

AGENDA

Special and Regular Meeting of the Bedford City Council
Tuesday, May 27, 2014
Bedford City Hall Building A
2000 Forest Ridge Drive
Bedford, Texas 76021

Council Chamber Special Session 5:30 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>

SPECIAL SESSION

- Administer Statement of Elected Officer and Oath of Office to newly elected Council Members Place 4 and Place 6 and presentation of the Certificates of Election.

WORK SESSION

- Review and discuss items on the regular agenda and consider placing items for approval by consent.
- Discussion and report on progress made to remove debris on the property formerly known as Stonegate Pools located at 533 Bedford Road. **This item requested by Councilmember Boyter.

EXECUTIVE SESSION

To convene in the conference room, if time permits, 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 Bedford Forum Addition, Block 4 Lot CR.
- b) Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation regarding 3737 Cummings Road.

REGULAR SESSION 6:30 P.M.

CALL TO ORDER/GENERAL COMMENTS

INVOCATION (Senior Pastor Nosa Onaiwu, Arise and Shine Int'l Ministries)

PLEDGE OF ALLEGIANCE

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. Proclamation declaring June, July and August as Summer Reading Club Season.

APPROVAL OF THE MINUTES

2. Consider approval of the following City Council minutes:
 - a) May 13, 2014 regular meeting
 - b) May 20, 2014 special meeting

NEW BUSINESS

3. Public hearing and consider an ordinance to amend Ordinance 10-2978, specific to the Bedford Comprehensive Land Use Plan (2010) for two parcels from Schools and Churches/Semi-Public and Commercial to Medium Density Residential. The parcels are known as a portion of Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road, Bedford, Texas; declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty clause; and declaring an effective date. The properties are generally located north of Bedford Road and east of Central Drive. (A-038)
4. Public hearing and consider an ordinance to rezone the properties known as Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road, Bedford, Texas, from "R-9,000" Single-Family Residential Detached District, Section 4.2 of the City of Bedford Zoning Ordinance to Planned Unit Development District (PUD), Section 4.15 of the City of Bedford Zoning Ordinance, for Avalon Place; declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty clause; and declaring an effective date. The properties are generally located north of Bedford Road and east of Central Drive. (Z-247)
5. Consider a resolution authorizing the City Manager to execute an Interlocal Agreement with the cities of Bedford Colleyville, Euless, Grapevine, Haltom City, Hurst, Keller, North Richland Hills, Richland Hills, Roanoke, Southlake, Trophy Club MUD #1, Watauga and Westlake. This group of cities is also known as the Northeast Fire Department Association (NEFDA) to establish a fund for the replacement of jointly used emergency response equipment.
6. Consider a resolution authorizing the City Manager to execute Quitclaim Deeds with the State of Texas for property interests included in agreements 183-U-0503 and 183-U-0503-0002 of the North Tarrant Express Project.
7. Consider a resolution authorizing the City Manager to renew a two-year agreement with Valley View Consulting, L.L.C., to provide investment advisory services.
8. Report on most recent meeting of the following Boards and Commissions:
 - ✓ Animal Shelter Advisory Board - Councilmember Boyter
 - ✓ Beautification Commission - Councilmember Turner
 - ✓ Community Affairs Commission - Councilmember Boyter
 - ✓ Investment Committee – Councilmember Turner
 - ✓ Library Board - Councilmember Davisson
 - ✓ Parks & Recreation Board - Councilmember Davisson
 - ✓ Senior Citizen Advisory Board - Councilmember Turner
 - ✓ Teen Court Advisory Board - Councilmember Champney
9. Council member Reports
10. City Manager/Staff Reports

EXECUTIVE SESSION

To convene 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 Bedford Forum Addition, Bloc 4 Lot CR.
- b) Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation regarding 3737 Cummings Road.

11. Adjourn into Regular Session

12. 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, May 23, 2014 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 must be requested in writing to the City Secretary's Office a minimum of seventy-two hours (72) hours prior to the scheduled starting time of the posted meeting. Requests can be delivered in person or mailed to the City Secretary's Office at 2000 Forest Ridge Drive, Bedford, TX 76021, or emailed to mwells@bedfordtx.gov. Some requests may take longer due to the nature, extent and/or availability of such auxiliary aids, services or accommodations.)



Council Agenda Background

PRESENTER: Michael Boyter, Councilmember

DATE: 05/27/14

Work Session

ITEM:

Discussion and report on progress made to remove debris on the property formerly known as Stonegate Pools located at 533 Bedford Road. **This item requested by Councilmember Boyter.

City Manager Review: _____

DISCUSSION:

Councilmember Boyter requested this item be placed on the agenda for discussion.

ATTACHMENTS:

Letter of Request

From: "Boyter, Michael"

Date:05/20/2014 9:57 PM (GMT-06:00)

To: "Wells, Michael"

Subject: Request Agenda Item for Council Meeting on 05/27/14

Mr. Wells,

I would like to request an Agenda item be added to the Work Session portion of the City Council meeting to be held on May 27, 2014. This item shall be for the City to communicate and report progress made to remove debris on the property formerly known as Stonegate Pools located at 533 Bedford Road.

Thank you in advance for your attention to this matter. If you have any questions or comments regarding this item, feel free to call me.

Michael Boyter



Council Agenda Background

PRESENTER: Mayor Jim Griffin

DATE: 05/27/14

Council Recognition

ITEM:

Proclamation declaring June, July and August as Summer Reading Club Season.

City Manager Review: _____

DISCUSSION:

Maria Redburn will accept the Summer Reading Club Proclamation on behalf of the Library.

ATTACHMENTS:

Proclamation



CITY OF
BEDFORD

Proclamation

WHEREAS, the summer season brings to mind the joy of playing with friends, swimming at the Bedford Splash water park and reading whatever you wanted to. You could follow your superhero in a comic book. Learn about cars and spaceships. You could explore future worlds or times gone by; and

WHEREAS, research shows that students can lose up to 25 percent of their reading level over the summer. Studies show that children who read in the summer maintain and increase their reading levels. Children who participate in the Library's Robotics and LEGO program can further their understanding of math and science during the summer months; and

WHEREAS, adults lead best by example. Pick up a book and join the Library's Summer Reading Club. Have your child participate in the program for praise, compliments, accomplishments, and prizes.

NOW, THEREFORE, let it be known that I, Jim Griffin, Mayor of the City of Bedford, and the City Council do hereby proclaim June, July and August, 2014 as:

Summer Reading Club Season

in the City of Bedford and invite all residents to register for the reading club at the Bedford Public Library.

*In witness whereof, I have hereunto set my hand and
caused the seal of the City of Bedford to be affixed this
27th day of May, 2014.*

JIM GRIFFIN, MAYOR





Council Agenda Background

PRESENTER: Michael Wells, City Secretary

DATE: 05/27/14

Minutes

ITEM:

Consider approval of the following City Council minutes:

- a) May 13, 2014 regular meeting
- b) May 20, 2014 special meeting

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

May 13, 2014 regular meeting
May 20, 2014 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 4:30 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 13th day of May, 2014 with the following members present:

Jim Griffin	Mayor
Chris Brown	Council Members
Michael Boyter	
Ray Champney	
Jim Davisson	
Patricia Nolan	
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
Roger Gibson	Police Chief
Les Hawkins	Deputy Police Chief
Mirenda McQuagge-Walden	Managing Director
Maria Redburn	Library Director

WORK SESSION

Mayor Griffin called the Work Session to order at 4:30 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: 7, 9, 10, 11, 12, 13 and 14.

Managing Director Mirenda McQuagge-Walden presented information regarding Item #11, which is to approve a contract with 2L Construction LLC in the amount of \$153,522 for the Meadow Park Trail extension. The item was competitively bid and the low bidder was 2L Construction. The company has not done work with the City in the past; however, Tom Hoover with Baird, Hampton & Brown, reviewed the bids and the company's references were checked. In answer to questions from Council, Ms. McQuagge-Walden stated that this item was approved by the voters in the amount of \$295,000, so there are savings of \$141,478.

Library Director Maria Redburn presented information regarding Items #13 and #14. The first item is for a contract with Tech Logic for the self-checkout software, license renewal and an extended hardware warranty agreement in the amount of \$9,228. This item was originally budgeted at \$10,000. The software is required, and the warranty covers the ten RFID checkout pads and the security gates. The second is for an agreement with Tech Logic for a full-service program agreement in the amount of \$18,950, at a savings of \$9,700. The original plan had four preventative maintenance visits a year, and she is confident that the two visits in this agreement will catch everything. All the labor costs are covered and money will be put aside when the equipment starts wearing out. In answer to questions from Council, Ms. Redburn stated that both items are annual costs; that currently if a major component

breaks down, it is covered by the agreement; that this year, major components failed in the amount of \$3,800, which the City would have had to pay for without the agreement; that Tech Logic charges \$200 per hour for labor with a \$600 minimum; that the City pays for wearable parts; that it would cost more if the City waited to get in on the service plans; and that the City may end up on the losing end if they only paid for the preventative maintenance and the software.

- **Presentation on NTE Landscaping Plan for Bedford intersections.**

Deputy City Manager David Miller stated that Council had a discussion four years ago regarding landscaping and the Council wanted Xeriscape-type landscaping, which is low maintenance but looks pretty. A representative from Bluebonnet Construction will be presenting the landscape plan including vegetation, bushes and trees. Kody Sweesy with Bluebonnet's Landscape Division stated that he has worked with staff on different designs. The amount of money that went to each city was determined by linear feet in the corridor, with Bedford getting \$533,000 or 25 percent of the budget. The City has five intersections in the corridor: Brown Trail, Bedford Road, Forest Ridge Drive, Central Drive and Murphy Drive. He displayed pictures of various shrubs, grasses and trees chosen by the City. He stated that the original designs at the corners would have required a lot of maintenance and costs. At Brown Trail, there is not a lot of square footage in the medians and they would be run over; therefore, the recommendation is hardscape with organics at the corners. Bluebonnet is committed to putting 1,023 trees throughout the corridor and there is an opportunity to place some at this location. In regards to Murphy Drive, the City of Euless is putting all of their money into the island at Westpark Way with ornamental plants and a water feature. The City has different options on the look of this intersection. Mr. Miller stated that the area is not irrigated so a line would have to be run from the line at the Holiday Inn, for which staff is receiving cost estimates. The actual cost of installing the drip-line irrigation would be handled by Bluebonnet. The question for Council is whether the City wants the intersection to look like the one in Euless. Mr. Sweesy discussed running a border of stamped concrete around the medians. At Bedford Road, there is no center median but all four corners would be populated, and there will be hardscape inside and underneath the overpasses. There would be hardscape on the center islands with landscape on the fronts and backs. Forest Ridge Drive does have center medians and would be heavily ornamented. Decisions would have to be made regarding the location of sidewalks. Central Drive would be the most heavily populated and where a lot of the budget would be used. The islands would be heavily populated with stamped concrete and ornamental landscape. He displayed examples of aggregate divided with edging, which can be contained with stamped concrete that adds an aesthetic element. He discussed mow strips, which were removed from the plan, crushed aggregate, river rock and drip-line irrigation. He stated that Bedford can have some trees but that it would obstruct businesses. He displayed Westpark Way in Euless. He asked Council if they liked what was presented and what they would like to do at Murphy Drive.

There was discussion on mirroring Euless at Murphy Drive; Bluebonnet putting in the irrigation in the island and running a horizontal drill; that Bluebonnet would maintain the center median for 12 months; putting the City in contact with the company handling the maintenance to receive estimates; receiving recommendations from the experts; and making sure that whatever goes in is sustainable. Mr. Miller stated that in meeting with the Parks Department, the plants that were selected are low maintenance but have color effects to enhance the intersections. Staff is receiving estimates from the landscape contractor to continue maintenance, preparing bids for a separate contract, and comparing that to doing maintenance in-house. There was discussion on putting a lot of the Bluebonnet trees at the highway split. In answer to questions from Council, Mr. Sweesy stated that there would be color at every intersection at the corners but not at all center medians; that in lieu of using big trees, the intersections were populated; that additional trees can be worked on a case-by-case basis; that the interior of the corridor itself will have a lot of mature trees with low maintenance; that the funding has Murphy Drive being heavily populated; that they are using stamped concrete instead of pavers due to maintenance; that businesses being responsible for maintaining corners depends on where they fall in the corridor; and irrigating and maintaining the corners to the City's standards. A majority of Council was comfortable with landscaping Murphy Drive similar to Euless. Mr. Miller stated that staff will come back with a proposal to irrigate that intersection.

- **Discussion regarding the purpose and performance of the Code Enforcement and Building Inspections departments within the City.** **This item requested by Councilmembers Boyter and Davisson.

This item was moved to the end of the Regular Session.

Councilmember Boyter and Councilmember Davisson requested this item be placed on the agenda for discussion. Councilmember Boyter discussed the speakers at the previous meeting, there being a perception problem, and the presentation regarding Code Compliance at the March 25 meeting. He apologized for not responding to residents and stated that work needs to be done regarding the sense of disconnection and communication, including educating and communicating what the City is doing. Staff needs a clear direction from Council regarding expectations and priorities. He discussed the survey, where the City is at, and pushing things to a better place. He stated it cannot be done alone and everybody wants a better, cleaner community to live in. He stated the purpose of this discussion is not to point fingers and that there needs to be a better job done regarding codes, including identifying that there is a problem. He wants to harp on opportunities and that this is all about the future. He stated that there needs to be a clear direction to staff and departments regarding Council's priorities and directions. The City has been afraid to face its fears and talk about the negative, and there needs to be serious conversations on where it could have approached things differently.

There was a discussion between Council and City Manager Beverly Griffith regarding the March 25 status report on City codes. In October of 2012, \$86,000 was added to the General Fund balance. There was reorganization and reallocation of the Code Compliance Department through the reclassification of a PSO and adding a position for office support. An opportunity was created to have a Police corporal serve as supervisor of the Department. \$30,000 was set aside for property abatement, which has been used in small amounts and that it is anticipated the full amount will be used. Revisions were made to some ordinances, including vehicular signage, parking requirements, trees and shrubbery above the street, trash containers screened from view and notices not being removed. The first phase of reorganization was in May of 2013, with the intent that Code is a good fit under the Police Department as they have the same mindset of identifying problems, gaining compliance, and are very structured. The move of Building Inspections under the Fire Department was for the synergy between the Fire Marshall and Inspections, and there would be opportunities for cross-training. The benefit of the second phase was to increase boots on the ground. The purpose of Code is defined through the Texas Department of Health Services and their primary priority is any health and safety issues, with items that are aesthetic being a lower priority. There was discussion on the Code supervisor moving to Building Inspections, including that they would pick up the gap as the City no longer has contracts with companies for multi-family and commercial inspections. The contract for multi-family inspections was \$17,500 a year and the one for commercial inspections was between \$45,000 and \$50,000 per year. By ordinance, multi-family inspections are done twice a year and the company turned in written reports. Commercial inspections are done on an as-needed basis. There was discussion on the need for more personnel for multi-family inspections and that this year, there have been inspections on 22 complexes with 45 follow-ups and that coordinating efforts with the Fire Marshal's office is getting good results but requires more follow-up inspections. The purpose of Building Inspections is to respond to new construction and permits. There was discussion on the certificate of occupancy process including that it is a separate process and is used to determine that a building is ready to occupy. Building Inspections is fully staffed with the Building Official and two inspectors. There was discussion on a Police corporal to supervising Code including that it helps with structure and accountability, and that it is helpful to have a uniformed officer in the field when dealing with out-of-the-ordinary violations.

There was discussion between Council, Ms. Griffith, Police Chief Roger Gibson and Deputy Police Chief Les Hawkins on Code actions and accomplishments. Code now has four officers and a supervisor, which is all that has been authorized. The Code tech position has reduced the amount of busy work, looked for new opportunities to maintain information as well as follow-ups and contact with citizens, which helps keep officers in the field. There are two new Code officers and they have all been issued cell phones and tablets, which allow them to access PublicStuff, send emails, and take photos in the field. The City has been broken up into four districts and officers with specific expertise are put into areas such as commercial. There was discussion on positive results, improvements, revitalizations, and 71 violations in the Brown Trail/Bell area. There was discussion on the Neighborhood Revitalization Program, which is done once a week and involves two Code officers and one Animal Control officer

walking neighborhoods to address code or animal violations. There was discussion on the protocol for granting extensions, including that extensions of more than 30 days need supervisor approval; that the supervisor is aware of daily and weekly activities; and that they hold staff meetings every Tuesday morning. There was discussion on records filing improvements, including standardized letters to homeowners that have consistent information; and that a letter has been created for habitual offenders that states there may be enforcement action with no grace period. There was discussion on follow-up procedures; the way the current records management system captures follow-ups; the creation of dispatch logs, whereby anytime a Code Compliance officer checks out on a call and clears, the technician logs it on an Excel spreadsheet for tracking purposes; and ensuring that officers are safe in the field and that their activity is tracked. There was discussion on notification procedures for repeat violators and that a repeat violator is defined by the "three strikes" rule.

There was discussion on dealing with high grass and weeds more proactively, including that the 50 percent rule has been removed and that they are staying on top of property owners to get vacant lots on a mowing schedule. There was discussion on certificates of occupancy, which is a permit that requires going through Building Inspections and the Fire Marshal to ensure the building meets the proper codes, and other items such as proper zoning and parking. They are issued to specific owners for a specific purpose, and can be revoked or terminated. There was discussion on nine massage parlors that had their COs revoked as they were operating outside of the requirement of the State licensing bureau. There was discussion on the Code tech position including communicating with residents, making contacts with walk-ins, and serving as a liaison between the Department and residents. There was discussion on the priority of Code being health and safety with the ultimate goal being quality of life and neighborhood revitalization. There was discussion on documenting complaints; that most violations are discovered through self-initiation by Code officers; and that when a complaint is received, the officer from that district responds to see if there is a violation and, if so, the homeowner is given a seven day notice to comply. There was discussion on follow-up including with the complainant, and that staff is getting better with PublicStuff and tracking items. When someone makes a complaint on PublicStuff, staff lets them know that their complaint has been assigned to an officer.

There was discussion on the property at 3737 Cummings, including an agreement that allows 11 recreational vehicles and four boats on the property; that the agreement did not stipulate annual inspections; and that it survived the recent ownership change. The property was inspected on March 19 and was given a 14-day notice, and there was discussion on the result of that inspection. There was discussion on the effect on the agreement after Daystar bought the property, including that the agreement still stands in writing and the new owner resumes responsibility for compliance. There was discussion about other issues that could be addressed with that agreement in place. There were issues with too many RVs and one building that qualified as being dilapidated. Letters were sent to Daystar and the previous property owner. In walking the property, two additional buildings were identified as needing repairs or demolition. One building has been demolished and the debris partially removed. There was discussion that the purpose of the agreement was to clarify the number of vehicles allowed on the property, that the Council approved the agreement in 2007, that it was entered into December of 2007 with an extension until the end of 2008, and that there were previous violations that led to the agreement. There was discussion on current City ordinances regarding storing RVs and boats including that there is nothing to prohibit storing them as long as they have a six-foot screening fence, that they are on a paved surface and the property has the proper zoning. There was discussion on the next inspection of the property being scheduled for the following day; that 11 boats need to be removed; that the property is zoned residential; that the owner typically would not be allowed to park so many vehicles because they are not behind a six-foot screening fence; that there are no such agreements with other property owners in the City; and the City not having any obligations as for as the agreement. There was discussion on what it would take to terminate the agreement; the agreement saying that the property owner could not exceed the amount of vehicles in the agreement; whether there was a time when the owner was trying to remove the vehicles; a follow-up letter sent to the owner in September of 2008; that it was never the intent for every vehicle to be removed from the property; that the owner did ultimately come into compliance; that they complied with the request in a letter from January of 2009 but that there was no documentation; that the City has never filed a lawsuit for breach of contract; and the property owner not complying with the standards of the agreement. There was discussion on staff having clear direction from Council; how this issue has been handled; reinvesting staff's energies into finding solutions; developing a form on the City's expectations for the property owner to come into compliance;

and the City's leverage. There was discussion on the language of the agreement, the City's obligation to inspect the property, and that the property has not been inspected consistently since December of 2009. There was discussion on giving regular updates to the community; enhancing the City's website; letters sent to property owners and how staff knows they were received; and how often Code officers visit their districts, including that they geared to focus on specific issues and covering their entire area depending on the number of calls and follow-ups. There was discussion on an agreement regarding 3737 Cumming that was first made in 1999 and that there was no follow-up with the property owner in the following eight or nine years; there being a disconnect and a lack of leadership; the property at 533 Bedford Road; reading the comments on the citizen survey; and it being communicated on the Better It app that citizens can request to keep their information confidential.

- **Presentation of the results of the Citizen Satisfaction Survey conducted by the University of North Texas Survey Research Center.**

Ms. McQuagge-Walden stated that the City embarked on this project in October of 2013, with data collection starting in January. 2,850 households were randomly sampled as part of the survey. Veronica Krovnall of the UNT Survey Research Center presented the results of the survey. She stated that the primary objectives were to determine the quality of life in the City, citizen support of policy matters, satisfaction with City services and the effectiveness of communication with residents. UNT utilized address-based sampling because with the proliferation of cell phones, the younger population would be eliminated. They received 183 responses by phone, 171 by the internet and 191 by mail. The margin of error was 4.19 percent. She displayed information on the responses by district. She stated that the distribution by age was pretty typical. Tools for interpretation of the data include comparison across services, differences in responses by demographic groups, and measuring staff and Council knowledge of the community. She displayed the results of the survey in categories including quality of life; the percentage of respondents planning on staying in Bedford and who would recommend the City as a good place to live; support for certain policy matters; trash collection; sewers; Animal Control; recycling; storm water drainage; water pressure; Code Compliance; water quality; street maintenance; other City services including libraries, parks and recreation facilities; dead animals in the roadway; stray animals; drainage/flooding; junk vehicles; litter; vehicles parked in yards or on grass; substandard/deteriorating housing; potholes; lack of sidewalks or sidewalks in disrepair; properties with junk; fences in disrepair; police visibility and services; the percentage of people who feel safe in their neighborhood; fire services; the percentage of people who have called emergency services; the percentage of people aware of City program and if there is enough information regarding programs and services; and the sources of news regarding the City. The conclusions are that residents have high ratings for quality of life and would recommend the City as a good place to live; that a majority were aware of the Bedford Alert System but a smaller percentage were aware of the Better It app; that residents gave high ratings for trash collection, sewer services, Animal Control and recycling collection; that residents gave lower ratings for code compliance problems including junk or debris in yards and driveways, and fences in disrepair; and that a majority of residents feel safe living in the City.

In answer to questions from Council, Ms. Krovnall stated that they report statistical significance; that the benchmark findings may be a better guide; and that the best way to use the report is internally to see if there are areas for improvement and suggested that Council look at the comments in the back of the report that fall into those categories. There was discussion on looking at individual districts in comparison with the totality of the number; aligning the areas with the goals of the Council and the City; holding a work session with staff to talk through the survey to see how it would be applied, making the information work for the City and enhancing what they have; and the meaning of the average numbers in the Executive Summary. In answer to questions from Council, she stated that in the selection sampling, the company runs through its database for viable addresses for a true random sample and that they will always encounter a percentage of undeliverable addresses; and that for question #24, the goal was to get the respondent's most recent contact with the City because otherwise, the data would be diluted. There was discussion on putting the survey on the City's website and to looking at the notes at the end of the survey.

A complete copy of the Citizen Satisfaction Survey is available in the City Secretary's Office.

- **Presentation regarding the timeline, status and impact of claims on the premium and various**

insurance options for the FY 2014/2015 employee health insurance renewal process.

Human Resources Director Jill McAdams introduced Ryan Keating with Benefits Seminar Plus. The previous July, Council requested that the recommendations for health insurance be brought to them at an earlier date and for staff to look at other options other than the high deductible health plan. The City's premium is a little over \$2M spread over various funds. When the City goes out for bid, insurance companies require a census of plan participants, including their age, zip code, date of hire and dependent coverage. The quoting process also includes looking at cost share and how it is broken down; the history of claims, carriers and premiums; marketing; and creating competition. She discussed how premiums are developed and that it includes profits, administration, reinsurance, claims and reserves/margins. She discussed mature versus immature plan years, the effect of the City changing carriers and altering plan designs over the previous 15 years, and the current high deductible plan with health savings accounts. The premium includes trends, which are medical inflations that consist of age-related medical issues, designer drugs, new technology, and state and federal mandates. She displayed the last 12 months of utilization, which shows claims are running close to premium, and showed an example of what the broker does for the City. Nationally, the trend is around 7.5 percent, with the effective trend at 10.5 percent. Administration, profit and reserves are estimated to be at 15 percent, and reinsurance is estimated to be at 10 percent. This year, the City is looking at an overall increase of 22.9 percent in the Plan. In working with the broker the previous year, the increase was reduced from 15 percent to four percent. In regards to the timeline, the request for proposal was released on April 16, with bids due back on May 7. The first meeting to review the bids will be May 22. There will be final negotiations on May 29 before recommendations are brought to the City Manager's Officer in early June, with the presentation to Council on June 24. She displayed a snapshot of how premiums have done the previous years and that there has been an average medical cost increase of three percent. Highlights of the current plan include employees contributing less to premium costs than other cities but that their deductibles are considerably higher; 15 percent of plan participants driving approximately 80 percent of the utilization; the employee wellness clinic; incentives for getting physicals; the employee wellness plan; and a new weight loss program. She discussed different plan designs including PPOs, multi-layered deductible plans, accountable care organizations, EPOs, high performance networks, advocacy programs, self-insurance, and pharmacy discount programs. She stated the end result is to get the best coverage for the insurance dollar.

There was discussion on self-insurance; the effects of changing carriers along with claims driving increases; and that the cost per participant is approximately \$437 per member per month. In answer to questions from Council, Ms. McAdams stated that there are a total of 529 members on the plan; and that in regards to the employee clinic, it is used as an urgent care option, primary care utilization numbers are down, and the amount of the contract with the clinic is approximately \$6,300 per month. Mr. Keating stated that the 15 percent of members driving 80 percent of the utilization ratio is not normal and that the average for an entity the size of the City is a 40 percent ratio. Ms. McAdams stated that in regards to the wellness program, they are starting to see employees exercise, lose weight, and take a more proactive approach; and that there is a 94 percent success rate for getting physicals. There was discussion on quantifying the wellness program for reducing costs; looking at risk management; Cigna being on the forefront of wellness programs; that the advocacy program would be a supplemental program; and the impact of the Affordable Care Act, including the addition of a 3.5 percent tax.

Mayor Griffin adjourned the Work Session at 6:30 p.m.

EXECUTIVE SESSION

To convene in the conference room in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- a) Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation regarding 533 Bedford Road.**
- b) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Bedford Forum Addition, Block 4 Lot CR.**

Council convened into Executive Session pursuant to Texas Government Code Section 551.071, consultation with City Attorney regarding pending or contemplated litigation regarding 533 Bedford

Road; and Section 551.087, deliberation regarding economic development negotiations relative to Bedford Forum Addition, Block 4 Lot CR at 6:33 p.m.

Council reconvened from Executive Session at approximately 6:56 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 6:58 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION (Dr. Jerry Chism, Martin United Methodist Church)

Dr. Jerry Chism of Martin United Methodist Church gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

OPEN FORUM

Nobody chose to speak during Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilmember Champney, seconded by Councilmember Brown, to approve the following items by consent: 7, 9, 10, 11, 12, 13 and 14.

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

COUNCIL RECOGNITION

1. Proclamation recognizing the Sketch-A-School Art Contest Winners.

Mayor Griffin read a proclamation recognizing the Sketch-A-School Art Contest Winners. The following students were recognized: Journey Nguyen, South Eules Elementary – First Place; Kadrian Stines, Meadow Creek Elementary – Second Place; Milan Sanders, South Eules Elementary – Third Place; Daniel Baez, Hurst Hills Elementary – Most Creative; Kendall Coleman, River Trails Elementary – Most Original; and Gabriel Wittmayer, Harrison Lane Elementary – Honorable Mention. The following People's Choice Winners were recognized: Makenna Folks, Hurst Hills Elementary – First Place (tie); Alanise Izquierda, Hurst Hills Elementary – First Place (tie); Kasen Shiflet, Harrison Lane Elementary – Second Place; Jenna Lacey, River Trails Elementary – Third Place; Journey Nguyen, South Eules Elementary – Fourth Place; Milan Sanders, South Eules Elementary – Honorable Mention; and Benicea Galvez, Hurst Hills Elementary – Honorable Mention.

2. Proclamation declaring May 14, 2014 as Emerging Leaders Day in the City of Bedford.

Mayor Griffin read a proclamation declaring May 14, 2014 as Emerging Leaders Day in the City of Bedford. The following members of Class I of the Emerging Leaders Program were recognized: Chris Clark, Facilities Maintenance Tech II; Gary Clopton, Information Services Tech II; Jeff Gibson, Police Sergeant; Meg Jakubik, Assistant to the City Manager; Paula McPartlin, Accounting Manager; Kenny Overstreet, Public Works Field Operations Manager; Kyle Petrick, Fleet Mechanic I; Noel Scott, Police

Sergeant; and Eric Valdez, Recreation Manager. The City was presented with the Innovation Award from the Texas Human Resources Association for the Emerging Leaders Program.

3. Proclamation recognizing the week of May 11 - 17, 2014 as Police Week and May 15, 2014 as Peace Officers Memorial Day.

Mayor Griffin read a proclamation recognizing the week of May 11 - 17, 2014 as Police Week and May 15, 2014 as Peace Officers Memorial Day. Police Chief Roger Gibson was present to accept the proclamation.

4. Proclamation recognizing the week of May 18 - 24, 2014 as Emergency Medical Services Week.

Mayor Griffin read a proclamation recognizing the week of May 18 - 24, 2014 as Emergency Medical Services Week. Deputy Chief Bobby Sewell and Dr. Roy Yamada were present to accept the proclamation.

5. Proclamation recognizing the week of May 18 - 24, 2014 as National Public Works Week.

Mayor Griffin read a proclamation recognizing the week of May 18 - 24, 2014 as National Public Works Week. Field Operations Manager Kenny Overstreet was present to accept the proclamation.

6. Proclamation declaring May 24, 2014 as Poppy Day in the City of Bedford.

Mayor Griffin read a proclamation declaring May 24, 2014 as Poppy Day in the City of Bedford. Judy Davidson, Executive Board Member on the American Legion Auxiliary, was present to accept the proclamation.

APPROVAL OF THE MINUTES

**7. Consider approval of the following City Council minutes:
a) April 22, 2014 regular meeting**

This item was approved by consent.

PERSONS TO BE HEARD

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

- a) Salvatore Caruso, 148 Ravenswood Drive, Bedford, Texas 76022 – Requested to speak to the Council regarding a proposal to change the Charter to have 3 Council Members elected from the South, and 3 from the North, with the Mayor voted at large.**

Salvatore Caruso, 148 Ravenswood Drive, Bedford – Mr. Caruso wanted everyone to know that he is here for the passion of Bedford and wants to unite it further so people from both sides of Highway 183 feel they are part of the City. He stated that people say the south is not really represented or taken care of. He has seen deterioration of the south along Pipeline Road and Brown Trail. In light of recent events, such as Stonegate Pools and the south not being included in Clean Up Bedford Day in the past, it seems the priority is always the north. He stated that all four signs for the recent City-wide elections were in the north and there were no signs in the south for Bluesfest. In speaking with the Mayor, there will be a proposal for a monument sign at Firehouse 3 on Bedford Road in next year's budget. His proposal is to have three Council members elected from the south, three from the north, and the Mayor to be elected at-large, in order to have proportional representation. This would involve people in the community who then feel they can go to their council member directly. He discussed 3737 Cummings Road, creating less apathy and the turnout for the previous election, and people getting together in the north that put members on the Council. He stated that there is a 20-year vision for the City and asked about a five-year vision for revitalization in the south, including taking down Stonegate Pools and the

neighboring apartment complex to put some sort of development in that area. Other cities such as Euless, Hurst and Arlington have been working on their southern sections, and that it will take the will and urgency to do something in the south of Bedford. There is a need to take some eyes and look at the south to revitalize it and make the community more involved. There are many that feel the south has been ignored. He stated that the City of Galveston has a population of 47,762 and has a council of six districts and a mayor, so it can be done.

There was discussion on statistics including the number of registered voters and the number of people who voted in the previous year's election from each zip code; the Council representing the entire City; the number of street and sewer projects in the south including Dora Street; the number of CPR houses in the south; Stonegate Pools; streets and landscaping; funding for the purchase of apartment complexes; the Central Bedford Development Zone having a lot of City-owned property as opposed to having to purchase property; the number and location of election signs; the number of people versus the number of voters; speaking to the voters; having no signage for the Mayor's Roundtable in the south; the inclusion of the south in Clean Up Bedford Day; there being a perception problem and a disconnection between the north and the south; the deterioration of the City as a whole; the number of homeless children who attend HEB schools and it being a community-wide problem; bond issuances for the Boys Ranch and increased taxes; the south feeling more a part of the community; having a reason for people to come to the south; dividing the City leading to the downfall of Bedford; getting the City where it should be; Pipeline Road needing more clean-up than Harwood and Central; the proposal centralizing power in the Mayor; not being able to change the Charter for two more years due to the recent Charter election; doing some of the things that Mr. Caruso discussed and following up again in two years; economic development of central Bedford and cultural districts improving all sections of the City; the survey and there appearing to be a great satisfaction of what is going on in the City; and getting outside investors to come and help build the community.

NEW BUSINESS

- 9. Consider a resolution authorizing the City Manager to purchase hardware and system software, as recommended by New World Systems, in the amount of \$59,881 from cooperative contract vendors with the Texas Department of Information Resources (DIR) for the implementation of the new Logos.NET software application.**

This item was approved by consent.

- 10. Consider a resolution authorizing the City Manager to enter into a project agreement with the Texas Parks & Wildlife Department for the \$100,000 Local Outdoor Park Grant to assist with construction of the Boys Ranch Master Plan.**

This item was approved by consent.

- 11. Consider a resolution authorizing the City Manager to enter into a contract with 2L Construction LLC for the Meadow Park Trail Extension Project in the amount of \$153,522.**

This item was approved by consent.

- 12. Consider a resolution of the City of Bedford, Texas, denying the rate increase requested by Atmos Energy Corp., Mid-Tex Division under the Company's 2014 annual rate review mechanism filing in all cities exercising original jurisdiction.**

This item was approved by consent.

- 13. Consider a resolution authorizing the City Manager to enter into agreements with Tech Logic for a Self Checkout Software License Renewal and Extended Hardware Warranty Agreement in the amount of \$9,228.**

This item was approved by consent.

14. Consider a resolution authorizing the City Manager to enter into an agreement with Tech Logic for a Full Service Program Agreement in the amount of \$18,950.

This item was approved by consent.

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

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

Councilmember Boyter reported that the Board had a very productive meeting the previous week and is working on getting more animals adopted.

✓ **Beautification Commission - Councilmember Turner**

Councilmember Turner reported that the Commission continues to do their usual spring clean-up.

✓ **Community Affairs Commission - Councilmember Boyter**

Councilmember Boyter reported that the Commission will be hosting an HOA Roundtable in the Library's meeting room at 7:00 p.m. on May 14, where a local insurance agent will give a presentation on HOA insurance considerations. Other topics of interest to HOAs will be highlighted and participants will have opportunities to discuss topics of interest and network. There will be a Mayor's Roundtable on June 12 at 7:00 p.m.

✓ **Cultural Commission - Councilmember Nolan**

Councilmember Nolan reported that the Arts Talk was held the previous evening to update the community on where that group is going. The weather did not allow a great crowd but there were a lot of new people in attendance. The Commission continues to go down the path of creating something great for the City.

✓ **Library Board - Councilmember Davisson**

No report was given.

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

Councilmember Davisson reported that the Board met and is looking at spending money on the Dog Park. The fence for the large dogs will be increased to eight feet, and there will be two sun screens and tables. A treadmill and elliptical machine were approved for the Boys Ranch Activity Center as well as a wrap for Recreation's new vehicle.

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

Councilmember Turner reported that there is an art show currently going on at the Senior Center and showed an example of the art being displayed.

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

No report was given.

16. Council member reports

a) Councilman Brown – Farewell Remarks

Councilmember Brown stated that this is his last Council meeting and that serving on it has meant a lot to him. He was elected when he was 19, so this has been a large part of his adult life thus far and he is really going to miss it. He thanked his wife Magen, and stated that he was excited for their life together and for what the future holds. He recognized his father and stated that it gave him a great sense of comfort when his father would attend Councilmember Brown's first few Council meetings. He

recognized his mother and thanked her for giving him the confidence to run for Council. He said it was an honor to sit on Council, to have his name on a ballot, for somebody to vote for him, and is thankful for the chance. He thanked those that helped him along the way such as giving him confidence to do it, giving him money for his campaign, block-walking, making phone calls and voting for him. He stated that Council members come and go but the one constant is the employees and that the lion's share of the credit should go to them. He thanked City Attorney Stan Lowry for opening some doors for him in deciding to go to, and during, law school. He gave special thanks to the senior staff, starting with Ms. Griffith. He stated that he has never been treated with anything but respect and that even though he was a teenager, she never made him feel other than another Council member. He stated that the thing he will miss the most is the relationship with this and previous Councils and that he sees them as life-long friends. He congratulated Roger Fisher and Steve Farco on their recent elections to Council. He thanked everybody that gave him a chance.

17. City Manager/Staff Reports

No report was given.

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

This item was moved before the Board and Commission reports.

Motioned by Councilmember Boyter, seconded by Councilmember Davisson, to approve a contract with 1Priority in the amount of \$6,258; with Terracon in the amount of \$7,555; and with JR's Demolition in the amount of \$60,650 for site cleanup relative to 533 Bedford Road.

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

Mayor Griffin stated that the City continues to aggressively pursue all legal avenues to gain control of the property, and they will be moving immediately on removing the debris pile and asbestos.

ADJOURNMENT

Mayor Griffin adjourned the meeting at 10:12 p.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 6:00 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 20th day of May, 2014 with the following members present:

Chris Brown
Michael Boyter
Ray Champney
Jim Davisson
Roy W. Turner

Mayor Pro Tem
Council Members

constituting a quorum.

Mayor Griffin and Councilmember Nolan were absent from the meeting.

Staff present included:

David Miller
Michael Wells

Deputy City Manager
City Secretary

SPECIAL SESSION

Mayor Pro Tem Brown called the meeting to order at 6:00 p.m.

ELECTION CANVASS

- **Consider a resolution of the City Council of the City of Bedford, Texas, canvassing the returns and declaring the results of the General Election of May 10, 2014 for the purpose of electing two council members to the Bedford City Council, Place 4 and Place 6, for a term of three years; and canvassing the returns and declaring the results of a Special Election regarding the adoption or rejection of ten proposed amendments to the existing City of Bedford Charter.**

Motioned by Councilmember Davisson, seconded by Councilmember Champney, to approve a resolution of the City Council of the City of Bedford, Texas, canvassing the returns and declaring the results of the General Election of May 10, 2014 for the purpose of electing two council members to the Bedford City Council, Place 4 and Place 6, for a term of three years; and canvassing the returns and declaring the results of a Special Election regarding the adoption or rejection of ten proposed amendments to the existing City of Bedford Charter.

Motion approved 5-0-0. Mayor Pro Tem Brown declared the motion carried.

ADJOURNMENT

Mayor Pro Tem Turner adjourned the meeting at 6:31 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary



Council Agenda Background

PRESENTER: Jacquelyn Reyff, Planning Manager

DATE: 05/27/14

Council Mission Area: Be responsive to the needs of the community.

ITEM:

Public hearing and consider an ordinance to amend Ordinance 10-2978, specific to the Bedford Comprehensive Land Use Plan (2010) for two parcels from Schools and Churches/Semi-Public and Commercial to Medium Density Residential. The parcels are known as a portion of Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road, Bedford, Texas; declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty clause; and declaring an effective date. The properties are generally located north of Bedford Road and east of Central Drive. (A-038)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The applicant is proposing to amend the Comprehensive Land Use Plan for the City of Bedford and to rezone the properties located at 2403 Bedford Road and 2300 Bedford Road for the purpose of constructing 22 Medium-Density Residential Single-Family Detached homes. The Plan indicates the location of 2403 Bedford Road to be Schools and Churches/Semi-Public in nature and 2300 Bedford Road to be Commercial in nature. The properties are currently utilized by the Church of Meadow Creek. The Church has a contract to sell the properties to Baley Yandell Development Ltd., which may allow for the proposed development of smaller lot single-family detached homes.

The applicant is requesting to rezone the property located at 2403 Bedford Road from R-9,000 Single-Family Residential Detached District to PUD (MD-3), Medium-Density Residential – Single-Family Detached District for the proposed development. In order for this to occur, the City of Bedford Comprehensive Plan needs to be amended for these properties from Schools and Churches/Semi-Public and Commercial designations to Medium-Density Residential.

The purpose of a Comprehensive Land Use Plan is to give direction to future development in order to avoid the creation of incompatible physical impacts. The current Comprehensive Land Use Plan was adopted in 2010. It is not uncommon to amend a Comprehensive Plan and in this case, due to the surrounding land uses, the requested change should not pose any potential issues.

On April 24, 2014, the Planning and Zoning Commission voted to approve the amended ordinance request four to zero with one abstention.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance to amend Ordinance 10-2978, specific to the Bedford Comprehensive Land Use Plan (2010) for two parcels from Schools and Churches/Semi-Public and Commercial to Medium Density Residential. The parcels are known as a portion of Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road, Bedford, Texas; declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty clause; and declaring

an effective date. The properties are generally located north of Bedford Road and east of Central Drive. (A-038)

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance
Exhibit "A"
Planning and Zoning Commission Minutes
Star Telegram Publication

ORDINANCE NO. 14-

AN ORDINANCE TO AMEND ORDINANCE 10-2978, SPECIFIC TO THE BEDFORD COMPREHENSIVE LAND USE PLAN (2010) FOR TWO PARCELS FROM SCHOOLS AND CHURCHES/SEMI-PUBLIC AND COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL. THE PARCELS ARE KNOWN AS A PORTION OF LOT 1R, BLOCK 1, BEDFORD BAPTIST TEMPLE ADDITION, LOCATED AT 2403 BEDFORD ROAD AND TRACT 2A, ABSTRACT 94, MARY ANN BARNES SURVEY, LOCATED AT 2300 BEDFORD ROAD, BEDFORD, TEXAS; DECLARING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND DECLARING AN EFFECTIVE DATE. THE PROPERTIES ARE GENERALLY LOCATED NORTH OF BEDFORD ROAD AND EAST OF CENTRAL DRIVE. (A-038)

WHEREAS, it is deemed expedient and for the benefit of the City of Bedford, Texas, that the Bedford Comprehensive Land Use Plan be amended for a portion of the property known as Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road, Bedford, Texas, specifically to amend two parcels from Schools & Churches/Semi-Public and Commercial to Medium Density Residential. The properties are generally located north of Bedford Road and east of Central Drive. (A-038)

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

SECTION 1. That the findings above are found to be true and correct, and are incorporated herein.

SECTION 2. That the Comprehensive Land Use Plan be amended and the map designated "COMPREHENSIVE LAND USE PLAN OF BEDFORD, TEXAS" be revised and amended so that the land described as:

A portion of the property known as Lot 1R, Block 1, Bedford Baptist Temple Addition located at 2403 Bedford Road, and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road, Bedford, Texas shall be shown as approved by this ordinance.

SECTION 3. That Exhibit "A" attached hereto is approved as a component of this amended ordinance approval. Any revisions to the property that deviate from the attached hereto shall require an amendment to this ordinance.

SECTION 4. That approval of amending the Comprehensive Land Use Plan is subject to no stipulations.

SECTION 5. That from and after the final passage of this ordinance, the land described herein shall be subject to the amended Ordinance and uses of an amended Comprehensive Land Use Plan.

SECTION 6. 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 7. 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.

ORDINANCE NO. 14-

SECTION 8. 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.

SECTION 9. That this Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Bedford and the laws of the State of Texas.

PRESENTED AND PASSED this 27th day of May, 2014 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

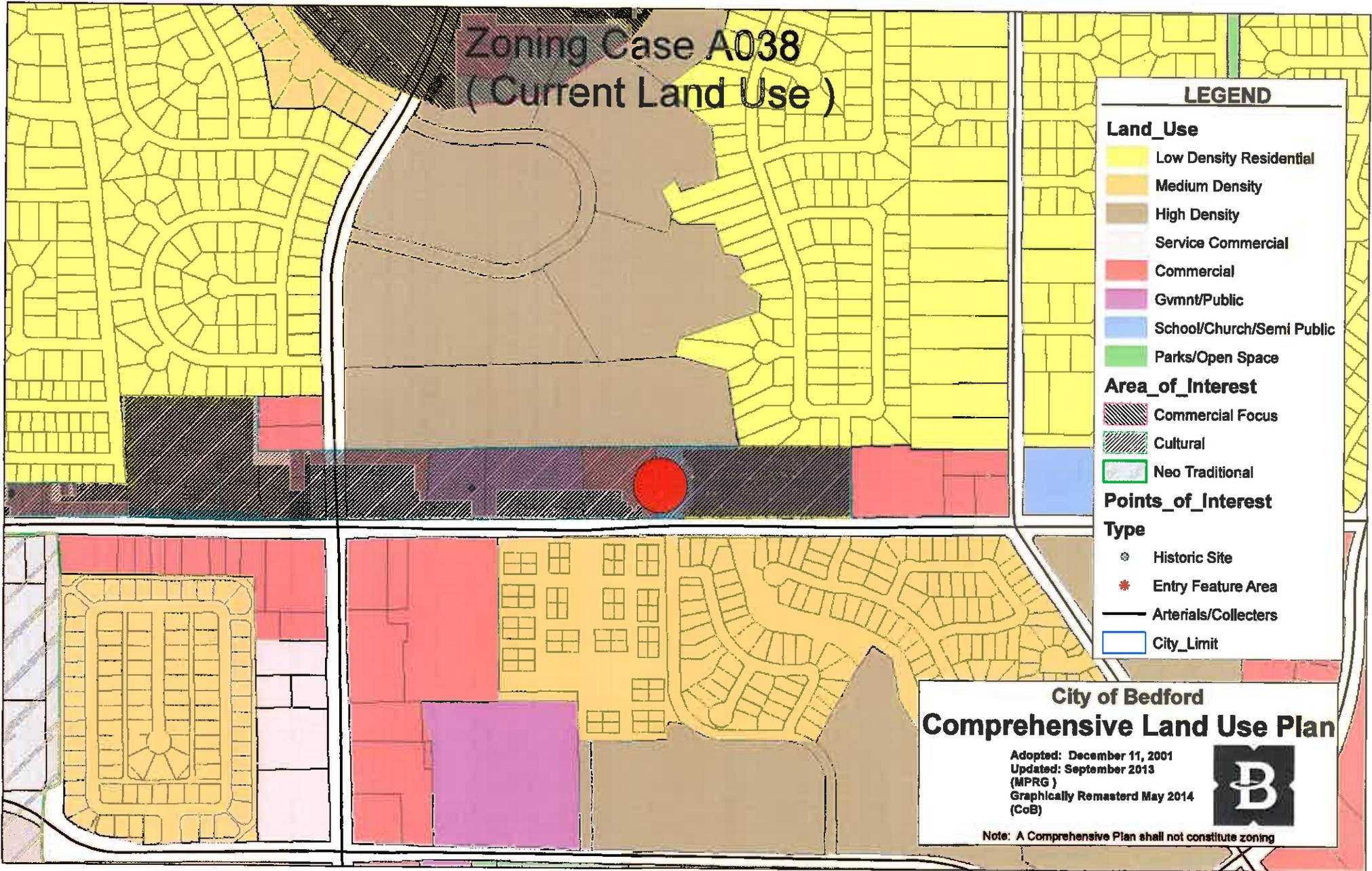
ATTEST:

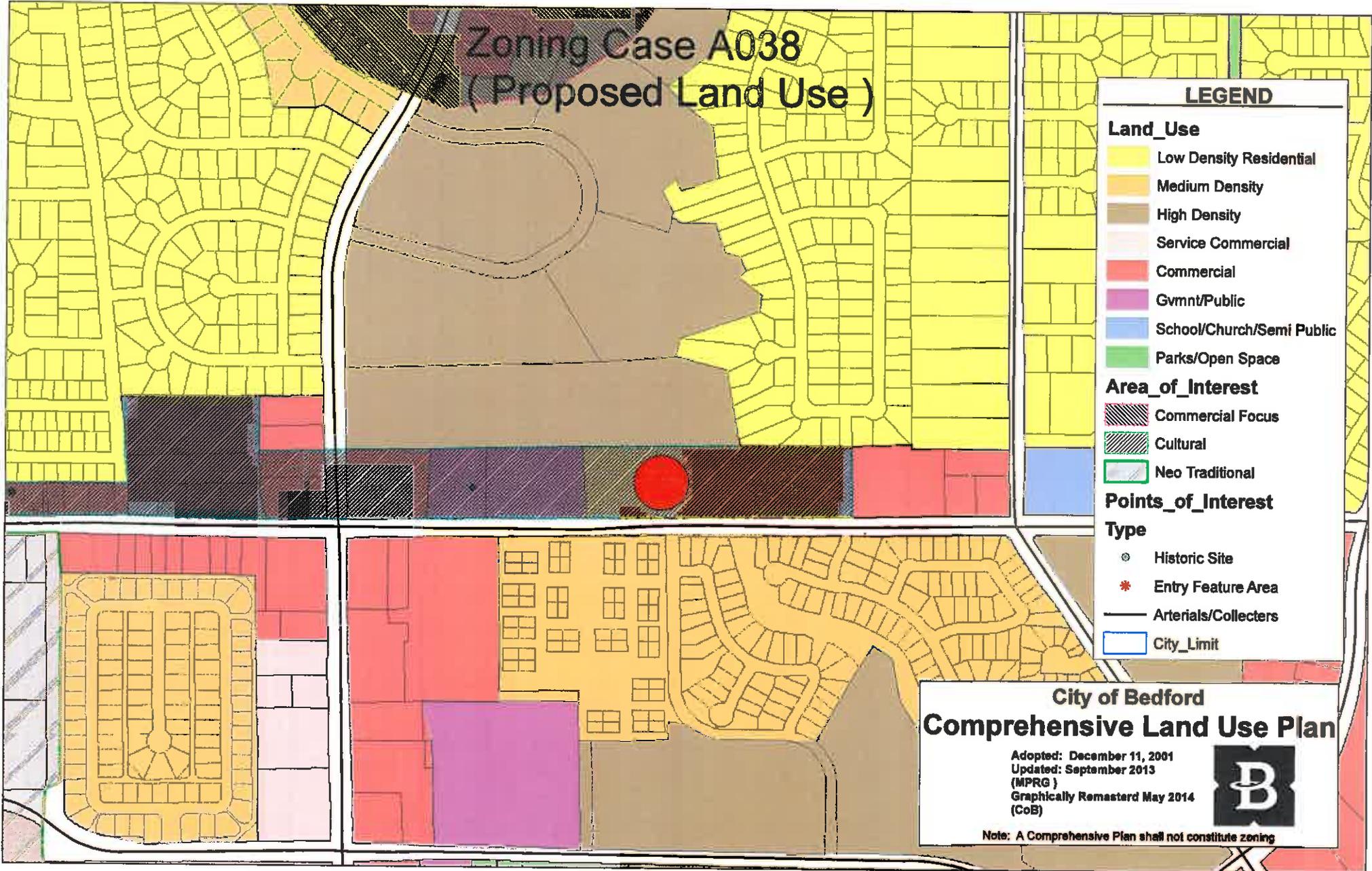
Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

A-038





**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 24, 2014**

DRAFT

The Planning and Zoning Commission convened in the Council Chamber at 7:00 PM and the Regular Session began.

CALL TO ORDER

Chairman Reese called the meeting to order at 7:00 PM.

INVOCATION

Commissioner Stroope 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) April 10, 2014

Motion: Commissioner Sinisi made a motion to approve the meeting minutes of April 10, 2014, correct as written.

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

Ayes: Commissioners Sinisi, Henning, Stroope, Hall, and Chairman Reese.

Motion approved 5-0-0 Chairman Reese declared the motion approved.

PUBLIC HEARINGS

2. Case A-038, public hearing and consideration of a request to amend Ordinance Number 10-2978 of the Bedford Comprehensive Land Use Plan (2010) for two (2) parcels from Schools & Churches/Semi-Public and Commercial to Medium Density Residential. The parcels are known as a portion of Lot 1R, Block 1, Bedford Baptist Temple Addition and Tract 2A, Abstract 94, Mary Ann Barnes Survey. The parcels are located north of Bedford Road and east of Central Drive.

Chairman Reese recognized Jacquelyn Reyff, AICP, Planning Manager, who reviewed Case A-038. Tom Hoover, Director of Public Works/Engineering was also present, and prepared to address the engineering aspects pertaining to this application.

Chairman Reese opened the public hearing at 7:08 PM and recognized the following:

Bryan Holland, 1203 S. White Chapel Boulevard, Southlake, Texas, who was there to speak in favor of this application.

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 24, 2014**

DRAFT

Raymond Sperring, 2409 Bridgeton Lane, Bedford, Texas, President of Bridgeton on the Creek Home Owners Association; and Brian Norris, 2313 Bridgeton Lane, Bedford, Texas, spoke as to the following:

- Additional corrosion to the creek with the new development.
- The e-mail in opposition from Ms. Lee does not represent the community.
- The proposed development is a proper addition to the area.

Chairman Reese closed the public hearing at 7:35 PM.

The Commission discussed the application.

Motion: Commissioner Henning made a motion to approve Case A-038.

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

Ayes: Commissioners Sinisi, Henning, Hall, and Chairman Reese.

Nays: None

Abstention: Commissioner Stroope

Motion approved 4-0-1. Chairman Reese declared the motion approved

Chairman Reese recognized Commissioner Stroope who asked to be excused from the meeting because he is negotiating with this developer to sell some excess land for his church, Martin Methodist.

3. **Zoning Case Z-247, public hearing and consideration of a request to rezone the property known as a portion of Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road; and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road. The proposed rezoning is from "R-9,000" Single-Family Residential Detached District, Section 4.2 of the City of Bedford Zoning Ordinance to Planned Unit Development District (PUD), Section 4.15 of the City of Bedford Zoning Ordinance, for Meadow Creek Villas. The properties are generally located north of Bedford Road and east of Central Drive.**

Chairman Reese recognized Jacquelyn Reyff, AICP, Planning Manager, who reviewed Zoning Case Z-247.

Chairman Reese recognized Bryan Holland, 1203 S. White Chapel Boulevard, Southlake, Texas, who was there to present this application.

Chairman Reese opened the public hearing at 7:48 PM and recognized the following residents and their concerns:

Chairman Reese stated an e-mail was received in opposition to this development.

Raymond Sperring, 2409 Bridgeton Lane, Bedford, Texas, President of Bridgeton on the Creek Home Owners Association; Randy DeLaCruz, 2409 Meadow Creek, Bedford, Texas; Rob Taylor, 2205 Field Lane, Bedford, Texas, President of Villas Bedford Home Owners Association.



CITY OF
BEDFORD

2000 Forest Ridge Drive - Bedford, TX 76021
(817)952-2100 www.bedfordtx.gov

May 9, 2014

PLEASE DELIVER TO:

Legal Publications
Attn: Christine Lopez
Fort Worth Star-Telegram
400 West 7th Street
Fort Worth, TX 76102

SENT VIA E-MAIL: clopez@star-telegram.com on Friday, May 9, 2014

FROM:

City of Bedford
Yolanda Alonso, Planning and Zoning

Dear Christine,

Please publish the following in "Legal Notices" on Sunday, May 11, 2014.

MESSAGE:

**CITY OF BEDFORD
PUBLIC HEARING**

The City of Bedford City Council gives notice of a public hearing on May 27, 2014, at 6:30 PM, at City Hall, Council Chamber, 2000 Forest Ridge Drive, Building A, Bedford, Texas:

All interested citizens will be given the opportunity to speak and be heard.

Public hearing and consider an ordinance to amend Ordinance 10-2978, specific to the Bedford Comprehensive Land Use Plan (2010) for two (2) parcels from Schools & Churches/Semi-Public and Commercial to Medium Density Residential, the parcels are known as a portion of Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road; and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road, Bedford, Texas; The parcels are located north of Bedford Road and east of Central Drive. (A-038)

Public hearing and consider an ordinance to rezone the property known as a portion of Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road; and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road. The proposed rezoning is from "R-9,000" Single-Family Residential Detached District, Section 4.2 of the City of Bedford Zoning Ordinance to Planned Unit Development District (PUD), Section 4.15 of the City of Bedford Zoning Ordinance, for Avalon Place. The properties are generally located north of Bedford Road and east of Central Drive. (Z-247)



Council Agenda Background

PRESENTER:

Jacquelyn Reyff, Planning Manager

DATE: 05/27/14

Council Mission Area:

Be responsive to the needs of the community.

ITEM:

Public hearing and consider an ordinance to rezone the properties known as Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road, Bedford, Texas, from “R-9,000” Single-Family Residential Detached District, Section 4.2 of the City of Bedford Zoning Ordinance to Planned Unit Development District (PUD), Section 4.15 of the City of Bedford Zoning Ordinance, for Avalon Place; declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty clause; and declaring an effective date. The properties are generally located north of Bedford Road and east of Central Drive. (Z-247)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The applicant is requesting to rezone the properties located at 2300 Bedford Road and 2403 Bedford Road from R-9,000 Single-Family Residential Detached District to PUD (MD-3), Medium-Density Residential – Single-Family Detached District for the possible construction of 22 single family homes.

The property is currently owned by the Church of Meadow Creek. The Church has a contract to sell the property to Baley Yandell Development Ltd., for the development of smaller lot single family detached homes.

The property is currently zoned R-9,000. Per the City of Bedford Zoning Ordinance: *This zoning designation allows for areas requiring minimum lot sizes of 9,000 square feet in order to promote low population densities and establish or maintain a low-density residential character within the subdivision.*

The property is proposed to be rezoned to PUD with mostly MD-3 standards. Per Section 4.15 of the City of Bedford Zoning Ordinance: *the purpose of this district is to accommodate planned associations or uses developed as integral land use units such as industrial parks or industrial districts, office, commercial or service centers, shopping centers, residential developments of multiple or mixed housing, or any appropriate combination of uses which may be planned, developed, and operated as integral land use units either by a single owner or combination of owners.*

Below is a table which outlines the development standards of the applicant’s proposal for the property:

Development Summary

Land Area Table	Proposed Amended PUD (MD-3) Detached
Total Land Area	3.888 Acres (169,361 SF)
Total Units	22
Units Per Acre	5.66 units/acre
Building Footprint Area	Minimum Finished Floor not less than 1,600 SF

The total land area is close to four acres in size. The use of a PUD allows for an increase in density, thus this allows the applicant to request 5.66 units/acre. The minimum finished floor area shall be not less than 1,600 SF, which is a larger finished floor area allowed in the MD-3 zoning district.

The table below outlines general development standards for MD-3 zoning, and the proposed zoning.

Development Standards

	Proposed PUD Zoning	MD-3 Standards
Lot Area Min. Per Unit SF	4,000	4,000
Floor Area Min. Per Unit SF	1,600	1,250
Max Height FT	35	35
Min Width FT	40	45
Front Yard FT	15	15
Side Yard FT	5 feet or zero and 10 FT maintenance easement	5 feet or zero and 10 FT maintenance easement
Rear Yard FT	10	15

The PUD request closely emulates the MD-3 Zoning District, but there are a few variations, which will be discussed later in this report. There are specific design standards for developments in the MD-3 zoning. According to the concept plan and elevations submitted by the applicant, they meet the intent of the Zoning Ordinance. The average lot size in MD-3 Zoning is required not to be less than 4,000 SF and the applicant is providing 4,000 SF, up to 8,000 SF.

The MD-3 zoning allows a minimum floor area to be not less than 1,250 SF. On the Site Plan the applicant included the minimum floor area (or the air-conditioned space) to be not less than 1,600 SF in size.

The required parking spaces per unit are two. There are two parking spaces provided per unit for a total of 44 spaces. Ingress and egress will be along Bedford Road across the street from Park Place Boulevard. The streets within the development are to be public streets, which will make them owned and maintained by the City of Bedford.

Lot Coverage and Landscaping

The lot coverage numbers meet the required percentages per the City of Bedford Zoning Ordinance. The overall open space will be 16.2%.

The applicant is proposing to provide 44 trees; one canopy tree and one ornamental tree for the front yard of each individual lot.

Sidewalks are shown on the Landscape Plan to be five foot wide throughout the development and to be of concrete.

There will be a masonry screening wall along Bedford Road, six feet in height, to serve as a subdivision screening wall. There is an elevation for the wall indicated on the Landscaping Plan. This wall will be maintained by the Home Owners Association.

Based on the topography of the land, and in order to comply with drainage/engineering for storm water runoff, the applicant is showing a detention pond to the east of the homes. This will be maintained by the Home Owners Association and it includes a gazebo and ten additional trees.

At the time of platting, issues related to engineering and drainage for the proposed subdivision will be required to meet the City of Bedford Code of Ordinances.

Requested Variances under the PUD from MD-3 and other Standards

The applicant is proposing the following variances from the MD-3 Zoning Ordinance Standards:

1. Rear yard setbacks to be reduced to 10 feet. For the properties which back to the multi-family property located to the north, a 15 foot setback would be required in the MD-3. For the properties backing to Bedford Road a 15 foot setback would be required in the MD-3.
2. A minimum lot width of 40 feet decreased from 45 feet.

On April 24, 2014 the Planning and Zoning Commission voted to approve the rezoning request four to zero with one abstention.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance to rezone the properties known as Lot 1R, Block1, Bedford Baptist Temple Addition, located at 2403 Bedford Road and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road, Bedford, Texas, from "R-9,000" Single-Family Residential Detached District, Section 4.2 of the City of Bedford Zoning Ordinance to Planned Unit Development District (PUD), Section 4.15 of the City of Bedford Zoning Ordinance, for Avalon Place; declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty clause; and declaring an effective date. The properties are generally located north of Bedford Road and east of Central Drive. (Z-247)

FISCAL IMPACT:

N/A

ATTACHMENTS:

- Ordinance
- Site Plan
- Landscaping Plan
- Preliminary Grading Plan
- Preliminary Drainage Plan
- Preliminary Utility Plan
- Application
- Minutes
- Letters of Opposition
- Star Telegram Publication

ORDINANCE NO. 14-

AN ORDINANCE TO REZONE THE PROPERTIES KNOWN AS LOT 1R, BLOCK 1, BEDFORD BAPTIST TEMPLE ADDITION, LOCATED AT 2403 BEDFORD ROAD AND TRACT 2A, ABSTRACT 94, MARY ANN BARNES SURVEY, LOCATED AT 2300 BEDFORD ROAD, BEDFORD, TEXAS, FROM "R-9,000" SINGLE-FAMILY RESIDENTIAL DETACHED DISTRICT, SECTION 4.2 OF THE CITY OF BEDFORD ZONING ORDINANCE TO PLANNED UNIT DEVELOPMENT DISTRICT (PUD), SECTION 4.15, OF THE CITY OF BEDFORD ZONING ORDINANCE, FOR AVALON PLACE; DECLARING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND DECLARING AN EFFECTIVE DATE. THE PROPERTIES ARE GENERALLY LOCATED NORTH OF BEDFORD ROAD AND EAST OF CENTRAL DRIVE. (Z-247)

WHEREAS, it is deemed expedient and for the benefit of the City of Bedford, Texas, that the Comprehensive Zoning Ordinance be rezoned for the properties known as Lot 1R, Block1, Bedford Baptist Temple Addition, located at 2403 Bedford Road; and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road, Bedford, Texas, from "R-9,000" Single-Family Residential Detached District, Section 4.2 of the City of Bedford Zoning Ordinance to Planned Unit Development District (PUD), Section 4.15 of the City of Bedford Zoning Ordinance, for Avalon Place. The property is generally located north of Bedford Road and east of Central Drive. (Z-247)

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

SECTION 1. That the findings above are found to be true and correct, and are incorporated herein.

SECTION 2. 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:

The properties known as Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road, Bedford, Texas, shall be shown as approved by this ordinance.

SECTION 3. That Exhibit "A" attached hereto is approved as a component of this ordinance approval. Any revisions to the properties that deviate from the attached hereto shall require an amendment to this ordinance.

SECTION 4. That approval of rezoning the properties from "R-9,000" Single-Family Residential Detached District to "PUD" Planned Unit Development is subject to no stipulations.

SECTION 5. That from and after the final passage of this ordinance, the land described herein shall be subject to the regulations and uses of a Planned Unit Development.

SECTION 6. 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 7. 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 8. That any person, organization, corporation, partnership or entity that violates, disobeys, omits, neglects or fails to comply with the provisions of this ordinance

ORDINANCE NO. 14-

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.

SECTION 9. That this Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Bedford and the laws of the State of Texas.

PRESENTED AND PASSED this 27th day of May, 2014 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

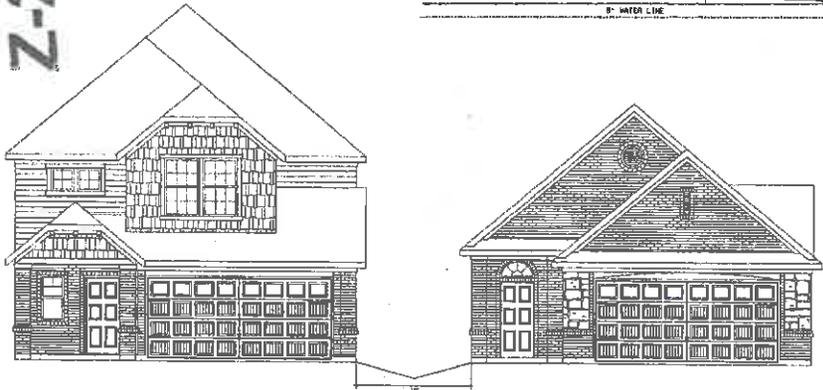
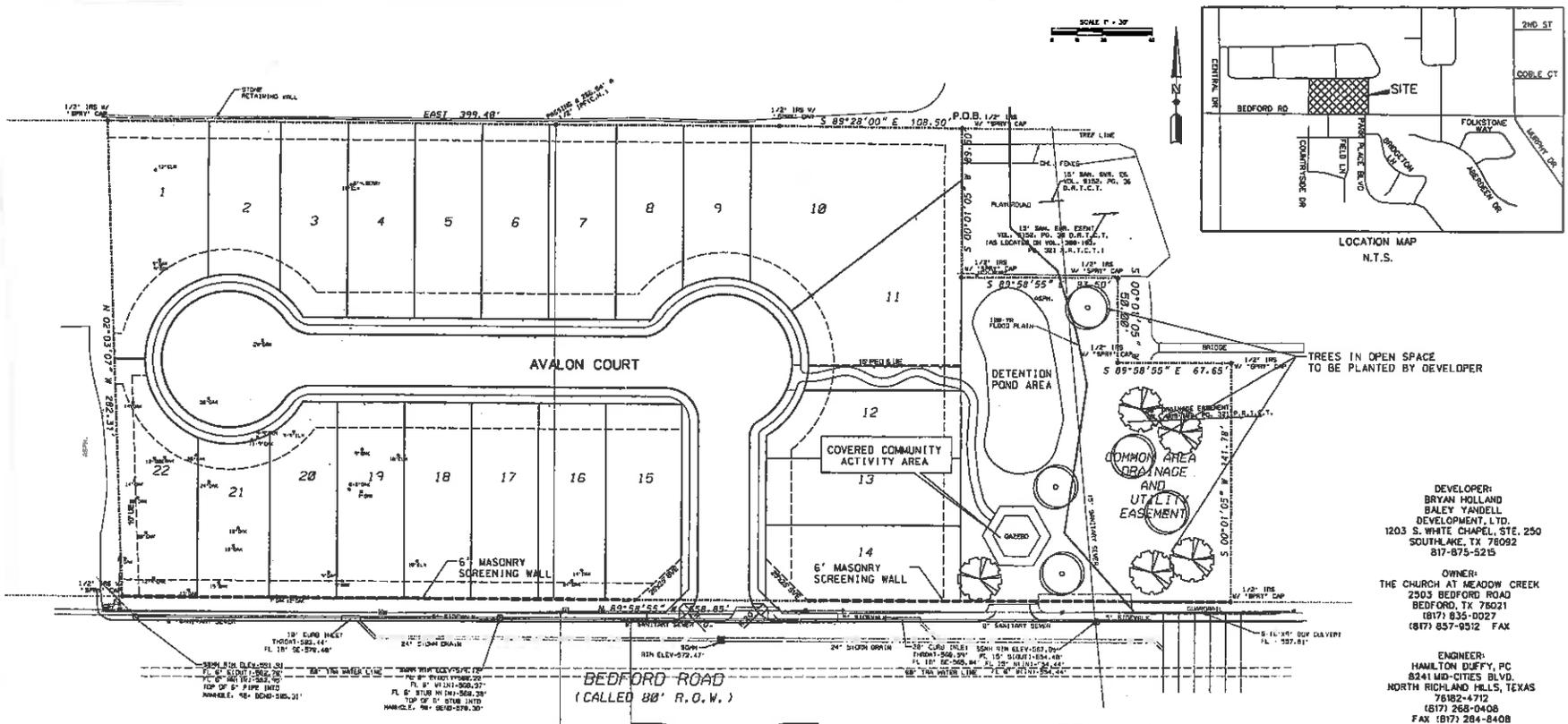
APPROVED AS TO FORM:

Stan Lowry, City Attorney

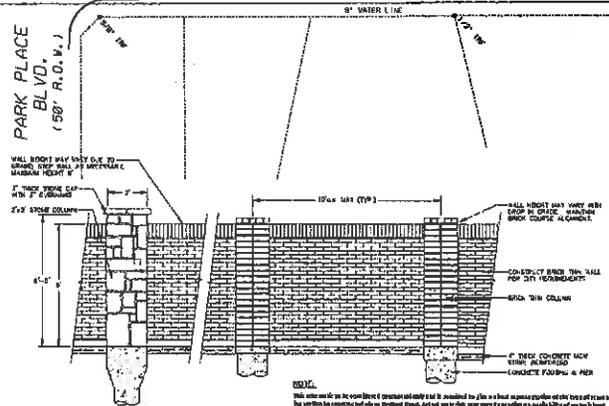


05-15-14P02:11 RCVD

Z-247



TYPICAL FRONT ELEVATIONS



**LANDSCAPE PLAN
FOR
AVALON PLACE**

3.888 ACRES IN THE
MARY ANN BURNES SURVEY,
A-84, CITY OF BEDFORD,
TARRANT COUNTY, TEXAS

22 RESIDENTIAL LOTS
1 OPEN SPACE LOT
BLOCK A, LOTS 1-13
(3.888 ACRES)

CITY OF BEDFORD, TARRANT COUNTY, TEXAS

EXISTING ZONING: R9
PROPOSED ZONING: PUD (MD-31)

DATE OF PREPARATION 1-23-14
REVISED 2-25-14

ZONING CASE Z-247

Z-247

TRACT A
BEDFORD MEADOWS, PHASE 1111
VOL. 280-131 PG 95
P.R.T.C.T.

LOT 38

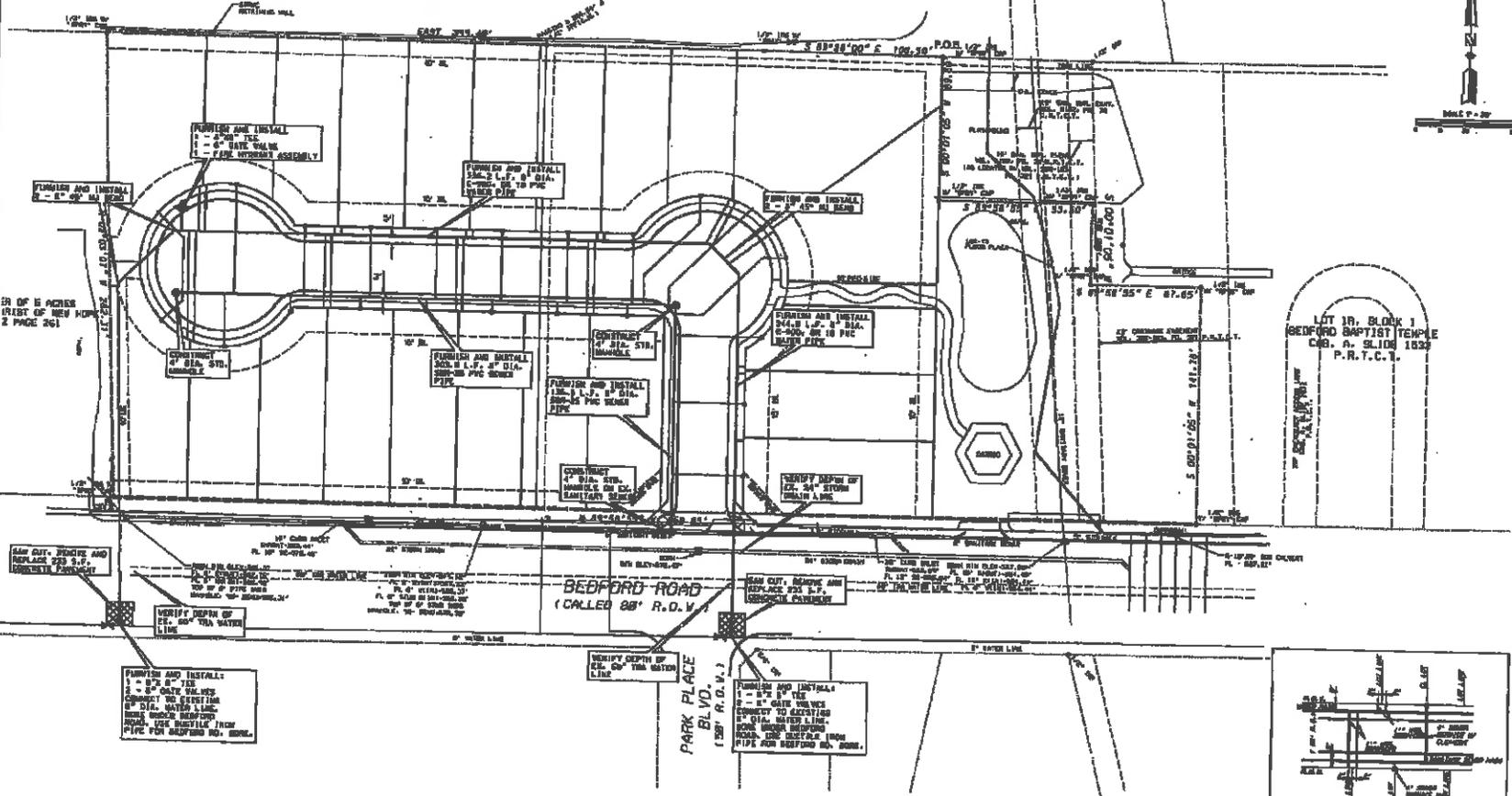


LB HAMILTON DUFFY, P.C.
CITY ENGINEER
1000 W. WILSON BLVD., SUITE 1000, BEDFORD, TEXAS 76010
PHONE (817) 281-1400 FAX (817) 281-1400

AVOLON PLACE
CITY OF BEDFORD, TEXAS
PRELIMINARY UTILITY PLAN

PRELIMINARY FOR REVIEW ONLY
UTILITY LOCATION MAP
DATE: 05-08-14
BY: [Signature]

City of Bedford Texas
Development Department
Planning and Zoning
05-08-14 P01:00 RCVD



GENERAL NOTES FOR SANITARY SEWER

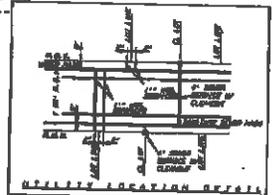
1. ALL PROPOSED SANITARY SEWER PIPE SHALL BE PVC 800-56.
2. WHEN A PROPOSED WATER LINE CROSSES AN EXISTING WATER LINE, THE CONTRACTOR SHALL INSTALL AND SET FIRST AND BY 60" x 12" (60" IN THE SEWER LINE, CONTROLLED BY THE WATER LINE, PERMS 200-20 TO 2-1/2" DIA. HOLES. NO SPECIAL PAY WILL BE ALLOWED FOR THIS PIPE.
3. ALL PROPOSED WATER LINES ARE TO BE LOCATED AS SHOWN ON THE PLAN. ALL EXISTING WATER LINES TO BE MAINTAINED SHALL BE THE TOP OF OF SCHEDULE 40 RINGS TO BE MAINTAINED FROM THE EXISTING SERVICE.
4. ALL SEWER LINES SHALL BE ENCASED FOR CITY OF BEDFORD STANDARDS.
5. ALL WATER MAINS SHALL BE ENCASED FOR BEDFORD STANDARDS. WATER MAINS SHALL BE A MINIMUM DEPTH OF 3' FEET UNLESS OTHERWISE NOTED.
6. CONTRACTOR SHALL PROVIDE A TRUCK SAFETY PLAN.

CONSTRUCTION MATERIALS AND METHODS SHALL BE PER NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) AND IN STRICT ACCORDANCE WITH THE CITY OF BEDFORD'S STANDARD DETAILS.

GENERAL NOTES FOR WATER IMPROVEMENTS

1. ALL WATER LINES SHALL BE PVC PIPE CONFORMING TO AASHTO STANDARD COVER OR IN OR POLYETHYLENE SDR 35 PIPE. PIPE SHALL BE 12" DIA. FOR ALL MAINS AND 8" DIA. FOR ALL SERVICE LINES. ALL WATER MAINS SHALL BE ENCASED IN SAND. UNLESS OTHERWISE SPECIFIED, ALL WATER MAINS SHALL BE ENCASED IN SAND. UNLESS OTHERWISE SPECIFIED, ALL WATER MAINS SHALL BE ENCASED IN SAND. UNLESS OTHERWISE SPECIFIED, ALL WATER MAINS SHALL BE ENCASED IN SAND.
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UTILITY LOCATION DETAIL

NOTE: ALL EXISTING WATER AND SEWER SERVICES TO THIS PROPERTY SHALL BE COVERED.

GENERAL: LOCATIONS OF SEWER AND WATER SERVICES TO THIS PROPERTY SHALL BE COVERED.

CONTRACTOR SHALL PROVIDE A TRUCK SAFETY PLAN.

Z-247

City of Bedford Texas
Development Department
Planning and Zoning

01-29-14P04:42 RCVD

RECEIVED

City of Bedford
Change of Zoning Application

Date _____

Applicant Name (Print): Bryan Holland (*Signature): [Signature]
Address: 1203 S. White Chapel Blvd., Ste. 250, Southlake, TX 76092
Telephone number: (817) 626-8590, x109 Fax number: (817) 545-1455

I, the undersigned owner, or Developer (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: _____ To: PUD Residential

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.

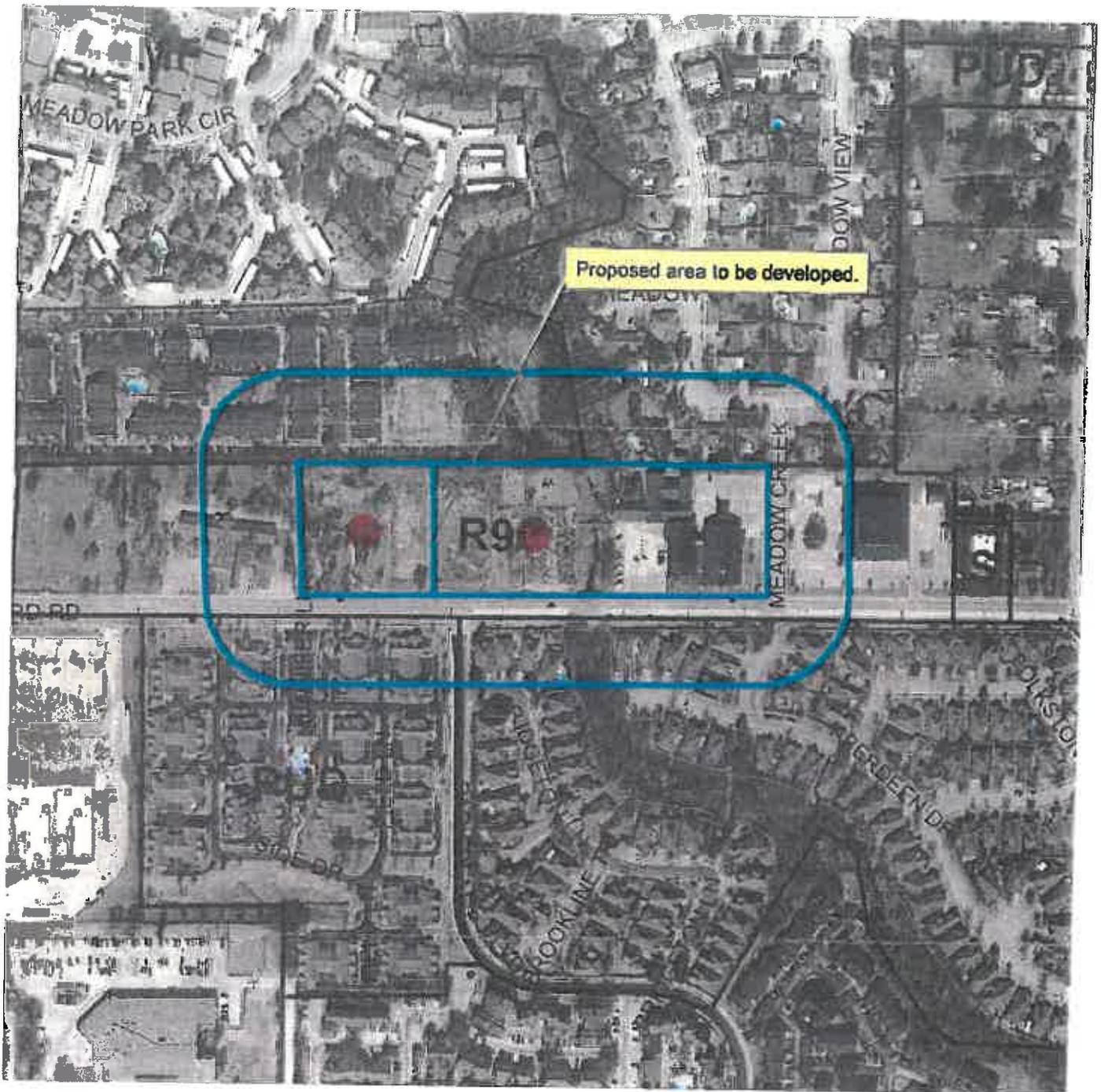
2403 BEDFORD RD;
Legal Description: Lot 1A Block 1 Addition Bedford Baptist Temple
Tract A Abstract 1532 Survey Mary Ann Barnes to the City of Bedford, Texas.
Street Address 2300 BEDFORD RD; TRACT AB 94 MARY ANN BARNES SURVEY (copy)

Fee: (\$205.00 plus \$205.00 per acre over one.) \$205.00 + \$205.00 x 3.888 = \$1,082.04
Payable by cash, Visa, MasterCard, or check made out to the City of Bedford. (# of acres) (total fee)

Property Owner (if not applicant): (*Signature) [Signature]
(Print name) Ms. Crystal Sadler
(Company name) The Church of Meadow Creek - A Baptist Fellowship
(Street Address, City, State & Zip Code) 2503 Bedford Road, Bedford, TX 76012
(Telephone number) (817) 835-2027 (FAX number) (817) 857-9512

Land Planner/Engineer/Surveyor: (*Signature) [Signature]
(Print Name) Keith Hamilton
(Company Name) Hamilton Duffy
(Street Address, City, State & Zip Code) 8241 Mid-City Blvd, North Richland Hills, TX 76182
(Telephone number) (817) 268-0408 (FAX number) (817) 284-8408

Name of Subdivision: Avalon Place 3/8/2014 2
[Signature]



Hearing Date: 04-24-14 Z-247

City of Bedford, Texas

Address: 002403 BEDFORD RD
 Addition: BEDFORD BAPTIST TEMPLE SUB
 Bedford, TX 76021
 SUBNUM: BLOCK: 1 LOT: 1R

Address: 002300 BEDFORD RD
 Addition: BARNES, MARY ANN SURVEY
 Bedford, TX 76021
 TRACT 2A, ABSTRACT 94



-  Parcel Boundary
-  Subject Parcel and Buffer

DISCLAIMER
 The City of Bedford makes no representation or warranty as to the accuracy of this map and the 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 user.

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 24, 2014**

DRAFT

Raymond Sperring, 2409 Bridgeton Lane, Bedford, Texas, President of Bridgeton on the Creek Home Owners Association; and Brian Norris, 2313 Bridgeton Lane, Bedford, Texas, spoke as to the following:

- Additional corrosion to the creek with the new development.
- The e-mail in opposition from Ms. Lee does not represent the community.
- The proposed development is a proper addition to the area.

Chairman Reese closed the public hearing at 7:35 PM.

The Commission discussed the application.

Motion: Commissioner Henning made a motion to approve Case A-038.

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

Ayes: Commissioners Sinisi, Henning, Hall, and Chairman Reese.

Nays: None

Abstention: Commissioner Stroope

Motion approved 4-0-1. Chairman Reese declared the motion approved

Chairman Reese recognized Commissioner Stroope who asked to be excused from the meeting because he is negotiating with this developer to sell some excess land for his church, Martin Methodist.

- 3. Zoning Case Z-247, public hearing and consideration of a request to rezone the property known as a portion of Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road; and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road. The proposed rezoning is from "R-9,000" Single-Family Residential Detached District, Section 4.2 of the City of Bedford Zoning Ordinance to Planned Unit Development District (PUD), Section 4.15 of the City of Bedford Zoning Ordinance, for Meadow Creek Villas. The properties are generally located north of Bedford Road and east of Central Drive.**

Chairman Reese recognized Jacquelyn Reyff, AICP, Planning Manager, who reviewed Zoning Case Z-247.

Chairman Reese recognized Bryan Holland, 1203 S. White Chapel Boulevard, Southlake, Texas, who was there to present this application.

Chairman Reese opened the public hearing at 7:48 PM and recognized the following residents and their concerns:

Chairman Reese stated an e-mail was received in opposition to this development.

Raymond Sperring, 2409 Bridgeton Lane, Bedford, Texas, President of Bridgeton on the Creek Home Owners Association; Randy DeLaCruz, 2409 Meadow Creek, Bedford, Texas; Rob Taylor, 2205 Field Lane, Bedford, Texas, President of Villas Bedford Home Owners Association.

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 24, 2014**

DRAFT

- The new development would add water to the already eroded creek.
- Added water would cause additional corrosion to the creek.
- Consider the existing erosion problems such as existing retaining walls collapsing.
- Concerns about water upstream?
- Asked for the type of 6 ft. screening wall.
- Where would the 1 ½ story houses be built?
- The start and completion dates of the development.
- The traffic impact is a serious problem and a concern.
- Recommend the City add a warning sign to alert traffic.

Chairman Reese closed the public hearing at 8:02 PM.

Chairman Reese recognized Tom Hoover, Director of Public Works/Engineering who addressed the engineering aspects pertaining to this application.

The Commission discussed the application.

Motion: Commissioner Henning made a motion to approve Zoning Case Z-247.

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

Ayes: Commissioners Sinisi, Henning, Hall, and Chairman Reese.

Nays: None

Abstention: Commissioner Stroope

Motion approved 4-0-1. Chairman Reese declared the motion approved

4. Zoning Ordinance Amendment A-040, public hearing and consideration of a request to amend the City of Bedford, Zoning Ordinance, No. 2275 specific to establishing a Board of Adjustment, Chapter 6. Bodies of Authority and Procedures, by combining the Zoning Board of Adjustment with the Building and Standards Commission.

Chairman Reese recognized Jacquelyn Reyff, AICP, Planning Manager, who reviewed Zoning Ordinance Amendment A-040. Jacquelyn stated staff requested this application be tabled to another date.

Chairman Reese opened the public hearing at 8:07 PM and there being no one to speak, left the public hearing open.

The Commission discussed the application.

Motion: Commissioner Sinisi made a motion to table Zoning Ordinance Amendment Case A-037 to the end of this year.

Commissioner Henning seconded the motion and the vote was as follows

Motion approved 4-0-0. Chairman Reese declared the motion approved

Alonso, Yolanda

From: MLB [REDACTED] on behalf of Alonso, Yolanda
[Yolanda.Alonso@bedfordtx.gov]
Sent: Friday, April 18, 2014 3:09 PM
To: Alonso, Yolanda
Cc: Wells, Michael; Reyff, Jacquelyn; Thorne, Audrey
Subject: FORMAL OBJECTION TO PROPOSED ZONING CHANGE ZONING CASE Z-247
Attachments: Z-247.pdf; Zoning Case Z-247 City of Bedford.pdf; Sub Regs _CverSht3-18-09_.pdf

Importance: High

TO: The City of Bedford, Texas and the City of Bedford Planning and Zoning Department

I, Susanna Li, on behalf of my Family and on behalf of All Those Similarly Situated do hereby OBJECT to the proposed zoning change, denominated Zoning Case Z-247.

For the reasons that follow, I urge you to DENY the application to rezone the property at issue from R9 to PUD, Zoning Case Z-247.

I have attached to this message (1) a PDF copy of the correspondence I have received from the City of Bedford; (2) a PDF copy of the materials I received from the City of Bedford Planning and Zoning Department in response to my request for materials related to Zoning Case Z-247 and (3) a PDF copy of City of Bedford Ordinance Number 2325.

Please take note of the following:

1. The materials provided, specifically Item 2, the Change of Zoning Application and accompanying materials, fail to address a number of important issues, see below, to include, but not limited to the following:
2. The materials fail to demonstrate that the construction and development which will follow such proposed zoning change will comply with all applicable and controlling rules, laws and regulations, federal, state and local, including but not limited to those related to noise, traffic, pollution, sewage, drainage and public health-related ordinances, including but not limited to surface water management and mosquito/insect control and for its impact on the potential for area flooding and its burden on and changes to the creek which flows through and beyond the area at issue.
3. The materials fail to address – and the materials provided fail to include - any studies, including those required by law, which demonstrate, denominate and quantify the effects, including but not limited to those related to noise, traffic, pollution, sewage, drainage, public health-related ordinances, and including but not limited to surface water management and mosquito/insect control – creation of artificial standing water areas, mosquito breeding areas and West Nile virus-related issues – and the potential for flooding that this proposed construction and development can have upon neighboring properties and other stakeholders, including to the large water mains which course beneath and along Bedford Road which are situated in the immediate vicinity of the area at issue and its water supply as it may affect the City of Bedford, other interested jurisdictions and their residents.
4. The proposed zoning change is accompanied by a plat for a development to be known as MEADOW CREEK VILLAS, a gated community comprising +/- 22 lots and common areas, to include also areas denominated as “Common Area Drainage” and sizeable area denominated as a “Detention Pond”, all in close proximity to Bridgeton on the Creek Subdivision and upon, to and/or through an existing creek and also to the water supply, whose mains course in the immediate vicinity thereof, for the City of Bedford and for other jurisdictions which it currently or in the future may supply.

5. The main entrance and exit to the proposed MEADOW CREEK VILLAS will be at or in proximity to Meadow Creek Drive, resulting in increased vehicular traffic in the area of ingress and egress used by Bedford on the Creek homeowners and their visitors for business or pleasure and will increase traffic, noise and pollution in the area, generally, and will make ingress and egress from Bedford on the Creek more difficult and more dangerous.

6. From the materials provided, there is no evidence of any environmental impact study having been conducted with respect to traffic, air pollution, noise, other environmental issues and water sewage and drainage impact, nor has the plat been scrutinized with respect to its compliance with the requirements of *City of Bedford Subdivision Regulations, Ordinance Number 2325, Adopted August 27, 1996, Reformatted April, 2000*, attached for your convenience or with other federal, state and local requirements and laws.

7. Explicit attention is required to the increased potential for and the increased susceptibility to **FLOODING** of lower-lying and downstream areas, including, without limitation, to examine and study the topography of surrounding roads, surfaces, existing bodies of water, and including specifically, but not limited to, areas of the Bridgeton on the Creek Subdivision and other stakeholders, related to the expected increased generation of sewage, drainage and runoff and changes to the topology and the construction of artificial structures and pools, however denominated, all of which can be expected to increase the burden and to potentially overwhelm existing drainage mechanisms, with particular but not exclusive attention to be directed to the proposed and platted construction of artificially created drainage areas, to include, but not limited to "Detention Ponds" and "Common Area Drainage", howsoever denominated.

8. The surface topology of this area, in combination with expected increased drainage and sewage and the construction of artificial drainage areas and pooling, would direct water and sewage toward Bridgeton on the Creek and to downstream and to other areas, significantly increasing the risk of area flooding, particular affecting Bridgeton on the Creek, including but not limited to portions of its perimeter wall.

9. Bridgeton on the Creek, as its name clearly shows, already sits on a creek and this creek, along with Bridgeton on the Creek generally, is downstream of the area at issue. Bridgeton on the Creek is already burdened with drainage from the area at issue in its current, unimproved state, even before additional burdens are created and imposed upon it by the proposed construction of a multi-property development such as that proposed in Zoning Case Z-247, including specifically by those increased burdens resulting from additional sewage capacity demands and by their associated and planned artificial drainage and water pooling and other unspecified water diversion construction.

10.. Attention must be given and appropriate studies conducted flowing from issues and concerns related to sewage and drainage of the proposed development to the recently constructed and installed large water supply mains and channels coursing along and beneath Bedford Road - the state and multi-city local agencies and authorities responsible for the control and maintenance of this system and for the quality and integrity of the water supply generally need to be consulted and their approval sought prior to any zoning changes and subsequent construction

We are mindful that:

Approval of Zoning Case Z-247 to allow a zoning change from R9 to PUD followed by the construction of +/- 22 buildings and other privately owned property will convert the subject property from ABSOLUTE CHURCH EXEMPT to fully taxable property estimated to be valued on the order of \$5 million or more - resulting in a tax windfall and bonanza for the City of Bedford and associated taxing authorities. This change in taxation status could potentially create a conflict of interest for the authorities responsible for processing and ruling upon Zoning Case Z-247, tending to propel toward favoring and approving the proposed zoning change, the considerations, issues and concerns detailed above notwithstanding.

WHEREFORE, for the reasons including but not limited to those set forth above at Items 1 through 10, and consistent with traditional notions of fair play, substantial and procedural justice, the City of Bedford, Texas and the City of Bedford Planning and Zoning Department, having a duty, obligation and responsibility to fully and adequately explore and to assess the very significant and multitudinous impact that this proposed zoning change and subsequent planned construction and development would wreak on the environment and on adjoining landowners, on communities and on

other stakeholder interests, however situated or denominated – in addition to making certain that any such zoning change and proposed construction and development be in full compliance with all applicable requirements, including the conduct and completion of any and all necessary and mandated studies, and with rules, regulations and laws, whether federal, state and/or local –

Should DENY the application to rezone the property at issue from R9 to PUD as embodied in Zoning Case Z-247.

Yours truly,
Susanna Li and Family and All Those Similarly Situated

Dated: April 18, 2014

2309 Folkstone Way, Bedford, Texas 76021, which address corresponds to LOT 6, BLOCK A, BRIDGETON, PHASE I, City of Bedford, Tarrant County, Texas.

Alonso, Yolanda

From: MLB [REDACTED]
Sent: Thursday, April 24, 2014 9:58 AM
To: Alonso, Yolanda
Cc: Wells, Michael; Reyff, Jacquelyn; Thorne, Audrey
Subject: FORMAL OBJECTION TO PROPOSED ZONING CHANGE ZONING CASE Z-247
Attachments:  Z-247.pdf; Zoning Case Z-247 City of Bedford.pdf; Sub Regs _CverSht3-18-09_.pdf
Importance: High

Re-send of OBJECTION sent on Friday, April 18, 2014

Kindly acknowledge receipt.

TO: The City of Bedford, Texas and the City of Bedford Planning and Zoning Department

I, Susanna Li, on behalf of my Family and on behalf of All Those Similarly Situated do hereby OBJECT to the proposed zoning change, denominated Zoning Case Z-247.

For the reasons that follow, I urge you to DENY the application to rezone the property at issue from R9 to PUD, Zoning Case Z-247.

I have attached to this message (1) a PDF copy of the correspondence I have received from the City of Bedford; (2) a PDF copy of the materials I received from the City of Bedford Planning and Zoning Department in response to my request for materials related to Zoning Case Z-247 and (3) a PDF copy of City of Bedford Ordinance Number 2325.

Please take note of the following:

1. The materials provided, specifically Item 2, the Change of Zoning Application and accompanying materials, fail to address a number of important issues, see below, to include, but not limited to the following:
2. The materials fail to demonstrate that the construction and development which will follow such proposed zoning change will comply with all applicable and controlling rules, laws and regulations, federal, state and local, including but not limited to those related to noise, traffic, pollution, sewage, drainage and public health-related ordinances, including but not limited to surface water management and mosquito/insect control and for its impact on the potential for area flooding and its burden on and changes to the creek which flows through and beyond the area at issue.
3. The materials fail to address – and the materials provided fail to include - any studies, including those required by law, which demonstrate, denominate and quantify the effects, including but not limited to those related to noise, traffic, pollution, sewage, drainage, public health-related ordinances, and including but not limited to surface water management and mosquito/insect control – creation of artificial standing water areas, mosquito breeding areas and West Nile virus-related issues – and the potential for flooding that this proposed construction and development can have upon neighboring properties and other stakeholders, including to the large water mains which course beneath and along Bedford Road which are situated in the immediate vicinity of the area at issue and its water supply as it may affect the City of Bedford, other interested jurisdictions and their residents.
4. The proposed zoning change is accompanied by a plat for a development to be known as MEADOW CREEK VILLAS, a gated community comprising +/- 22 lots and common areas, to include also areas denominated as “Common Area Drainage” and sizeable area denominated as a “Detention Pond”, all in close proximity to Bridgeton on the Creek

Subdivision and upon, to and/or through an existing creek and also to the water supply, whose main course in the immediate vicinity thereof, for the City of Bedford and for other jurisdictions which it currently or in the future may supply.

5. The main entrance and exit to the proposed MEADOW CREEK VILLAS will be at or in proximity to Meadow Creek Drive, resulting in increased vehicular traffic in the area of ingress and egress used by Bridgeton on the Creek homeowners and their visitors for business or pleasure and will increase traffic, noise and pollution in the area, generally, and will make ingress and egress from Bedford on the Creek more difficult and more dangerous.

6. From the materials provided, there is no evidence of any environmental impact study having been conducted with respect to traffic, air pollution, noise, other environmental issues and water sewage and drainage impact, nor has the plat been scrutinized with respect to its compliance with the requirements of *City of Bedford Subdivision Regulations, Ordinance Number 2325, Adopted August 27, 1996, Reformatted April, 2000*, attached for your convenience or with other federal, state and local requirements and laws.

7. Explicit attention is required to the increased potential for and the increased susceptibility to **FLOODING** of lower-lying and downstream areas, including, without limitation, to examine and study the topography of surrounding roads, surfaces, existing bodies of water, and including specifically, but not limited to, areas of the Bridgeton on the Creek Subdivision and other stakeholders, related to the expected increased generation of sewage, drainage and runoff and changes to the topology and the construction of artificial structures and pools, however denominated, all of which can be expected to increase the burden and to potentially overwhelm existing drainage mechanisms, with particular but not exclusive attention to be directed to the proposed and platted construction of artificially created drainage areas, to include, but not limited to "Detention Ponds" and "Common Area Drainage", howsoever denominated.

8. The surface topology of this area, in combination with expected increased drainage and sewage and the construction of artificial drainage areas and pooling, would direct water and sewage toward Bridgeton on the Creek and to downstream and to other areas, significantly increasing the risk of area flooding, particular affecting Bridgeton on the Creek, including but not limited to portions of its perimeter wall.

9. Bridgeton on the Creek, as its name clearly shows, already sits on a creek and this creek, along with Bridgeton on the Creek generally, is downstream of the area at issue. Bridgeton on the Creek is already burdened with drainage from the area at issue in its current, unimproved state, even before additional burdens are created and imposed upon it by the proposed construction of a multi-property development such as that proposed in Zoning Case Z-247, including specifically by those increased burdens resulting from additional sewage capacity demands and by their associated and planned artificial drainage and water pooling and other unspecified water diversion construction.

10.. Attention must be given and appropriate studies conducted flowing from issues and concerns related to sewage and drainage of the proposed development to the recently constructed and installed large water supply mains and channels coursing along and beneath Bedford Road - the state and multi-city local agencies and authorities responsible for the control and maintenance of this system and for the quality and integrity of the water supply generally need to be consulted and their approval sought prior to any zoning changes and subsequent construction

We are mindful that:

Approval of Zoning Case Z-247 to allow a zoning change from R9 to PUD followed by the construction of +/- 22 buildings and other privately owned property will convert the subject property from ABSOLUTE CHURCH EXEMPT to fully taxable property estimated to be valued on the order of \$5 million or more - resulting in a tax windfall and bonanza for the City of Bedford and associated taxing authorities. This change in taxation status could potentially create a conflict of interest for the authorities responsible for processing and ruling upon Zoning Case Z-247, tending to propel toward favoring and approving the proposed zoning change, the considerations, issues and concerns detailed above notwithstanding.

WHEREFORE, for the reasons including but not limited to those set forth above at Items 1 through 10, and consistent with traditional notions of fair play, substantial and procedural justice, the City of Bedford, Texas and the City of Bedford Planning and Zoning Department, having a duty, obligation and responsibility to fully and adequately explore and to assess the very significant and multitudinous impact that this proposed zoning change and subsequent planned construction and development would wreak on the environment and on adjoining landowners, on communities and on other stakeholder interests, however situated or denominated – in addition to making certain that any such zoning change and proposed construction and development be in full compliance with all applicable requirements, including the conduct and completion of any and all necessary and mandated studies, and with rules, regulations and laws, whether federal, state and/or local –

Should DENY the application to rezone the property at issue from R9 to PUD as embodied in Zoning Case Z-247.

Yours truly,
Susanna Li and Family and All Those Similarly Situated

Dated: April 18, 2014

2309 Folkstone Way, Bedford, Texas 76021, which address corresponds to LOT 6, BLOCK A, BRIDGETON, PHASE I, City of Bedford, Tarrant County, Texas.



CITY OF
BEDFORD

2000 Forest Ridge Drive - Bedford, TX 76021
(817)952-2100 www.bedfordtx.gov

May 9, 2014

PLEASE DELIVER TO:

Legal Publications
Attn: Christine Lopez
Fort Worth Star-Telegram
400 West 7th Street
Fort Worth, TX 76102

SENT VIA E-MAIL: clopez@star-telegram.com on Friday, May 9, 2014

FROM:

City of Bedford
Yolanda Alonso, Planning and Zoning

Dear Christine,

Please publish the following in "Legal Notices" on Sunday, May 11, 2014.

MESSAGE:

**CITY OF BEDFORD
PUBLIC HEARING**

The City of Bedford City Council gives notice of a public hearing on May 27, 2014, at 6:30 PM, at City Hall, Council Chamber, 2000 Forest Ridge Drive, Building A, Bedford, Texas:

All interested citizens will be given the opportunity to speak and be heard.

Public hearing and consider an ordinance to amend Ordinance 10-2978, specific to the Bedford Comprehensive Land Use Plan (2010) for two (2) parcels from Schools & Churches/Semi-Public and Commercial to Medium Density Residential, the parcels are known as a portion of Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road; and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road, Bedford, Texas; The parcels are located north of Bedford Road and east of Central Drive. (A-038)

Public hearing and consider an ordinance to rezone the property known as a portion of Lot 1R, Block 1, Bedford Baptist Temple Addition, located at 2403 Bedford Road; and Tract 2A, Abstract 94, Mary Ann Barnes Survey, located at 2300 Bedford Road. The proposed rezoning is from "R-9,000" Single-Family Residential Detached District, Section 4.2 of the City of Bedford Zoning Ordinance to Planned Unit Development District (PUD), Section 4.15 of the City of Bedford Zoning Ordinance, for Avalon Place. The properties are generally located north of Bedford Road and east of Central Drive. (Z-247)



Council Agenda Background

PRESENTER: James Tindell, Fire Chief

DATE: 05/27/14

Council Mission Area: Provide a safe and friendly community environment.

ITEM:

Consider a resolution authorizing the City Manager to execute an Interlocal Agreement with the cities of Bedford Colleyville, Euless, Grapevine, Haltom City, Hurst, Keller, North Richland Hills, Richland Hills, Roanoke, Southlake, Trophy Club MUD #1, Watauga and Westlake. This group of cities is also known as the Northeast Fire Department Association (NEFDA) to establish a fund for the replacement of jointly used emergency response equipment.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

The Northeast Fire Department Association (NEFDA) desires to enter into a mutual agreement to establish a fund for the replacement of jointly used emergency response equipment. NEFDA has purchased over \$2.8 million in capital equipment through grant programs and its operating budget since its inception. In order to assure that major equipment can be replaced in future years, a Capital Replacement Fund (CRF) will be established, and all funds will be deposited in a depository account managed by the City of Hurst. Each participating entity will be responsible for making annual contributions to the CRF based on a schedule approved by the NEFDA Board and its participating cities. The administration of the Capital Replacement Fund will be the responsibility of the NEFDA Board of Directors and the City Managers of Hurst, Euless, North Richland Hills and Haltom City (representing the participating Cities).

The terms of the Agreement shall become effective upon approval by the governing body for each respective Party hereto and shall remain in effect for an initial term of one year commencing upon the date of each Party's signature, which in term shall renew automatically annually upon the anniversary date of this agreement unless earlier terminated by the Party. The participating member agency that initially acquired the specific equipment actually holds title to and houses the equipment, and is fully responsible for the equipment (maintenance, insurance for the loss or damage at full replacement value, etc.). The vehicles and equipment held by the participating agencies must be replaced over time in order to maintain the NEFDA mutual aid capabilities. The Interlocal Agreement now before you for consideration provides an avenue for the member agencies to collectively provide a CRF for the future replacement of vehicles and equipment on an as needed basis. Funds were budgeted for this CRF in the FY13/14 budget.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to execute an Interlocal Agreement with the cities of Bedford Colleyville, Euless, Grapevine, Haltom City, Hurst, Keller, North Richland Hills, Richland Hills, Roanoke, Southlake, Trophy Club MUD #1, Watauga and Westlake. This group of cities is also known as the Northeast Fire Department Association (NEFDA) to establish a fund for the replacement of jointly used emergency response equipment.

FISCAL IMPACT:

Budget Amount: \$25,831
General Fund: \$18,010
Difference: \$7,821

ATTACHMENTS:

Resolution
Interlocal Agreement

RESOLUTION NO. 14-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITIES OF BEDFORD, COLLEYVILLE, EULESS, GRAPEVINE, HALTOM CITY, HURST, KELLER, NORTH RICHLAND HILLS, RICHLAND HILLS, ROANOKE, SOUTHLAKE, TROPHY CLUB MUD #1, WATAUGA AND WESTLAKE. THIS GROUP OF CITIES IS ALSO KNOWN AS THE NORTHEAST FIRE DEPARTMENT ASSOCIATION (NEFDA) TO ESTABLISH A FUND FOR THE REPLACEMENT OF JOINTLY USED EMERGENCY RESPONSE EQUIPMENT.

WHEREAS, the City Council of Bedford, Texas has determined the need to establish a fund for the purchase of jointly used emergency response equipment.

WHEREAS, the City Council of Bedford, Texas recognizes that NEFDA provides an invaluable service to the citizens of the fourteen cities.

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

SECTION 1. That the findings above are found to be true and correct, and are incorporated herein.

SECTION 2. That the City Council does hereby authorize the City Manager to enter into an Interlocal Agreement with the cities of Bedford, Colleyville, Eules, Grapevine, Haltom City, Hurst, Keller, North Richland Hills, Richland Hills, Roanoke, Southlake, Trophy Club MUD #1, Watauga and Westlake. This group of cities is also known as the Northeast Fire Department Association (NEFDA).

SECTION 3. That this resolution shall take effect from and after the date of its passage.

PRESENTED AND PASSED this 27th day of May 2014, 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

Northeast Fire Department Association (NEFDA) Interlocal Agreement

The State of Texas

Tarrant County

This agreement is made and entered into by and between the cities of Bedford, Colleyville, Euless, Grapevine, Haltom City, Hurst, Keller, North Richland Hills, Richland Hills, Roanoke, Southlake, Trophy Club MUD#1, Watauga, and Westlake, herein referred to as “Parties”. This group of cities is also known as the Northeast Fire Department Association.

The Parties desire to enter into an agreement for the replacement of jointly-used emergency response equipment.

Now therefore, that it is agreed that in consideration of the mutual covenants, agreements and benefits to all Parties it is hereby agreed as follows:

I. Capital Replacement Funding Procedures

The Northeast Fire Department Association (NEFDA) has purchased over \$2.8 million in capital equipment through grant programs and its operating budget since its inception. In order to assure that major equipment can be replaced in future years, a Capital Replacement Fund will be established, and all funds will be deposited in a depository account managed by the City of Hurst. Each participating entity will be responsible for making annual contributions to the Capital Replacement Fund based on a schedule approved by the NEFDA Board and participating cities/agencies. The administration of the Capital Replacement Fund will be the responsibility of the NEFDA Board of Directors and the City Managers of Hurst, Euless and North Richland Hills and Haltom City (representing the participating cities/agencies). A listing of all Major Capital purchases over \$15,000 will be detailed in a replacement schedule showing the replacement amount and the year that the equipment is scheduled for replacement.

The Capital Replacement Program will be updated annually by the NEFDA Board and its members. The NEFDA Board and City Manager/District Manager representatives will meet annually, in March, prior to the budget year to approve the Capital Replacement Program and to determine the Capital Replacement funding schedule. The Capital Replacement Schedule may be adjusted as new equipment is received or as old equipment is retired. The replacement and funding schedules will be reviewed by all participating cities/agencies at an annual meeting that will be held in April, prior to the plans implementation on October 1st of the new fiscal year. All operational funds will be governed by the NEFDA Board of Directors. All year-end undesignated operational budget surpluses will be transferred to the Capital Fund by October 1st. At any time if a Federal Audit is required of Grant Funds, NEFDA will reimburse the cities/agencies for any audit expenses. Disbursements from the fund will be approved by the NEFDA Board and the City Manager/District Manager representatives as determined by the approved funding plan.

Each participating city/agency may house and operate specific equipment. If equipment is housed by a participating city/agency they will hold the title to that equipment. Each city/agency that holds title to equipment will be fully responsible for the equipment and will insure the equipment for loss or damage at full replacement value. Any retired equipment will be auctioned with the proceeds being deposited into the Capital Replacement Fund as permitted through grant funding procedures. Auctioned equipment will go through the public auction process as determined by State Law and by the entity that has responsibility for the equipment.

II. Term of Agreement / Consideration

2.01 Term. The terms of the agreement shall become effective upon approval by the governing body for each respective Party hereto and shall remain in effect for an initial term of one (1) year commencing upon the date of each Party's signature below, which term shall renew automatically annually upon the anniversary date of this agreement unless earlier terminated by a Party as provided herein. If a Party desires to opt out, the Party must give a 90 day notice of such intent. If a Party opts out, the agreement remains intact for the rest of the Parties. Adding Parties to the agreement will not affect the terms of the agreement.

2.02 Consideration. The Parties agree that sufficient consideration for this agreement exists and is found in the cross promises set forth above and other good and valuable consideration. Each Party hereto paying for the performance of governmental functions or services shall make such payments from current revenues legally available to the paying Party. Each Party further agrees that it is fairly compensated for the services or functions performed under the terms of this agreement. Each cities/agencies payment is identified in Exhibit A of this agreement.

III. Amendments

This agreement can be amended or replaced by a majority of the Parties. All of the Parties must be notified in writing within thirty (30) days and an open forum must be held in which all of the Parties have been invited to attend. The Amendment will not be effective to any Party that does not agree.

VI. Compliance with All Applicable Laws

The Parties shall observe and comply with all Federal, State, local laws, rules, ordinances, and regulations affecting the conduct or services provided and their performance of all obligations undertaken by this Agreement.

V. Legal Considerations

All local, State and Federal Laws shall supersede any provisions made in this agreement. Any provision so effected will not negate the rest of the agreement. In case any one or more of the

provisions contained in this agreement shall be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof and this agreement shall be construed as if such invalid, illegal, unenforceable provision had never been contained herein. This agreement is performable in Tarrant County, Texas, and venue for any proceeding under this agreement shall be in Tarrant County, Texas. This agreement shall become binding and effective as to each individual Party upon signature by an authorized representative of such individual Party.

VI. Liability / Governmental Immunity

All civil liability arising from the furnishing of fire/EMS protection services under this agreement shall be assigned to the party actually providing the equipment, services, and manpower pursuant to Texas Government Code, Section 791.006 (a-1) and the assignment of liability is intended to be different than liability otherwise assigned under Texas Government Code, Section 791.006 (a). Notwithstanding the foregoing, the fact that parties hereto accept certain responsibilities relating to the rendering of Fire Protection and Emergency Medical Services under this agreement as part of their responsibility for providing protection for the public health makes it imperative that the performance of these vital services be recognized as a governmental function and that the doctrine of governmental immunity shall be, and it is hereby, invoked to the extent possible under the law. No Party hereto waives any immunity or defense that would otherwise be available to it against claims arising from the exercise of governmental powers and functions.

VII. Insurance

Each Party shall provide liability insurance to cover the operation of the equipment housed by that Party, and the acts and omissions or of its respective officers, employees, and agents' obligations under this agreement. A Party may use a program of self-insurance to provide all or part of such liability insurance, but if so, such party shall provide the details of such insurance to the other Parties upon request.

VIII. Non-Waiver

All rights, remedies and privileges permitted or available to any Party under this agreement or at law or equity shall be cumulative and not alternative, and election of any such right, remedy or privilege shall not constitute a waiver or exclusive election of rights, remedies or privileges with respect to any other permitted or available right, remedy or privilege. Additionally, one instance of forbearance by any party in the enforcement of any such right, remedy or privilege against any other Party, shall not constitute a waiver of such right, remedy or privilege by the forbearing party. A default by any party under this agreement shall not result in a forfeiture of any rights, remedies, or privileges under this agreement by such defaulting Party.

**IX.
Signature Authority**

The undersigned officer and/or agents of the Parties hereto are the properly authorized officials and have the necessary authority to execute this agreement on behalf of the parties hereto and each Party hereby certifies to the other that any necessary resolutions extending such authority have been duly passed and are now in full force and effect.

**X.
No Third-Party Beneficiaries**

By entering into this agreement, the Parties do not create any obligations express or implied, other than those set forth herein. This agreement shall not create any rights in any Parties not signatory hereto.

CITY OF BEDFORD

CITY OF GRAPEVINE

City Manager

City Manager

ATTEST:

ATTEST:

City Secretary

City Secretary

APPROVED AS TO FORM:

APPROVED AS TO FORM:

City Attorney

City Attorney

CITY OF COLLEYVILLE

CITY OF HALTOM CITY

City Manager

City Manager

ATTEST:

ATTEST:

City Secretary

City Secretary

APPROVED AS TO FORM:

APPROVED AS TO FORM:

City Attorney

City Attorney

CITY OF EULESS

City Manager

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

CITY OF KELLER

City Manager

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

CITY OF RICHLAND HILLS

City Manager

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

CITY OF HURST

City Manager

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

CITY OF NORTH RICHLAND HILLS

City Manager

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

CITY OF ROANOKE

City Manager

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

CITY OF SOUTHLAKE

City Manager

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

CITY OF WATAGUA

City Manager

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

TROPHY CLUB MUD#1

District Manager

ATTEST:

District Secretary

APPROVED AS TO FORM:

MUD#1 Attorney

CITY OF WESTLAKE

City Manager

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

Exhibit A

City	City Population	Operation Dues			Capital Replacement Dues			Total NEFDA Fee
		Base Fee	Pop. Fee	Total	Base Fee	Pop. Fee	Total	
Bedford	47,310	\$4,500	\$3,321	\$7,821	\$5,000	\$13,010	\$18,010	\$25,831
Colleyville	23,270	\$4,500	\$1,634	\$6,134	\$5,000	\$6,399	\$11,399	\$17,533
Eules	51,570	\$4,500	\$3,620	\$8,120	\$5,000	\$14,182	\$19,182	\$27,302
Grapevine	47,070	\$4,500	\$3,304	\$7,804	\$5,000	\$12,944	\$17,944	\$25,749
Haltom City	42,190	\$4,500	\$2,962	\$7,462	\$5,000	\$11,602	\$16,602	\$24,064
Hurst	37,460	\$4,500	\$2,630	\$7,130	\$5,000	\$10,302	\$15,302	\$22,431
Keller	41,090	\$4,500	\$2,885	\$7,385	\$5,000	\$11,300	\$16,300	\$23,684
NRH	64,240	\$4,500	\$4,510	\$9,010	\$5,000	\$17,666	\$22,666	\$31,676
Richland Hills	7,870	\$4,500	\$552	\$5,052	\$5,000	\$2,164	\$7,164	\$12,217
Roanoke	6,470	\$4,500	\$454	\$4,954	\$5,000	\$1,779	\$6,779	\$11,733
Southlake	27,080	\$4,500	\$1,901	\$6,401	\$5,000	\$7,447	\$12,447	\$18,848
Trophy Club	9,400	\$4,500	\$660	\$5,160	\$5,000	\$2,585	\$7,585	\$12,745
Watauga	23,500	\$4,500	\$1,650	\$6,150	\$5,000	\$6,463	\$11,463	\$17,612
Westlake	1,040	\$4,500	\$73	\$4,573	\$5,000	\$286	\$5,286	\$9,859
Total	429,560	\$63,000	\$30,155	\$93,155	\$70,000	\$118,129	\$188,129	\$281,284

Base Fee	Pop Fee	Base Fee	Pop fee
\$4,500	\$0.0702	\$5,000	\$0.2750



Council Agenda Background

PRESENTER: David Miller, Deputy City Manager

DATE: 05/27/14

Council Mission Area: Protect the vitality of neighborhoods.

ITEM:

Consider a resolution authorizing the City Manager to execute Quitclaim Deeds with the State of Texas for property interests included in agreements 183-U-0503 and 183-U-0503-0002 of the North Tarrant Express Project.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

As part of the highway construction, the State of Texas has need to assume control of the utility easements currently held by the City of Bedford. This requires that the City execute a Quitclaim Deed in regards to the affected parcels in order to transfer all property interests to the State. As a condition of the Quitclaim Deed, the City will retain any mineral rights currently owned.

According to TXDOT guidelines, compensation for private utility easements mandate an upper limit of 50% of the property's value. Bluebonnet Contractors, LLC has prepared an offer for all affected parcels at this maximum amount. The following table itemizes the parcels with the total offer. Parcels in white are included in agreement 183-U-0503 and those shaded in gray are included in agreement 183-U-0503-0002.

Parcel	Easement Area (Sq ft.)	Property Acquisition Price / ft	50% Value	Offer Amount
616	3,600.00	\$15.80	\$7.90	\$ 28,440.00
617	2,850.00	\$16.00	\$8.00	\$ 22,800.00
618	3,555.00	\$16.00	\$8.00	\$ 28,440.00
619	5,385.00	\$9.50	\$4.75	\$ 25,578.75
684	450.00	\$9.50	\$4.75	\$ 2,137.50
666	2,953.13	\$10.00	\$5.00	\$ 14,765.63
667	2,043.75	\$11.25	\$5.63	\$ 11,496.09
Total				\$ 133,657.97

The payment for these utility easements will be deducted from the closeout balance on the final invoice to the City from Bluebonnet Contractors, LLC. The parcel maps and legal description of each parcel are available in the City Secretary's office for review.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to execute Quitclaim Deeds with the State of Texas for property interests included in agreements 183-U-0503 and 183-U-0503-0002 of the North Tarrant Express Project.

FISCAL IMPACT:

Actual Amount: \$133,657.97

ATTACHMENTS:

Resolution
183-U-0503 Offer Letter & Quitclaim Deed
183-U-0503-0002 Offer Letter & Quitclaim Deed
Map

RESOLUTION NO. 14-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS WITH THE STATE OF TEXAS FOR PROPERTY INTERESTS INCLUDED IN AGREEMENTS 183-U-0503 AND 183-U-0503-0002 OF THE NORTH TARRANT EXPRESS PROJECT.

WHEREAS, the State of Texas has need to assume control of utility easements currently held by the City of Bedford; and,

WHEREAS, in accordance with State law, Bluebonnet Contractors, LLC can provide compensation up to the maximum of 50% of the property value to secure these easements on behalf of the State; and,

WHEREAS, the City Council of Bedford, Texas agrees to accept the proposed amounts in exchange for their property easements.

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

SECTION 1. That the findings above are found to be true and correct, and are incorporated herein.

SECTION 2. That the City Council authorizes the City Manager to execute Quitclaim Deeds for parcels included in agreements 183-U-0503 and 183-U-0503-0002 for the North Tarrant Express Project.

SECTION 3. That compensation in the amount of \$133,657.97 will be deducted from the closeout balance on the final invoice to the City of Bedford from Bluebonnet Contractors, LLC.

PRESENTED AND PASSED this 27th day of May 2014, 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

April 8, 2014

Tom Hoover
Public Works Director
City of Bedford
1813 Reliance Pkwy
Bedford, Texas 76021

**RE: Quitclaim Offer Letter for Property Interests Included in 183-U-0503
North Tarrant Express Project**

Dear Mr. Hoover,

Pursuant to the agreement 183-U-0503, the City of Bedford has agreed to quitclaim their associated property interests based on mutually agreeable fair compensation. Bluebonnet Contractors, LLC (BBC) is prepared to offer \$107,396.25 for Bedford's property interests from Central Drive and stretching east of Marriott Drive, along the north right of way line of SH 121/183. This relinquishment is specifically tied to the easement referenced in Volume 8173, Page 1046. TxDOT's Utility Manual mandates that the upper limit for compensation of a private utility easement is 50% of the property's value. The table below summarizes each parcel's fair market value based on the initial acquisition costs to the Developer. BBC attests that the information provided is true and accurate based on documentation provided by the Developer, NTE Mobility Partners LLC.

Parcel	Easement Length (LF)	Width (LF)	Easement Area (Sq. Ft.)	Property Acquisition Price / ft	50% Value	Offer Amount
616	240.00	15	3600.00	\$15.80	\$7.90	\$28,440.00
617	190.00	15	2850.00	\$16.00	\$8.00	\$22,800.00
618	237.00	15	3555.00	\$16.00	\$8.00	\$28,440.00
619	359.00	15	5385.00	\$9.50	\$4.75	\$25,578.75
684	30.00	15	450.00	\$9.50	\$4.75	\$2,137.50

Total	\$107,396.25
--------------	---------------------

Additional information and exhibits have been provided. Once the quitclaim has been executed, Bluebonnet Contractors will deduct the amount referenced above from the closeout balance on the final invoice to the City.

Sincerely,

Jose Bartolome
Bluebonnet Contractors, LLC

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security Number or your Driver's License Number.

QUITCLAIM DEED

0364-01-119

THE STATE OF TEXAS

§

COUNTY OF TARRANT

§

§

KNOW ALL MEN BY THESE PRESENTS:

That, The **City of Bedford** in the County of Tarrant, State of Texas, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of ten dollars (\$10) and other good and valuable consideration to Grantors in hand paid by the State of Texas, acting by and through the Texas Transportation Commission, the receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have Quitclaimed and do by these presents Bargain, Sell, Release and forever Quitclaim unto the State of Texas all of Grantors' right, title, interest, claim and demand in and to that certain tract or parcel of land within the newly acquired right-of-way, situated in the County of Tarrant, State of Texas, known as **Parcel(s) 616, 617, 618, 619, and 684** more particularly described in Exhibit "A", attached hereto and incorporated herein for any and all purposes.

TO HAVE AND TO HOLD for said purposes together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said State of Texas forever.

IN WITNESS WHEREOF, this instrument is executed on this the _____ day of _____, 2014.

GRANTOR:
CITY OF BEDFORD, TEXAS

By: _____
Beverly Griffith, City Manager

STATE OF TEXAS

§

COUNTY OF TARRANT

§

§

BEFORE ME, the undersigned notary public, on this day personally appeared Beverly Griffith, City Manager of the City of Bedford, Texas, known to me be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and that he has the authority and power to enter into the foregoing instrument on behalf of the City of Hurst, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2014.

My Commission Expires:

Notary Public in and for the
State of Texas

April 8, 2014

Tom Hoover
 Public Works Director
 City of Bedford
 1813 Reliance Pkwy
 Bedford, Texas 76021

**RE: Quitclaim Offer Letter for Property Interests Included in 183-U-0503-0002
 North Tarrant Express Project**

Dear Mr. Hoover,

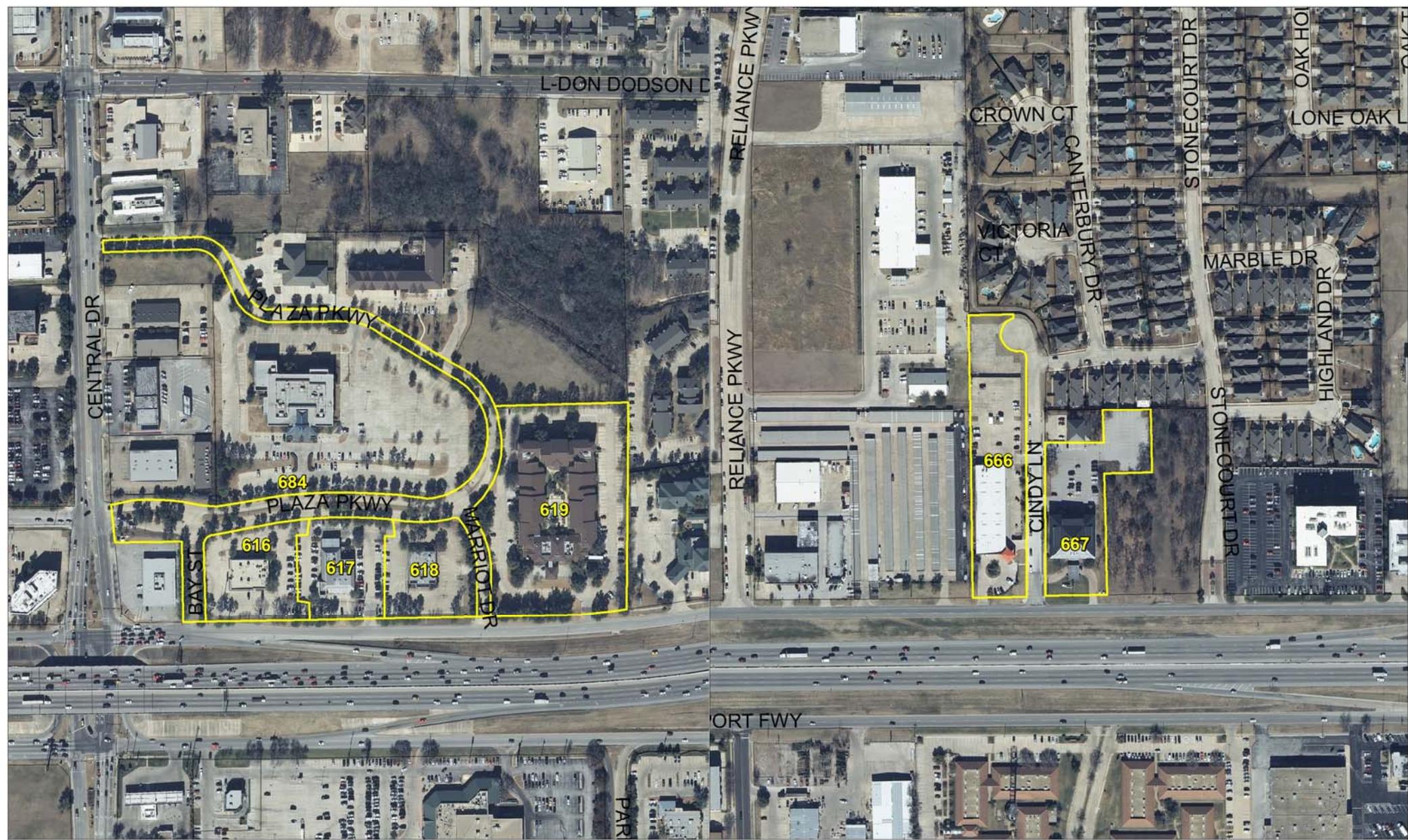
Pursuant to the agreement 183-U-0503-0002, the City of Bedford has agreed to quitclaim their associated property interests based on mutually agreeable fair compensation. Bluebonnet Contractors, LLC is prepared to offer \$26,261.72 for Bedford's property interests on the east and west sides of Cindy Ln, along the north right of way line of SH 121/183. This relinquishment is specifically tied to the easement referenced in Volume 7853, Pages 1590-1595. TxDOT's Utility Manual mandates that the upper limit for compensation of a private utility easement is 50% of the property's value. The table below summarizes each parcel's fair market value based on the initial acquisition costs to the Developer. BBC attests that the information provided is true and accurate based on documentation provided by the Developer, NTE Mobility Partners LLC.

Parcel	Easement Length (LF)	Width (LF)	Easement Area (Sq. Ft.)	Property Acquisition Price	50% Value	Offer Amount
666	131.25	15-30	2953.13	\$10.00	\$5.00	\$14,765.63
667	136.25	15	2043.75	\$11.25	\$5.63	\$11,496.09
Total						\$26,261.72

Additional information and exhibits have been provided. Once the quitclaim has been executed, Bluebonnet Contractors will deduct the amount referenced above from the closeout balance on the final invoice to the City.

Sincerely,

Jose Bartolome
 Bluebonnet Contractors, LLC



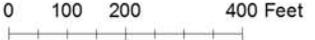
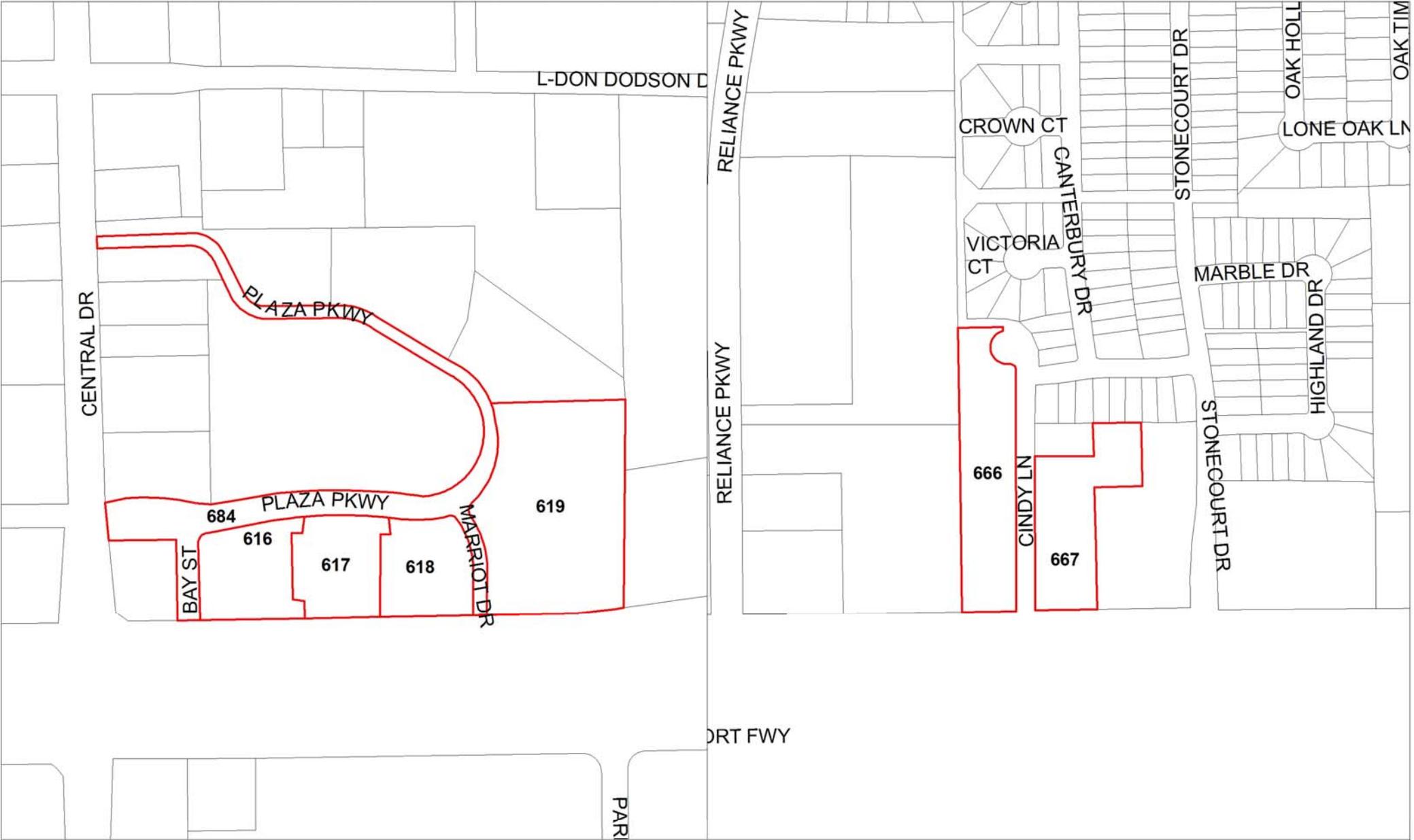
0 100 200 400 Feet

Parcels Affected By New R. O. W. Line

Affected Parcels

*NOTE: These datum are to be used for graphical representation only. The accuracy is not to be taken as data produced for engineering purposes or by a Registered Professional Land Surveyor for the State of Texas. For this level of detail, supervision and certification of the produced data by a Registered Professional Land Surveyor for the State of Texas would have to be performed. The City of Bedford assumes no responsibility for the accuracy of said data.





Parcels Affected By New R. O. W. Line

Affected Parcels

*NOTE: These datum are to be used for graphical representation only. The accuracy is not to be taken as data produced for engineering purposes or by a Registered Professional Land Surveyor for the State of Texas. For this level of detail, supervision and certification of the produced data by a Registered Professional Land Surveyor for the State of Texas would have to be performed. The City of Bedford assumes no responsibility for the accuracy of said data.





Council Agenda Background

PRESENTER: Clifford Blackwell, Director of Admin Services

DATE: 05/27/14

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

ITEM:

Consider a resolution authorizing the City Manager to renew a two-year agreement with Valley View Consulting, L.L.C., to provide investment advisory services.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

In May 2012, the City Council approved a two-year contract extension for investment advisory services with Valley View Consulting, L.L.C. The current contract extension expires on May 31, 2014. In addition, the Public Funds Investment Act (PFIA) requires the governing body to reaffirm any contract for investment advisory services at least every two years.

The Valley View Consulting contract includes the following provisions:

- Assist the City of Bedford in cash flow projection analysis.
- Suggest appropriate investment strategies to achieve the City's objectives.
- Advise on market conditions and economic data.
- Analyze the risk/return of all possible investment strategies.
- Assist in the selection, purchase and sale of investments on behalf of the City of Bedford.
- Assist with the creation of investment reports.
- Annually review and revise the Investment Policy, the list of broker/dealers, and the eligible training organizations.
- Assist in the preparation and selection of the bank depository request for proposals.

There are no reported changes from the current contract.

The advisory services and expertise provided by Valley View Consulting will allow the City to continue developing and implementing a sound investment strategy that maximizes earnings while maintaining the City's Investment Policy objectives of safety and liquidity.

The annual fee associated with these services has been calculated at a rate of 0.08% (.0008) of the investment portfolio's average quarter ending book value. One-fourth of the annual fee is due and payable at the end of each quarter. Therefore, if the quarter ending book value for the City of Bedford's investment portfolio equals \$20,000,000, the fee paid at the end of the quarter would be \$4,000 ($\$20,000,000 \times 0.0008 / 4$). If the portfolio value remains at \$20,000,000 for the entire year, the total amount paid would equal \$16,000. The City has budgeted \$16,050 in the current operating budget to pay for investment advisory services. This fee amount is usually offset by investment earnings.

On May 16, 2014, the Investment Committee met to discuss the two-year renewal of the contract with Valley View Consulting, L.L.C. and has recommended it go before the City Council for approval.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to renew a two-year agreement with Valley View Consulting, L.L.C., to provide investment advisory services.

FISCAL IMPACT:

Incremental investment earnings will more than offset the rate of 0.08%

ATTACHMENTS:

Resolution
Investment Advisory Service Agreement

RESOLUTION NO. 14-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW A TWO-YEAR AGREEMENT WITH VALLEY VIEW CONSULTING, L.L.C., TO PROVIDE INVESTMENT ADVISORY SERVICES.

WHEREAS, the City of Bedford desires to continue its investment program to enhance earnings on available funds, consistent with the City's Investment Policy and the Public Funds Investment Act; and,

WHEREAS, Valley View Consulting, L.L.C., has demonstrated the ability to offer the services required to assist the City in developing and implementing a comprehensive investment strategy that will enhance the City's ability to optimize the return on its investment portfolio.

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

SECTION 1. That the findings above are found to be true, and correct and are incorporated herein.

SECTION 2. That the City Manager is hereby authorized to renew a two-year agreement with Valley View Consulting, L.L.C., to provide investment advisory services.

PRESENTED AND PASSED this 27th day of May 2014, 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

**AGREEMENT
BY AND BETWEEN
THE CITY OF BEDFORD, TEXAS
AND
VALLEY VIEW CONSULTING, L.L.C.**

It is understood and agreed that the City of Bedford (the *Investor*) will have from time to time money available for investment (*Investable Funds*) and Valley View Consulting, L.L.C. (*Advisor*) has been requested to provide professional services to the Investor with respect to the Investable Funds. This agreement (the *Agreement*) constitutes the understanding of the parties with regard to the subject matter hereof.

1. This Agreement shall apply to any and all Investable Funds of the Investor from time to time during the period in which this Agreement shall be effective.
2. The Advisor agrees to provide its professional services to direct and coordinate all programs of investing as may be considered and authorized by the Investor.
3. The Advisor agrees to perform the following duties:
 - a. Assist the Investor in developing cash flow projections,
 - b. Suggest appropriate investment strategies to achieve the Investor's objectives,
 - c. Advise the Investor on market conditions, general information and economic data,
 - d. Analyze risk/return relationships between various investment alternatives,
 - e. Attend occasional meetings as requested by the Investor,
 - f. Assist in the selection, purchase, and sale of investments. The Advisor shall not have discretionary investment authority over the Investable Funds and the Investor shall make all decisions regarding purchase and sale of investments. All funds shall be invested consistent with the Texas Public Funds Investment Act, Chapter 2256 Government Code and the Investor's investment policies. The eligible investments are listed in the Investor's Investment Policy,
 - g. Advise on the investment of bond funds as to provide the best possible rate of return to the Investor in a manner which is consistent with the proceedings of the Investor authorizing the investment of the bond funds or applicable federal rules and regulations,
 - h. Assist the Investor in creating investment reports in compliance with State legislation and the Investor's Investment Policy,
 - i. Assist the Investor in creating monthly portfolio accounting reports, and
 - j. Assist the Investor in selecting a primary depository services financial institution.

4. The Investor agrees to:

- a. Compensate the Advisor for any and all services rendered and expenses incurred as set forth in Appendix A attached hereto,
- b. Provide the Advisor with the schedule of estimated cash flow requirements related to the Investable Funds, and will promptly notify the Advisor as to any changes in such estimated cash flow projections,
- c. Allow the Advisor to rely upon all information regarding schedules, investment policies and strategies, restrictions, or other information regarding the Investable Funds as provided to it by the Investor and that the Advisor shall have no responsibility to verify, through audit or investigation, the accuracy or completeness of such information,
- d. Recognize that there is no assurance that recommended investments will be available or that such will be able to be purchased or sold at the price recommended by the Advisor, and
- e. Not require the Advisor to place any order on behalf of the Investor that is inconsistent with any recommendation given by the Advisor or the policies and regulations pertaining to the Investor.

5. In providing the investment services in this Agreement, it is agreed that the Advisor shall have no liability or responsibility for any loss or penalty resulting from any investment made or not made in accordance with the provisions of this Agreement, except that the Advisor shall be liable for its own gross negligence or willful misconduct; nor shall the Advisor be responsible for any loss incurred by reason of any act or omission of any broker, selected with reasonable care by the Advisor and approved by the Investor, or of the Investor's custodian. Furthermore, the Advisor shall not be liable for any investment made which causes the interest on the Investor's obligations to become included in the gross income of the owners thereof.

6. The fee due to the Advisor in providing services pursuant to this Agreement shall be calculated in accordance with Appendix A attached hereto, and shall become due and payable as specified. Any and all expenses for which the Advisor is entitled to reimbursement in accordance with Appendix A attached hereto shall become due and payable at the end of each calendar quarter in which such expenses are incurred.

7. This Agreement shall remain in effect until May 31, 2016, with the option of the Investor to extend this Agreement in additional one and two year increments. Provided, however, the Investor or Advisor may terminate this Agreement upon thirty (30) days written notice to the other party. In the event of such termination, it is understood and agreed that only the amounts due to the Advisor for services provided and expenses incurred to and including the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement. In the event this Agreement is terminated, all investments and/or funds held by the Advisor shall be returned to the Investor as soon as practicable. In addition, the parties hereto agree that upon termination of this Agreement the Advisor shall have no continuing

obligation to the Investor regarding the investment of funds or performing any other services contemplated herein.

8. The Advisor reserves the right to offer and perform these and other services for various other clients. The Investor agrees that the Advisor may give advice and take action with respect to any of its other clients, which may differ from advice given to the Investor. The Investor agrees to coordinate with and avoid undue demands upon the Advisor to prevent conflicts with the performance of the Advisor towards its other clients.

9. The Advisor shall not assign this Agreement without the express written consent of the Investor.

10. By initialing the appropriate line, Investor acknowledges that:

- 1) _____ Investor was provided a written copy of Form ADV Part 2 not less than 48 hours prior to entering into this written contract, or
- 2) _____ Investor received a written copy of Form ADV Part 2 at the time of entering into this contract and has the right to terminate this contract without penalty within five business days after entering into this contract.
- 3) X Investor is renewing an expiring contract and has received in the past, and offered annually, a written copy of Form ADV Part 2.

When accepted by the Investor, it, together with Appendix A attached hereto, will constitute the entire Agreement between the Investor and Advisor for the purposes and the consideration herein specified.

Respectfully submitted,



Richard G. Long, Jr.
Manager, Valley View Consulting, L.L.C.

This agreement is hereby agreed to and executed on behalf of the City of Bedford, Texas.

By _____

City of Bedford

Date: _____

APPENDIX A

FEE SCHEDULE AND EXPENSE ITEMS

In consideration for the services rendered by Advisor in connection with the investment of the Investable Funds for the Investor, it is understood and agreed that its fee will be an annual fee, based on the Investor's average portfolio book value, of eight (8) basis points or 0.08%. Said fee shall be prorated and due and payable at the end of each investment quarter.

Should the Investor issue debt and select a bond proceeds investment strategy that incorporates a flexible repurchase agreement or other structured investment, fees will be determined by any applicable I.R.S. guidelines and industry standards.

Said fee includes all costs of services related to this Agreement, and all travel and business expenses related to attending regularly scheduled quarterly meetings. With pre-trip Investor approval, the Advisor may also request reimbursement for special meeting or event travel and business expenses. The obligation of the Advisor to pay expenses shall not include any costs incident to litigation, mandamus action, test case or other similar legal actions.

Any other fees retained by the Advisor shall be disclosed to the Investor.