the concrete footing to the site plan as this is a straight rezoning and not a specific use permit or planned development where additional provisions can be added. The applicant is seeking to rezone to an already existing zoning district that has established standards that cannot be added to.

Mayor Griffin opened the public hearing at 6:44 p.m.

Nobody chose to speak during tonight's public hearing.

Mayor Griffin closed the public hearing at 6:44 p.m.

Motioned by Councilmember Turner, seconded by Councilmember Davisson, to approve an ordinance to rezone the property known as Lots 50 and 51, J.R. Murphy Addition, located at 2709 Murphy Drive, Bedford, Texas, from Single-Family Residential Detached District (R-75) and Lot 52, J.R. Murphy Addition, located at 2713 Murphy Drive, Bedford, Texas, from Single-Family Residential Detached District (R-15) to Medium-Density-Residential-Single-Family Detached District (MD-3); declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty; and declaring an effective date.

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

2. Public hearing and consider a resolution approving a site plan for a stealth cellular tower located at the property known as Lot A1, Block 1, Dallas Federal Addition, 1851 Central Drive, Bedford, Texas. This property is generally located north of State Highway 183 and west of Central Drive. (S-055)

Development Director Bill Syblon presented information regarding this resolution. He stated that with the expansion of Highway 183, Cheddar's lost parking, a situation that needed to be remedied for them to continue to operate at peak efficiency. The solution was found by purchasing the former CI Host

building and tearing it down. It was discovered that there was cell equipment on the building that needed to be moved prior to demolition. The easiest solution was to relocate the equipment to the same site in a stealth cell tower. To accommodate the placement of the tower, the Zoning Board of Adjustment approved a special exception to allow encroachment in the 20-foot setback at the rear of the building. Landscaping will be brought into compliance with the addition of 16 new trees and ground cover. 21% of the property would be landscaped, which is in excess of the required 20%. 45% of the landscaping would be in the front yard of the site, which is in excess of the required 40%. The eight-foot Austin Stone wall will have shrubbery around the perimeter. As this site is in the Central Bedford Development overlay district, the site plan requires the approval of the Planning and Zoning Commission and the City Council. This site plan is in compliance with all provisions of the Zoning Ordinance. The Planning and Zoning Commission approved this item at their September 13, 2012 meeting by a vote of 6-0-0.

Paul Bumgardner of AT&T, 1801 Valley View Lane, Farmers Branch, Texas answered questions from Council. He stated that tower would be smooth and that no apparatus would be visible. It would be made of RF transparent material with seams to prevent water intrusion into the corners and will be 65 feet in height. The Wells Fargo building is too tall and AT&T has been looking at segmenting into small coverage footprints instead of one large site. The tower would be visible from Highway 121.

In answer to questions from Council, Mr. Syblon stated that in regards to existing trees on the property, the owner would be required to maintain them. Cheddar's would be in charge of maintaining the landscape around the tower while AT&T would be in charge of the screening wall and equipment. In regards to other trees and the possibility of a three foot hedge around the screening wall, Mr. Syblon stated that the amount of vegetation shown brings the site into compliance with current ordinances. In a site plan case, the Council does not have the ability to be specific about the tree types for the site. The owner would have to maintain the landscape as shown on the site plan. Mr. Syblon stated he would express Council's desires regarding landscaping to the developer.

Mayor Griffin opened the public hearing at 7:00 p.m.

Nobody chose to speak during tonight's public hearing.

Mayor Griffin closed the public hearing at 7:00 p.m.

Motioned by Councilmember Davisson, seconded by Councilmember Brown, to approve a resolution approving a site plan for a stealth cellular tower located at the property known as Lot A1, Block 1, Dallas Federal Addition, 1851 Central Drive, Bedford, Texas. This property is generally located north of State Highway 183 and west of Central Drive. (S-055)

Motion approved 5-2-0. Mayor Griffin declared the motion carried.

Voting in favor of the motion: Mayor Griffin, Councilmember Boyter, Councilmember Davisson, Councilmember Turner and Councilmember Brown.

Voting in opposition to the motion: Councilmember Olsen and Councilmember Nolan.

Councilmember Olsen requested that it be put in the record that she was voting no in the event that she was encouraging additional landscape to make the corner more aesthetic.

ADJOURNMENT

Mayor Griffin adjourned the meeting at 7:04 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary



Council Agenda Background

PRESENTER: Jacquelyn Reyff, Planning Manager

DATE: 11/13/12

Council Mission Area: Foster economic growth.

ITEM:

Public hearing and consider an ordinance to rezone a portion of property known as Lot 1R1, Block 1, Harwood Hills Village Addition, 3350 Harwood Road, Bedford, Texas; specifically for the operation of a restaurant (McDonald's) from Planned Unit Development (PUD) to Amended Planned Unit Development, Site Plan Modification, in the Highway Corridor Overlay District. The property is generally located south of Harwood Road and west of State Highway 121. (Z-225)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The property is zoned as a Planned Unit Development (PUD) with a Highway Corridor District Overlay. This PUD was established to provide for development of this restaurant and corresponding shopping center. Restaurants with a drive-through are permitted uses within a PUD zoning district. In this case, there exists a PUD, and the applicant is requesting to amend this for a different drive-through configuration and façade changes. The Highway Corridor overlay has specific site plan implications and design standards.

Design Standards

The changes proposed are to upgrade the façade, minimal expansion of the landscaping, and a new drive-through configuration. The restaurant itself will not have a larger footprint. The façade materials and colors meet the requirements of the design standards for the Highway Corridor Overlay. Some of these standards include: 100% masonry materials are used; these materials are to be of earth tones; screening of ground mounted equipment with masonry material similar to the primary structure; and architectural relief to the roof and walls. The proposed changes meet or exceed these requirements.

Lot Coverage

The calculations for pervious area (lot coverage) are increasing from 11% to 14%; however, this is still less than the required 20%. Because the building footprint is not going to be expanded, this can remain without being brought into compliance per Section 5.6.J. of the City of Bedford Zoning Ordinance.

Parking and Vehicle Stacking

The drive-through is being reconfigured to allow an additional menu board. The drive-through windows are located along the east side of the building. The location of the windows meets the requirement provided by overlay district standards. The one stacking lane for the vehicles remains unchanged and according to their exhibit shows room for 13 vehicles. According to the requirement of the parking standards, this meets the intent of the ordinance.

Per Section 5.2.A.1. of the City of Bedford Zoning Ordinance, the parking remains from previous development and will not be changed in the number of spaces. Therefore, the number of parking spaces may remain the same.

Ingress and Egress are located along two curb cuts on Harwood Road with one located to the east and one located to the west of the property.

Landscaping

Per Section 5.6.E. and 5.6.J of the City of Bedford Zoning Ordinance, because the existing landscaping is from the property's previous development and the footprint of the building is not being expanded upon, the landscaping may remain and not be altered, but the applicant has chosen to add additional green space and plantings. Shown on the landscaping plan are nine existing crepe myrtle trees along the east and west property lines. However, there is an increase in the amount of green space and plantings being located along the south side of the building between the building and the stacking for the redesigned drive-through. Included in the new planting area will be the addition of two new trees, and assorted shrubs and plants.

The Planning and Zoning Commission recommended approval of this item at their October 11, 2012 meeting by a vote of 7-0-0.

RECOMMENDATION:

Staff recommends the following motion:

An ordinance to rezone a portion of property known as Lot 1R1, Block 1, Harwood Hills Village Addition, 3350 Harwood Road, Bedford, Texas; specifically for the operation of a restaurant (McDonald's) from Planned Unit Development (PUD) to Amended Planned Unit Development, Site Plan Modification, in the Highway Corridor Overlay District. The property is generally located south of Harwood Road and west of State Highway 121. (Z-225)

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance
October 11, 2012 Planning & Zoning Minutes
Zoning Change Application
Zoning Map of Referenced Property
Planning and Zoning Staff Report
8 ½ x 11 drawings
24x36 exhibits (separate attachment)

ORDINANCE NO. 12-

AN ORDINANCE TO REZONE A PORTION OF PROPERTY KNOWN AS LOT 1R1, BLOCK 1, HARWOOD HILLS VILLAGE ADDITION, LOCATED AT 3350 HARWOOD ROAD, BEDFORD TEXAS, SPECIFICALLY FOR THE OPERATION OF A RESTAURANT (MCDONALD'S) FROM PLANNED UNIT DEVELOPMENT (PUD) TO AMENDED PLANNED UNIT DEVELOPMENT, SITE PLAN MODIFICATION IN THE HIGHWAY CORRIDOR OVERLAY DISTRICT; DECLARING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EFFECTIVE DATE. (Z-225)

WHEREAS, it is deemed expedient and for the benefit of the City of Bedford, Texas, that the Comprehensive Zoning Ordinance be amended to rezone a portion of property from Planned Unit Development (PUD) to Amended Planned Unit Development and Site Plan Modification in the Highway Corridor Overlay District. The property is generally located south of Harwood Road and west of State Highway 121. (Z-225)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That Section 2 of the Zoning Ordinance be amended and the map designated "ZONING MAP-CITY OF BEDFORD, TEXAS" be revised and amended so that the land described as:

a portion of property known as Lot 1R1, Block 1, Harwood Hills Village Addition, and is located at 3350 Harwood Road, Bedford, Texas shall be shown as approved by this ordinance.

SECTION 2. That the Site Plan, Landscaping Plan, and Elevation Plan attached hereto as Exhibit "A", is approved as a component of this zoning change approval. Any revisions to the property that deviate from the Site Plan attached hereto shall require an amendment to this ordinance.

SECTION 3. That approval of this Amended Planned Unit Development is subject to no stipulations.

SECTION 4. That from and after the final passage of this ordinance, the land described herein shall be subject to the regulations and uses of Amended Planned Unit Development/Site Plan Modification in the Highway Corridor Overlay District.

SECTION 5. That this ordinance shall be cumulative of all provisions of other ordinances of the City of Bedford, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting revisions of such ordinances are hereby repealed.

SECTION 6. That it is hereby declared the intention of the City Council of the City of Bedford, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 7. That any person, organization, corporation, partnership or entity that violates, disobeys, omits, neglects or fails to comply with the provisions of this ordinance shall be fined not more than two thousand dollars (\$2,000.00) for each offense or violation. Each day that an offense or violation occurs shall constitute a separate offense.

ORDINANCE NO. 12-

PRESENTED AND PASSED this 13th day of November, 2012 by a vote of _ ayes, _ nays and _ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF OCTOBER 11, 2012**

APPROVED

CALL TO ORDER

Chairman Stroope called the meeting to order at 7:00 p.m.

INVOCATION

Vice Chairman Reese gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

1. Consider approval of the following Planning and Zoning Commission meeting minutes:

a) September 13, 2012

Motion: Commissioner Sinisi made a motion to approve the meeting minutes of September 13, 2012, with the noted corrections made at the Work Session.

Commissioner Carlson seconded the motion and the vote was as follows:

Ayes: Commissioners Sinisi, Carlson, Smeltzer, Vice Chairman Reese

Nays: None

Abstention: Commissioners Fisher, Hall, Chairman Stroope

Chairman Stroope declared the motion approved.

PUBLIC HEARING

2. Zoning Case Z-225 request of McDonald's Restaurant to rezone a portion of property known as Lot 1R1, Block 1, Harwood Hills Village Addition, located at 3350 Harwood Road, Bedford, Texas; from Planned Unit Development, to Amended Planned Unit Development, Site Plan Modification in the Highway Corridor Overlay District. The property is generally located south of Harwood Road and west of State Highway 121.

Chairman Stroope recognized Jacquelyn Reyff, AICP, Planning Manager who reviewed Zoning Case Z-225.

Chairman Stroope recognized Matt Moore, 1105 Cheek-Sparger Road, Suite #1, Colleyville, Texas, and Lee Morris, 511 E. John Carpenter Freeway, Irving, Texas, who were there to present this application.

Chairman Stroope opened the public hearing at 7:06 p.m. and there being no one to speak, closed the public hearing at 7:06 p.m.

The Commission discussed the application.

Motion: Commissioner Hall made a motion to approve Zoning Case Z-225.

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF OCTOBER 11, 2012**

APPROVED

Commissioner Sinisi seconded the motion and the vote was as follows:

Motion approved 7-0-0. Chairman Stroope declared the motion approved.

ADJOURNMENT

Chairman Stroope adjourned the Planning and Zoning meeting at 7:10 p.m.

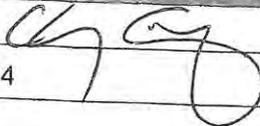
**Chairman Stroope
Planning and Zoning Commission**

ATTEST:

Yolanda Alonso, Planning and Zoning Secretary

Date 9/20/2012

City of Bedford
Change of Zoning Application

Applicant Name (Print): Clay Cristy (*Signature): 

Address: 1105 Cheek Sparger Rd, Suite #1, Colleyville, Texas 76034

Telephone number: 817-281-0572 Fax number:

I, the undersigned owner, or (Option Holder, etc.) of the following described real property located in the City of Bedford, Texas, hereby make application for a change of zoning classification:

From: PUD (BASE H) To: PUD (BASE H)

as provided in the City of Bedford Zoning Ordinance. I hereby certify that there are no existing dwellings or other buildings located on the property which would not conform to the construction standards, of the zoning classification being proposed, except as provided in Section 2.3, Nonconforming Lots, Nonconforming Uses of Land, Nonconforming Structures & Nonconforming Uses of Structures & Premises of the City of Bedford Zoning Ordinance.

Legal Description: Lot 1R-1 Block 1 Addition Harwood Hills Village Addition
Tract Abstract Survey to the City of Bedford, Texas.
Street Address 3350 Harwood Road

Fee: (\$150.00 plus \$75.00 per acre over one.) $150.00 + 75.00 \times 1 = 225$
Payable by cash, Visa, MasterCard, or check made out to the City of Bedford. (# of acres) (total fee)

Property Owner (if not applicant): (*Signature) 

(Print name) Brent Quinn, President
Quinn and Associates, Inc., agent for Property Owner

(Company name) TSCA-227 Limited Partnership

(Street Address, City, State & Zip Code) P.O. Box 833009 Richardson, Texas 75083-3009

(Telephone number) 972-669-8440 (FAX number) 972 783 8421

Land Planner/Engineer/Surveyor: (*Signature) 

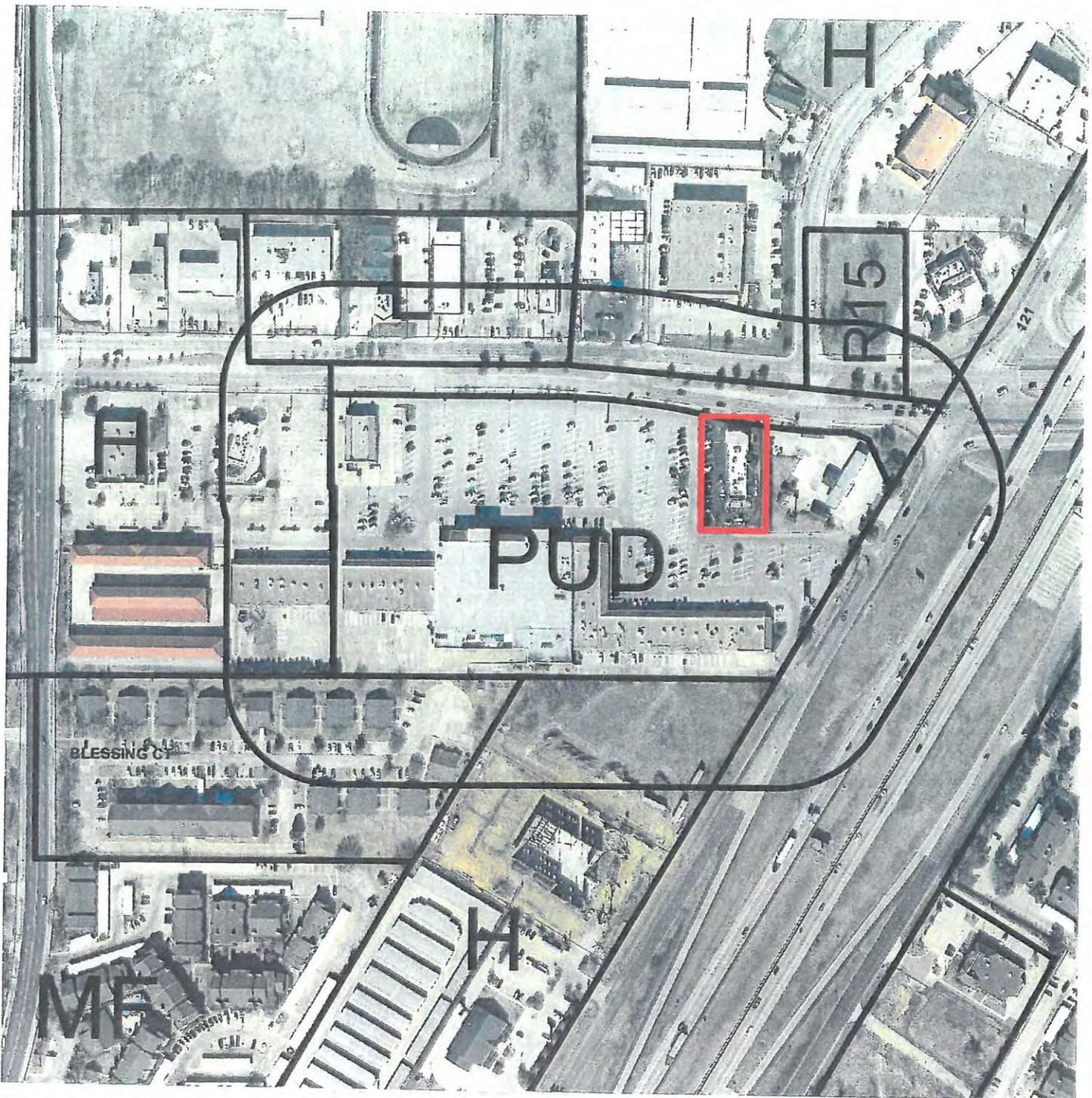
(Print Name) Matt Moore, P.E.
Claymoore Engineering, Inc.

(Company Name) 1105 Cheek Sparger Rd, Suite #1, Colleyville, Texas 76034

(Street Address, City, State & Zip Code,) 817-281-0572

(Telephone number) (FAX number)

*Signatures certify that all information provided is true and correct.
(Please indicate sole contact for the City purposes with an arrow "⇒".)



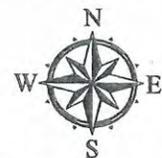
Hearing Date: 10/11/12

Z-225

City of Bedford, Texas

Address: 3350 Harwood Road
Bedford, Texas 76021

Legal Description: Lot 1R1, Block 1
Harwood Hills Village Addition



-  Parcel Boundary
-  Subject Parcel and Buffer

DISCLAIMER
The City of Bedford makes no representation or warranty as to the accuracy of this map and its information or to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further agrees to not hold the City of Bedford liable from any damage, loss, or liability arising from any use of the map product. Independent verification of all information contained on this map should be obtained by the end user.



Planning & Zoning Commission Staff Report

October 11, 2012

Case# Z-225

Prepared September 25, 2012

Request:

The applicant is proposing an extensive remodel of the building, and reconfigured drive-thru for McDonald's located at 3350 Harwood Road, and as such an Amended PUD and Site Plan approval are required.

Applicant	McDonald's
General Location	South of Harwood Road and West of Highway 121
Applicable Zoning Ordinance Section	Amend PUD including Site Plan, which meets the intent of the Highway Corridor Overlay District Section 4.18
Notification Requirements	15-day legal ad in Ft. Worth Star Telegram
Number of Property Owners Notified	16
Action Required	Approval or Denial of Amended PUD with Site Plan

Description:

The applicant is proposing to update the façade and drive-through at the existing McDonald's located at 3350 Harwood Road. The owner of this McDonalds location is the same as the Central Drive location, which was recently remodeled. Due to the nature of the request, it is necessary to amend the existing PUD and corresponding Site Plan consideration because it is located in the "HC" Highway Corridor Overlay District.

Development Review Committee:

The Development Review Committee met on June 20, 2012, and determined the proposed use of a corresponding site plan, floor plan, landscape plan, and elevations could proceed to the Planning and Zoning Commission after some revisions were completed.

Zoning and Site Conditions:

In March of 1995, this McDonald’s Restaurant was rezoned from PUD to PUD/Specific Use Permit/Drive-in Drive-through Restaurant.

The property is zoned as a Planned Unit Development (PUD) with a Highway Corridor District Overlay. This PUD was established to provide for development of this restaurant and corresponding shopping center. Restaurants with a drive-through are permitted uses within a PUD zoning district. In this case, there exists a PUD, and the applicant is requesting to amend this for a different drive-through configuration and façade changes. The Highway Corridor overlay has specific site plan implications and design standards. The surrounding land uses adjacent to the property are as follows:

Zoning and Land Uses	North	South	East	West
Zoning of Adjacent Property	Not Available	PUD	PUD	PUD
Land Use	Harwood Road	Shopping Center	Retail	Retail

The McDonald’s restaurant is located in an out parcel to the Harwood Hills Shopping Center.

Design Standards

The changes proposed are to upgrade the façade, expansion of the landscaping, and a new drive-through configuration. The restaurant itself will not have a larger footprint. The façade materials and colors meet the requirements of the design standards for the Highway Corridor Overlay. Some of these standards include: 100% masonry materials are used; these materials are to be of earth tones; screening of ground mounted equipment with masonry material similar to the primary structure; and architectural relief to the roof and walls. The proposed changes meet or exceed these requirements.

Lot Coverage

While the calculations for the pervious area are going up from 11% to 14%, this is still less than the required 20%, but because the building footprint is not going to be expanded, this can remain without being brought into compliance.

Parking and Vehicle Stacking

The drive-through is being reconfigured to allow an additional menu board. The drive-through windows are located along the east side of the building. The location of the windows meets the requirement provided by overlay district standards. The stacking for the vehicles remains unchanged and according to their exhibit, shows room for 13 vehicles. According to the requirement of the parking standards, this meets the intent of the ordinance.

The parking remains from previous development and will not be changed in the number of spaces.

The existing ingress and egress are located along two curb cuts on Harwood Road with one located to the east and one located to the west of the property.

Landscaping

The existing landscaping is from its previous development. Shown on the landscaping plan are 9 existing crepe myrtle trees along the east and west property lines. However, there is an increase in the amount of green space and plantings being located along the south side of the building between the building and the stacking for the redesigned drive-through. Included in the new planting area will be the addition of 2 new trees and assorted shrubs and plants.

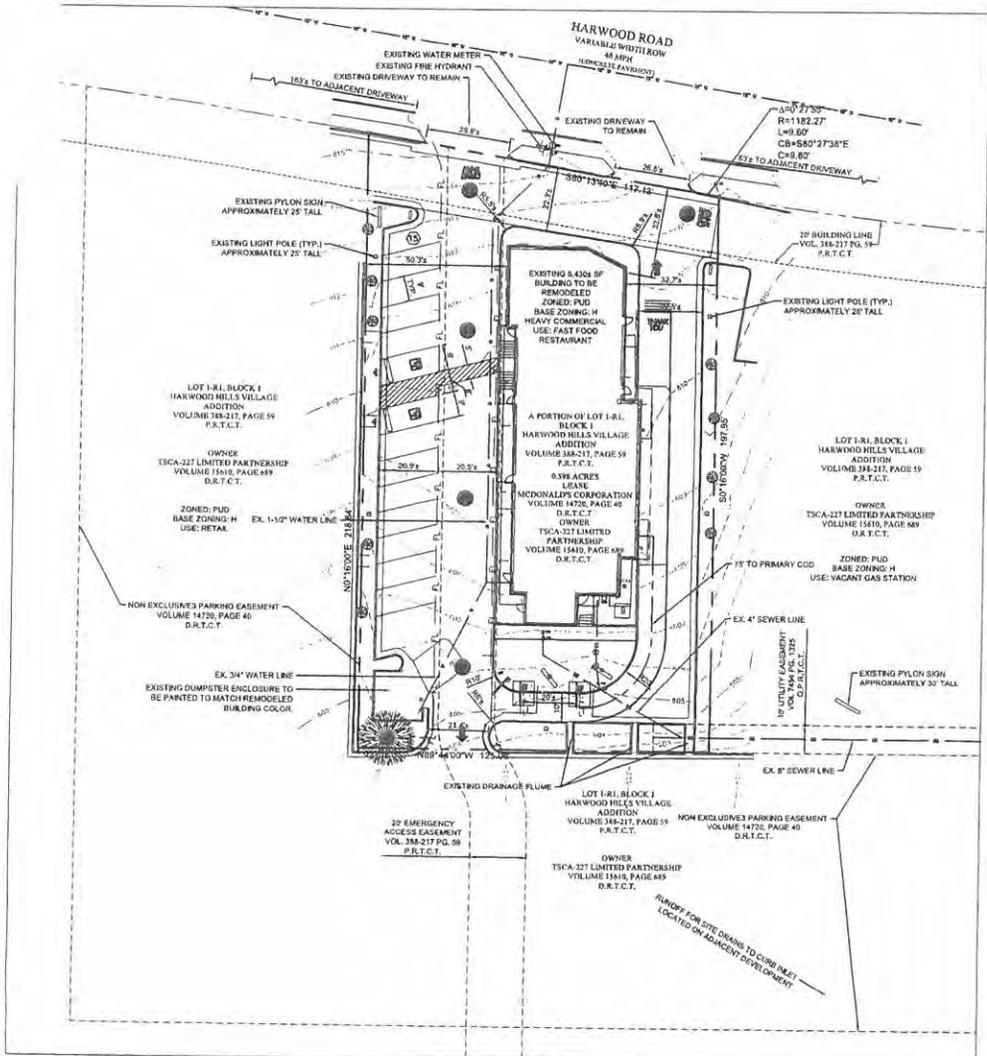
Comprehensive Plan:

The Comprehensive Plan indicates the location of 3350 Harwood Road, to be commercial. Therefore, the continued use of a restaurant with drive-through would not conflict with the Comprehensive Plan.

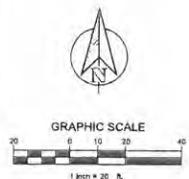
Planning & Zoning Commission Review Options:

Recommend approval or denial for an Amended PUD with Site Plan for the McDonald's Restaurant located at 3350 Harwood Road.

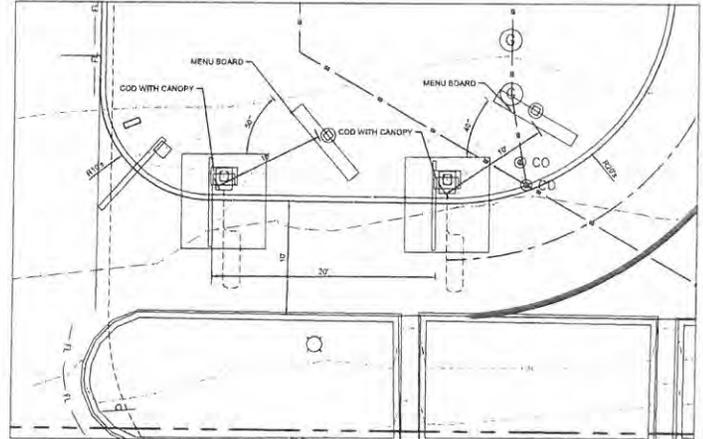
PROJECT BY: CLAY
 DATE: 9/27/2012 8:53 AM
 LOCATION: Z:\PROJECTS\1012-025 - McDONALD'S MRP BEDFORD\DWG\PLANNING SITE PLAN EXHIBIT\PLANNING SITE PLAN.DWG
 USER: CLAY
 PLOT DATE: 9/27/2012 10:44 AM
 PLOT SCALE: 1/8"=1'-0"



SITE PLAN
 SCALE: 1:20



PARKING INFORMATION	
EXISTING PARKING SPACES	15 SPACES (2 STRIPED ADA)
PROPOSED PARKING SPACES	15 SPACES (2 ADA)
IMPERVIOUS CALCULATIONS	
TOTAL SITE AREA	26,047.2 SF (0.598 AC)
EXISTING IMPERVIOUS AREA	23,288.9 SF (89.3%)
PROPOSED IMPERVIOUS AREA	22,511.3 SF (86.4%)



DRIVE-THRU DETAIL
 SCALE: 1:5

NOTES:
 1. ALL PERIMETER BUILDING SIDEWALKS WILL BE REMOVED AND REPLACED WITH INTEGRAL COLOR STAINED/STAMPED CONCRETE.

McDONALD'S BEDFORD MRP
 OWNER:
 TSCA-227 LIMITED PARTNERSHIP
 P.O. BOX 633009
 RICHARDSON, TEXAS 75063-3009
 PHONE: 972.659.8440
 McDonald's USA, LLC
 511 E JOHN CARPENTER FRWY
 SUITE 375
 IRVING, TX 75062
 PHONE: 817.487.1253
 CONTACT: LEE MORRIS
 ENGINEER:
 CLAYMOORE ENGINEERING, INC.
 1105 CHEEK SPARGER ROAD
 COLLEYVILLE, TX 76034
 PHONE: 817.281.0572
 CONTACT: CLAY CRISTY

THIS DRAWING IS FOR REVIEW ONLY. NOT FOR CONSTRUCTION PURPOSES. CLAYMOORE ENGINEERING, INC. 1105 CHEEK SPARGER ROAD, COLLEYVILLE, TEXAS 76034. PHONE: 817.281.0572. FAX: 817.281.0572. DATE: 09/27/2012.

CLAYMOORE ENGINEERING

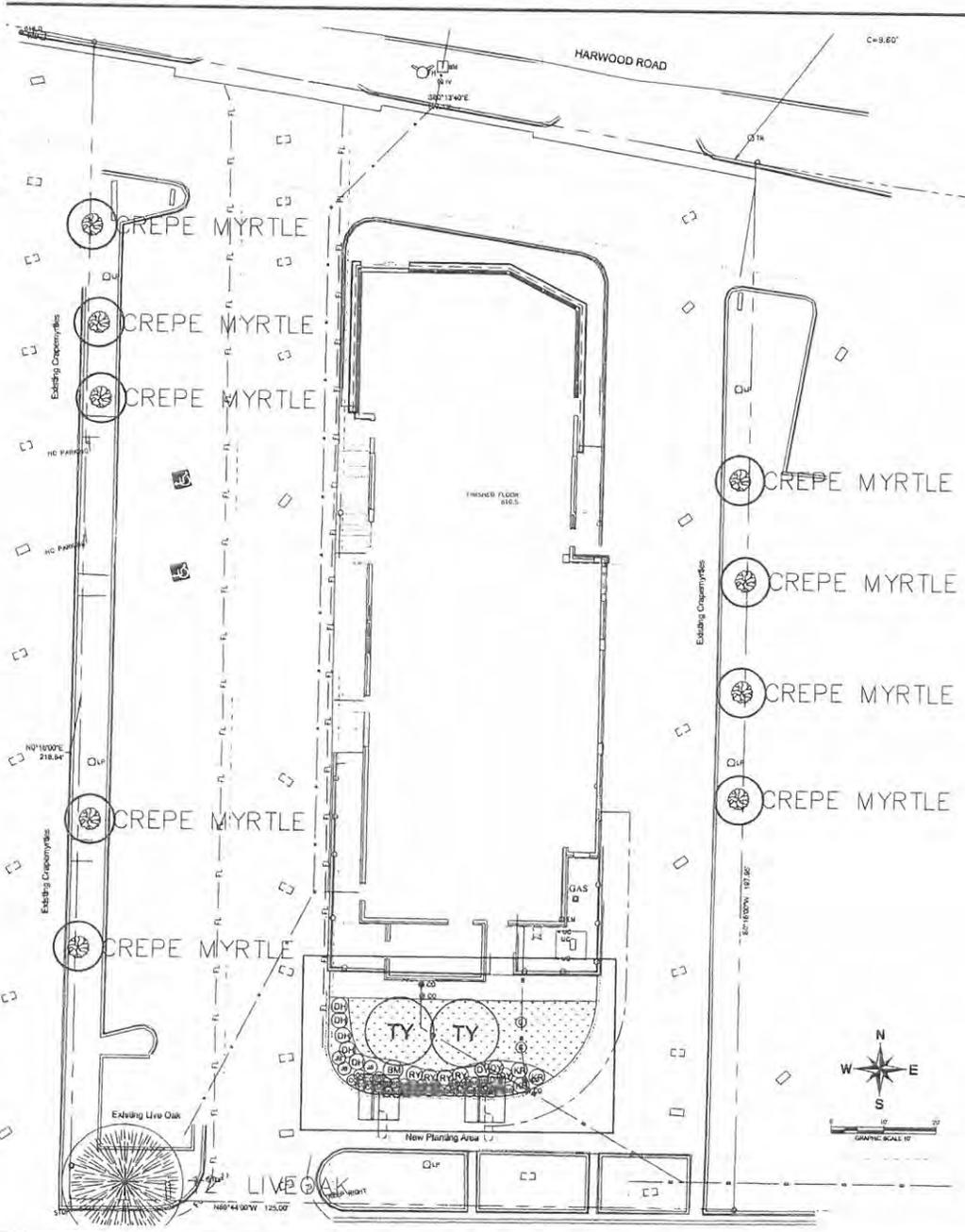
McDONALD'S BEDFORD MAJOR REMODEL 3350 HARWOOD ROAD BEDFORD, TX 76021

SITE PLAN

DESIGNED	CLC
DRAWN	CLC
CHECKED	MMB
DATE	09/27/2012

SHEET C-1

P&Z No. 2012-025



TREE LEGEND



SHRUB LEGEND

- TY Tree Yucca
- DY Dwarf Yucca
- EM Big Blue Lobelia
- JB Japanese Barberry
- KH Knockout Rose
- RY Road Yucca
- DI Dwarf Indian Hawthorne
- CO Corophea

HATCH LEGEND



LANDSCAPE NOTES

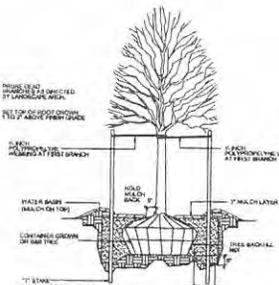
1. All grass seeded for on the plans to be 100% sod bermuda.
2. The project will have an underground automatic irrigation system to water all new plantings.
3. Install 4" layer of expanded hardswood mulch to all plantings.
4. Install 2" tree weight between all shrub beds and grass areas.

PLANT LIST

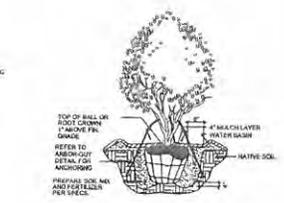
ORNAMENTAL TREES			
QTY	TY	Tree Yucca	30 gal. 8" AL multi-trunk female 3 Round
SHRUBS & GROUNDCOVERS			
4	DY	Dwarf Yucca	5 gal. 30" oc
1	EM	Big Blue Lobelia	5 gal. 36" oc
2	JB	Japanese Barberry	5 gal. 36" oc
3	KH	Knockout Rose	5 gal. 36" oc
4	RY	Road Yucca	5 gal. 36" oc
6	DI	Dwarf Indian Hawthorne	5 gal. 36" oc
5	CO	Corophea grandiflora Early Summer	1 gal. 24" oc
24	BB	Big Blue Lobelia	1 gal. 12" oc

Integration studio
 John F. Murphy, ASLA
 4224 S. Houston Ave. Suite 200
 Houston, TX 77056
 281.488.2222
 281.488.2222
 www.integrationstudio.com

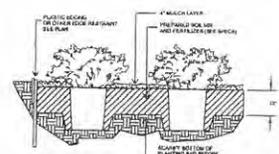
IRRIGATION NOTE
 Contractor to install tree & shrub irrigation system for both of new plantings. Tree, Shrub and Blue areas to be installed in same system. Use quality 1/2" poly tubing with 1/2" drippers. Use 1/2" poly tubing. Tree and shrub areas to have 2 drippers, one on either side of the tree. Shrubs can have 1 dripper per shrub. Contractor to be notified of any changes to IRRIGATION PLAN. Full 5' scale notes to be shown.



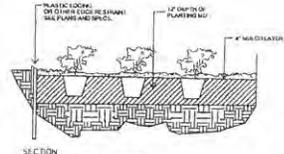
1 CANOPY TREE PLANTING SCALE: NONE



2 MULTI-TRUNK PLANTING SCALE: NONE



3 SHRUB PLANTING SCALE: NONE



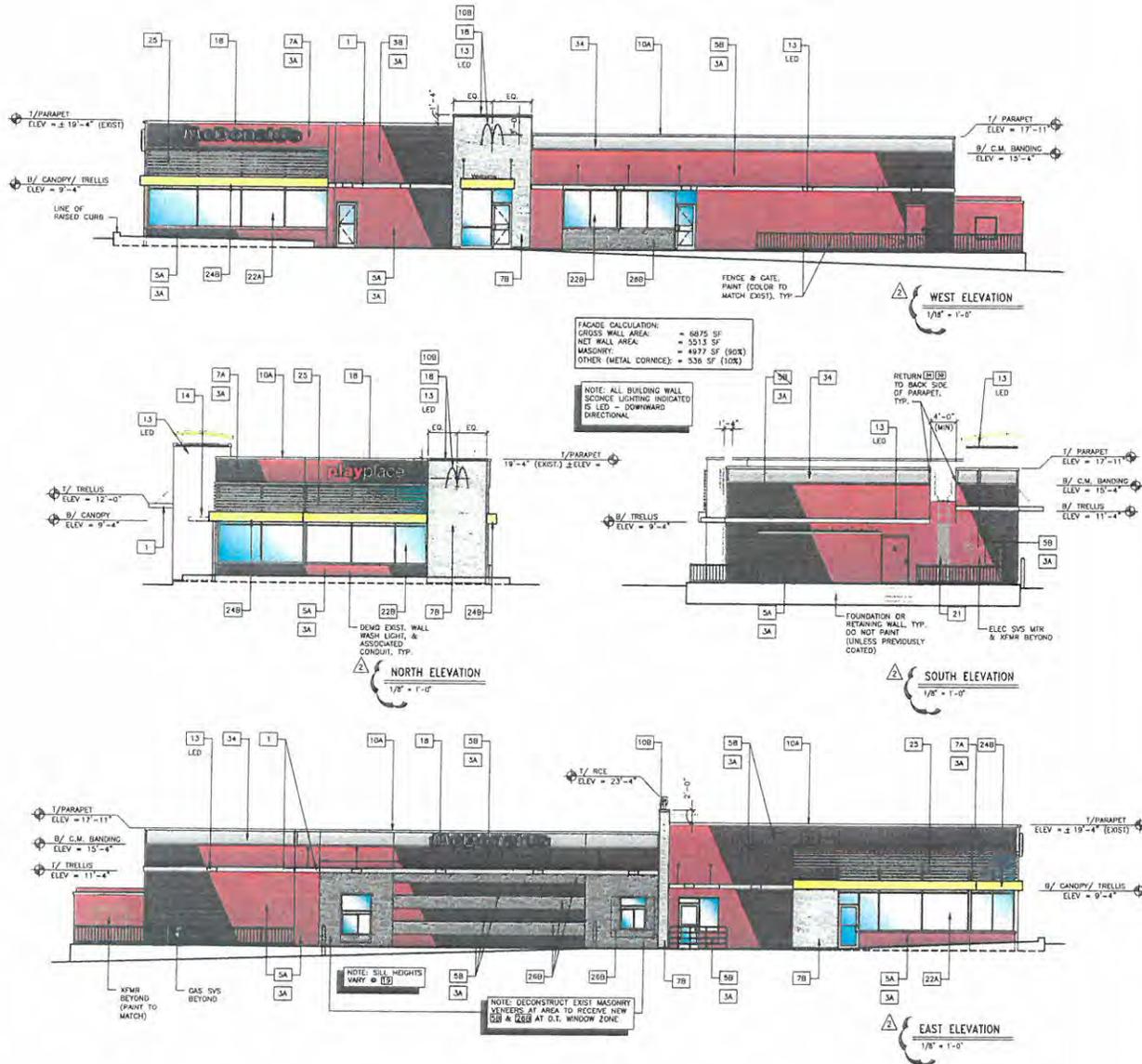
4 GROUNDCOVER PLANTING SCALE: NONE



McDONALD'S BEDFORD MAJOR REMODEL
 3350 HARWOOD ROAD
 BEDFORD, TX 76021

LANDSCAPE PLAN

DESIGN	FM
CHECKED	FM
DATE	06/12/12
SHEET	L-1



FACE CALCULATION:
 GROSS WALL AREA: = 6875 SF
 NET WALL AREA: = 5513 SF
 MASONRY: = 4977 SF (80%)
 OTHER (METAL CORNICE): = 536 SF (10%)

NOTE: ALL BUILDING WALL SCENE LIGHTING INDICATED & LED = DOWNWARD DIRECTIONAL

NOTE: DEMO EXIST. WALL WASH LIGHT, & ASSOCIATED CONDUIT, TYP.

NOTE: DEMONSTRATE EXIST MASONRY VENEERS AT AREA TO RECEIVE NEW 58 & 228 AT D.T. WINDOW ZONE.

- GENERAL NOTES:**
- PROVIDE HEAD FLASHING W/RAIN DIVERTER AT ALL EXTERIOR DOORS THAT ARE NOT PROTECTED BY AWNINGS OR CANOPIES.
 - TO THE GREATEST EXTENT POSSIBLE PLEASE ENSURE NEW WALL FINISH MATERIALS ALIGN IN THE SAME PLANE AS EXISTING CURR WALL FRAMING AS REQ'D.
 - D.T. WINDOW POSITION PLUGGLARDS TO BE REPOSITION AS REQ'D, TO CONFORM WITH NEW D.T. ELEMENTS.
 - MODIFY (GRAD) EXIST. MASONRY FINISHES AS REQ'D WHERE []
 - [] ELEMENTS ARE APPLIED TO IRREGULAR SURFACES SUCH AS SPLIT-FACE CAU OR STONE VENEER IN INSTANCES WHERE NEW MASONRY FINISHES ARE INDICATED. UTILIZE SMOOTH FACED UNITS OR BLOCCING. NEVER APPLY [] OVER IRREGULAR SURFACE. (REFER TO DETAILS).
- KEY NOTES:**
- [A] REFER TO KEYNOTES - SHEET A0.1, A0.2
 - [1] TRUSS SYSTEM TYPICAL, OTHER STANDARD * NOM. SECTION W/ 2" IE BACK & ARCH. METAL PANEL (SLOPE TO DRAIN), OR 2" B & WALL FASCIA COMPONENT. NOTE: IE-BACKS SHOWN IN SCHEMATIC EXACT PLACEMENT AS PER MFG. PROVIDE "WELCOME" SIGNAGE @ ENTRY (SEE ALSO GENERAL NOTES)
 - [2] PAINT PER LTRS SCHEME (SEE SCHEDULE)
 - [3] BRICK VENEER
 - [4] NEW TO MATCH
 - [5] CMU (VEENER OR LOAD BEARING)
 - [6] NEW TO MATCH
 - [7] MFD MASONRY FINISH (SEE SCHEDULE)
 - [8] STANDING SEAM METAL PANEL PER LTRS SCHEME AND/OR PROVIDE FASCIA & SOFFIT MATERIAL TO MATCH. ROOF SEAM PROFILE AS SELECTED BY ACM. FASCIA COLOR TO MATCH ROOF SOFFIT (FLAT PANEL) COLOR PER ACM.
 - [9] BREAKMETAL TO MATCH
 - [10] METAL COPING -
 - [11] CEMENT STUCCO FINISH
 - [12] HOLLOW METAL DOOR - PAINT TO MATCH COLOR OF SUBSURROUNDING MATERIAL
 - [13] LIGHT FIXTURE PER LTRS SCHEME, CONNECT TO EXIST. ROOF BEAM CIRCUIT(S)
 - [14] METAL LETTERING - BY OTHERS
 - [15] NEW GUTTER, DOWNSPOUT, SCUPPER OR STRAPS TO MATCH S.S. ROOFING (OR PAINT TO MATCH) VERIFY W/ ACM
 - [16] ROOF CAP ELEMENT BY OTHERS
 - [17] ROOF OVERFLOW DRAIN
 - [18] MCDONALD'S SIGNAGE BY OTHERS - UNDER SEPARATE PERMIT. ENSURE ADEQUATE BLOCCING.
 - [19] DRIVE-THRU WINDOW BY READY ACCESS - CONFIRM MODEL, OPTIONS, AND SIZE WITH MCD PROJECT MANAGER. OPTIONS: WHELPER/STRANGER (SHOWN), AIR CURTAIN, FLIFAN/TRANSOM & 432 SQ IN MAX SERVICE OPENING. (WHERE REQ'D BY CODE) SLIDE DIRECTION
 - [20] CO2 FILL BOX / OPTIONAL BULK OIL FILL BOX. CONFIRM USE WITH MCDONALD'S ACM.
 - [21] ROOF ACCESS LADDER
 - [22] EXTERIOR WINDOW/STOREFRONT ASSEMBLY
 - [23] CLEAR & LEVEL MANEUVERING SPACE
 - [24] ALUMINUM CANOPY (SEE ALSO GENERAL NOTES) (YELLOW) PROVIDE JUNCTION BOXES IF LED LIGHTING INCLUDED VERIFY W/ ACM
 - [25] ALUMINUM LOUVER & FRAME SYSTEM (SEE ALSO GENERAL NOTES)
 - [26] STONE MASONRY VENEER
 - [27] POINT (EXTER ALSO AS.7 FOR RELATED REQUIREMENTS)
 - [28] NEW ROOF COPING, TYP
 - [29] ROOFING
 - [30] EXIST ELEMENT TO BE REMOVED
 - [31] NEW OR EXIST. EQUIPMENT/DECOR
 - [32] NEW PATIO ENCLOSURE (FINISH) W/MFD STONE PLASTERS
 - [33] TILE ON SETTING BED, WATER BARRIERS, & SUBSTRATE
 - [34] PARAPET BANDING - CORRUGATED METAL.

TITLE: LTRS MAJOR REMODEL PROGRAM
 SHEET NO: A2.0A
 DATE: 10/11/12
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: [Number]
 CLIENT: McDonald's USA, LLC
 PROJECT: LTRS MAJOR REMODEL PROGRAM
 11111 LITTLE BLVD., SUITE 100, DALLAS, TX 75243
 TEL: 972.346.1000
 FAX: 972.346.1001
 WWW.MCDONALDSUSA.COM
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 ALL RIGHTS RESERVED.

MCDONALD'S USA, LLC
 11111 LITTLE BLVD., SUITE 100, DALLAS, TX 75243
 TEL: 972.346.1000
 FAX: 972.346.1001
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DATE: 10/11/12
 TIME: 10:00 AM
 PROJECT: LTRS MAJOR REMODEL PROGRAM
 SHEET NO: A2.0A
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: [Number]
 CLIENT: McDonald's USA, LLC
 PROJECT: LTRS MAJOR REMODEL PROGRAM
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P&Z MTG, 7/12/12

Z-225

Received 6/26/12



26 3:12 PM



26 3:10 PM



26 3:12 PM



Council Agenda Background

PRESENTER: David Miller, Deputy City Manager

DATE: 11/13/12

Council Mission Area: Protect the vitality of neighborhoods.

ITEM:

Consider a resolution authorizing the City Manager to move forward with the sale of the City-owned property known as Block 6, Lot 9 Oak Grove Estates, located at 2401 Brasher Lane, Bedford, Texas.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

Staff is requesting approval to move forward with the sale of the City-owned property located at 2401 Brasher Lane.

If approved, staff will put together bid packages for the sale or secure the services of a local broker to bid the properties, depending on which method proves to be most beneficial to the City.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to move forward with the sale of the City-owned property known as Block 6, Lot 9 Oak Grove Estates, located at 2401 Brasher Lane, Bedford, Texas.

FISCAL IMPACT:

Revenue from the sale of the property.

ATTACHMENTS:

Resolution
Map of property

RESOLUTION NO. 12-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO MOVE FORWARD WITH THE SALE OF THE CITY-OWNED PROPERTY KNOWN AS BLOCK 6, LOT 9 OAK GROVE ESTATES, LOCATED AT 2401 BRASHER LANE, BEDFORD, TEXAS.

WHEREAS, the City Council of Bedford, Texas desires to proceed with the sale of certain City-owned properties; and,

WHEREAS, the City Council of Bedford, Texas desires to proceed in a manner most advantageous to the City; and,

WHEREAS, the City Council of Bedford, Texas authorizes the preparation of a bid package or the services of a broker to move forward with the sale of certain City-owned property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the City Council authorizes the City Manager to move forward with the sale of the City-owned property known as Block 6, Lot 9 Oak Grove Estates, physically located at 2401 Brasher Lane, Bedford, Texas.

PASSED AND APPROVED this 13th day of November 2012, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

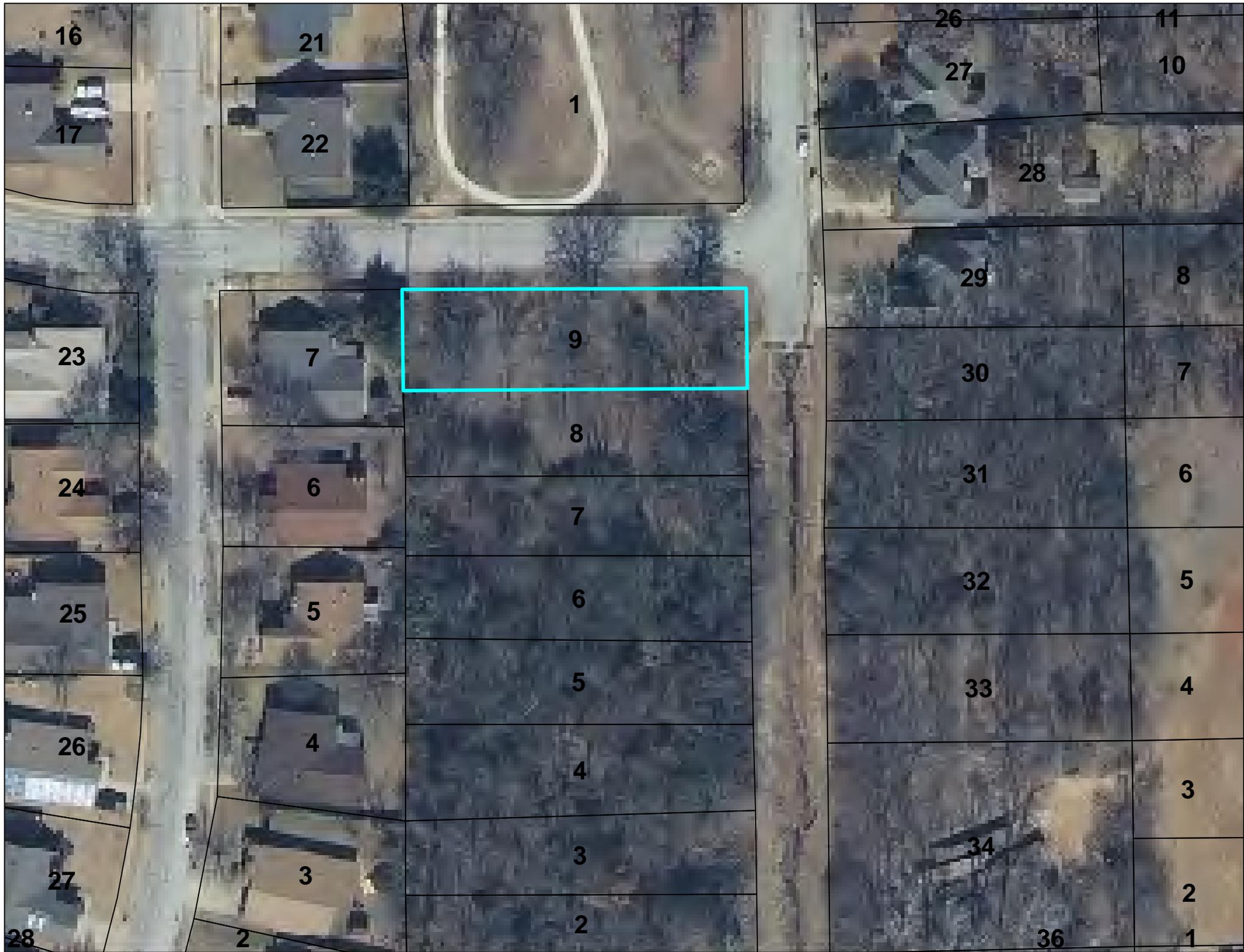
Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney





Council Agenda Background

PRESENTER: Kelli Agan, Technical Services Manager

DATE: 11/13/12

Council Mission Area: Demonstrate excellent customer service in an efficient manner.

ITEM:

Consider a resolution authorizing the Mayor to certify the Chapter 59 Asset Forfeiture Report as required by Article 59.06 of the Code of Criminal Procedures.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

Each year the Police Department files a Chapter 59 Asset Forfeiture Report with the State of Texas Attorney General's office. The Department receives asset forfeitures from multiple federal and/or state entities. These assets (either property or cash) must be utilized for law enforcement related purposes.

The Chapter 59 Asset Forfeiture Report only captures property and funds that were seized by the Police Department or forfeited to the Police Department by the Tarrant County District Attorney's office.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the Mayor to certify the Chapter 59 Asset Forfeiture Report as required by Article 59.06 of the Code of Criminal Procedures.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution
Chapter 59 Asset Forfeiture Report

RESOLUTION NO. 12-

A RESOLUTION AUTHORIZING THE MAYOR TO CERTIFY THE CHAPTER 59 ASSET FORFEITURE REPORT AS REQUIRED BY ARTICLE 59.06 OF THE CODE OF CRIMINAL PROCEDURES.

WHEREAS, the City Council of Bedford, Texas completed an inspection of all relevant documents and supporting materials; and,

WHEREAS, the City Council of Bedford, Texas believes that the Chapter 59 Asset Forfeiture Report is true and correct and contains all of the required information.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the above findings are true and correct and incorporated herein.

SECTION 2. That the City Council of Bedford, Texas authorizes the Mayor to certify the Chapter 59 Asset Forfeiture Report as required by Article 59.06 of the Code of Criminal Procedures.

PASSED AND APPROVED this 13th day November of 2012, by a vote of _ ayes, _ nays and _ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

**FY 2012
CHAPTER 59 ASSET FORFEITURE REPORT
BY LAW ENFORCEMENT AGENCY**

Agency Name: City of Bedford Police Dept. Reporting Period: 10/01/11 - 09/30/12
(local fiscal year)

Name of Agency Head (Chief, Sheriff etc.) (Printed): Roger Gibson, Police Chief example: 01/01/12 to 12/31/12, 09/01/11 to 08/31/12 etc.

Agency Mailing Address: 2121 L. Don Dodson Drive
Bedford, TX 76021

Phone Number: 817-952-2406

County: Tarrant

Email Address: roger.gibson@bedfordtx.gov This should be a permanent agency email address

NOTE: PLEASE ROUND ALL DOLLAR FIGURES TO NEAREST WHOLE DOLLAR.

I. SEIZED FUNDS (Funds that have been seized, but have not yet been awarded to your agency by the judicial system)	
A) Beginning Balance: Instructions: Include total amount of seized funds on hand (in your agency's possession) at beginning of reporting period. Include funds that may have been forfeited but have not been transferred to your agency's forfeiture account. Do not include funds that are in an account held by another agency, e.g., the District Attorney's account.	\$ 0
B) Ending Balance: Instructions: Include total amount of seized funds on hand (in your agency's possession) at end of reporting period. Do not include funds that are in an account held by another agency, e.g. the District Attorney's account.	\$ 0
II. FORFEITED FUNDS (Funds awarded to your agency by the judicial system)	
A) Beginning Balance: Instructions: Include total amount of forfeited funds that have been forfeited to your agency and are on hand (in your agency's account or in your agency's possession) at the beginning of the reporting period including interest. Do not include funds that have been forfeited but not yet received by your agency.	\$ 0
B) Ending Balance: Instructions: Include total amount of forfeited funds that have been forfeited to your agency and are on hand (in your agency's account or in your agency's possession) at the end of the reporting period including interest. Do not include funds that have been forfeited but not yet received by your agency.	\$ 20,317
III. SEIZURES DURING REPORTING PERIOD	

A) Funds: Instructions: Include only those seizures which occurred during the reporting period and where the seizure affidavit required by Article 59.03 is sworn to by a peace officer employed by your agency. (e.g. seizing officer's affidavit).	
1) Amount seized and retained in your agency's custody:	\$ 0
2) Amount seized and transferred to the District Attorney pending forfeiture:	\$ 809.00
B) Property: Instructions: List the number of items seized for the following categories. Include only those seizures where a seizure is made by a peace officer employed by your agency.	

Please note - this should be a number not a currency amount. Example 4 cars seized, 3 cars forfeited.	SEIZED	FORFEITED TO AGENCY
1) MOTOR VEHICLES (Include cars, motorcycles, tractor trailers, etc.)	2	
2) REAL PROPERTY (Count each parcel seized as one item)		
3) COMPUTERS (Include computer and attached system components, such as printers and monitors, as one item)		
4) FIREARMS (Include only firearms seized for forfeiture under Chapter 59. Do not include weapons disposed under Chapter 18.)	2	
5) Other Property -Description: <u>Flatscreen TV</u>		1
6) Other Property -Description: <u>X-box 360 console</u>		1
7) Other Property -Description: _____		

IV. FORFEITED FUNDS RECEIVED DURING REPORTING PERIOD

Amount Forfeited to and Received by Reporting Agency (Including Interest) During Reporting Period: Instructions: Do not include amounts forfeited but not yet received by your agency; interest refers to the amount earned prior to forfeiture and distributed as part of the judgment of forfeiture.	\$ 6,001.32
--	-------------

V. FORFEITED PROPERTY RECEIVED FROM ANOTHER AGENCY

Instructions: Enter the total number of items transferred to your agency where the forfeiture judgment awarded ownership of the property to another agency prior to the transfer.

A) Motor Vehicles (the number of vehicles, not a currency amount):	0
B) Real Property (the number of separate parcels of property, not a currency amount):	0
C) Computers (the number of computers, not a currency amount):	0
D) Firearms (the number of firearms, not a currency amount):	0
E) Other (the number of items, not a currency amount):	0

VI. FORFEITED PROPERTY TRANSFERRED OR LOANED TO ANOTHER AGENCY

Instructions: Enter the total number of items transferred or loaned from your agency where the forfeiture judgment awarded ownership of the property to your agency prior to the transfer.

	0
--	---

A) Motor Vehicles (the number of vehicles, not a currency amount):	2
B) Real Property (the number of separate parcels of property, not a currency amount):	
C) Computers (the number of computers, not a currency amount):	
D) Firearms (the number of firearms, not a currency amount):	2
E) Other (the number of items, not a currency amount):	

VII.

EXPENDITURES

Instructions: This category is for Chapter 59 expenditures SOLELY for law enforcement purposes - not for expenditures made pursuant to your general budget. List the total amount expended for each of the following categories. If proceeds are expended for a category not listed, state the amount and nature of the expenditure under the Other category.

A) SALARIES	
1. Increase of Salary, Expense, or Allowance for Employees (Salary Supplements):	\$ 0
2. Salary Budgeted Solely From Forfeited Funds:	\$ 0
3. Number of Employees Paid Using Forfeiture Funds:	0
TOTAL SALARIES PAID OUT OF CHAPTER 59 FUNDS:	\$ 0

B) OVERTIME	
1. For Employees Budgeted by Governing Body:	\$ 0
2. For Employees Budgeted Solely out of Forfeiture Funds:	\$ 0
3. Number of Employees Paid Using Forfeiture Funds:	0
TOTAL OVERTIME PAID OUT OF CHAPTER 59 FUNDS:	\$ 0

C) EQUIPMENT	
1. Vehicles:	\$ 0
2. Computers:	\$ 0
3. Firearms, Vests, Personal Equipment:	\$ 0
4. Furniture:	\$ 0
5. Software:	\$ 0
6. Maintenance Costs:	\$ 0
7. Uniforms:	\$ 0
8. K9 Related Costs:	\$ 0
9. Other (Provide Detail on Additional Sheet):	\$ 0
TOTAL EQUIPMENT PURCHASED WITH CHAPTER 59 FUNDS:	\$ 0

D) SUPPLIES		
1. Office Supplies:		\$ 0
2. Cellular Air Time :		\$ 0
3. Internet:		\$ 0
4. Other (Provide Detail on Additional Sheet) :		\$ 0
TOTAL SUPPLIES PURCHASED WITH CHAPTER 59 FUNDS:		\$ 0

E) TRAVEL		
1. In State Travel		
a) Transportation:		\$ 0
b) Meals & Lodging:		\$ 0
c) Mileage:		\$ 0
d) Incidental Expenses (Any other travel expense not included on a, b, or c above):		\$ 0
Total In State Travel		\$ 0
2. Out of State Travel		
a) Transportation:		\$ 0
b) Meals & Lodging:		\$ 0
c) Mileage:		\$ 0
d) Incidental Expenses (Any other travel expense not included on a, b, or c above):		\$ 0
Total Out of State Travel		\$ 0
TOTAL TRAVEL PAID OUT OF CHAPTER 59 FUNDS:		\$ 0

F) TRAINING		
1. Fees (Conferences, Seminars):		\$ 0
2. Materials (Books, CDs, Videos, etc.):		\$ 0
3. Other (Provide Detail on Additional Sheet):		\$ 0
TOTAL TRAINING PAID OUT OF CHAPTER 59 FUNDS		\$ 0

G) INVESTIGATIVE COSTS		
1. Informant Costs:		\$ 0
2. Buy Money:		\$ 0
3. Lab Expenses:		\$ 0

4. Other (Provide Detail on Additional Sheet) :	\$ 0
TOTAL INVESTIGATIVE COSTS PAID OUT OF CHAPTER 59 FUNDS:	\$ 0

H) TOTAL PREVENTION/TREATMENT PROGRAMS/FINANCIAL ASSISTANCE	
1. Total Prevention/Treatment Programs (pursuant to 59.06 (h), (l), (j)):	\$ 0
2. Total Financial Assistance (pursuant to Articles 59.06 (n) and (o)):	\$ 0
TOTAL PREVENTION/TREATMENT PROGRAMS/FINANCIAL ASSISTANCE (pursuant to Articles 59.06 (h), (l), (j), (n), (o)):	\$ 0

I) FACILITY COSTS	
1. Building Purchase:	\$ 0
2. Lease Payments:	\$ 0
3. Remodeling:	\$ 0
4. Maintenance Costs:	\$ 0
5. Utilities:	\$ 0
6. Other (Provide Detail on Additional Sheet):	\$ 0
TOTAL FACILITY COSTS PAID OUT OF CHAPTER 59 FUNDS:	\$ 0

J) MISCELLANEOUS FEES	
1. Court Costs:	\$ 0
2. Filing Fees:	\$ 0
3. Insurance:	\$ 0
4. Witness Fees:	\$ 0
5. Audit Costs and Fees:	\$ 0
6. Other (Provide Detail on Additional Sheet):	\$ 0
TOTAL MISCELLANEOUS FEES PAID OUT OF CHAPTER 59 FUNDS:	\$ 0

K) PAID TO OR SHARED WITH COOPERATING AGENCY:	\$ 0
--	-------------

L) TOTAL OTHER PAID OUT OF CHAPTER 59 FUNDS (provide detailed descriptions on additional sheet(s) and attach to this report):	\$ 0
--	-------------

M) TOTAL EXPENDITURES:	\$ 0
-------------------------------	-------------

NOTE: If you are governed by a Commissioners Court or a City Council, BOTH CERTIFICATIONS MUST BE COMPLETED. Otherwise, please complete the Agency Head Certification.

CERTIFICATION

I swear or affirm that the Commissioners Court or City Council has conducted the audit required by Article 59.06 of the Code of Criminal Procedure, unless after due inquiry, it has been determined that no accounts, funds or other property pursuant to Chapter 59 of the Code of Criminal Procedure are being held or have been transacted in the relevant fiscal year by the agency for which this report is being completed, and that upon diligent inspection of all relevant documents and supporting materials, I believe that this asset forfeiture report is true and correct and contains all of the required information.

COUNTY JUDGE, MAYOR or CITY
MANAGER

(Printed Name):

Jim Griffin, Mayor

SIGNATURE:

DATE:

AGENCY HEAD CERTIFICATION

I swear or affirm, under penalty of perjury, that I have accounted for the seizure, forfeiture, receipt, and specific expenditure of all proceeds and property subject to Chapter 59 of the Code of Criminal Procedure, and that upon diligent inspection of all relevant documents and supporting materials, this asset forfeiture report is true and correct and contains all information required by Article 59.06 of the Code of Criminal Procedure. I further swear or affirm that all expenditures reported herein were lawful and proper, and made in accordance with Texas law.

AGENCY HEAD (Printed Name):

Roger Gibson, Police Chief

SIGNATURE:

DATE:

RETURN COMPLETED FORM TO:

Office of the Attorney General
Criminal Prosecutions Division
P.O. Box 12548
Austin, TX 78711-2548
Attn: Kent Richardson
(512)936-1348
kent.richardson@oag.state.tx.us

WE CANNOT ACCEPT FAXED OR EMAILED COPIES. PLEASE MAIL THE SIGNED, ORIGINAL DOCUMENT TO OUR OFFICE AT THE ADDRESS ABOVE.



Council Agenda Background

PRESENTER: Kelli Agan, Technical Services Manager

DATE: 11/13/12

Council Mission Area: Demonstrate excellent customer service in an efficient manner.

ITEM:

Consider a resolution authorizing the Mayor to certify the Equitable Sharing Agreement and Certification as required by the United States Department of Justice.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

Each year the Police Department files an Equitable Sharing Agreement and Certification report with the United States Department of Justice Asset Forfeiture and Money Laundering Section. This year, the Department received asset forfeitures from the United States Secret Service, United States Marshal Service and the Tarrant County Narcotics Intelligence Unit. The Equitable Sharing Agreement and Certification report captures all property and funds that were forfeited to the Police Department.

The report also reflects all expenditures utilizing forfeited funds. By law, these funds can only be used for law enforcement purposes.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the Mayor to certify the Equitable Sharing Agreement and Certification as required by the United States Department of Justice.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution
Equitable Sharing Agreement and Certification

RESOLUTION NO. 12-

A RESOLUTION AUTHORIZING THE MAYOR TO CERTIFY THE EQUITABLE SHARING AGREEMENT AND CERTIFICATION AS REQUIRED BY THE UNITED STATES DEPARTMENT OF JUSTICE.

WHEREAS, the City Council of Bedford, Texas completed an inspection of all relevant documents and supporting materials; and,

WHEREAS, the City Council of Bedford, Texas believes that the Equitable Sharing Agreement and Certification report is true and correct and contains all of the required information.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, TEXAS:

SECTION 1. That the above findings are true and correct and incorporated herein.

SECTION 2. That the City Council of Bedford, Texas authorizes the Mayor to certify the Equitable Sharing Agreement and Certification as required by the United States Department of Justice.

PASSED AND APPROVED this 13th day November of 2012, by a vote of _ ayes, _ nays and _ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

Summary of Shared Funds Spent		Justice Funds	Treasury Funds
a	Total spent on salaries under permitted salary exceptions		
b	Total spent on overtime		
c	Total spent on informants, "buy money", and rewards		
d	Total spent on travel and training		
e	Total spent on communications and computers		
f	Total spent on weapons and protective gear		
g	Total spent on electronic surveillance equipment		
h	Total spent on buildings and improvements		
i	Total transfers to other participating state and local law enforcement agencies (To populate, complete Table C)		
j	Total spent on other law enforcement expenses (To populate, complete Table D)	\$3,849.01	
k	Total Expenditures in Support of Community-Based Programs (To populate, complete Table E)		
l	Total Windfall Transfers (To populate, complete Table F)		
m	Total spent on matching grants (To populate, complete Table G)		
n	Total	\$3,849.01	\$0.00
o	Did your agency receive non-cash assets? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, complete Table H.		

Please fill out the following tables, if applicable.

Table A: Members of Task Force

Agency Name	NCIC/ORI/Tracking Number

Table B: Equitable Sharing Funds Received from other Agencies

Transferring Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: United States Secret Service NCIC/ORI/Tracking Number: T X S S 3 4 1 0 0		\$2,341.08
Agency Name: US Marshal Service NCIC/ORI/Tracking Number: T X U S M 0 1 0 0	\$12,389.94	

Table C: Equitable Sharing Funds Transferred to Other Agencies

Receiving Agency Name, City, and State	Justice Funds	Treasury Funds
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Receiving Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: <input type="text"/>	<input type="text"/>	<input type="text"/>
NCIC/ORI/Tracking Number: <input type="text"/>		

Table D: Other Law Enforcement Expenses

Description of Expense	Justice Funds	Treasury Funds
Motor Vehicle Maintenance on Two Undercover "Narcotic" Vehicles (to include a new transmission)	\$3,849.01	<input type="text"/>

Table E: Expenditures in Support of Community-Based Programs

Recipient	Justice Funds	Treasury Funds
<input type="text"/>	<input type="text"/>	<input type="text"/>

Table F: Windfall Transfers

Recipient	Justice Funds	Treasury Funds
<input type="text"/>	<input type="text"/>	<input type="text"/>

Table G: Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds
<input type="text"/>	<input type="text"/>	<input type="text"/>

Table H: Other Non-Cash Assets Received

Source	Description of Asset
Justice <input type="radio"/>	<input type="text"/>
Treasury <input type="radio"/>	

Table I: Civil Rights Cases

Name of Case	Type of Discrimination Alleged			
<input type="text"/>	<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Gender
	<input type="checkbox"/> Disability	<input type="checkbox"/> Age	<input type="checkbox"/> Other	<input type="text"/>

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section, 1400 New York Avenue, N.W., Washington, DC 20005.

Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the above-stated law enforcement agency ("Agency"), and (3) the governing body, sets forth the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By its signatures, the Agency agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the federal Equitable Sharing Program. Receipt of the signed Equitable Sharing Agreement and Certification (this "Document") is a prerequisite to receiving any equitably shared cash, property, or proceeds.

- 1. Submission.** This Document must be submitted to aca.submit@usdoj.gov within 60 days of the end of the Agency's fiscal year. This Document must be submitted electronically with the Affidavit/Signature submitted by fax. This will constitute submission to the Department of Justice and the Department of the Treasury.
- 2. Signatories.** This agreement must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, chairperson, secretary, city attorney, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body's head is the person who allocates funds or approves the budget for the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, director, secretary, administrator, commissioner, and governor.
- 3. Uses.** Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern the federal Equitable Sharing Program as set forth in the current edition of the Department of Justice's *Guide to Equitable Sharing for State and Local Law Enforcement (Justice Guide)*, and the Department of the Treasury's *Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies (Treasury Guide)*.
- 4. Transfers.** Before the Agency transfers cash, property, or proceeds to other state or local law enforcement agencies, it must first verify with the Department of Justice or the Department of the Treasury, depending on the source of the funds, that the receiving agency is a current and compliant Equitable Sharing Program participant.
- 5. Internal Controls.** The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury. Funds from state and local forfeitures and other sources must not be commingled with federal equitable sharing funds. The Agency shall establish a separate revenue account or accounting code for state, local, Department of Justice, and Department of the Treasury forfeiture funds. Interest income generated must be accounted for in the appropriate federal equitable sharing account.

The Agency agrees that such accounting will be subject to the standard accounting requirements and practices employed for other public funds as supplemented by requirements set forth in the current edition of the *Justice Guide* and the *Treasury Guide*, including the requirement in the *Justice Guide* to maintain relevant documents and records for five years.

The misuse or misapplication of shared resources or the supplantation of existing resources with shared assets is prohibited. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the *Justice or Treasury Guides*, depending on the source of the funds/property.

6. Audit Report. Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Circular A-133. The Department of Justice and Department of the Treasury reserve the right to conduct periodic random audits.

Affidavit - Existing Participant

Under penalty of perjury, the undersigned officials certify that **they have read and understand their obligations under the Equitable Sharing Agreement** and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the *Justice* and/or *Treasury Guides* during the reporting period and that the recipient Agency is in compliance with the National Code of Professional Conduct for Asset Forfeiture.

The undersigned certify that the recipient Agency is in compliance with the nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above? Yes No

If you answered yes to the above question, complete Table I

Agency Head

Governing Body Head

Signature: _____
 Name: Roger Gibson
 Title: Police Chief
 Date: _____
 E-mail: roger.gibson@bedfordtx.gov

Signature: _____
 Name: Jim Griffin
 Title: Mayor
 Date: _____
 E-mail: jim.griffin@bedfordtx.gov

Subscribe to Equitable Sharing Wire:

The Equitable Sharing Wire is an electronic newsletter that gives you important, substantive, information regarding Equitable Sharing policies, practices, and procedures.

<u>kelli.agan@bedfordtx.gov</u>

Final Instructions:

- Step 1: Click to save for your records
- Step 2: Click to save in XML format

- Step 3: E-mail the XML file to aca.submit@usdoj.gov
- Step 4: Fax THIS SIGNED PAGE ONLY to (202) 616-1344

FOR AGENCY USE ONLY Entered by _____ Entered on _____ <input type="radio"/> FY End: 09/30/2012 <input checked="" type="radio"/> NCIC: TX2200300 Agency: City of Bedford, Texas Police Department Phone: (817) 952-2174 <input type="radio"/> State: TX Finance Contact: Cliff Blackwell E-mail: cliff.blackwell@bedfordtx.gov	 Date Printed: November 07, 2012 13:28
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Council Agenda Background

PRESENTER: Bill Syblon, Development Director

DATE: 11/13/12

Staff Report

ITEM:

Discussion and receive Council direction regarding the color scheme for the stealth cellular tower.

City Manager Review: _____

DISCUSSION:

Staff is seeking Council consensus on the color scheme for the stealth cellular tower. A representative from AT&T will be on hand to address any questions or concerns.

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER: Roger Gibson, Police Chief

DATE: 11/13/12

Staff Report

ITEM:

Staff report on the photographic traffic monitoring systems (i.e. red light cameras).

City Manager Review: _____

DISCUSSION:

Staff will present an overview of the photographic traffic monitoring systems (i.e. red light cameras) and will provide information for future consideration.

ATTACHMENTS:

N/A