

AGENDA

**Regular Meeting of the Bedford City Council
Tuesday, August 12, 2014
Bedford City Hall Building A
2000 Forest Ridge Drive
Bedford, Texas 76021**

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

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

WORK SESSION

- Review and discuss items on the regular agenda and consider placing items for approval by consent.
- Presentation on pilot program for recycling carts.
- Present report on the 2014 City of Bedford Fourth Fest.

REGULAR SESSION 6:30 P.M.

CALL TO ORDER/GENERAL COMMENTS

INVOCATION (Pastor Robert White, Cornerstone Church North)

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS/UPCOMING EVENTS

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 August 12, 2014 as Plaski Family Day in the City of Bedford. ***This item requested by Councilmember Turner.
2. Consider a resolution authorizing the Beautification Commission to recognize Gemma Dalton, DDS and Pecan Creek Apartments for maintaining, improving, and/or keeping their property visually attractive to the community.

APPROVAL OF THE MINUTES

3. Consider approval of the following City Council minutes:
 - a) July 22, 2014 regular meeting

PERSONS TO BE HEARD

4. 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 to present the “Block Party” concept.
 - b) Darryl Day, 1317 Brookshire Drive, Bedford, Texas 76021 – Requested to speak to the Council regarding Boards and Commissions.

OLD BUSINESS

5. Consider an ordinance amending Chapter 2. “Administration,” Article IV. “Boards, Commissions and Committees;” Chapter 74. “Library,” Article II “Library Board;” Chapter 86. “Parks and Recreation,” Article II. “Parks and Recreation Board;” and Chapter 18. “Animals,” Article III. “Animal Shelter Advisory Board” of the City of Bedford Code of Ordinances; providing a severability clause; and declaring an effective date.

NEW BUSINESS

6. Public hearing and consider an ordinance to rezone a portion of the property known as Lot C, Block 28, Stonegate Addition, located at 530 Bedford Road, from Light Commercial to Light Commercial/Specific Use Permit/Tobacco Products Store, specifically allowing the sale of tobacco or other substances such as vapor, electronic cigarettes, e-cigarettes, liquid nicotine, etc., for KND Discount Cigarettes; 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 property is generally located east of Brown Trail and south of Bedford Road. (Z-254)
7. Receive the 2014 Certified Ad Valorem Tax Roll from the Tarrant Appraisal District.
8. Receive the certified anticipated collection rate from the Tarrant County Tax Assessor-Collector for the City of Bedford, Texas.
9. Consider a proposed tax rate and set two public hearings on the proposed tax rate, if required.
10. Call a public hearing on the proposed FY 2014-2015 budget to be held on August 26, 2014 at 6:30 p.m. in the City Hall Council Chambers.
11. Consider a resolution authorizing the City Manager to approve payment in the amount of \$26,966.36 to Tarrant County for the final payout for the Tarrant County Community Development Block Grant 39th Year Program.
12. Consider a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) and Protocol Agreement with Alliance for Children.
13. Consider a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with Texas Health Resources.
14. Consider a resolution authorizing the City Manager to enter into a rooftop equipment/system agreement with Leis ‘Ohana Hui Family Partnership, LTD.
15. Consider a resolution authorizing the City Manager to enter into a contract with Harrison, Walker & Harper (HWH) to remodel the men’s and women’s restrooms at the Senior Center in the amount of \$24,656.49.

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

- ✓ **Animal Shelter Advisory Board - Councilmember Fisher**
- ✓ **Beautification Commission - Councilmember Turner**
- ✓ **Community Affairs Commission - Councilmember Boyter**
- ✓ **Cultural Commission – Councilmember Champney**
- ✓ **Investment Committee – Councilmember Turner**
- ✓ **Library Board - Councilmember Davisson**
- ✓ **Parks & Recreation Board - Councilmember Davisson**
- ✓ **Senior Citizen Advisory Board - Councilmember Turner**
- ✓ **Teen Court Advisory Board - Councilmember Farco**

17. Council member Reports

18. City Manager/Staff Reports

19. 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, August 8, 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: David Miller, Deputy City Manager
Jeri Harwell, Republic Services

DATE: 08/12/14

Work Session

ITEM:

Presentation on pilot program for recycling carts.

City Manager Review: _____

DISCUSSION:

When the City of Bedford renewed the contract with Republic Services for refuse and recycling, the decision was made to try a pilot program for the use of recycling carts as opposed to the current recycling bins. Since there was a keen interest in the use of recycling carts in the recent citizen survey, the City, in partnership with Republic Services, is prepared to launch the requested pilot program.

Jeri Harwell of Republic Services will be presenting an overview of the pilot program including but not limited to dates, program rollout, and follow-up.

It should be noted that there is no cost to the City for any costs associated with the pilot program. However, as a reminder which was discussed when the waste contract was renewed, should the City Council decide to adopt a full recycle cart program, there would be an increase in the recycling rates.

ATTACHMENTS:

PowerPoint Presentation



CITY OF
BEDFORD
Discover the Center



Bedford Recycle Cart Pilot Program

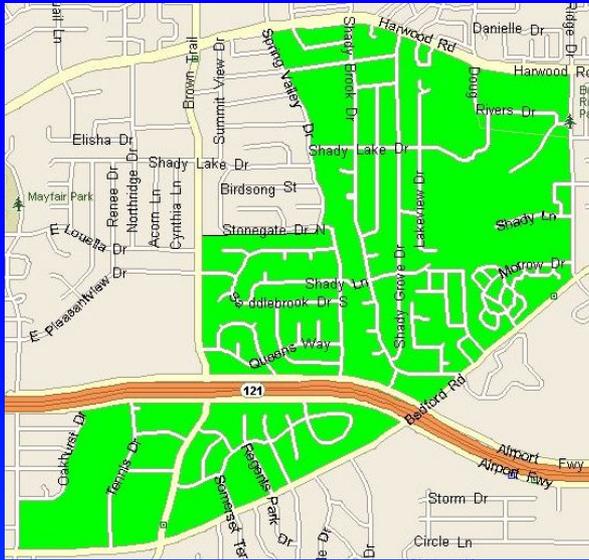


Benefits to Cart Recycling



- **Larger Container Size**
- **Convenience**
- **Privacy**
- **Increase Recycle Participation**
- **Trash Diversion**
- **Litter Control**
- **Recycle Contamination**

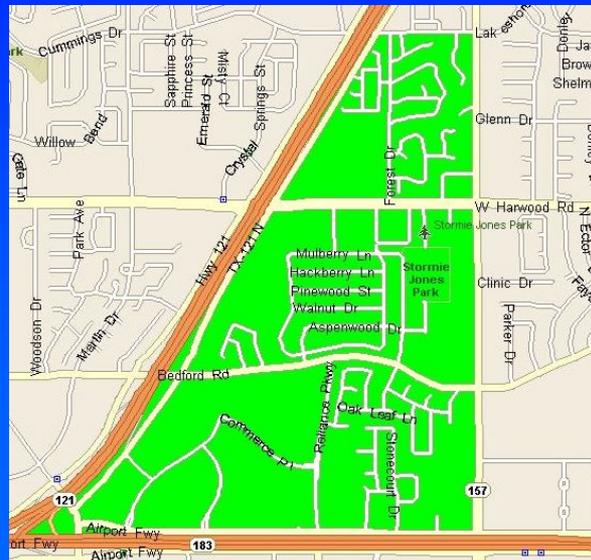
Proposed Pilot Program Details



Thursday

- Two Recycle Routes
 - Thursday & Friday
- Approximately 2,200 Residential Participants
- 65 Gallon Cart Distributed by Republic Services (No Cost for Pilot Program)
- Data Collected by Republic Services

Friday



Pilot Program Implementation

- **Notify residents in the pilot area via letter**
- **Deliver carts with instructions on how the program works**
- **Track the tonnage for 90 days**
- **Track customer calls relative to the pilot**
- **Send a comment card to residents in pilot program for feedback**
- **Tally the data**
- **Present to Staff/Council**

Cart Sizes in Surrounding Cities

City	Trash	Service	Recycle	Service
Argyle	95 gal	1x wkly	95 gal	1 st , 3 rd , 5 th
Copper Canyon	95 gal	1x wkly	95 gal	1 st & 3 rd
Eules*	n/a	2x wkly	65 gal	1x wkly
Grapevine	n/a	2x wkly	65 gal	1x wkly
Haslet	95 gal	1x wkly	95 gal	1x wkly
Hurst	n/a	2x wkly	65 gal	1x wkly
Roanoke	95 gal	1x wkly	65 gal	1x wkly
Westlake	95 gal	1x wkly	65 gal	1x wkly

*Eules does have the option for blue bag, bin or cart

Any Questions?



Council Agenda Background

PRESENTER: Wendy Hartnett, Special Events Manager

DATE: 08/12/14

Work Session

ITEM:

Present report on the 2014 City of Bedford Fourth Fest.

City Manager Review: _____

DISCUSSION:

Staff will present a wrap-up report on the 2014 City of Bedford Fourth Fest.

ATTACHMENTS:

PowerPoint Presentation



4th FEST

CELEBRATE 4TH OF JULY IN BEDFORD
Friday, July 4th at the Boys Ranch Park

4thFEST 2014

- **Goals of the Festival**
 - Provide a community event
 - Foster economic growth
 - Encourage citizen involvement
 - Produce a phenomenal festival that enhances the image of the City of Bedford



4thFEST 2014

- Objectives Achieved
 - Volunteer program
 - Parking objectives
 - Multi-year agreements continue
 - ADA accessibility
 - Highway construction challenges



Fireworks timeline

- 10PM – Fireworks countdown begins with music not responding. CD is playing, but no sound from speakers.
- 10:03PM – Music begins playing and is in-sync.
- 10:20PM – Show stops - fireworks malfunction (4 inch mortar explodes in rack)
- 10:27PM – Fireworks resume
- 10:29PM – Show stops - fireworks malfunction from earlier had taken out a 2nd rack of the show
- 10:31PM – Finale begins
- 10:33PM – Low shells from finale end the show.
- 7:08PM -Saturday 7/5 – Shell discovered at 2608 Lakeview Ct. per police report

Fireworks Issues 2014

Basic setup



Basic shell inside

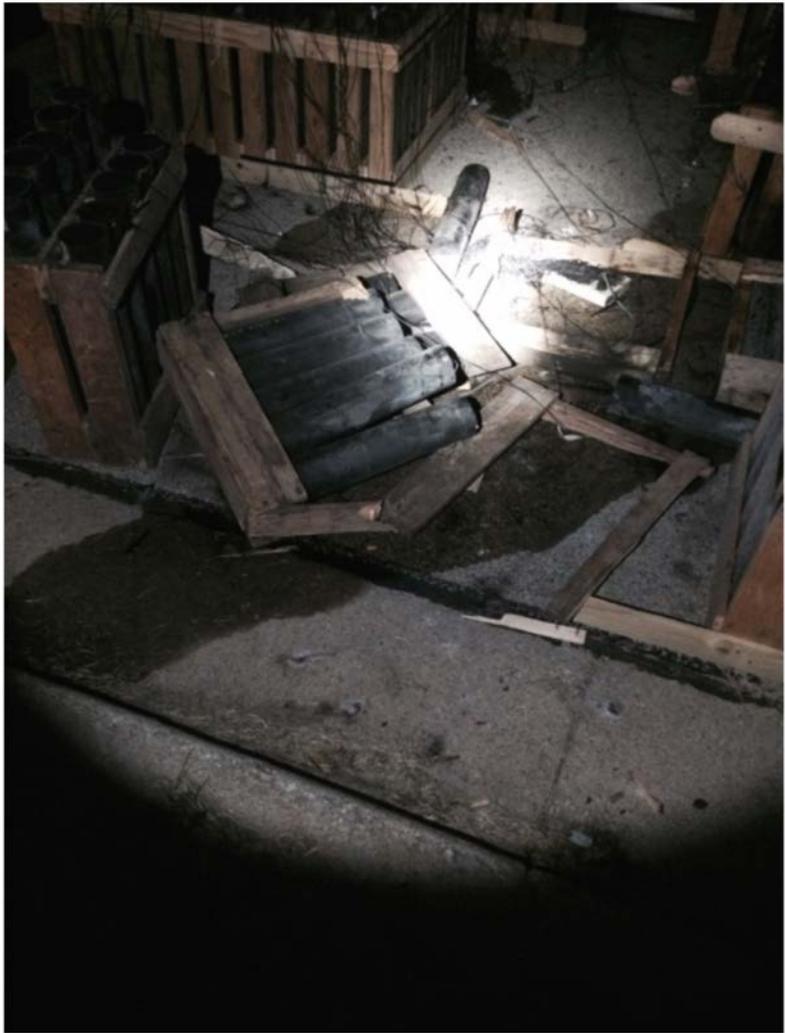


Basic shell



Fireworks Issues 2014

Photos from our show



Fireworks Comparison

	2012	2014
How much of the show was impacted?	40% of show	Approximately four minutes of show
Cause of the issue	Technician error	Fireworks malfunction
Crowd awareness of issue	Less noticeable – but more actual shells didn't fire	More noticeable – but less product damaged
Refund by Vendor	Full refund \$27,000	Partial refund \$14,500

Fireworks – Where do we go?

- Stay with current company:
 - Business with Western for 20 + years
 - Better show for 2015
 - Professional technician
- Investigate new companies:
 - Bid comparable shows
 - Start over
- In house changes in place:
 - Stage
 - Internal procedures

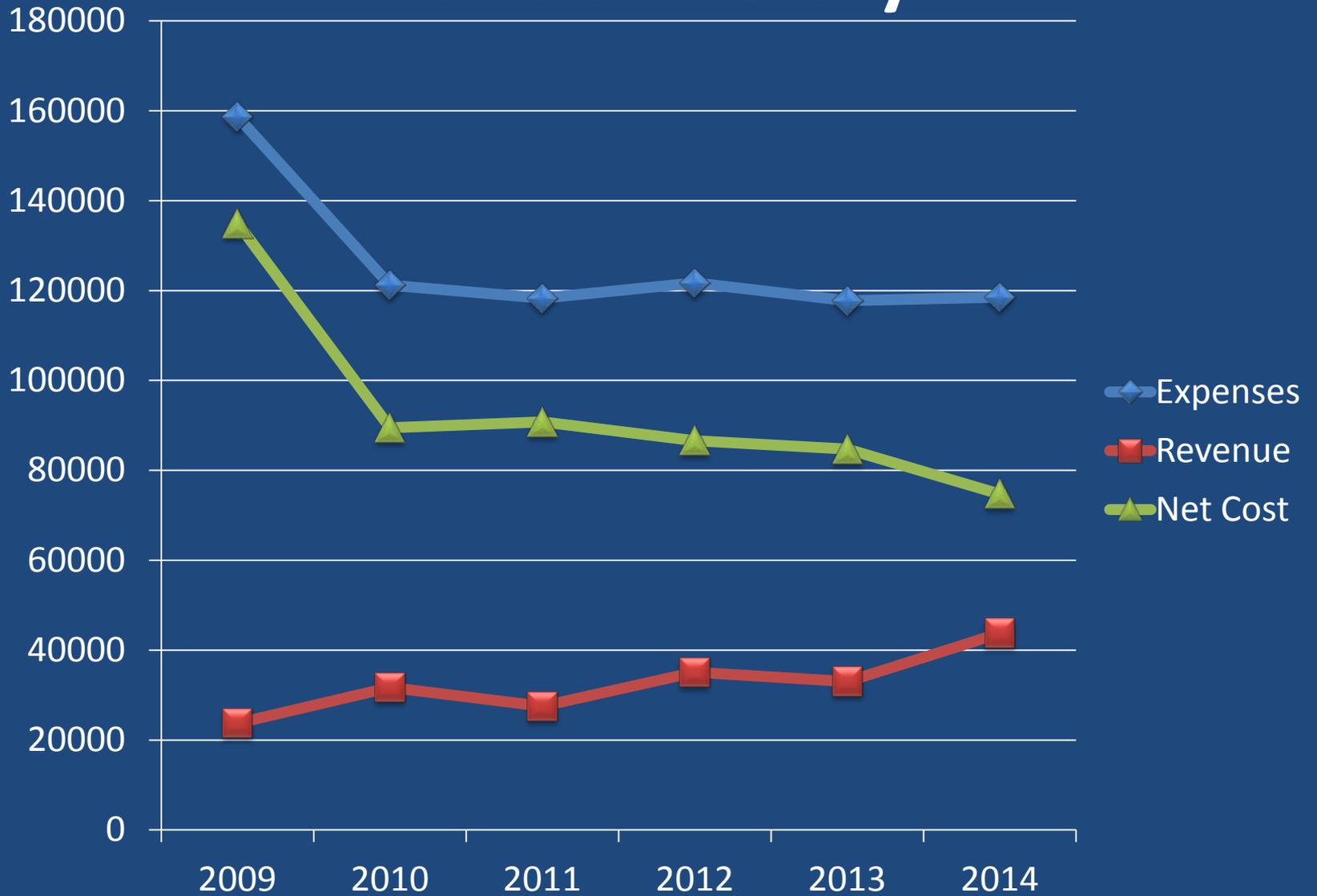


Financial History

	2009	2010	2011	2012	2013	2014
Expenses	\$158,698	\$121,209	\$118,299	\$121,696*	\$117,751	\$118,523*
Revenue	<u>\$23,725</u>	<u>\$31,714</u>	<u>\$27,501</u>	<u>\$35,091</u>	<u>\$33,027</u>	<u>\$43,770</u>
Net Cost	\$134,973	\$89,495	\$90,798	\$86,605	\$84,724	\$74,753
% Cost Recovery	<u>14.9%</u>	<u>26.1%</u>	<u>23.2%</u>	<u>28.8%</u>	<u>28.0%</u>	<u>36.9%</u>

* Reflects the full cost of the fireworks to have an accurate comparison.

Financial History



4thFEST 2014

Personnel Program

	2009	2010	2011	2012	2013	2014
Staff	\$58,908	\$38,756	\$38,442	\$37,744	\$40,039	\$37,820
Vol.	<u>\$200</u>	<u>\$2,798</u>	<u>\$3,255</u>	<u>\$2,340</u>	<u>\$1,780</u>	<u>\$1,050</u>
Total	\$59,108	\$41,554	\$41,697	\$40,084	\$41,819	\$38,870

4thFEST 2014

- **Factors contributing to savings:**
 - Glow inventory pricing was increased
 - On-site parking = \$9,505 up 96%
 - Friends of the Library Parking % = \$2,750 up 15%
 - Additional revenue from pizza sales
 - Volunteer/Staff program efficiency
 - Continued to begin the event at 4PM to maximize revenue and decrease expenses

4thFEST 2014

- **Future challenges:**
 - Add more sponsors
 - Including co-sponsorships with Bluesfest
 - Continue to optimize parking options
 - Improvements in the lot used for onsite parking and maximize the space in the onsite lot
 - Investigate other local parking venues
 - Remove shuttles to streamline logistics and lower costs
 - Evaluate other fireworks vendors

Questions?



Council Agenda Background

PRESENTER: Jim Griffin, Mayor

DATE: 08/12/14

Council Recognition

ITEM:

Proclamation declaring August 12, 2014 as Plaski Family Day in the City of Bedford.

City Manager Review: _____

DISCUSSION:

This item was requested by Councilmember Turner. Members of the Plaski Family will be present to accept the proclamation.

ATTACHMENTS:

**Proclamation
Letter of Request**



CITY OF
BEDFORD

Proclamation

WHEREAS, for the last few years Alicia Plaski and her family have put American flags throughout Bedford neighborhoods as a tribute to her 89 year old father, Walter Plaski, who fought in World War II at the age of 18; and

WHEREAS, this patriotic project was a family effort because of the American military and the sacrifices they made protecting our freedom in this country; and

WHEREAS, there are four generations of the Plaski family that are patriotic and community oriented because of Mr. Plaski's military service.

NOW, THEREFORE, let it be known that I, Jim Griffin, Mayor of the City of Bedford, and the City Council do hereby proclaim August 12, 2014 as:

Plaski Family Day

in the City of Bedford and ask the citizens of Bedford to join me in extending our appreciation to the Plaski family for their commitment and contribution to our community.

*In witness whereof, I have hereunto set my hand and caused the seal of the City of Bedford to be affixed this
12th day of August, 2014.*

JIM GRIFFIN, MAYOR



From: [Turner, Roy](#)
To: [Wells, Michael](#)
Subject: FW: Flag Lady in Bedford
Date: Friday, July 25, 2014 11:39:19 AM

Michael, I want to put on the August 12 Council agenda an item to recognize Alicia Plaski and her family for their patriotic efforts over the last few years putting out flags throughout neighborhoods in Bedford (mostly south of 183). I am forwarding her email. I will work out the details with the appropriate staff. RWT

From: Alicia Plaski
Sent: Tuesday, July 15, 2014 10:35 AM
To: Turner, Roy
Subject: Flag Lady in Bedford

Hello, Mr. Turner:

I met you and your wife while I was "flagging the neighborhood."

I would love to speak to the Council about my patriotic project which I have dedicated to my father Walter Plaski who fought in WWII when he was 18.

My dad (89 yr old) lives in Irving and because of him and the American military, our family members are college-educated, hard-working, voting passionate citizens of the United States of America! We are now 4 generations thanks to my dad's service:

Walter has two daughters: Alicia Plaski (college instructor) and Andrea Perez (retired Dallas Police)

My three: Tony, Alexis, and Alicia Victoria (7 college degrees and all employed)

Alexis, who wrote a book about my dad's military service and life, now has a 7-mo old son Grayson.

I would love to share the story of the flags with the Bedford City Council and I can bring all 4 generations!

Just let me know how many minutes I have (I can talk fast!) and the date/time of the meeting.

Alicia Plaski, M.A.



Council Agenda Background

PRESENTER: Faye Murphy, Beautification Commission Chairperson Patty Sinclair, Beautification Commission member Don Henderson, Parks Superintendent		DATE: 08/12/14
Council Mission Area: Foster economic growth.		
ITEM: Consider a resolution authorizing the Beautification Commission to recognize Gemma Dalton, DDS and Pecan Creek Apartments for maintaining, improving, and/or keeping their property visually attractive to the community. City Attorney Review: N/A City Manager Review: _____		
DISCUSSION: The Beautification Commission recommends the recognition of Bedford establishments for their contribution to the beautification of Bedford through keeping their property maintained with the highest of standards. The City appreciates the visual appeal and well-maintained landscape of these properties.		
Property/Establishment	Category	Comments
Gemma Dalton, DDS 2307 Central Drive Bedford, Texas 76021	Overall Appearance	The superior landscaping is always colorful and planting are maintained with the season.
Pecan Creek Apartments 2500 Central Drive Bedford, Texas 76021	Superior Landscaping	The colorful landscaping is well maintained; always neat and attractive.
If approved, the award is scheduled to be presented at 10:00 a.m. to Gemma Dalton, DDS and at 10:30 a.m. to Pecan Creek Apartments on Saturday, August 23, 2014.		
RECOMMENDATION: Staff recommends the following motion: Approval of a resolution authorizing the Beautification Commission to recognize Gemma Dalton, DDS and Pecan Creek Apartments for maintaining, improving, and/or keeping their property visually attractive to the community.		
FISCAL IMPACT: N/A	ATTACHMENTS: Resolution	

RESOLUTION NO. 14 -

A RESOLUTION AUTHORIZING THE BEAUTIFICATION COMMISSION TO RECOGNIZE GEMMA DALTON, DDS AND PECAN CREEK APARTMENTS FOR MAINTAINING, IMPROVING, AND/OR KEEPING THEIR PROPERTY VISUALLY ATTRACTIVE TO THE COMMUNITY.

WHEREAS, the Bedford Beautification Commission has nominated Gemma Dalton, DDS and Pecan Creek Apartments for the Business Recognition Award based on observations, discussions and comments of the Commission members; and,

WHEREAS, a Certificate of Recognition will be signed by the Mayor, the Community Services Department, and the Bedford Beautification Commission Chairperson; and,

WHEREAS, the award is scheduled to be presented at 10:00 a.m. to Gemma Dalton, DDS and at 10:30 a.m. to Pecan Creek Apartments on Saturday, August 23, 2014.

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 Bedford Beautification Commission to award Gemma Dalton, DDS a Certificate of Recognition for Overall Appearance and Pecan Creek Apartments a Certificate of Recognition for Superior Landscaping and all being visually attractive to the community.

PRESENTED AND PASSED on this 12th day of August 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



Council Agenda Background

PRESENTER: Michael Wells, City Secretary

DATE: 08/12/14

Minutes

ITEM:

Consider approval of the following City Council minutes:

- a) July 22, 2014 regular meeting

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

July 22, 2014 regular meeting

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 5:00 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 22nd day of July, 2014 with the following members present:

Jim Griffin
Michael Boyter
Ray Champney
Jim Davisson
Steve Farco
Roger Fisher
Roy W. Turner

Mayor
Council Members

constituting a quorum.

Staff present included:

Beverly Griffith
David Miller
Stan Lowry
Michael Wells
Kelli Agan
Cliff Blackwell
Natalie Foster
Les Hawkins
Tom Hoover
Meg Jakubik
Mirenda McQuagge-Walden
Maria Redburn
Jacquelyn Reyff

City Manager
Deputy City Manager
City Attorney
City Secretary
Technical Services Manager
Administrative Services Director
Marketing Specialist
Deputy Police Chief
Public Works Director
Assistant to the City Manager
Managing Director
Library Director
Planning Manager

WORK SESSION

Mayor Griffin called the Work Session to order at 5:00 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: 2, 8, 9, 10, 11, 12 and 14.

Library Director Maria Redburn presented information regarding Item #11. The Library received a nomination to have the Discovery Room named for Jennifer Bubics, who was a volunteer and staff member at the Library. The nominations came from the Hurst-Euless-Bedford Moms Offering Moms Support Club and the Bedford Library Bookworms. The City has a policy that allows consideration for naming rights either by paying for the room or being nominated. There are currently three rooms at the Library named after people who have donated money. It was stated that the Library Foundation endorsed this action. In answer to questions from Council, Ms. Redburn stated that the Library has received \$3,000 in Ms. Bubics' name; and that in addition to the signage over the door, there will be a plaque next to the door that reads "Jennifer Bubics" Discovery Room.

Administrative Services Director Cliff Blackwell presented information regarding Item #14, which is a resolution to accept the updated and revised Purchasing Policy. The currently Policy is 21 years old and followed State statute at that time. Since then, State statutes have increased the threshold from \$15,000

to \$50,000. If a municipality is making a purchase greater than \$50,000, it has to go through the competitive bidding or request for proposals processes. The current Policy allows the City to follow State statute; however, if an item is greater than \$15,000, even if budgeted, it has to be presented to Council for approval. Staff is asking to make the Policy more current and up-to-date, and which mirrors State statutory language. Both staff and the City Attorney reviewed and had input into the Policy. Staff is asking for the threshold to be increased from \$15,000 to \$50,000 and that they be empowered to make those purchases following the Policy as it is written. The Policy contains ethical standards, competitive bidding requirements, and language requiring the City to contact two historically underutilized businesses (HUBs) in receiving quotes. In the event of an unbudgeted item, staff is asking for the threshold to be increased to \$25,000. Contractual expenses on behalf of the City would be presented to Council regardless of the dollar amount. He discussed Council being able to review and approve items collectively during the budget process. In answer to questions from Council, City Manager Beverly Griffith stated that the City could not legally split up a purchase to avoid bringing it to Council or to avoid the competitive bidding process. Council was of the consensus to discuss this item further in the Regular Session.

- **Discussion regarding City of Bedford Boards and Commissions.**

City Secretary Michael Wells presented information regarding proposed changes to the City's Boards and Commissions based on discussions during the July 1 planning session. The terms of all Board and Commission members, excluding the Teen Court Advisory Board, the Zoning Board of Adjustment and the Building and Standards Commission will expire on September 30, 2014. Council would appoint the Chairperson of each Board or Commission excluding the Teen Court Advisory Board as well as the Planning and Zoning Commission; the City's Charter dictates that the Commission members appoint the chairperson. Changes to all Boards and Commissions include: agendas would be the responsibility of the staff and Council liaisons with input from the chairperson; subcommittees would require approval by the Council and their meetings would have to comply with the Open Meetings Act including the posting of agendas; each would appoint a vice chairperson and secretary; requests for funding and/or staff time would have to go through the staff liaison; and they will be required to make an annual report to Council. For the Animal Shelter Advisory Board, the number of required meetings would be reduced from six to three. For the Beautification Commission, the Adopt-a-Street, Clean Up Bedford, and Chunk Your Junk subcommittees would be formally adopted. For the Community Affairs Commission, the second part of their powers and duties related to providing input on items that make doing business in Bedford difficult and point out areas of concern would be removed, and the Business Outreach, Residential Outreach, Faith Based Outreach and City Expo subcommittees would be formally adopted. For the Cultural Commission, their purpose would be amended to what was presented at the July 1 meeting and the 501(c)(3), Arts Incubator, and Storefront Gallery subcommittees would be formally adopted. The Senior Citizen Advisory Board would be eliminated. Items to be worked on in the future include developing a form laying out the purpose of each Board and Commission for signature by the members; developing a Rules of Procedure for the Boards and Commissions; and training for Board/Commission members and/or chairpersons. In regards to the timeline, the ordinances for the changes would be presented to Council at the August 12 meeting; an article would be put in the Bedford Connection in late August; the deadline for applications would be September 12; interviews would take place the week of September 15 and September 22; and Council would make their appointments at a special meeting on September 29. Council was of the consensus to hold interviews on September 15 and 16 as well as September 23. There was discussion on addressing the Boards and Commissions individually and the recent Attendance Policy.

Mayor Griffin adjourned the Work Session at 5:31 p.m.

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 551.071, consultation with City Attorney regarding pending or contemplated litigation regarding 533 Bedford Road.**
- b) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease or value of real property – Lot 35R1, Block 13, Stonegate Addition.**

c) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to the Wallace W. Smith Survey A1392 Tr 1D.

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; Section 551.072, to deliberate the purchase, exchange, lease or value of real property – Lot 35R1, Block 13, Stonegate Addition; and Section 551.087, deliberation regarding economic development negotiations relative to the Wallace W. Smith Survey A1392 Tr 1D at 5:35 p.m.

Council reconvened from Executive Session at 6:20 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 6:30 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION (Rev. Melvin E. Brown, Cathedral of Faith Church of God in Christ)

Rev. Melvin E. Brown of Cathedral of Faith Church of God in Christ gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

ANNOUNCEMENTS/UPCOMING EVENTS

Marketing Specialist Natalie Foster announced that the Bedford Library Friends will hold a book sale on Saturday from 10:00 a.m. to 4:00 p.m. and all items are \$0.50. The Boys Ranch will be hosting a "Cooking for a Cause" event on July 28 from 6:00 p.m. to 8:30 p.m. featuring the executive chef at the Doubletree Hotel in Dallas. BluesFest will be Labor Day weekend, with music starting at 6:00 p.m. that Friday, and from 2:00 p.m. to 10:00 p.m. on Saturday and Sunday.

OPEN FORUM

Nobody chose to speak during Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilmember Champney, seconded by Councilmember Davisson, to approve the following items by consent: 2, 8, 9, 10, 11 and 12.

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

COUNCIL RECOGNITION

1. Employee Service Recognition

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

Noel Scott, Police Department -10 years of service
Clifford Box, Fire Department - 20 years of service

APPROVAL OF THE MINUTES

2. Consider approval of the following City Council minutes:
 - a) June 24, 2014 regular meeting
 - b) July 1, 2014 work session

This item was approved by consent.

PERSONS TO BE HEARD

3. The following individual has requested to speak to the Council tonight under Persons to be Heard:
 - a) **Roger Gallenstein, 4013 Fairmont Court, Bedford, Texas 76021 – Requested to speak to the Council regarding the importance of a “Destination” for the City that will enhance its visibility in the Metroplex.**

Roger Gallenstein, 4013 Fairmont Court, Bedford, Texas – Mr. Gallenstein stated that things in Bedford are going pretty well though there is need for improvement on some things based on City survey. The Star-Telegram reported that the average sale price of a home in Bedford is up by 26 percent at \$195,000, which is good for the City and for the residents. He stated that Bedford needs a destination that makes the City stand out. When he lived in Delaware, Ohio, they were known for the Race of the Little Brown Jug. He stated that for the last three years, he and his wife have attended a destination in another city, the Levitt Pavilion in Arlington, and played a video presentation on the Pavilion. He stated that due to minimum distance requirements, the City could not get a Levitt Pavilion but the question is what the City can do. He discussed the Bedford Commons, Twilight Thursdays and the Cultural District. He stated that the sense of community at the Levitt Pavilion is unbelievable and that one sees members of all ethnic and social-economic groups. He stated that the National Levitt Association funds it halfway for the first five years and, after that, it falls on the community. The Pavilion in Arlington raised \$40,000 last year, obtains business sponsors and holds a fundraiser concert each year, with The Doobie Brothers being featured this year. He wanted Council to keep that seed in mind that the City needs a destination and to not wait around, and to step up and put Bedford on the map. There was discussion between Mr. Gallenstein and the Council regarding the Bedford Commons being unique to the area, repurposing an area, having a point of differentiation including the Cultural District, and the art event the previous Saturday.

NEW BUSINESS

4. **Public hearing and consider an ordinance to rezone the property known as Lot 4R, Block 4, Airport Freeway Center Addition, located at 1320 Tennis Drive, Bedford, Texas, from Heavy Commercial District (H), Section 4.13 of the City of Bedford Zoning Ordinance to Planned Unit Development District (PUD), Section 4.15 of the City of Bedford Zoning Ordinance, for Novak Motors; 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 property is generally located south of State Highway 183 and west of Brown Trail. (Z-248)**

Planning Manager Jacquelyn Reyff presented information regarding this item, which is for the property at 1320 Tennis Drive. Mr. Calvert with Novak Motors would like to use the property as a corporate headquarters and vehicle lot. They expect to have 30 employees. Earlier in the year, the open space to the south was re-platted and combined with 1320 Tennis Drive to make one piece of property. The existing building will be repurposed for the headquarters and the parcel to the south will be fenced in with wrought iron fencing. There will be no changes to the footprint of the building and it is not located within the Master Highway Corridor (MHC); therefore, there are no additional design standards beyond what is required in the Planned Unit Development (PUD). The property is to be rezoned from H-Heavy Commercial to PUD. All setbacks meet the Zoning Ordinance. Ingress and egress will be from curb cuts on Tennis Drive. The building has 90 parking spaces and the required total for the entire property is 175 spaces. The applicant is proposing 196 spaces including 6 handicap spaces. Of the 3.25 acres, 20

percent is required to be landscaped and the Landscape Plan indicates 21 percent being landscaped. The parking lot will be landscaped in excess of the 10 percent required at over 11 percent. Under the umbrella of the PUD, the applicant is requesting a variance for the fence along the front of the property line along Tennis Drive to be consistent with the fencing along the property to the north. The Comprehensive Plan indicates the property to be Commercial so this item will not conflict with the Plan. The Planning and Zoning Commission voted unanimously to approve this rezoning request at their June 26 meeting. In answer to questions from Council, Ms. Reyff stated that the applicant would attempt to install the same type of fencing all the way down, and that the property falls outside of the MHC.

Mayor Griffin opened the public hearing at 7:06 p.m.

Nobody chose to speak during the public hearing.

Mayor Griffin closed the public hearing at 7:06 p.m.

In answer to questions from Council, the applicant, Jim Calvert, 1704 Oak Knoll Drive, Colleyville, Texas, stated that their plans are to extensively change the look of the property to be a headquarters campus and that they would use the same fence company used by Grubbs Nissan. In answer to a request from Council, Mr. Calvert stated that he would be fine with earth tone colors being a stipulation of the PUD.

Motioned by Councilmember Davisson, seconded by Councilmember Fisher, to approve an ordinance to rezone the property known as Lot 4R, Block 4, Airport Freeway Center Addition, located at 1320 Tennis Drive, Bedford, Texas, from Heavy Commercial District (H), Section 4.13 of the City of Bedford Zoning Ordinance to Planned Unit Development District (PUD), Section 4.15 of the City of Bedford Zoning Ordinance, for Novak Motors; 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 property is generally located south of State Highway 183 and west of Brown Trail. (Z-248) and asking that the building, when it is redecorated on the outside, be in earth tones.

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

5. Public hearing and consider an ordinance to rezone a portion of the property known as Lot 4A, Block 7, Bellvue Addition #3, located at 800 Brown Trail, Suite C, Bedford, Texas from Heavy Commercial to Heavy Commercial/Specific Use Permit/Churches, Temples & Synagogues, for Emmanuel Encountering International; 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 property is generally located north of Pipeline Road and east of Brown Trail. (Z-252)

Ms. Reyff presented information regarding this item, which is for the property at 800 Brown Trail, Suite C. The applicant requests to use the space for a church named Emmanuel Encountering International. The expected occupancy is 30 people. The number of required parking spaces is ten. Parking remains from the existing shopping center, which has 23 parking spaces and therefore meets the Parking Ordinance. Meetings would be held during non-business hours and the existing landscaping meets the City's ordinances. The requested zoning is H with a Specific Use Permit (SUP). At the Planning and Zoning Commission meeting, concerns were raised by a neighboring property owner regarding their TABC license; however, it was determined that there would be no impact with approval of the SUP. The Commission voted unanimously to approve this SUP at their June 24 meeting. In answer to a question from Council, Ms. Reyff stated that the church would take up one suite out of four in the center.

Mayor Griffin opened the public hearing at 7:13 p.m.

Nobody chose to speak during the public hearing.

Mayor Griffin closed the public hearing at 7:13 p.m.

Motioned by Councilmember Turner, seconded by Councilmember Champney, to approve an ordinance

to rezone a portion of the property known as Lot 4A, Block 7, Bellvue Addition #3, located at 800 Brown Trail, Suite C, Bedford, Texas from Heavy Commercial to Heavy Commercial/Specific Use Permit/Churches, Temples & Synagogues, for Emmanuel Encountering International; 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 property is generally located north of Pipeline Road and east of Brown Trail. (Z-252)

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

6. Public hearing and consider an ordinance to amend Ordinance 13-3056, specific to the City of Bedford Master Highway Corridor Overlay District, "MHC" to change the MHC map specifically to bring the property known as Lot 2R, Block 13, Oak Ridge Estates Addition, 3351 Harwood Road, Bedford, Texas, into the MHC; 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 property is generally located north of Harwood Road and west of State Highway 121. (A-032.1)

Ms. Reyff presented information regarding this item and Item #7. The first item is to amend the MHC to bring the property located at 3351 Harwood Road into the MHC. The property was zoned R-15,000 and at the time the MHC was approved, residential properties were excluded. She said that after the rezoning, and since the property is contiguous to the MHC, it makes sense to bring it into the MHC. The Planning and Zoning Commission unanimously approved this item at their June 12 meeting.

Item #7 is for the rezoning of the property at 3351 Harwood Road, which would be utilized as a new Taco Bell restaurant. It is currently an undeveloped greenfield surrounded by commercial properties, and had been the site of a City of Euless water tower that has been removed and capped. The property would be rezoned from R-15,000 to a PUD. The proposed layout meets all of the requirements for height and setbacks. Ingress and egress would be from existing curb cuts on Harwood Road and Crystal Springs Street. The Harwood Road entrance and the drive-thru would be accented with decorative street pavers and 10 percent of parking would be dedicated to this treatment. The required landscaping is 20 percent and the Landscape Plan indicates that 33 percent will be landscaped. There is a 30-foot landscape buffer along Harwood Road with trees, shrubs and other landscaping. The dumpster enclosure will be screened with shrubbery. The parking lot will be landscaped beyond the required 10 percent to over 11 percent. The exterior elevations are primarily stucco and the Zoning Ordinance requires it to be 100 percent masonry. The banding on the top of the building is shown to be purple. The design of the canopy for a building less than 5,000 square feet requires a pitched roof. The applicant is requesting a variance under the PUD to have a partially pitched roof to screen mechanical equipment. The Comprehensive Plan indicates the property to be commercial and therefore the proposed use would not conflict with the Plan. The Planning and Zoning Commission voted unanimously to approve this rezoning at their June 12 meeting.

In answer to a question from Council, David Gregory with Icon Consulting Engineers, Inc., 2840 West Southlake Boulevard, Suite 117, Southlake, Texas, stated that the existing building is corporate owned and will be sold. In answer to a question from Council, Ms. Reyff stated that the dumpster will be screened with shrubbery around the masonry screening. In answer to questions from Council regarding the screening of the mechanical equipment, Mr. Gregory stated that restaurants have a lot of mechanical equipment; that they have a parapet-style system and corner cupolas that give the illusion of a pitched roof; that the parapet is between five feet and seven feet tall; and that the central air units are eight to ten inches above the parapet but are located in the center of the store. In answer to questions from Council regarding traffic coming off of the highway onto Harwood Road, Ms. Reyff stated that she is not aware of a traffic study but that a traffic count from 2012 indicated there are 20,000 cars a day; and that the Jack In The Box comes before the Taco Bell. In regard to a site line study from the highway, Ms. Reyff stated that the property is elevated and really fronts Harwood Road. Mr. Gregory stated that they did not perform a detailed site line study from the highway; that a tower element with a raised parapet will block some of the mechanical equipment; that there is a rear HVAC unit and exhaust fans, which will stand below the parapet; and that the mechanical equipment could be seen from the highway. There was discussion on obscuring the mechanical equipment from view from the highway and the intent of the pitched roof provision in the MHC.

Mayor Griffin opened the public hearing at 7:33 p.m.

Nobody chose to speak during the public hearing.

Mayor Griffin closed the public hearing at 7:33 p.m.

Motioned by Councilmember Champney, seconded by Councilmember Turner, to approve an ordinance to amend Ordinance 13-3056, specific to the City of Bedford Master Highway Corridor Overlay District, "MHC" to change the MHC map specifically to bring the property known as Lot 2R, Block 13, Oak Ridge Estates Addition, 3351 Harwood Road, Bedford, Texas, into the MHC; 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 property is generally located north of Harwood Road and west of State Highway 121.

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

- 7. Public hearing and consider an ordinance to rezone the property known as Lot 2R, Block 13, Oak Ridge Estates Addition, located at 3351 Harwood Road, Bedford, Texas, from "R-15,000" Single-Family Residential Detached District (R-15,000), Section 4.1 of the City of Bedford Zoning Ordinance to Planned Unit Development District (PUD), Section 4.15 of the City of Bedford Zoning Ordinance, for a Taco Bell Restaurant; 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 property is generally located north of Harwood Road and west of State Highway 121. (Z-253)**

This item was presented in conjunction with Item #6.

Mayor Griffin opened the public hearing at 7:33 p.m.

Roger Gallenstein, 4013 Fairmont Court, Bedford, Texas – Mr. Gallenstein stated that a valid point was made regarding traffic coming off of the highway. He did not know if the issue could be mitigated but knows of people who have been involved in accidents. Traffic comes off of the highway quickly and travels up Harwood Road and he did not know if the situation would be exacerbated by the addition of the restaurant.

Mayor Griffin closed the public hearing at 7:34 p.m.

In answer to questions from Council, it was stated that the new store would be corporate owned and that the purple on the banding at the top of the building would be as shown on the elevations. Mr. Gregory stated that there was a lot of discussion on the driveway, that they wanted to create a common access driveway with the Jack In the Box, and that they wanted to bring traffic into one central spot to have more predictable movements for patrons and passersby. He further stated that in looking at Google Street View, the site is almost the same elevation as the bridge.

Motioned by Councilmember Fisher, seconded by Councilmember Champney, to approve an ordinance to rezone the property known as Lot 2R, Block 13, Oak Ridge Estates Addition, located at 3351 Harwood Road, Bedford, Texas, from "R-15,000" Single-Family Residential Detached District (R-15,000), Section 4.1 of the City of Bedford Zoning Ordinance to Planned Unit Development District (PUD), Section 4.15 of the City of Bedford Zoning Ordinance, for a Taco Bell Restaurant; 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 property is generally located north of Harwood Road and west of State Highway 121 stipulated to these documents.

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

- 8. Consider a resolution authorizing the City Manager to enter into a contract with Blackboard, Inc., to provide a mass notification system for the City of Bedford, in the amount of \$46,560.17.**

This item was approved by consent.

- 9. Consider a resolution authorizing the City Manager to enter into a contract with the Hurst-Euless-Bedford Independent School District to provide two School Resource Officers for school year 2014/15, in the amount of \$149,370, paid for by the District.**

This item was approved by consent.

- 10. Consider a resolution authorizing the submission of an application for the FY 2014 Edward Byrne Memorial Justice Assistance Grant in the amount of \$14,483 for police equipment.**

This item was approved by consent.

- 11. Consider a resolution accepting the nomination of the Discovery Room at the Bedford Public Library to be named the Jennifer's Discovery Room by the Bedford Library Bookworms and the Hurst-Euless-Bedford Moms Offering Moms Support Club.**

This item was approved by consent.

- 12. Consider a resolution authorizing the City Manager to dispose of obsolete, worn, or infrequently used library materials by donating them to the Bedford Library Friends.**

This item was approved by consent.

- 13. Consider a resolution authorizing the City Manager to authorize a payment to Errol V. Housman for the acquisition of an easement on Lot 35R1, Block 13, Stonegate Addition.**

This item was discussed in Executive Session.

Motioned by Councilmember Turner, seconded by Councilmember Davisson, to approve a resolution authorizing the City Manager to authorize a payment to Errol V. Housman for the acquisition of an easement on Lot 35R1, Block 13, Stonegate Addition in the amount of \$30,300.

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

It was stated that the funds would come from bond monies.

- 14. Consider a resolution accepting the revised and updated City of Bedford Purchasing Policy and Procedures.**

Administrative Services Director Cliff Blackwell presented information regarding this item during the Work Session. There was discussion on Historically Underutilized Businesses (HUBs) and the urgency in changing the Policy. In answer to questions from Council, it was stated that purchases between \$3,000 and \$50,000 would require three quotes along with contacting two HUBs; and that there was an attempt to change the policy in 2003 or 2004 which was not approved, and that the State requirements regarding thresholds have increased again since that time. There was discussion on checks and balances and the Council having oversight.

Motioned by Councilmember Turner, seconded by Councilmember Champney, to approve a resolution accepting the revised and updated City of Bedford Purchasing Policy and Procedures.

Motion defeated 3-4-0. Mayor Griffin declared the motion failed.

Voting in favor of the motion: Mayor Griffin, Councilmember Champney and Councilmember Turner.

Voting in opposition to the motion: Councilmember Boyter, Councilmember Davisson, Councilmember Farco and Councilmember Fisher.

There was discussion on approving the other elements that were changed in the Policy.

Motioned by Councilmember Fisher, seconded by Councilmember Farco, to approve a resolution updating the City of Bedford Purchasing Policy, one that leaves the Council to approve expenditures exceeding \$15,000.

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

Voting in favor of the motion: Mayor Griffin, Councilmember Boyter, Councilmember Davisson, Councilmember Champney, Councilmember Farco and Councilmember Fisher.

Voting in opposition to the motion: Councilmember Turner

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

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

No report was given.

✓ **Beautification Commission - Councilmember Turner**

No report was given.

✓ **Community Affairs Commission - Councilmember Boyter**

No report was given.

✓ **Cultural Commission – Councilmember Champney**

Councilmember Champney reported that the Commission had a work day the previous week and a lot of members showed up. He commended Commission member Josh Santillan for the work on the display boards and pedestals. He further thanked Managing Director Mirenda McQuagge-Walden, who is the staff liaison to the Commission.

✓ **Library Board - Councilmember Davisson**

Councilmember Davisson reported that the Library Friends will be holding a book sale on Saturday from 10:00 a.m. to 4:00 p.m. All items will be \$0.50.

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

No report was given.

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

No report was given.

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

No report was given.

16. Council member Reports

Councilmember Farco reported that he attended both the Library Birthday and 4thFest.

Mayor Griffin stated that regarding the Boards and Commissions, they will continue to provide as much information and answer questions to make the process as transparent and seamless as possible.

17. City Manager/Staff Reports

No report was given.

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

No action was necessary as a result of the Executive Session.

ADJOURNMENT

Mayor Griffin adjourned the meeting at 8:19 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary



Council Agenda Background

PRESENTER: See below

DATE: 08/12/14

Persons to be Heard

ITEM:

- a) Salvatore Caruso, 148 Ravenswood Drive, Bedford, Texas 76022 – Requested to speak to the Council to present the “Block Party” concept.
- b) Darryl Day, 1317 Brookshire Drive, Bedford, Texas 76021 – Requested to speak to the Council regarding Boards and Commissions.

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

Letters of Request

From: [Salvatore Caruso](#)
To: [Wells, Michael](#)
Subject: August 12 City Council Meeting
Date: Monday, August 04, 2014 10:40:34 AM

Good Morning Michael, can you please put me on the "Persons to be Heard" for the CC meeting.. Present the "Block Party" concept.. Salvatore Caruso,148 Ravenswood Dr. Bedford,76022.. Thanks, I also will be speaking against the E- Smoke .. will this be under a Public Forum?.. Thanks Again,Sal...

Sent from my iPhone

----- Original message -----

From: Darryl Day

Date:08/06/2014 11:44 AM (GMT-06:00)

To: "Wells, Michael"

Subject: Agenda Request for the August 12th Council Meeting

Michael,

I am requesting to be on the Agenda for the August 12, 2014 Council Meeting.

I would like to be under "Persons To Be Heard" and I would like to address the topic of Boards and Commissions.

Please confirm that you have received this request.

Thank you,

Darryl Day

1317 Brookshire Drive

Bedford, TX 76021

817-283-3338

Cell: 817-528-0627



Council Agenda Background

PRESENTER: Michael Wells, City Secretary

DATE: 08/12/14

Council Mission Area: Encourage citizen involvement.

ITEM:

Consider an ordinance amending Chapter 2. "Administration," Article IV. "Boards, Commissions and Committees;" Chapter 74. "Library," Article II "Library Board;" Chapter 86. "Parks and Recreation," Article II. "Parks and Recreation Board;" and Chapter 18. "Animals," Article III. "Animal Shelter Advisory Board" of the City of Bedford Code of Ordinances; providing a severability clause; and declaring an effective date.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

At their July 1, 2014 Planning Session and in their July 22, 2014 Work Session, the City Council discussed several changes to the Citizen Boards and Commissions in order to assist them in meeting their goals and making their meetings as productive as possible. One of the changes was to move the appointment process to be in line with the City's fiscal year. The attached ordinance contains a provision that ends the term of every Board and Commission member (excluding the Zoning Board of Adjustment, Building and Standards Commission and the Teen Court Advisory Board) on September 30, 2014. Letters went out to the current Board and Commission members requesting that they submit an application. Information regarding the appointment process has been put on the City's website, the Bedford Connection, the back of the water bill, and Facebook. Interviews with all applicants will be scheduled for September 15 and 16, and September 23. Appointments will be made at a special meeting on September 29.

Other changes in the attached ordinance include the following:

For Boards and Commissions in General

- Agendas would be the responsibility of the staff and Council liaisons with input from the chairperson.
- Subcommittees would require approval by the Council and their meetings would have to comply with the Open Meetings Act, including the posting of agendas.
- Along with the Council appointed chairperson, each Board and Commission would appoint a vice chairperson and secretary.
- Requests for funding and/or staff time would have to go through the staff liaison.
- Each Board and Commission is required to make an annual report to Council.
- Incorporating language that a record of all Board and Commission meetings (i.e. minutes) be made and kept on file with the City Secretary's Office.
- At the suggestion of the City Attorney, adding language that each Board and Commission member serves at the will of the Council, and may be removed at any time by a majority vote of the Council, with or without cause.
- Changing language in the attendance provision to reflect that absences are counted within the fiscal year instead of the calendar year.

Animal Shelter Advisory Board

- Reducing the number of meetings per year from six to three.

Beautification Commission

- Adopting the Adopt-a-Street, Clean Up Bedford, and Chunk Your Junk subcommittees.

Community Affairs Commission

- Removing the second part of their powers and duties related to providing input on items that make doing business in Bedford difficult and point out areas of concern.
- Adopting the Business Outreach, Residential Outreach, Faith Based Outreach and City Expo subcommittees.

Cultural Commission

- Changing the purpose to the one presented at the July 1 meeting.
- Adopting the 501(c)(3), Arts Incubator, ArtsFest and Storefront Gallery subcommittees.

Another significant change is removing the language for the Senior Citizen Advisory Board. Other changes include:

- Moving the language in the Code of Ordinances related to the Library Advisory Board and the Parks and Recreation Board under Chapter 2. "Administration," Article IV. "Boards, Commissions and Committees."
- Removing outdated language regarding the Beautification Commission.
- Adding language to the Community Affairs Commission regarding appointing qualified applicants to the "Business Owner" places.
- On the advice of the Library Director, removing language regarding the Library Advisory Board reviewing the Library budget prior to submittal to the City Manager.
- General spelling, grammar and consistency changes.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance amending Chapter 2. "Administration," Article IV. "Boards, Commissions and Committees;" Chapter 74. "Library," Article II "Library Board;" Chapter 86. "Parks and Recreation," Article II. "Parks and Recreation Board;" and Chapter 18. "Animals," Article III. "Animal Shelter Advisory Board" of the City of Bedford Code of Ordinances; providing a severability clause; and declaring an effective date.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance
Red-Line Ordinance

ORDINANCE 14-

AN ORDINANCE AMENDING CHAPTER 2. "ADMINISTRATION," ARTICLE IV. "BOARDS, COMMISSIONS AND COMMITTEES;" CHAPTER 74. "LIBRARY," ARTICLE II "LIBRARY BOARD;" CHAPTER 86. "PARKS AND RECREATION," ARTICLE II. "PARKS AND RECREATION BOARD;" AND CHAPTER 18. "ANIMALS," ARTICLE III. "ANIMAL SHELTER ADVISORY BOARD" OF THE CITY OF BEDFORD CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of Bedford, Texas desires to assist the Citizen Boards and Commissions in achieving their goals and making their meetings as effective as possible; and,

WHEREAS, the City Council of Bedford, Texas desires the terms of the Citizen Boards and Commissions be in line with the City's fiscal year; and,

WHEREAS, the City Council of Bedford, Texas desires the Code of Ordinances be amended in regards to the Citizen Boards and Commissions including their purposes, setting of agendas, the appointment of officers, the formation of subcommittees, requests for funding and staff time, and yearly reports.

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 terms of all Board and Commission members, excluding the members of the Zoning Board of Adjustment, the Building and Standards Commission and the Teen Court Advisory Board, shall expire effective September 30, 2014.

SECTION 3. That Chapter 2. Administration, Article IV, Boards, Commissions, Committees shall read in its entirety as follows:

DIVISION 1. GENERALLY

Sec. 2-166. Board, commission appointment residency requirement.

Any person appointed by the city council to a city board or commission must reside within the city when appointed, must have resided within this city for 12 consecutive months preceding the appointment and when serving on such board or commission. Any position on a city board or commission that is specified by the creating ordinance as requiring operation of a business within the city limits shall be exempt from the provisions of this section. Any board or commission with membership not requiring residency within the city limits shall be exempt from the provisions of this section. Any city employee serving as an ex officio member shall be exempt from the provisions of this section.

Sec. 2-167. Expiration of terms.

Notwithstanding any other provision in this Code of Ordinance or Resolution, the terms of all board, commission, and committee appointments shall continue until their respective successors have been duly qualified and appointed. Prior to taking office, members of the ethics commission, the planning and zoning commission, the building and standards commission and the zoning board of adjustment shall be properly given an oath of office.

ORDINANCE 14-

Sec. 2-168. Meetings, agendas.

All board, commission and committee meetings shall be held in accordance with the Open Meetings Act. Agendas for all meetings shall be prepared by the staff liaison and the council liaison with input from the appointed chairperson.

Sec. 2-169. Quorum.

A quorum for any board, committee or commission shall be established as a majority of regular members. Alternate members may act in a regular member's absence to establish a quorum. Vacant positions shall not be counted in determining a quorum.

Sec. 2-170. Attendance.

Any member of a city board, commission or committee who has two absences within the fiscal year as defined by Section 4.01 shall become eligible to be removed from said board, commission or committee. Upon the second absence, the city secretary's office shall send a letter via certified mail to the member, copied to the board, commission or committee chairperson, informing them that they are eligible to be removed and that they need to contact the chairperson. The chairperson shall then have the discretion to recommend to the city council that the member be removed from their respective board, commission or committee.

Sec. 2-171. Serving on multiple boards, commissions or committees.

No person may concurrently serve on more than standing one board, commission or committee unless their position is also a position on another standing board, commission or committee.

Sec. 2-172. Subcommittees, meetings

Notwithstanding any other provisions within the Code of Ordinances, all subcommittees for a board, commission or committee shall require approval by the City Council. No subcommittee shall be composed of a number of members to establish a quorum of their respective board, commission or committee. All subcommittee meetings shall be held in accordance with the Open Meetings Act, including the posting of agendas.

Sec. 2-173. Officers

Notwithstanding any other provisions within the Code of Ordinances, each board, commission or committee shall have officers consisting of a chairperson, a vice chairperson and a secretary. The chairperson shall be appointed by the council. The vice chairperson and secretary shall be elected by the members of the board, commission or committee. The term of office for each officer is one year.

Sec. 2-174. Requests for funding and/or staff time

Any requests by a board, commission or committee to utilize City funds and/or labor by city staff shall be made through their respective staff liaison.

ORDINANCE 14-

Secs. 2-175—2-205. Reserved.

DIVISION 2. BEAUTIFICATION COMMISSION

Sec. 2-206. Composition.

- (a) There is hereby created a beautification commission which shall be composed of 15 members of the city public at large.
- (b) There shall be two ex officio members of the commission as follows:
 - (1) The city manager or a designee.
 - (2) One councilmember appointed by the city council shall serve as an ex officio member and shall serve as liaison between the commission and the city council.
- (c) The members of the beautification commission and their successors shall be appointed by the council for two-year staggered terms, commencing on October 1, or until their successors are duly appointed. All vacancies shall be filled for the unexpired term in the same manner as provided for the original appointments. The members of the commission shall serve without compensation and must be residents of the city and have resided within the city for 12 consecutive months preceding the appointment. Notwithstanding anything herein, all commission members shall serve at the will of the City Council and, as such, any such commission member may be removed by the majority vote of the City Council at any time, in the sole discretion of the City Council, with or without cause.
- (d) The beautification commission shall promulgate its own rules consistent with the ordinances of the city and the laws of the state. The commission shall hold quarterly meetings and such special meetings as it deems necessary. The members of the commission shall meet as soon after their appointments as practicable for the purpose of organization. A full and complete record of proceedings of this commission shall be kept on file with the city secretary. Meetings shall be held at the call of the chairman, or of the mayor, and at such other times as the commission may determine. All meetings shall be open to the public as provided in the Open Meetings Act (V.T.C.A., Government Code ch. 551). Attendance at meetings shall be regulated pursuant to section 2-170 of the Code of Ordinances.
- (e) The beautification commission shall act as advisory body to the council in the creation and development of a beautification program.
- (f) Any officer or employee or member of the board acting for the city in the discharge of prescribed duties shall not thereby be rendered liable personally and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of such duties.

Sec. 2-207. Purpose.

- (a) The purpose of the beautification program will be to make the city a clean and attractive city in which to live, to maintain a healthy environment, to educate the city's citizens as to the ongoing process of keeping their city beautiful, and to generally beautify the city.
- (b) The commission shall consider the following aspects of a potential beautification program and shall make recommendations of each to the city council: landscaping of city rights-of-way and city property; award programs for businesses and residential areas that beautify their areas through landscaping, maintenance, the abatement of litter or other methods; voluntary recycling, including the promotion and education of the need for recycling; the possibility of joining state or nation-wide groups that are focused on beautification; and how to involve the general public, the school system, the business community and homeowners in a beautification program.
- (c) On an annual basis, the commission shall present a report to the city council regarding their activities.

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Sec. 2-208. Subcommittees

There are hereby created the following subcommittees of the beautification commission: Adopt-A-Street, Clean Up Bedford, and Chunk Your Junk. All subcommittee meetings shall be held in accordance with the Open Meetings Act, including the posting of agendas.

Secs. 2-209—2-225. Reserved.

DIVISION 3. COMMUNITY AFFAIRS COMMISSION

Sec. 2-226. Creation.

- (a) There is hereby created a community affairs commission, which shall be composed of 12 members, five of which are business owners in the city, one of which is a member of the HEB Chamber of Commerce and six of which are residents.
- (b) Each member of the commission will apply for membership on the commission and be formally appointed by the city council.
- (c) The member either needs to operate a business within the city or meet the residency requirements in order to qualify for appointment to this board.
- (d) In the event that there are not enough qualified applicants that are business owners, the city council may appoint applicants that otherwise meet the residency requirements to those positions.
- (e) Notwithstanding anything herein, all commission members shall serve at the will of the City Council and, as such, any such commission member may be removed by the majority vote of the City Council at any time, in the sole discretion of the City Council, with or without cause.

Sec. 2-227. Ex officio members.

One ex officio member shall be a member of the city council and shall serve as liaison between the commission and the city council.

Sec. 2-228. Terms staggered.

Except for the ex officio member, the members of the community affairs commission shall serve for a two-year period, commencing on October 1, or until their successors are duly appointed. The term of the commissioners shall be staggered so that six members of the commission shall be appointed in even numbered years and six members in odd numbered years. The ex officio member shall serve a one-year term.

Sec. 2-229. Powers and duties.

The community affairs commission shall:

- (1) Serve as an advisory board and shall provide the city council with feedback on business and residential concerns.
- (2) Explore issues of public interest as identified and designated by the city council, collect information on these issues and make constructive recommendations to council and staff if any action should be taken by the city to satisfy those issues.

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Sec. 2-230. Meetings.

The community affairs commission shall meet quarterly or as called at a time and date to be decided by the commission. Attendance at meetings shall be regulated pursuant to section 2-170 of the Code of Ordinances. A full and complete record of proceedings of this commission shall be kept on file with the city secretary

Sec. 2-231. Mission.

The mission of the community affairs commission is to serve businesses, residents, homeowners associations, apartment associations, care centers and faith based organizations.

Sec. 2-232. Subcommittees

There are hereby created the following subcommittees of the community affairs commission: Business Outreach, Residential Outreach, Faith Based Outreach, and City Expo. All subcommittee meetings shall be held in accordance with the Open Meetings Act, including the posting of agendas.

Secs. 2-333 – 2-336. RESERVED

DIVISION 4. CULTURAL COMMISSION

Sec. 2-237. Creation.

- (a) There is hereby created a cultural commission, which shall be composed of seven members, four of which are residents of the City of Bedford, two of which are members of ARTSNET to include the president and one additional board member, and one community member representing the HEB Chamber of Commerce. The commission shall also include two alternate members, each a resident of the City of Bedford, to serve in the absence of one or more of the regular members.
- (b) Each member of the commission, excluding the ARTSNET members and Chamber representative, will apply for membership on the commission and be formally appointed by the city council.
- (c) Notwithstanding anything herein, all commission members shall serve at the will of the City Council and, as such, any such commission member may be removed by the majority vote of the City Council at any time, in the sole discretion of the City Council, with or without cause.

Sec. 2-238. Ex officio members.

One ex officio member shall be a member of the city council and shall serve as liaison between the commission and the city council. One ex officio member shall be the city manager or his/her designee.

Sec. 2-239. Terms staggered.

Except for the ex officio members, the members of the cultural commission shall serve for a two-year period, commencing on October 1, or until their successors are duly appointed. The term of the commissioners shall be staggered so that four members of the commission shall be appointed in even numbered years and three members in odd numbered years. One alternate member shall be appointed in an even numbered year and one alternate member shall be appointed in an odd numbered year.

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Sec. 2-240. Purpose.

The purpose of the Cultural Commission is to serve as an advisory body to the City Council in order to improve arts and culture in the City of Bedford. The Cultural Commission will enhance arts and culture in Bedford by supporting the Cultural District, developing strategic plans and reports, encouraging arts/cultural related communication and awareness, researching and recommending priorities and projects to the City Council and assisting the City of Bedford with cultural programming. On an annual basis, the commission shall present a report to the city council regarding their activities

Sec. 2-241. Meetings.

The cultural commission shall meet as called at a time and date to be decided by the commission. Attendance at meetings shall be regulated pursuant to section 2-170 of the Code of Ordinances. A full and complete record of proceedings of this commission shall be kept on file with the city secretary

Sec. 2-242. Subcommittees.

There are hereby created the following subcommittees of the cultural commission: 501(c)(3), Arts Incubator, ArtsFest and Storefront Gallery. All subcommittee meetings shall be held in accordance with the Open Meetings Act, including the posting of agendas.

Secs. 2-243—2-246. Reserved.

DIVISION 5. LIBRARY ADVISORY BOARD

Sec. 247. Created, composition, appointment, terms.

There is hereby created a library advisory board to be composed of nine members appointed by the council for two-year staggered terms, commencing on October 1, or until their successors are duly appointed. At the expiration of each of the terms as provided for herein, a successor shall be appointed for a term of two years. Vacancies shall be filled for any unexpired term in the same manner as provided for regular appointments. Notwithstanding anything herein, all board members shall serve at the will of the City Council and, as such, any such board may be removed by the majority vote of the City Council at any time, in the sole discretion of the City Council, with or without cause.

Sec. 2-248. Member qualifications.

All members of the library advisory board must be residents of the city and must have resided within this city for 12 consecutive months preceding the appointment.

Sec. 2-249. Organization.

A majority of the regularly appointed and qualified members shall constitute a quorum, and the board shall adopt its own rules and order of business. There shall be one ex officio member of the city council on this board and they shall serve as liaison between the board and the city council.

Sec. 2-250. Meetings.

The library advisory board shall meet at least once each month. All meetings shall be open to the public. A full and complete record of proceedings of this board shall be kept on file with the city secretary. Attendance at meetings shall be regulated pursuant to section 2-170 of the Code of Ordinances.

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Sec. 2-251. Function.

The library advisory board shall serve as a consulting and advisory body. It shall be the duty of the library board to act in an advisory capacity to the city manager and city council and to study and recommend policies relating to the operation, promotion, enlargement and future planning of the city library. On an annual basis, the board shall present a report to the city council regarding their activities.

Sec. 2-252. Employees.

It shall be the duty of the library advisory board to secure applicants for the position of library director and to interview the same, submitting favorable applications with recommendations to the city manager, who shall have sole power to employ the same.

Sec. 2-253. Agreements involving expenditures.

The library advisory board shall, before entering into any agreement for the expenditure of funds, submit such proposed agreement to the city manager for review and approval. No such agreement shall be finally executed unless approved by the city council.

Secs. 2-254—2-258. Reserved.

DIVISION 6. PARKS AND RECREATION ADVISORY BOARD

Sec.2-259. Created; composition.

There is hereby created and established for the city a parks and recreation advisory board which shall be composed of 11 members. There shall be one ex officio member of the city council on this board and they shall serve as liaison between the board and the city council. All members must be residents of the city and must have resided within this city for 12 consecutive months preceding the appointment.

Sec.2-260. Appointment; terms; filling vacancies.

The members of the parks and recreation advisory board shall be appointed by the council for two-year staggered terms, commencing on October 1, or until their successors are duly appointed. All vacancies shall be filled for the unexpired term in the same manner as provided for the original appointments. Members of the board shall serve without compensation. Notwithstanding anything herein, all board members shall serve at the will of the City Council and, as such, any such board member may be removed by the majority vote of the City Council at any time, in the sole discretion of the City Council, with or without cause.

Sec.2-261. Rules; meetings.

The parks and recreation advisory board shall promulgate its own rules consistent with the ordinances of the city and laws of this state. The board shall hold regular monthly meetings, and such special meetings as it deems necessary. Attendance at meetings shall be regulated pursuant to section 2-170 of the Code of Ordinances. A full and complete record of proceedings of this board shall be kept on file with the city secretary

Sec.2-262. Function.

The parks and recreation advisory board shall act as an advisory body to the council in the procurement, development, supervision and administration of city public recreational activities within or

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without the city. On an annual basis, the board shall present a report to the city council regarding their activities.

SECTION 4. That Chapter 74. "Library", Article II. "Library Board", is deleted in its entirety.

SECTION 5. That Chapter 86. "Parks and Recreation". Article II. "Parks and Recreation Board", is deleted in its entirety.

SECTION 6. That Chapter 18. "Animals", Article III. "Animal Shelter Advisory Board", shall read in its entirety as follows:

Sec. 18-25. Animal shelter advisory board.

- (a) There is hereby created an animal shelter advisory board to consist of seven members as follows:
 - (1) Three representative of the general public;
 - (2) One licensed veterinarian;
 - (3) One representative from an animal welfare organization;
 - (4) One municipal employee (police supervisor over the animal control division);
 - (5) One municipal employee whose duties include the daily supervision of the animal shelter (animal control supervisor).
- (b) Members of the board and their successors shall be appointed by the city council and shall hold office for staggered terms of two years or until their successors are appointed; excepting the municipal employees who shall serve at the pleasure of the city. All board members, except for the municipal employees, shall serve without compensation. The board members representing the general public shall be residents of the city and have resided within the city for 12 consecutive months preceding the appointment. The veterinarian member shall either be a resident of the city, operate a veterinarian business within the city, or conduct veterinarian services within the city. The representative from the animal welfare organization is not required to be a resident of the city. Notwithstanding anything herein, all board members shall serve at the will of the City Council and, as such, any such board member may be removed by the majority vote of the City Council at any time, in the sole discretion of the City Council, with or without cause.

Sec. 18-26. Rules; meetings.

- (a) The board shall promulgate its own rules consistent with the ordinances of the city and laws of this state. The board shall meet at least three times per year, and such special meetings as deemed necessary.
- (b) Municipal employees assigned to this board shall be non-voting members.
- (c) A majority shall constitute a quorum for the transaction of business. Only voting members shall be considered for the purposes of determining a quorum.
- (d) A full and complete record of proceedings of this board shall be kept on file with the city secretary.
- (e) When any board member has direct interest in any matter before this board, such member shall disqualify himself/herself from the item under consideration.

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Sec. 18-27. Powers and duties.

The board shall have the power and duties as set forth in the City of Bedford Code of Ordinances and as the city council may from time to time impose upon the board.

Sec. 18-28. Immunity.

Any member of the board acting for the city in the discharge of prescribed duties, shall not thereby be rendered personally liable and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of such duties.

Secs. 18-29—18-39. Reserved.

SECTION 7. That if any section, paragraph, clause, phrase, or provision of this ordinance, shall for any reason be held to be invalid or unenforceable, the validity or unenforceability of such section, paragraph, clause, phrase, or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 8. That this ordinance shall be in full force and effect from and after its passage.

PRESENTED AND PASSED this 12th day of August 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

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AN ORDINANCE AMENDING CHAPTER 2. "ADMINISTRATION," ARTICLE IV. "BOARDS, COMMISSIONS AND COMMITTEES;" CHAPTER 74. "LIBRARY," ARTICLE II "LIBRARY BOARD;" CHAPTER 86. "PARKS AND RECREATION," ARTICLE II. "PARKS AND RECREATION BOARD;" AND CHAPTER 18. "ANIMALS," ARTICLE III. "ANIMAL SHELTER ADVISORY BOARD" OF THE CITY OF BEDFORD CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of Bedford, Texas desires to assist the Citizen Boards and Commissions in achieving their goals and making their meetings as effective as possible; and,

WHEREAS, the City Council of Bedford, Texas desires the terms of the Citizen Boards and Commission be in line with the City's fiscal year; and,

WHEREAS, the City Council of Bedford, Texas desires the Code of Ordinances be amended in regards to the Citizen Boards and Commissions including their purposes, setting of agendas, the appointment of officers, the formation of subcommittees, requests for funding and staff time, and yearly reports.

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 terms of all Boards and Commission members, excluding the members of the Zoning Board of Adjustment, the Building and Standards Commission and the Teen Court Advisory Board, shall expire effective September 30, 2014.

SECTION 3. That Chapter 2 Administration, Article IV, Boards, Commissions, Committees shall read in its entirety as follows:

DIVISION 1. GENERALLY

Sec. 2-166. Board, commission appointment residency requirement.

Any person appointed by the city council to a city board or commission must reside within the city when appointed, must have resided within this city for 12 consecutive months preceding the appointment and when serving on such board or commission. Any position on a city board or commission that is specified by the creating ordinance as requiring operation of a business within the city limits shall be exempt from the provisions of this section. Any board or commission with membership not requiring residency within the city limits shall be exempt from the provisions of this section. Any city employee serving as an ex officio member shall be exempt from the provisions of this section.

Sec. 2-167. Expiration of terms.

Notwithstanding any other provision in this Code of Ordinance or Resolution, the terms of all board, commission, and committee appointments shall continue until their respective successors have been duly qualified and appointed. Prior to taking office, members of the ethics commission, the planning and zoning commission, the building and standards commission and the zoning board of adjustment shall be properly given an oath of office.

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Sec. 2-168. Meetings, agendas.

All board, commission and committee meetings shall be held in accordance with the Open Meetings Act. Agendas for all meetings shall be prepared by the staff liaison and the council liaison with input from the appointed chairperson.

Sec. 2-169. Quorum.

A quorum for any board, committee or commission shall be established as a majority of regular members. Alternate members may act in a regular member's absence to establish a quorum. Vacant positions shall not be counted in determining a quorum.

Sec. 2-170. Attendance.

Any member of a city board, commission or committee who has two absences within ~~a calendar~~the fiscal year as defined by Section 4.01 shall become eligible to be removed from said board, commission or committee. Upon the second absence, the city secretary's office shall send a letter via certified mail to the member, copied to the board, commission or committee chairperson, informing them that they are eligible to be removed and that they need to contact the chairperson. The chairperson shall then have the discretion to recommend to the city council that the member be removed from their respective board, commission or committee.

Sec. 2-171. Serving on multiple boards, commissions or committees.

No person may concurrently serve on more than standing one board, commission or committee unless their position is also a position on another standing board, commission or committee.

Sec. 2-172. Subcommittees, meetings

Notwithstanding any other provisions within the Code of Ordinances, all subcommittees for a board, commission or committee shall require approval by the City Council. No subcommittee shall be composed of a number of members to establish a quorum of their respective board, commission or committee. All subcommittee meetings shall be held in accordance with the Open Meetings Act, including the posting of agendas.

Sec. 2-173. Officers

Notwithstanding any other provisions within the Code of Ordinances, each board, commission or committee shall have officers consisting of a chairperson, a vice chairperson and a secretary. The chairperson shall be appointed by the council. The vice chairperson and secretary shall be elected by the members of the board, commission or committee. The term of office for each officer is one year.

Sec. 2-174. Requests for funding and/or staff time

Any requests by a board, commission or committee to utilize City funds and/or labor by city staff shall be made through their respective staff liaison.

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~~Secs. 2-172175—2-185205. Reserved.~~

~~DIVISION 2. SENIOR CITIZEN BOARD~~

~~Sec. 2-186. Created; membership; member qualifications.~~

~~There is created and established for the city a senior citizen board, which shall be composed of seven members and no alternates. All members shall have resided within the city for 12 consecutive months preceding their appointment. There shall be one ex-officio member of the city council on this board and they shall serve as liaison between the committee and the city council.~~

~~Sec. 2-187. Appointment; terms; filling vacancies.~~

~~The members of the senior citizen board shall be appointed by the council for two-year staggered terms. All vacancies shall be filled for the unexpired term in the same manner as provided for the original appointments. The members of the board shall serve without compensation.~~

~~Sec. 2-188. Organization.~~

~~The senior citizen board shall annually select its own chairman. The board shall also select a vice-chairman and secretary from its members.~~

~~Sec. 2-189. Rules; meetings.~~

~~The senior citizen board shall promulgate its own rules consistent with the ordinances of the city and laws of this state. The board shall hold at least one meeting each calendar quarter, and such special meetings as it deems necessary. Absences from meetings shall be regulated pursuant to section 2-170 of the Code of Ordinances.~~

~~Sec. 2-190. Function.~~

~~The senior citizen board shall act as an advisory body to the council in the procurement, development, supervision and administration of the Bedford Senior Center and its activities as related to the senior citizens of the city.~~

~~Secs. 2-191—2-205. Reserved.~~

~~DIVISION 32. BEAUTIFICATION COMMISSION~~

~~Sec. 2-206. Composition.~~

- ~~(a) There is hereby created a beautification commission which shall be composed of 15 members of the city public at large, and no alternate members.~~
- ~~(b) There shall be two ex officio members of the commission as follows:
 - ~~(1) The city manager or a designee.~~
 - ~~(2) One councilmember appointed by the city council shall serve as an ex officio member and shall serve as liaison between the commission and the city council.~~~~
- ~~(c) The members of the beautification commission and their successors shall be appointed by the council for two-year staggered terms, commencing on October 1, or until their successors are duly appointed. All vacancies shall be filled for the unexpired term in the same manner as provided for the~~

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original appointments. The members of the commission shall serve without compensation and must be residents of the city and have resided within the city for 12 consecutive months preceding the appointment. ~~Provided, however, that the representative appointed from the business community within the city does not have to be a resident of the city in order to qualify for appointment to this commission. Notwithstanding anything herein, all commission members shall serve at the will of the City Council and, as such, any such commission member may be removed by the majority vote of the City Council at any time, in the sole discretion of the City Council, with or without cause.~~

~~(d) The council shall appoint the initial chairperson of the commission from the appointed members, and thereafter the commission shall annually select its own chairperson. The commission shall also select a vice chair and secretary from its own members.~~

~~(e)~~ (d)-The beautification commission shall promulgate its own rules consistent with the ordinances of the city and the laws of the state. The commission shall hold quarterly meetings and such special meetings as it deems necessary. The members of the commission shall meet as soon after their appointments as practicable for the purpose of organization. A full and complete record of proceedings of this commission shall be kept on file with the city secretary. Meetings shall be held at the call of the chairman, or of the mayor, and at such other times as the commission may determine. All meetings shall be open to the public as provided in the Open Meetings Act (V.T.C.A., Government Code ch. 551). ~~Absences from Attendance at~~ meetings shall be regulated pursuant to section 2-170 of the Code of Ordinances.

~~(f)~~(e)—The beautification commission shall act as advisory body to the council in the creation and development of a beautification program.

~~(g)~~ (f)—Any officer or employee or member of the board acting for the city in the discharge of prescribed duties shall not thereby be rendered liable personally and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of such duties.

Sec. 2-207. Purpose.

(a) The purpose of the beautification program will be to make the city a clean and attractive city in which to live, to maintain a healthy environment, to educate the city's citizens as to the ongoing process of keeping their city beautiful, and to generally beautify the city.

(b) The commission shall consider the following aspects of a potential beautification program and shall make recommendations of each to the city council: landscaping of city rights-of-way and city property; award programs for businesses and residential areas that beautify their areas through landscaping, maintenance, the abatement of litter or other methods; voluntary recycling, including the promotion and education of the need for recycling; the possibility of joining state or nation-wide groups that are focused on beautification; and how to involve the general public, the school system, the business community and homeowners in a beautification program.

~~(c) On an annual basis, the commission shall present a report to the city council regarding their activities.~~

Sec. 2-208. Subcommittees

~~There are hereby created the following subcommittees of the beautification commission: Adopt-A-Street, Clean Up Bedford, and Chunk Your Junk. All subcommittee meetings shall be held in accordance with the Open Meetings Act, including the posting of agendas.~~

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Secs. 2-~~208209~~—2-225. Reserved.

DIVISION 43. COMMUNITY AFFAIRS COMMISSION

Sec. 2-226. Creation.

- (a) There is hereby created a community affairs commission, which shall be composed of 12 members, five of which are business owners in the city, one of which is a member of the HEB Chamber of Commerce and six of which are residents.
- (b) Each member of the commission will apply for membership on the commission and be formally appointed by the city council.
- (c) The member either needs to operate a business within the city or meet the residency requirements in order to qualify for appointment to this board.
- (d) In the event that there are not enough qualified applicants that are business owners, the city council may appoint applicants that otherwise meet the residency requirements to those positions.
- (e) Notwithstanding anything herein, all commission members shall serve at the will of the City Council and, as such, any such commission member may be removed by the majority vote of the City Council at any time, in the sole discretion of the City Council, with or without cause

Sec. 2-227. Ex officio members.

One ex officio member shall be a member of the city council and shall serve as liaison between the commission and the city council.

Sec. 2-228. Terms staggered.

Except for the ex officio member, the members of the community affairs commission shall serve for a two-year period, commencing on October 1, or until their successors are duly appointed. The term of the commissioners shall be staggered so that six members of the commission shall be appointed in even numbered years and six members in odd numbered years. The ex officio member shall serve a one-year term.

Sec. 2-229. Powers and duties.

The community affairs commission shall:

- (1) Serve as an advisory board and shall provide the city council with feedback on business and residential concerns.
- ~~(2) Provide specific input on any items that make doing business with the city difficult and point out areas of concern.~~
- ~~(3)~~ (2)—Explore issues of public interest as identified and designated by the city council, collect information on these issues and make constructive recommendations to council and staff if any action should be taken by the city to satisfy those issues.

Sec. 2-230. Meetings.

The community affairs commission shall meet quarterly or as called at a time and date to be decided by the commission. ~~The commissioners shall designate one of their members to serve as chairman and one member to serve as vice chairman, such officers to serve terms of one year each. Absences from~~ Attendance at meetings shall be regulated pursuant to section 2-170 of the Code of Ordinances. A full and complete record of proceedings of this commission shall be kept on file with the city secretary

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Sec. 2-231. Mission.

The mission of the community affairs commission is to serve businesses, residents, homeowners associations, apartment associations, care centers and faith based organizations.

Sec. 2-232. Subcommittees

There are hereby created the following subcommittees of the community affairs commission: Business Outreach, Residential Outreach, Faith Based Outreach, and City Expo. All subcommittee meetings shall be held in accordance with the Open Meetings Act, including the posting of agendas.

Secs. 2-333 – 2-336. RESERVED

DIVISION 54. CULTURAL COMMISSION

Sec. 2-~~232~~237. Creation.

- (a) There is hereby created a cultural commission, which shall be composed of seven members, four of which are residents of the City of Bedford, two of which are members of ARTSNET to include the president and one additional board member, and one community member representing the HEB Chamber of Commerce. The commission shall also include two alternate members, each a resident of the City of Bedford, to serve in the absence of one or more of the regular members.
- (b) Each member of the commission, excluding the ARTSNET members and Chamber representative, will apply for membership on the commission and be formally appointed by the city council.
- (c) Notwithstanding anything herein, all commission members shall serve at the will of the City Council and, as such, any such commission member may be removed by the majority vote of the City Council at any time, in the sole discretion of the City Council, with or without cause.
- ~~(c) The city council will appoint the chairperson and vice-chairperson of the commission.~~

Sec. 2-~~233~~238. Ex officio members.

One ex officio member shall be a member of the city council and shall serve as liaison between the commission and the city council. One ex officio member shall be the city manager or his/her designee.

Sec. 2-~~234~~239. Terms staggered.

Except for the ex officio members, the members of the cultural commission shall serve for a two-year period, commencing on October 1, or until their successors are duly appointed. The term of the commissioners shall be staggered so that four members of the commission shall be appointed in even numbered years and three members in odd numbered years. One alternate member shall be appointed in an even numbered year and one alternate member shall be appointed in an odd numbered year.

Sec. 2-~~235~~240. ~~Powers and duties~~Purpose.

The purpose of the Cultural Commission is to serve as an advisory body to the City Council in order to improve arts and culture in the City of Bedford. The Cultural Commission will enhance arts and culture in Bedford by supporting the Cultural District, developing strategic plans and reports, encouraging

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arts/cultural related communication and awareness, researching and recommending priorities and projects to the City Council and assisting the City of Bedford with cultural programming. On an annual basis, the commission shall present a report to the city council regarding their activities

~~The duties of the cultural commission include, but are not limited to:~~

- ~~(1) Develop a strategic plan for the Bedford Cultural District.~~
- ~~(2) Create an identity and awareness for the cultural district.~~
- ~~(3) Identify various types of artists and their associations and encourage the use of the Bedford Cultural District for their diverse artistic activities to continue and strengthen the relationship already established within the art community.~~
- ~~(4) Coordinate with ARTSNET, OnStage, the local/regional art community, and the school district.~~
- ~~(5) Work with staff and outside groups to develop a plan and flow chart of activities that will take place during the year.~~
- ~~(6) Continuously communicate cultural district activities to the general public and council, mayor and staff, and provide periodic reports to the council.~~
- ~~(7) Explore and seek out federal, state and local grant opportunities.~~
- ~~(8) Provide input on the types of business ideally suited for the cultural district.~~
- ~~(9) Assist economic development, as directed, in researching to identify target businesses likely to locate in a cultural district.~~
- ~~(10) Other duties as directed by the city council from time to time.~~

Sec. 2-~~236~~241. Meetings.

The cultural commission shall meet as called at a time and date to be decided by the commission. ~~The city council will appoint a chair and vice chair, such officers to serve terms of one year each. Absences from Attendance at~~ meetings shall be regulated pursuant to section 2-170 of the Code of Ordinances. A full and complete record of proceedings of this commission shall be kept on file with the city secretary

Sec. 2-242. Subcommittees.

~~There are hereby created the following subcommittees of the cultural commission: 501(c)(3), Arts Incubator, ArtsFest and Storefront Gallery. All subcommittee meetings shall be held in accordance with the Open Meetings Act, including the posting of agendas.~~

Secs. 2-~~237~~243—2-~~265~~246. Reserved.

DIVISION 5. LIBRARY ADVISORY BOARD

Sec. 247. Created, composition, appointment, terms.

There is hereby created a library advisory board to be composed of nine members ~~and no alternate members~~ appointed by the council for two-year staggered terms, commencing on October 1, or until their successors are duly appointed and until their respective successors have been appointed and qualified; at the expiration of each of the terms as provided for herein, a successor shall be appointed for a term of two years. Vacancies shall be filled for any unexpired term in the same manner as provided for regular

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appointments. Notwithstanding anything herein, all board members shall serve at the will of the City Council and, as such, any such board may be removed by the majority vote of the City Council at any time, in the sole discretion of the City Council, with or without cause

Sec. 2-248. Member qualifications.

All members of the library advisory board must be residents of the city and must have resided within this city for 12 consecutive months preceding the appointment.

Sec. 2-249. Organization.

~~The library board shall appoint one member of the library board to serve as chairman of the library board, to serve in that capacity for one year, at which time the chairman may be reappointed or succeeded. The membership, at its first meeting and annually thereafter, shall select one member to serve as secretary of the library board.~~ A majority of the regularly appointed and qualified members shall constitute a quorum, and the board shall adopt its own rules and order of business. There shall be one ex officio member of the city council on this board and they shall serve as liaison between the committee board and the city council.

Sec. 2-250. Meetings.

The library advisory board shall meet at least once each month. All meetings shall be open to the public. ~~A permanent record of proceedings shall be maintained. A full and complete record of proceedings of this board shall be kept on file with the city secretary. Absences from Attendance at~~ meetings shall be regulated pursuant to section 2-170 of the Code of Ordinances.

Sec. 2-251. Function.

The library advisory board shall serve as a consulting and advisory body. It shall be the duty of the library board to act in an advisory capacity to the city manager and city council and to study and recommend policies relating to the operation, promotion, enlargement and future planning of the city library. On an annual basis, the board shall present a report to the city council regarding their activities.

~~-Budget.~~

~~The city manager shall call on the library director for a proposed budget for the city library. The library director shall prepare the proposal and submit it to the library board for review. After review of the proposed budget, the library director shall deliver it to the city manager for incorporation in the proposed general budget of the city for submission to the city council.~~

Sec. 2-252. Employees.

It shall be the duty of the library advisory board to secure applicants for the position of library director and to interview the same, submitting favorable applications with recommendations to the city manager, who shall have sole power to employ the same.

Sec. 2-253. Agreements involving expenditures.

The library advisory board shall, before entering into any agreement for the expenditure of funds, submit such proposed agreement to the city manager for review and approval. No such agreement shall be finally executed unless approved by the city council.

ORDINANCE 14-

Secs. 2-254—2-258. Reserved.

DIVISION 6. PARKS AND RECREATION ADVISORY BOARD

Sec. 2-259. Created; composition.

There is hereby created and established for the city a parks and recreation advisory board which shall be composed of 11 members. There shall be one ex-officio member of the city council on this board and they shall serve as liaison between the board and the city council. All members must be residents of the city and must have resided within this city for 12 consecutive months preceding the appointment.

Sec. 2-260. Appointment; terms; filling vacancies.

The members of the parks and recreation advisory board shall be appointed by the council for two-year staggered terms, commencing on October 1, or until their successors are duly appointed. All vacancies shall be filled for the unexpired term in the same manner as provided for the original appointments. Members of the board shall serve without compensation. Notwithstanding anything herein, all board members shall serve at the will of the City Council and, as such, any such board member may be removed by the majority vote of the City Council at any time, in the sole discretion of the City Council, with or without cause.

Sec. Organization.

~~The park and recreation board shall annually select its own chairman. The board shall also select a vice chairman and secretary from its own members.~~

Sec. 2-261. Rules; meetings.

The parks and recreation advisory board shall promulgate its own rules consistent with the ordinances of the city and laws of this state. The board shall hold regular monthly meetings, and such special meetings as it deems necessary. ~~Absences from Attendance at~~ meetings shall be regulated pursuant to section 2-170 of the Code of Ordinances. A full and complete record of proceedings of this board shall be kept on file with the city secretary

Sec. 2-262. Function.

The parks and recreation advisory board shall act as an advisory body to the council in the procurement, development, supervision and administration of city public recreational activities within or without the city. On an annual basis, the board shall present a report to the city council regarding their activities.

SECTION 4. That Chapter 74. "Library", Article II. "Library Board", is deleted in its entirety.

SECTION 5. That Chapter 86. "Parks and Recreation". Article II. "Parks and Recreation Board", is deleted in its entirety.

SECTION 6. That Chapter 18. "Animals", Article III. "Animal Shelter Advisory Board", shall read in its entirety as follows:

ORDINANCE 14-

Sec. 18-25. Animal shelter advisory board.

- (a) There is hereby created an animal shelter advisory board to consist of seven members as follows:
 - (1) Three representative of the general public;
 - (2) One licensed veterinarian;
 - (3) One representative from an animal welfare organization;
 - (4) One municipal employee (police supervisor over the animal control division);
 - (5) One municipal employee whose duties include the daily supervision of the animal shelter (animal control supervisor).
- (b) Members of the board and their successors shall be appointed by the city council and shall hold office for staggered terms of two years or until their successors are appointed; excepting the municipal employees who shall serve at the pleasure of the city. All board members, except for the municipal employees, shall serve without compensation. The board members representing the general public shall be residents of the city and have resided within the city for 12 consecutive months preceding the appointment. The veterinarian member shall either be a resident of the city, operate a veterinarian business within the city, or conduct veterinarian services within the city. The representative from the animal welfare organization is not required to be a resident of the city. Notwithstanding anything herein, all board members shall serve at the will of the City Council and, as such, any such board member may be removed by the majority vote of the City Council at any time, in the sole discretion of the City Council, with or without cause.

Sec. 18-26. Rules; meetings.

- (a) The board shall promulgate its own rules consistent with the ordinances of the city and laws of this state. The board shall meet at least ~~six~~three times per year, and such special meetings as deemed necessary.
- (b) Municipal employees assigned to this board shall be non-voting members.
- (c) A majority shall constitute a quorum for the transaction of business. Only voting members shall be considered for the purposes of determining a quorum.
- (d) A full and complete record of proceedings of this board shall be kept on file with the city secretary.
- (e) When any board member has direct interest in any matter before this board, such member shall disqualify himself/herself from the item under consideration.

Sec. 18-27. Powers and duties.

The board shall have the power and duties as set forth in the City of Bedford Code of Ordinances and as the city council may from time to time impose upon the board.

Sec. 18-28. Immunity.

Any member of the board acting for the city in the discharge of prescribed duties, shall not thereby be rendered personally liable and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of such duties.

ORDINANCE 14-

Secs. 18-29—18-39. Reserved.

SECTION 7. That if any section, paragraph, clause, phrase, or provision of this ordinance, shall for any reason be held to be invalid or unenforceable, the validity or unenforceability of such section, paragraph, clause, phrase, or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 8. That this ordinance shall be in full force and effect from and after its passage.

PRESENTED AND PASSED this 12th day of August 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



Council Agenda Background

PRESENTER: Jacquelyn Reyff, Planning Manager

DATE: 08/12/14

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

ITEM:

Public hearing and consider an ordinance to rezone a portion of the property known as Lot C, Block 28, Stonegate Addition, located at 530 Bedford Road, from Light Commercial to Light Commercial/Specific Use Permit/Tobacco Products Store, specifically allowing the sale of tobacco or other substances such as vapor, electronic cigarettes, e-cigarettes, liquid nicotine, etc., for KND Discount Cigarettes; 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 property is generally located east of Brown Trail and south of Bedford Road. (Z-254)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The property located at 530 Bedford Road is in the Bedford Plaza Shopping Center, south of Bedford Road and east of Brown Trail. This location had an existing Tobacco Products Store for three years, which had a valid Certificate of Occupancy. The business owners decided to sell this business to Mr. Nawab, the applicant. Mr. Nawab has attempted to complete the Certificate of Occupancy process; however on April 22, 2014, the City of Bedford Zoning Ordinance was amended to include this business type by definition of Tobacco Products Store, which also now requires a Specific Use Permit to be compliant with zoning.

Per Section 3.2.C(7)x. of the City of Bedford Zoning Ordinance,

- x. **TOBACCO PRODUCTS STORE** - A retail establishment that includes on premise sales and consumption or sales for off-premise consumption, in whole or in part, to the smoking of tobacco or other substances such as vapor, electronic cigarettes, e-cigarettes, liquid nicotine, and includes any establishment that allows either the payment of consideration by a customer to the establishment for on-site delivery of tobacco, tobacco accessories or similar substances and products to the customer; and, the onsite smoking of tobacco or other substances. This definition shall be construed to include establishments known variously as retail tobacco stores, tobacco products shops, hookah cafes, tobacco clubs, tobacco bars, cigar stores and similar establishments, but shall not include an establishment which derives more than 50 percent of its gross revenue from food, beverage, or gasoline fuel sales.

Minimum Specific Use Permit Conditions (in addition to a Site Plan and a Public Hearing):

- No additional conditions

Zoning and Site Conditions:

The property is zoned L, Light Commercial. The Light Commercial Zoning District is established to provide for the development of retail, service, and the lower intensity commercial uses. The use of a Tobacco Products Store is a permitted use within the L Zoning District when it has completed the Specific Use process.

The name of the business is KND Discount Cigarettes and per information given, the business plans to use a 1,007 SF lease space in the Bedford Plaza Shopping Center. There will be no physical changes to the site.

The existing landscaping is from a previous development and does not have to be brought into compliance with the Zoning Ordinance if it were shown to be deficient per Section 5.6.J. Therefore, the site is sufficiently landscaped for this proposed use.

Parking remains from the previous shopping center development of the site, which has 61 parking spaces for the entire shopping center and therefore, the parking is in compliance for the proposed use per Section 5.2.A.(3) of the City of Bedford Zoning Ordinance. The parking ratio for a shopping center is one parking space per 250 SF of floor area, which yields a requirement of four parking spaces.

Comprehensive Plan:

The Comprehensive Plan indicates the location of 530 Bedford Road to be Commercial. Therefore, the proposed use of a Tobacco Products Store with an SUP at this location would not conflict with the Comprehensive Plan.

On July 10, 2014, the Planning and Zoning Commission voted to approve the Specific Use Permit request 6-0-0.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance to rezone a portion of Lot C, Block 28, Stonegate Addition, located at 530 Bedford Road, from Light Commercial to Light Commercial/Specific Use Permit/Tobacco Products Store, specifically allowing the sale of tobacco or other substances such as vapor, electronic cigarettes, e-cigarettes, liquid nicotine, etc., for KND Cigarettes; 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 property is generally located east of Brown Trail and south of Bedford Road. (Z-254)

FISCAL IMPACT:

N/A

ATTACHMENTS:

- Ordinance
- Site Plan
- Floor Plan
- Application
- Property Notification Map
- Minutes from P&Z
- Ft. Worth Star Telegram Legal Publication

ORDINANCE NO. 14-

AN ORDINANCE TO REZONE A PORTION OF THE PROPERTY KNOWN AS LOT C, BLOCK 28, STONEGATE ADDITION, LOCATED AT 530 BEDFORD ROAD, BEDFORD, TEXAS, FROM LIGHT COMMERCIAL TO LIGHT COMMERCIAL/SPECIFIC USE PERMIT/TOBACCO PRODUCTS STORE, SPECIFICALLY ALLOWING THE SALE OF TOBACCO OR OTHER SUBSTANCES SUCH AS VAPOR, ELECTRONIC CIGARETTES, E-CIGARETTES, LIQUID NICOTINE, ETC., FOR KND CIGARETTES; 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 PROPERTY IS GENERALLY LOCATED EAST OF BROWN TRAIL AND SOUTH OF BEDFORD ROAD. (Z-254)

WHEREAS, it is deemed expedient and for the benefit of the City of Bedford, Texas, that the Zoning Ordinance be rezoned for a portion of the property known as Lot C, Block 28, Stonegate Addition, located at 530 Bedford Road, Bedford, Texas, from Light Commercial to Light Commercial/Specific Use Permit/Tobacco Products Store, specifically allowing the sale of tobacco or other substances such as vapor, electronic cigarette, e-cigarette, liquid nicotine, etc., for KND Cigarettes. The property is generally located east of Brown Trail and south of Bedford Road. (Z-254)

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:

A portion of the property known as Lot C, Block 28, Stonegate Addition and located at 530 Bedford Road, Bedford, Texas, shall be shown as approved by this ordinance.

SECTION 3. Any revisions to the property that deviate from the Site Plan attached hereto shall require an amendment to this ordinance.

SECTION 4. That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

SECTION 5. That if any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portion of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 6. That this Ordinance shall take effect from and after its date of passage in accordance with law, and it is so ordained.

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

PRESENTED AND PASSED this 12th day of August 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

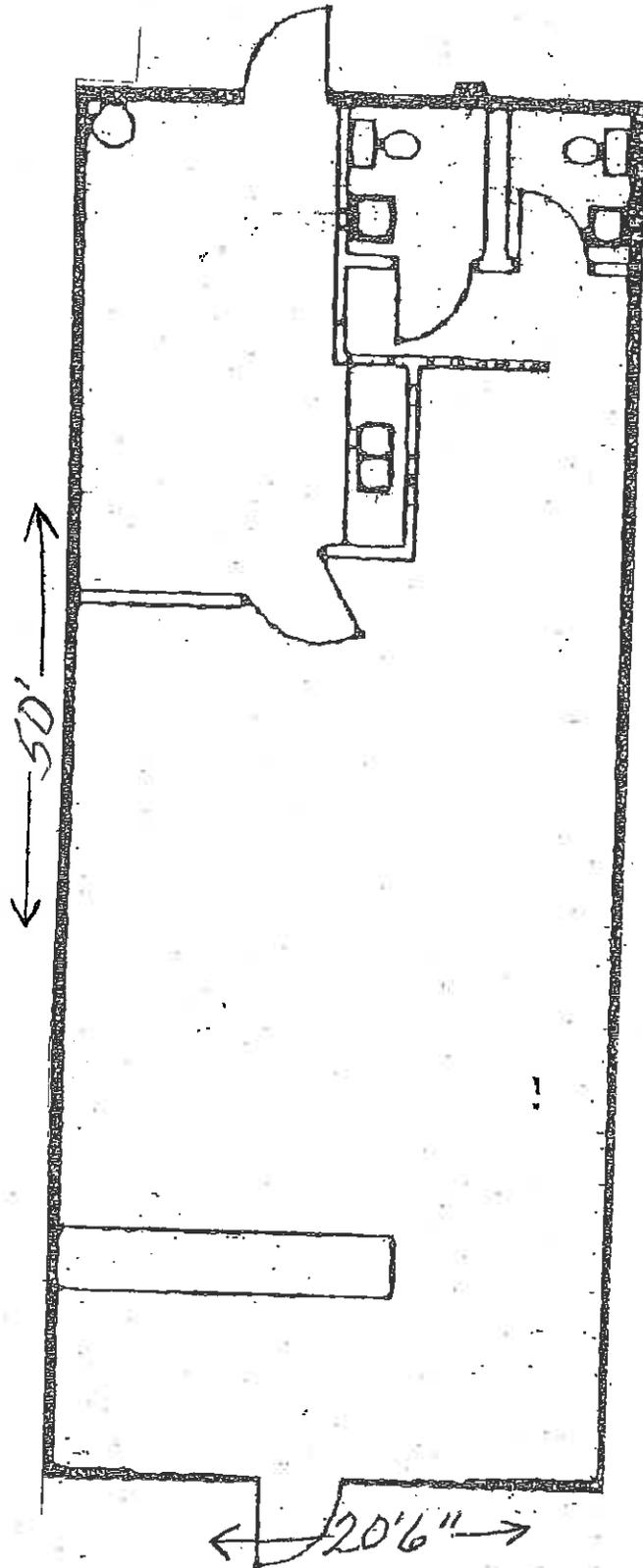
ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

Z-254



520 Bedford Road



City of Bedford Texas
Development Department
Planning and Zoning

05-27-14 P02:29 RCVD

City of Bedford Specific Use Permit Application

Z-254

Date 5-27-2014

Applicant Name (Print): KNO CLEAR CORPORATION (*Signature): _____

Address: 520 BEDFORD Rd. BEDFORD, TX 76021

Telephone number: 972 804-5411 Fax number: _____

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

From: L To: L/SUP/TOBACCO PRODUCTS STORE

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

Legal Description: Lot C Block 28 Addition Stonegate
Tract _____ Abstract _____ Survey _____ to the City of Bedford, Texas.

Street Address 520 Bedford Rd. (DISCOUNT TOBACCO STORE)

**Indicate by checking the appropriate box if this application is for a Community Home or Group Home **

Fee: (\$205.00 plus \$205.00 per acre over one.) \$205.00 + \$205.00 x _____ = _____

Payable by cash, Visa, MasterCard, or check made out to the City of Bedford. (# of acres) (total fee)

Property Owner (if not applicant): (*Signature) Jean McCurdy as agent for Owner

(Print name) Jean McCurdy

(Company name) Bowstone, LLC

(Street Address, City, State & Zip Code) 5601 Bridge Street, Suite 504

(Telephone number) 817-298-5525 Ext. 208 (FAX number) 817-298-5511

Land Planner/Engineer/Surveyor: (*Signature) _____

(Print Name) _____

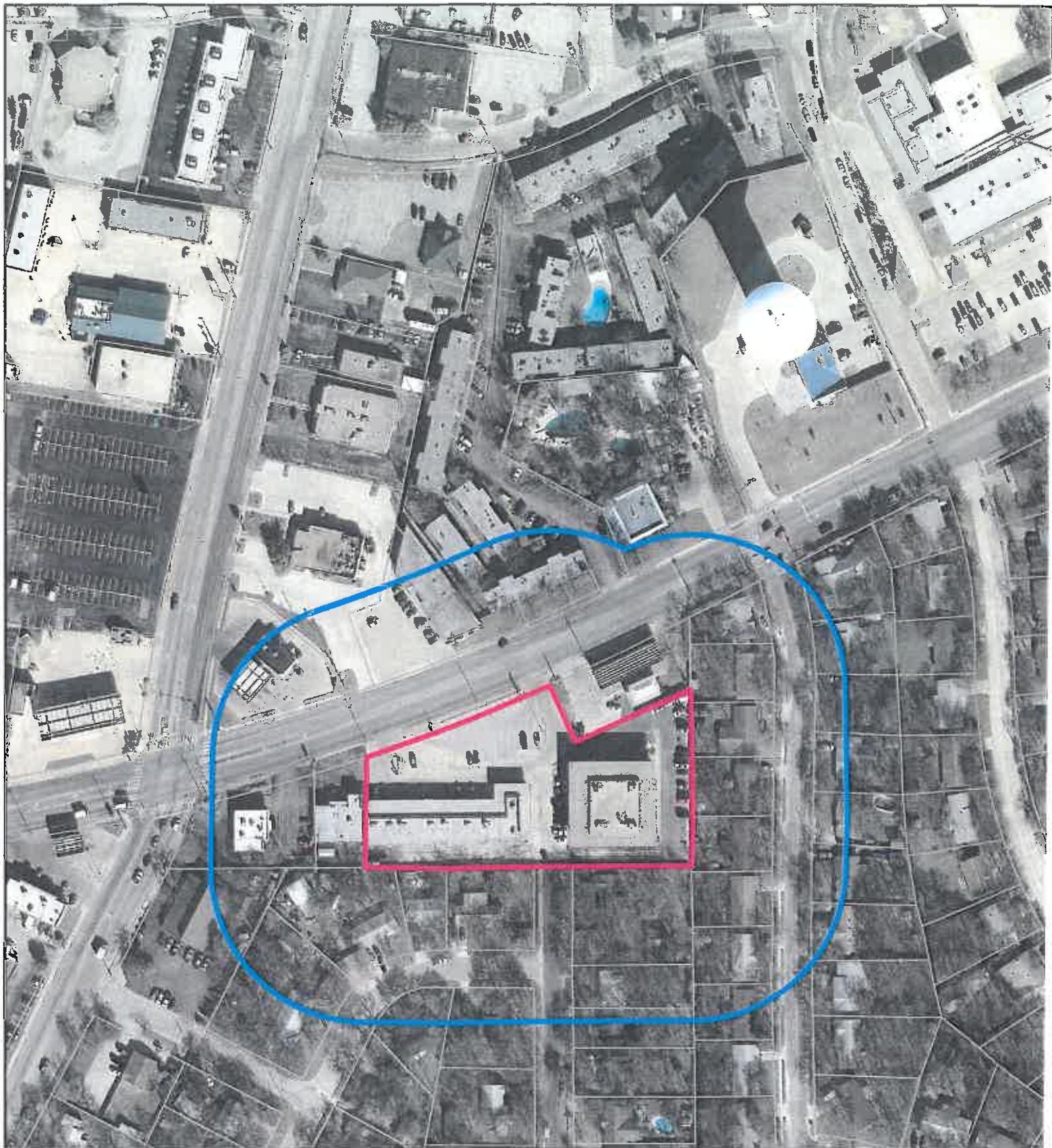
(Company Name) _____

(Street Address, City, State & Zip Code,) _____

*I have read the completed application and know the same is true and correct and hereby agree that if a permit is issued all provisions of the City Ordinances and State Laws will be complied with whether herein specified or not. I agree to comply with all property restrictions. I am the owner of the property or the duly authorized agent.

*Submittal of false information or omission as required by this application may result in any permit, license, or approval being revoked.

(Signature) _____



Hearing
Date: 7-10-2014 Z-254

Address: 000530 BEDFORD RD
Addition: STONEGATE ADDITION-BEDFORD
Bedford, TX 76021

SUBNUM: 40470 BLOCK: 28 LOT: C

 200 Foot Buffer
 Property Location



* NOTE: This data is to be used for graphical representation only. The accuracy is not to be taken/ used 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

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF JULY 10, 2014**

DRAFT

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) June 26, 2014

Motion: Commissioner Stroope made a motion to approve the meeting minutes of June 26, 2014, with a noted correction made at the Work Session.

Vice Chairman Carlson seconded the motion and the vote was as follows:

Motion approved 6-0-0. Chairman Reese declared the June 26, 2014 meeting minutes approved.

PUBLIC HEARING

2. Zoning Case Z-254, public hearing and consider a request to rezone a portion of property known as Lot C, Block 28, Stonegate Addition, located at 530 Bedford Road, Bedford, Texas from Light Commercial to Light Commercial/Specific Use Permit/Tobacco Products Store, specifically allowing the sale of tobacco or other substances such as vapor, electronic cigarette, e-cigarette, liquid nicotine, etc. for KND Discount Cigarettes. The property is generally located east of Brown Trail and south of Bedford Road.

Chairman Reese recognized Jacquelyn Reyff, AICP, Planning Manager, who reviewed Zoning Case Z-254.

Chairman Reese recognized Mohomedali Nawab, 530 Bedford Road, Bedford, Texas, who was there to present this application.

Chairman Reese opened the public hearing at 7:08 p.m. and recognized the following people:

- Salvatore Caruso, 148 Ravenswood, Bedford, Texas, who spoke in opposition to this application.
- Kemo Haddad, 540 Bedford, Texas, who spoke in opposition to this application.

Chairman Reese closed the public hearing at 7:29 p.m.

The Commission discussed the application.

Motion: Commissioner Stroope made a motion to approve Zoning Case Z-254.

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

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF JULY 10, 2014**

DRAFT

Motion approved 6-0-0. Chairman Reese recommended approval of Zoning Case Z-254.

ADJOURNMENT

Chairman Reese adjourned the Planning and Zoning Commission meeting at 7:33 p.m.

**Chairman Reese
Planning and Zoning Commission**

ATTEST:

**Yolanda Cramer, Secretary
Planning and Zoning Commission**



CITY OF
BEDFORD

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

July 18, 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, July 18, 2014.

FROM:

City of Bedford
Yolanda Cramer, Planning and Zoning Coordinator

Dear Christine,

Please publish the following in "Legal Notices" on Tuesday, July 22, 2014.

MESSAGE:

**CITY OF BEDFORD
PUBLIC HEARING**

The City of Bedford City Council gives notice of a public hearing on Tuesday, August 12, 2014 at 6:30 PM, at City Hall, Council Chamber, 2000 Forest Ridge Drive, Building A, Bedford, Texas:

Public hearing and consider an ordinance to rezone a portion of property known as Lot C, Block 28, Stonegate Addition, located at 530 Bedford Road, Bedford, Texas from Light Commercial to Light Commercial/Specific Use Permit/Tobacco Products Store, specifically allowing the sale of tobacco or other substances such as vapor, electronic cigarette, e-cigarette, liquid nicotine, etc., for KND Discount Cigarettes. The property is generally located east of Brown Trail and south of Bedford Road. (Z-254)

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



Council Agenda Background

<u>PRESENTER:</u> Clifford Blackwell, C.G.F.O., Director of Administrative Services		<u>DATE:</u> 08/12/14
Council Mission Area: Be responsive to the needs of the community.		
<u>ITEM:</u> Receive the 2014 Certified Ad Valorem Tax Roll from the Tarrant Appraisal District. City Attorney Review: N/A City Manager Review: _____		
<u>DISCUSSION:</u> Section 26.04 of the Texas Tax Code requires the appraisal roll for a taxing unit be submitted to the governing body each year by August 1 or as soon thereafter as practicable. This information shall include the total appraised, assessed, and taxable values for all properties within the City of Bedford’s jurisdiction. In addition, this information includes the total taxable value of new property that did not exist on the previous year’s tax roll. The attached information has been supplied by the Tarrant Appraisal District and certified by its chief appraiser, Jeff Law. It reflects the taxable values of all properties on the City of Bedford tax roll as of July 25, 2014. The information from this certified roll will be used to calculate the property tax revenues in the Fiscal Year 2014-2015 proposed budget.		
<u>RECOMMENDATION:</u> No action necessary – for City Council information only.		
<u>FISCAL IMPACT:</u> N/A	<u>ATTACHMENTS:</u> 2014 Certified Appraisal Roll valuation summary 2014 A.R.B. Protest Information 2014 Incomplete Property Information Supporting documentation	



Jeff Law
Executive Director
Chief Appraiser

July 23, 2014

To: Tarrant County Taxing Entities

From: Jeff Law

A handwritten signature in blue ink, appearing to be "JL", is written over the name "Jeff Law" in the "From:" field.

Subject: July 2014 certified roll

Please find attached the 2014 July certified appraisal roll. State law requires that I provide this report of value to each taxing entity by July 25th of each calendar year. We are happy to provide this a couple of days early. In addition, you may notice the number of protests and the values associated with those protests, are much lower than in years past. I am very pleased our staff was able to process and handle protested accounts much more efficiently this year. Our goal is to have all filed protests completed and resolved by the end of July. This should be beneficial to you and your staff in preparing your entity's budget for next year.

If you have any questions regarding this year's certified numbers, please don't hesitate to give me a call.



TARRANT APPRAISAL DISTRICT

CITY OF BEDFORD

2014 Supplemental Certified Appraisal Roll Valuation Summary

I, Jeff Law, Chief Appraiser for the Tarrant Appraisal District, to the best of my ability do solemnly swear that the attached is that portion of the appraisal roll of the Tarrant Appraisal District which lists property taxable by the above named entity and constitutes their supplemental certified appraisal roll.

APPRAISED VALUE (Considers Value Caps) - - - - - > \$ 3,581,440,446

Absolute Exemption	\$	259,004,698
Cases before ARB	\$	26,946,041
Incompletes	\$	17,292,143
Deferred, Special Use, and Partial Exemptions	\$	190,147,555

See Totals Report for breakdown of each Exemption

NET TAXABLE VALUE - - - - - > \$ 3,088,050,009

Appraised value minus Absolute Exemption amount, minus ARB amount, minus Incompletes, minus Deferred, Special Use and Partial Exemptions to equal the NTV.

ESTIMATED NET TAXABLE VALUE - - - - - > \$ 3,121,183,647

Including suggested values to be used for pending A.R.B. accounts (see page two), and Incomplete accounts (see page three).

Jeff Law, Chief Appraiser



TARRANT APPRAISAL DISTRICT
Jeff Law, Chief Appraiser

CITY OF BEDFORD

2014 Appraisal Review Board Information

Section 25.01 (c) of the State Property Tax Code directs the chief appraiser to prepare a list of all properties under protest with the Appraisal Review Board and pending disposition at the time of value roll certification.

The values below are from the ARB roll and are not included in the totals certified by the chief appraiser and represented on page 1 of this report.

\$	26,946,041	Total appraised value of properties under protest.
\$	26,057,449	Net taxable value of properties under protest.
\$	18,240,214	Estimated minimum taxable value for the same properties. This value should be added to the net taxable value on page one.



TARRANT APPRAISAL DISTRICT
Jeff Law, Chief Appraiser

CITY OF BEDFORD

2014 Incomplete Property Information

Section 26.01(d) of the State Property Tax Code directs the chief appraiser to prepare a list of all properties that are not on the certified appraisal roll and not included on the ARB roll.

The values below are from the incomplete property listing and are not included in the totals certified by the chief appraiser and represented on page 1 of this report.

The value of incomplete properties are subject to change and are also subject to appeal before the Appraisal Review Board.

\$	17,292,143	Total appraised value of incomplete properties
\$	14,893,424	Estimated net taxable value of incomplete properties

07/22/2014
7.18.07
TOT200EP

TARRANT APPRAISAL DISTRICT
CITY OF BEDFORD
TOTALS REPORT
2014

002
JUL
ROLL: CERTIFIED

REPORT ITEM		APPRAISED VALUE	ACCOUNTS	TAXABLE VALUE
1. REAL ESTATE RESIDENTIAL	(+)	2,176,754,945	13,866	1,985,251,613
2. REAL ESTATE COMMERCIAL	(+)	1,234,446,101	833	975,600,471
3. REAL ESTATE INDUSTRIAL	(+)	4,788,555	3	4,788,555
4. PERSONAL PROPERTY COMMERCIAL	(+)	163,438,791	1,312	161,560,607
5. PERSONAL PROPERTY INDUSTRIAL	(+)	1,742,463	5	1,742,463
6. MINERAL LEASE PROPERTIES	(+)	80,550	1,873	56,980
7. AGRICULTURE PROPERTIES	(+)	189,041	1	193
8. TOTAL APPRAISED VALUE	(=)	3,581,440,446	17,893	3,129,000,882
9. CASES BEFORE ARB	(-)	26,946,041	148	26,057,449
10. INCOMPLETE ACCOUNTS	(-)	17,292,143	434	14,893,424
11. CERTIFIED APPRAISED VALUE	(=)	3,537,202,262	17,311	3,088,050,009
EXEMPTION DETAIL		EXEMPT AMOUNT	ACCOUNTS	APPRAISED VALUE
12. ABSOLUTE EXEMPTIONS		259,004,698	337	259,004,698
13. AG DEFERRALS		188,848	1	189,041
14. SCENIC DEFERRALS		0	0	0
15. ABATEMENTS		0	0	0
16. PUBLIC ACCESS AIRPORTS		0	0	0
17. INDIGENT HOUSING		0	0	0
18. NOMINAL VALUE ACCOUNTS		23,570	1,712	23,570
19. DISABLED VETS		11,236,010	271	44,980,622
20. FREEPORT INVENTORY		0	0	0
21. GOODS IN TRANSIT		0	0	0
22. HOMESTEADS - STATE MANDATE		0	0	0
23. OVER 65 - STATE MANDATE		0	0	0
24. DISABLED - STATE MANDATE		0	0	0
25. HOMESTEADS - LOCAL OPTION		0	0	0
26. OVER 65 - LOCAL OPTION		176,291,705	3,589	576,687,496
27. DISABLED - LOCAL OPTION		0	128	0
28. SOLAR/WIND		0	0	0
29. POLLUTION CONTROL		252	1	316,587
30. COMM HSE DEV		0	0	0
31. PRORATED ABSOLUTE		2,407,170	1	3,904,965
32. HISTORIC SITES		0	0	0
33. FOREIGN TRADE ZONE		0	0	0
34. TOTAL EXEMPT AMOUNT	(-)	449,152,253		
35. NET TAXABLE VALUE	(=)	3,088,050,009	17,311	3,537,202,262
NEW EXEMPTIONS THIS YEAR (INCLUDED IN ITEM 12 TO 33)		EXEMPT AMOUNT	ACCOUNTS	APPRAISED VALUE
36. NEW ABSOLUTE EXEMPTIONS		0	0	0
37. NEW AG DEFERRALS		0	0	0
38. NEW SCENIC DEFERRALS		0	0	0
39. NEW ABATEMENTS		0	0	0
40. NEW PUBLIC ACCESS AIRPORTS		0	0	0
41. NEW INDIGENT HOUSING		0	0	0
42. NEW NOMINAL VALUE ACCOUNTS		0	0	0
43. NEW DISABLED VETS		436,992	19	3,794,700
44. NEW FREEPORT INVENTORY		0	0	0
45. NEW GOODS IN TRANSIT		0	0	0

07/22/2014
 7.18.07
 TOT200EP

TARRANT APPRAISAL DISTRICT
 CITY OF BEDFORD
 TOTALS REPORT
 2014

002
 JUL
 CERTIFIED

NEW EXEMPTIONS THIS YEAR	EXEMPT AMOUNT	ACCOUNTS	APPRAISED VALUE
46. NEW HOMESTEADS - STATE MANDATE	0	0	0
47. NEW OVER 65 - STATE MANDATE	0	0	0
48. NEW DISABLED - STATE MANDATE	0	0	0
49. NEW HOMESTEADS - LOCAL OPTION	0	0	0
50. NEW OVER 65 - LOCAL OPTION	3,702,648	78	12,978,605
51. NEW DISABLED - LOCAL OPTION	0	3	0
52. NEW SOLAR/WIND	0	0	0
53. NEW POLLUTION CONTROL	0	0	0
54. NEW COMM HSE DEV	0	0	0
55. NEW PRORATED ABSOLUTE	2,407,170	0	0
56. NEW HISTORIC SITES	0	0	0
57. NEW FOREIGN TRADE ZONE	0	0	0

NEW CONSTRUCTION	TAXABLE VALUE	ACCOUNTS	APPRAISED VALUE
58. ALL REAL ESTATE	4,147,745	41	4,215,379
59. NEW BUSINESS IN NEW IMPROVEMENT	0	0	0
60. TOTAL NEW CONSTRUCTION	4,147,745	41	4,215,379
61. NEW CONSTRUCTION IN RESIDENTIAL	2,134,842	37	2,202,466
62. NEW CONSTRUCTION IN COMMERCIAL	2,012,903	4	2,012,913

63. ANNEXATIONS	0	0	0
64. DEANNEXATIONS	0	0	0

TAX CEILINGS	TAXABLE VALUE	ACCOUNTS	CEILING AMOUNT
65. OVER 65	386,582,017	3,494	1,580,184.63
66. DISABLED PERSON	17,556,634	126	75,801.38
67. TOTAL CEILINGS (INCLUDED IN ABOVE)	404,138,651	3,620	1,655,986.01
68. NEW OVER 65 CEILINGS	32,221,685	282	154,513.76
69. NEW DISABLED PERSON CEILINGS	1,877,370	13	9,052.93

CAPPED ACCOUNTS	CAP VALUE	ACCOUNTS	CAP LOSS
70. CAP TOTAL	124,429,527	710	4,495,028
71. NEW CAP THIS YEAR	103,084,407	593	3,918,948

ALL EXEMPTIONS BY GROUP	EXEMPT AMOUNT	ACCOUNTS	APPRAISED VALUE
72. ALL RESIDENTIAL ACCOUNTS	191,503,332		2,176,754,945
73. ALL COMMERCIAL ACCOUNTS	260,723,814		1,397,884,892
74. ALL INDUSTRIAL ACCOUNTS	0		6,531,018
75. ALL MINERAL LEASE ACCOUNTS	23,570		80,550
76. ALL AGRICULTURE ACCOUNTS	188,848		189,041

77. MULTI-PRORATED ABSOLUTE		ACCOUNTS 1	APPRAISED VALUE 3904,965
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07/22/2014
7.19.08
TOT210EP

CITY OF BEDFORD
ABSOLUTES, ARB & INCOMPLETE TOTALS BY CATEGORY
2014

002
JUL
ROLL :
CERTIFIED

	ABSOLUTES AMOUNT	COUNT	ARB AMOUNT	COUNT	INCOMPLETE AMOUNT	COUNT
1. REAL ESTATE RESIDENTIAL	3,095,617	81	19,684,795	126	0	0
2. REAL ESTATE COMMERCIAL	254,766,354	243	5,681,378	9	1,672,106	2
3. REAL ESTATE INDUSTRIAL	0	0	0	0	0	0
4. PERSONAL PROPERTY COMMERCIAL	1,142,727	13	1,579,868	13	15,615,377	310
5. PERSONAL PROPERTY INDUSTRIAL	0	0	0	0	0	0
6. MINERAL LEASE PROPERTIES	0	0	0	0	4,660	122
7. AGRICULTURE PROPERTITES	0	0	0	0	0	0
TOTAL	259,004,698	337	26,946,041	148	17,292,143	434

07/22/2014
 7.25.05
 TOT350EP

CITY OF BEDFORD
 CERTIFIED, ARB & INCOMPLETE EXEMPTION TOTALS
 2014

ROLL: 002
 JUL
 CERTIFIED

	CERTIFIED LOSS	COUNT	ARB LOSS	COUNT	INCOMPLETE LOSS	COUNT	TOTAL LOSS	COUNT
1. ABSOLUTE EXEMPTIONS	259,004,698	337	0	0	2,392,537	12	261,397,235	349
2. AG DEFERRALS	188,848	1	0	0	0	0	188,848	1
3. SCENIC DEFERRALS	0	0	0	0	0	0	0	0
4. ABATEMENTS	0	0	0	0	0	0	0	0
5. PUBLIC ACCESS AIRPORTS	0	0	0	0	0	0	0	0
6. INDIGENT HOUSING	0	0	0	0	0	0	0	0
7. NOMINAL VALUE ACCOUNTS	23,570	1,712	0	0	6,182	141	29,752	1,853
8. DISABLED VETS	11,236,010	271	5,000	1	0	0	11,241,010	272
9A. FREEPORT INVENTORY	0	0	0	0	0	0	0	0
9B. GOODS IN TRANSIT	0	0	0	0	0	0	0	0
10. HOMESTEADS	0	0	0	0	0	0	0	0
11. OVER 65	176,291,705	0	875,000	18	0	0	177,166,705	18
12. DISABLED PERSON	0	128	0	1	0	0	0	129
13. SOLAR/WIND	0	0	0	0	0	0	0	0
14. POLLUTION CONTROL	252	1	8,592	1	0	0	8,844	2
15. COMM HSE DEV	0	0	0	0	0	0	0	0
16. PRORATED ABSOLUTE	2,407,170	1	0	0	0	0	2,407,170	1
17. HISTORIC SITES	0	0	0	0	0	0	0	0
18. FOREIGN TRADE ZONE	0	0	0	0	0	0	0	0
19. NET TAXABLE VALUE OF ALL FROZEN ACCTS			404,138,651	3,620 ACCTS				
20. CAP LOSS ON RESIDENTIAL MARKET VALUES			4,495,028	710 ACCTS				
CERTIFIED APPRAISED VALUE	3,278,197,564	17,161 ACCTS						
PROTESTED APPRAISED VALUE	26,946,041	148 ACCTS						
INCOMPLETE APPRAISED VALUE	17,292,143	434 ACCTS						
ABSOLUTE EXEMPT VALUE	259,004,698	337 ACCTS						
TOTAL APPRAISED VALUE	3,581,440,446	17,893 ACCTS						
CERTIFIED NET TAXABLE VALUE	3,088,050,009							
NET TAXABLE IN ARB	26,057,449							
NET TAXABLE IN INCOMPLETE	14,893,424							
TOTAL NET TAXABLE VALUE	3,129,000,882							

CATEGORY	CERT. APPR VALUE NUMBER OF ACCTS	ARB VALUE NUMBER OF ACCTS	INCOMPLETE VALUE NUMBER OF ACCTS	AG VALUE NUMBER OF ACCTS	AG ACREAGE	NEW CONSTRUCTION NUMBER OF ACCTS
A1 RESIDENTIAL SINGLE-FAMILY	2,003,380,260	18,880,195	0	0	0.0000	2,202,466
NET TAXABLE VALUE	12,039	111	0	0		37
A2 RESIDENTIAL MOBILE HOMES	1,833,891,779	18,150,195	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
A3 RESIDENTIAL CONDOMINIUMS	14,739,704	173,900	0	0	0.0000	0
NET TAXABLE VALUE	131	1	0	0		0
A4 RESIDENTIAL TOWNHOMES	11,968,037	123,900	0	0	0.0000	0
NET TAXABLE VALUE	30,305,494	342,400	0	0		0
A5 RESIDENTIAL UNDECLARED	293	3	0	0	0.0000	0
NET TAXABLE VALUE	25,442,994	242,400	0	0		0
A9 INTERIM USE	47,728,748	139,400	0	0	0.0000	0
NET TAXABLE VALUE	399	1	0	0		0
** CAT A TOTALS	43,614,348	139,400	0	0	0.0000	0
** CAT A NET TAXABLE VALUE	0	0	0	0		0
** CAT A TOTALS	2,096,154,206	19,535,895	0	0	0.0000	2,202,466
** CAT A NET TAXABLE VALUE	12,862	116	0	0		37
** CAT A NET TAXABLE VALUE	1,914,917,158	18,655,895	0			
B1 RESIDENTIAL MULTI-FAMILY	429,142,834	0	0	0	0.0000	0
NET TAXABLE VALUE	47	0	0	0		0
B2 RESIDENTIAL DUPLEX	429,142,834	0	0	0	0.0000	0
NET TAXABLE VALUE	53,008,276	101,900	0	0		0
B3 RESIDENTIAL TRIPLEX	533	1	0	0	0.0000	0
NET TAXABLE VALUE	46,717,609	101,900	0	0		0
B4 RESIDENTIAL QUADRUPLEX	535,200	0	0	0	0.0000	0
NET TAXABLE VALUE	2	0	0	0		0
** CAT B TOTALS	535,200	0	0	0	0.0000	0
** CAT B NET TAXABLE VALUE	2,150,600	0	0	0		0
** CAT B NET TAXABLE VALUE	8	0	0	0		0
** CAT B NET TAXABLE VALUE	2,150,600	0	0			
C1 VAC/PLATTED RES. LT 5 ACRES	484,836,910	101,900	0	0	0.0000	0
NET TAXABLE VALUE	590	1	0	0		0
C2 VAC/PLATTED COMMERCIAL	478,546,243	101,900	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
C3 VAC/UNPLATTED RURAL LT 5 ACRES	2,212,146	47,000	0	0	0.0000	0
NET TAXABLE VALUE	251	9	0	0		0
C2 VAC/PLATTED COMMERCIAL	2,212,146	47,000	0	0	0.0000	0
NET TAXABLE VALUE	21,794,528	1,111,335	1,484,606	193	2.4110	0
C3 VAC/UNPLATTED RURAL LT 5 ACRES	74	3	1	1		0
NET TAXABLE VALUE	21,605,680	1,111,335	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
NET TAXABLE VALUE	0	0	0	0		0
NET TAXABLE VALUE	0	0	0	0		0

CATEGORY	CERT. APPR VALUE NUMBER OF ACCTS	ARB VALUE NUMBER OF ACCTS	INCOMPLETE VALUE NUMBER OF ACCTS	AG VALUE NUMBER OF ACCTS	AG ACREAGE	NEW CONSTRUCTION NUMBER OF ACCTS
C6 VACANT EXEMPT-RIGHT OF WAY	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
** CAT C TOTALS	24,006,674	1,158,335	1,484,606	193	2.4110	0
** CAT C NET TAXABLE VALUE	23,817,826	1,158,335	0	1		0
D1 ACREAGE RANCH LAND	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
D2 ACREAGE TIMBERLAND	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
D3 ACREAGE FARM LAND	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
D4 ACREAGE UNDEVELOPED	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
** CAT D TOTALS	0	0	0	0	0.0000	0
** CAT D NET TAXABLE VALUE	0	0	0	0		0
E1 FARM/RCH HOUSE + LTD ACRES	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
E2 FARM/RCH MH + LTD ACRES	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
E3 FARM/RCH OTHER	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
** CAT E TOTALS	0	0	0	0	0.0000	0
** CAT E NET TAXABLE VALUE	0	0	0	0		0
F1 COMMERCIAL	518,160,362	4,570,043	187,500	0	0.0000	2,012,903
NET TAXABLE VALUE	446	6	1	0		3
F2 INDUSTRIAL	515,753,192	4,570,043	0	0	0.0000	0
NET TAXABLE VALUE	4,788,555	0	0	0		0
F3 BILLBOARDS	3	0	0	0	0.0000	0
NET TAXABLE VALUE	4,788,555	0	0	0		0
NET TAXABLE VALUE	0	0	0	0		0
NET TAXABLE VALUE	0	0	0	0		0

CATEGORY	CERT. APPR VALUE NUMBER OF ACCTS	ARB VALUE NUMBER OF ACCTS	INCOMPLETE VALUE NUMBER OF ACCTS	AG VALUE NUMBER OF ACCTS	AG ACREAGE	NEW CONSTRUCTION NUMBER OF ACCTS
** CAT F TOTALS	522,948,917 449	4,570,043 6	187,500 1	0 0	0.0000	2,012,903 3
** CAT F NET TAXABLE VALUE	520,541,747	4,570,043	0			
G1 OIL, GAS, MINERAL RESERVE	75,890	0	4,660	0	0.0000	0
NET TAXABLE VALUE	1,751 52,320	0	122 4,660	0		0
** CAT G TOTALS	75,890	0	4,660	0	0.0000	0
** CAT G NET TAXABLE VALUE	1,751 52,320	0	122 4,660	0		0
J1 UTILITY WATER SYSTEMS	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
J2 UTILITY GAS COMPANIES	4,513,005	0	0	0	0.0000	0
NET TAXABLE VALUE	2 4,513,005	0	0	0		0
J3 UTILITY ELECTRIC COMPANIES	21,940,861	0	0	0	0.0000	0
NET TAXABLE VALUE	14 21,940,861	0	0	0		0
J4 UTILITY TELEPHONE COMPANIES	7,632,033	0	1,156,897	0	0.0000	0
NET TAXABLE VALUE	14 7,632,033	0	18 1,156,897	0		0
J5 UTILITY RAILROADS	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
J6 UTILITY PIPELINES	371,820	0	0	0	0.0000	0
NET TAXABLE VALUE	3 371,820	0	0	0		0
J7 UTILITY CABLE COMPANIES	4,761,153	0	0	0	0.0000	0
NET TAXABLE VALUE	5 4,761,153	0	0	0		0
J8 UTILITY OTHER	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
** CAT J TOTALS	39,218,872	0	1,156,897	0	0.0000	0
** CAT J NET TAXABLE VALUE	38 39,218,872	0	18 1,156,897	0		0
L1 COMMERCIAL	109,130,752	1,579,868	14,458,480	0	0.0000	0
NET TAXABLE VALUE	950 109,130,500	13 1,571,276	292 13,731,867	0		0
L2 INDUSTRIAL	1,742,463	0	0	0	0.0000	0
NET TAXABLE VALUE	5 1,742,463	0	0	0		0

CATEGORY	CERT. APPR VALUE NUMBER OF ACCTS	ARB VALUE NUMBER OF ACCTS	INCOMPLETE VALUE NUMBER OF ACCTS	AG VALUE NUMBER OF ACCTS	AG ACREAGE	NEW CONSTRUCTION NUMBER OF ACCTS
** CAT L TOTALS	110,873,215	1,579,868	14,458,480	0	0.0000	0
	955	13	292	0		0
** CAT L NET TAXABLE VALUE	110,872,963	1,571,276	13,731,867			
M1 PRIVATE WATERCRAFT	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
M2 PRIVATE AIRCRAFT	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
M3 MOBILE HOME IMPROVEMENT ONLY	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
M4 MISCELLANEOUS	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
** CAT M TOTALS	0	0	0	0	0.0000	0
** CAT M NET TAXABLE VALUE	0	0	0	0		0
N1 NOT OTHERWISE CLASSIFIED	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
** CAT N TOTALS	0	0	0	0	0.0000	0
** CAT N NET TAXABLE VALUE	0	0	0	0		0
01 RES VACANT INVENTORY C1	82,880	0	0	0	0.0000	0
NET TAXABLE VALUE	4	0	0	0		0
02 RES IMPROVED INVENTORY	82,880	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
03 RES IMPROVED INVENTORY A3	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
04 RES IMPROVED INVENTORY A4	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
05 RES IMPROVED INVENTORY A5	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
06 RES IMPROVED INVENTORY B2	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0

CATEGORY	CERT. APPR VALUE NUMBER OF ACCTS	ARB VALUE NUMBER OF ACCTS	INCOMPLETE VALUE NUMBER OF ACCTS	AG VALUE NUMBER OF ACCTS	AG ACREAGE	NEW CONSTRUCTION NUMBER OF ACCTS
07 RES IMPROVED INVENTORY B3	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
08 RES IMPROVED INVENTORY B4	0	0	0	0	0.0000	0
NET TAXABLE VALUE	0	0	0	0		0
** CAT 0 TOTALS	82,880	0	0	0	0.0000	0
	4	0	0	0		0
** CAT 0 NET TAXABLE VALUE	82,880	0	0			
** TDC TOTALS	3,278,197,564 16,974	26,946,041 148	17,292,143 434	193 1	2.4110	4,215,369 40
BEGIN CERT APPRAISED VALUE	3,537,202,262					
BEGIN CERT APPRAISED ACCTS	17,311					
** TDC NET TAXABLE VALUE	3,088,050,009	26,057,449	14,893,424	193		
** TDC AG IMPROVEMENTS				0		

NOTE: ABSOLUTE EXEMPTIONS ARE NOT INCLUDED EXCEPT FOR PRORATED ABSOLUTES

07/22/14

TARRANT APPRAISAL DISTRICT

(TADB060)

JURISDICTION

CITY OF BEDFORD

AVERAGE MARKET VALUE PER ACCOUNT >

166,472

AVERAGE NET TAXABLE VALUE PER ACCOUNT >

152,234

TOTAL MARKET VALUE >>>> 2,005,164,281

VALUE IN THOUSANDS

PARCEL COUNT

ENTITY

DISTRIBUTION GRAPHICS

PLEASE NOTE: ACCOUNTS IN PROTEST & INCOMPLETE ACCOUNTS ARE - N O T - INCLUDED IN ANY OF THE CALCULATIONS

UND - 5	0	
5 - 10	0	
10 - 15	0	
15 - 20	0	
20 - 25	0	
25 - 30	1	*
30 - 35	4	*
35 - 40	4	*
40 - 45	11	*
45 - 50	14	*
50 - 55	30	*
55 - 60	46	*
60 - 65	39	*
65 - 70	66	*
70 - 75	100	**
75 - 80	134	**
80 - 85	164	**
85 - 90	132	**
90 - 95	184	**
95 - 100	132	**
100 - 105	197	**
105 - 110	260	***
110 - 115	293	***
115 - 120	343	****
120 - 125	397	****
125 - 130	543	*****
130 - 135	617	*****
135 - 140	592	*****
140 - 145	493	*****
145 - 150	581	*****
150 - 155	488	*****
155 - 160	427	*****
160 - 165	422	*****
165 - 170	370	****
170 - 175	352	****
175 - 180	309	****
180 - 185	305	****
185 - 190	282	***
190 - 195	296	***
195 - 200	320	****
200 - 205	265	***
205 - 210	291	***
210 - 215	272	***
215 - 220	247	***
220 - 225	261	***
225 - 230	210	***
230 - 235	195	**
235 - 240	148	**
240 - 245	147	**
OVR - 245	1,061	*****

12,045 *****10***15***20***25***30***35***40***45***50***55***60***65***70***75***80

PARCEL COUNTS IN HUNDREDS - SINGLE FAMILY RESIDENCE ONLY - 2014



Council Agenda Background

<u>PRESENTER:</u> Clifford Blackwell, C.G.F.O., Director of Administrative Services		<u>DATE:</u> 08/12/14
Council Mission Area: Be responsive to the needs of the community.		
<u>ITEM:</u> Receive the certified anticipated collection rate from the Tarrant County Tax Assessor-Collector for the City of Bedford, Texas. City Attorney Review: N/A City Manager Review: _____		
<u>DISCUSSION:</u> Section 26.04 of Texas Property Tax Code requires the Tax Collector to certify the anticipated collection rate for the current year. Ron Wright, Tarrant County Tax Assessor-Collector, has certified the anticipated collection rate for the City of Bedford at 100%. If the projection is less than 100% and the sum of taxes collected exceeds the amount the collector estimated would be collected for the preceding year, the collector must determine the amount of excess debt taxes collected. When calculating the debt rate for the next year, the rate must be adjusted to compensate for the inaccurate prediction. If the prediction is greater than 100%, then 100% is used and no adjustment is necessary.		
<u>RECOMMENDATION:</u> No action necessary – for City Council information only.		
<u>FISCAL IMPACT:</u> N/A	<u>ATTACHMENTS:</u> Certified letter from the Tarrant County Tax Assessor Collector	



TARRANT COUNTY TAX OFFICE

100 E Weatherford St, Room 105
Fort Worth, Texas 76196-0301
817-884-1100 Taxoffice@tarrantcounty.com

Ron Wright
Tax Assessor-Collector

July 9, 2014

Mr Clifford Blackwell
Director of Administrative Services
City of Bedford
2000 Forest Ridge Dr
Bedford TX 76021

Re: Certified Estimate of Anticipated Collection Rate for Tax Year 2014

Dear Mr Blackwell:

Section 26.04 (b) of the TEXAS TAX CODE requires your Tax Collector to certify your entity's anticipated collection rate for the current year.

The anticipated collection rate for your entity for tax year 2014 is 100.00%.

If the actual collection rate for 2013 exceeded the anticipated rate for that year, the collector must also certify the amount of debt taxes collected in excess of the anticipated rate. When calculating the debt rate for 2014 the rate must be adjusted to compensate for excess debt collections in 2013.

Your excess debt collection for the 2013 tax year is \$0.00.

I am also including a form on which you should report your tax year 2014 tax rates and exemptions. Please return this completed form to the Tarrant County tax office by September 12, 2014. If you are unable to set your tax rate before this date please provide the information as soon as it is available.

If I may be of further assistance to you, please call me at (817) 884-1123 or come by my office in the Administration Building – Room 102.

Sincerely,

Jim Pritchard

James E. Pritchard, RTA
Associate Chief Deputy - Property

For:
Ron Wright
Tarrant County Tax Assessor-Collector

Mr Clifford Blackwell
Director of Administrative Services
City of Bedford
2000 Forest Ridge Dr
Bedford, TX 76021

Enclosed is a form for providing the Tarrant County Tax Office with your 2014 tax rates and other information necessary to calculate and bill taxes for your unit. **We cannot begin the tax calculation process until all 67 units have responded with the complete signed and dated document.** The data must be signed by an authorized official. **The signed and dated document is a requirement.**

Statewide statistics as well as our own experience in Tarrant County proves that collection rates are greater when tax bills are mailed as early as possible. Our goal is to mail bills on October 1. Delays in getting tax rates and exemptions can delay the billing process by as much as three weeks.

Our process for creating the 2014 tax collection database takes 14 days. Because of this, **we need the tax rate and exemption information by September 12th.** Failure to provide the required information by the September 12th deadline will jeopardize the mailing of statements for all other entities. The ultimate risk for providing tax rate and exemption information to us after September 13th is that the unit will have to pay for a separate mailing for its statements.

Please note that the Appraisal District(s) in which your unit is located has or will ask for tax rate and exemption information as well. They use the tax rates to calculate and recalculate tax ceilings. They use the exemption information to know what the district is providing so that they, in turn, can correctly provide that information to the tax assessor-collector's offices. However, they are a separate entity from our office. For auditing purposes, we need to have the information provided to us **on the enclosed form**. The appraisal districts must have the same information, but, on the form they provide. The information you send to us must be accurate and precisely the same as that provided to the appraisal district(s).

Please let me know if you have any questions or if I can assist you in any way please contact me on my direct line at (817) 884-1082.

Sincerely,



Jeff Hodges, PCC, CTA
Assessment Manager

For:

Ron Wright
Tarrant County Tax Assessor-Collector

-URGENT & REQUIRED-

Tax Rates and Exemptions
Cities, County & Special Districts

Please complete **all** items in each section of this form and submit to Ron Wright, Tax Assessor-Collector, by **September 12, 2014**, as agreed by contract. You can scan and email the completed form to jhodes@tarrantcounty.com or tax@tarrantcounty.com, or Fax to 817-884-1122

Tax Unit: **City of Bedford**

Tax Year: **2014**

SECTION 1 – TAX RATES

Total Tax Rate for Tax Year 2014 _____

Maintenance & Operations (M&O) Tax Rate for Tax Year 2014 _____

Interest & Sinking (I&S) Tax Rate for Tax Year 2014 _____

Effective Tax Rate _____

Effective Maintenance & Operations Rate _____

Rollback Tax Rate _____

SECTION 2 – EXEMPTIONS

Homestead (Optional) _____

Over 65 (Optional) _____

Disabled Person (Optional) _____

Freeport (Sec. 11.251)	<input type="checkbox"/> Yes <input type="checkbox"/> No	Pollution Control (Sec. 11.31)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Solar (Sec. 11.27)	<input type="checkbox"/> Yes <input type="checkbox"/> No	Foreign Trade Zone (Sec. 25.07)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Historic (Sec. 11.24)	<input type="checkbox"/> Yes <input type="checkbox"/> No	Abatements Granted (Sec. 312)	<input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION 3 – Attorney

Delinquent Tax Attorney Contracted? Yes No

SECTION 4 – Sales Tax

Does the unit collect additional sales tax to reduce Property tax, in accordance with Section 31.01(i) of the Texas Property Tax Code? Yes No

If yes, what is the sales tax revenue for the previous 4 quarters? (Line 42 of Tax Rate Calculation) \$ _____

SECTION 5 – Tax Freeze

Did you elect to freeze taxes for over 65 and disabled citizens? Yes No

If "Yes", beginning with which tax year? _____

Our Tax Rate was adopted on _____

Approved By: _____ Title: _____

Office Phone Number (_____) _____ Date Submitted _____

Please contact Jeff Hodges if you have any questions. 817.884.1082; jhodes@tarrantcounty.com; fax 817.884.1122



Council Agenda Background

PRESENTER: Meg Jakubik, C.G.F.O., Assistant to the City Manager

DATE: 08/12/14

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

ITEM:

Consider a proposed tax rate and set two public hearings on the proposed tax rate, if required.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The tax rate used to propose funding for the FY 2014-2015 budget as presented is \$0.4948303 per \$100 assessed valuation.

Definitions:

Effective Tax Rate: The tax rate that will generate the same amount of tax revenue as the previous year from the same property. This rate serves as the benchmark from which all Truth-in-Taxation requirements are measured. The effective rate for FY 2014-2015 is \$0.479538 per \$100 valuation.

Effective Maintenance & Operations (M&O) Rate: The tax rate that will generate the same amount of tax revenue for maintenance and operations as the previous year. The effective M&O rate (prior to the sales tax rate adjustment) for FY 2014-2015 is \$0.384570. The effective operating rate after the sales tax rate adjustment of \$0.090588 is \$0.293982.

Rollback Tax Rate: The maximum tax rate the City may adopt without initiating the possibility of a rollback election. The rollback tax rate for FY 2014-2015 is \$0.529670.

Debt Tax Rate: The rate required to generate revenue to meet debt service requirements, which is unlimited in terms of calculating the rollback rate. The debt tax rate for FY 2014-2015 is \$0.204923.

Maximum Public Hearing Rate: The effective tax rate or the rollback rate, whichever is less. The calculated maximum public hearing rate for FY 2014-2015 is \$0.479538, which is equal to the effective tax rate.

It is necessary at this time for the City Council to vote on the maximum tax rate that would be considered for implementation of the FY 2014-2015 budget. The City Council is not actually setting a tax rate at this time. The purpose of this vote is to establish the upper threshold for the tax rate that the City Council will consider when an actual vote is required on September 9, 2014. At that time, the City Council may consider any rate up to the amount that is approved at this time, but may not exceed that rate.

IN SUMMARY:

2013-2014 Adopted Tax Rate: \$0.4948303 / \$100 AV

2014-2015 Effective Tax Rate: \$0.479538 / \$100 AV

Maximum public hearing rate: \$0.479538 / \$100 AV

The rate used to project the property tax revenues presented in the FY 2014-2015 budget is:
\$0.4948303 per \$100 assessed valuation

Should the City Council vote to consider a tax rate greater than \$0.479538, two public hearings will be required, and they must be at least three days apart (per section 26.06 of the Tax Code). In order to meet the publication and scheduling requirements in both the City Charter and the Truth-in-Taxation laws, the recommended dates for the public hearings are the following:

- Tuesday, August 26, 2014
- Tuesday, September 2, 2014

The actual vote on the tax rate will take place on Tuesday, September 9, 2014.

RECOMMENDATION:

Staff recommends the following motion:

Consider a tax rate of \$0._____ per \$100 assessed valuation to be voted on the September 9, 2014 agenda, and schedule a public hearing to discuss the tax rate on Tuesday, August 26, 2014 at 6:30 p.m. at Bedford City Hall and a second public hearing to discuss the tax rate on Tuesday, September 2, 2014 at 6:30 p.m. at Bedford City Hall.

FISCAL IMPACT:

N/A

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER: Meg Jakubik, C.G.F.O., Assistant to the City Manager

DATE: 08/12/14

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

ITEM:

Call a public hearing on the proposed FY 2014-2015 budget to be held on August 26, 2014 at 6:30 p.m. in the City Hall Council Chambers.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

Section 4.05 of the City Charter states that the City Council shall determine the place and time of the public hearing on the budget.

In order to meet the appropriate timeline to approve the budget and tax rate for submittal to Tarrant County, it is recommended that the City Council call the public hearing on the proposed FY 2014-2015 budget for August 26, 2014 at 6:30 p.m.

RECOMMENDATION:

Staff recommends the following motion:

Call a public hearing on the proposed FY 2014-2015 budget to be held on August 26, 2014 at 6:30 p.m. in the City Hall Council Chambers.

FISCAL IMPACT:

N/A

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER: Thomas L. Hoover, P.E.
Public Works Director

DATE: 08/12/14

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

ITEM:

Consider a resolution authorizing the City Manager to approve payment in the amount of \$26,966.36 to Tarrant County for the final payout for the Tarrant County Community Development Block Grant 39th Year Program.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

On January 22, 2013, a resolution was approved to pursue project funding from the Tarrant County Community Development Grant 39th Year Program for waterline improvements on Savannah Way from Pipeline Road north to Charleston Drive.

On January 14, 2014, a resolution was approved and the City entered into an agreement with Tarrant County to accept the bid and award a contract to Excel 4 Construction, LLC, in the amount of \$139,889, for the CDBG 39th Year Program. The City agreed on the Resolution to pay for any portion of the final project cost that exceeds \$123,812.64 from the Utility Repair & Maintenance Fund.

The total funding for the project was \$150,779. This amount includes Change Order Number One in the amount of \$11,141 for an additional fire hydrant, water lines, and sidewalks and Change Order Number Two for reconciliation of the project in the amount of \$(251.00). The construction is complete and the City's portion of the project owed to Tarrant County is \$26,966.36. Funding would come from the Utility Repair and Maintenance Fund.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to approve payment in the amount of \$26,966.36 to Tarrant County for the final payout for the Tarrant County Community Development Block Grant 39th Year Program.

FISCAL IMPACT:

Final Contract Cost:	\$150,779.00
CDBG Budget Amount:	\$123,812.64
Utility Repair & Maintenance Fund:	\$676,252.03
Bedford's Portion	(\$26,966.36)
Difference:	\$649,285.67

ATTACHMENTS:

Resolution
Change Orders

RESOLUTION NO. 14-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE PAYMENT IN THE AMOUNT OF \$26,966.36 TO TARRANT COUNTY FOR THE FINAL PAYOUT FOR THE TARRANT COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT 39TH YEAR PROGRAM.

WHEREAS, the City Council of Bedford, Texas has determined final payment for the water line on Savannah Way is necessary for the health and safety of its citizens; and,

WHEREAS, the City Council of Bedford, Texas recognizes the importance of providing these improvements to protect the vitality of neighborhoods.

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 approve payment in the amount of \$26,966.36 to Tarrant County for the final payout for the Tarrant County Community Development Block Grant 39th Year Program.

SECTION 3. That funding will come from the Utility Repair and Maintenance Fund.

PRESENTED AND PASSED this 12th day of August 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



COMMISSIONERS COURT
COMMUNICATION

REFERENCE NUMBER CD3761

PAGE 1 OF 5

DATE: 5/20/2014

SUBJECT: APPROVAL OF CHANGE ORDER NO. 1 WITH EXCEL 4 CONSTRUCTION, LLC IN THE AMOUNT OF \$11,141.00 FOR THE RECONCILIATION OF QUANTITIES IN THE CITY OF BEDFORD, 39TH YEAR CDBG PROJECT - COMMUNITY DEVELOPMENT

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED:

It is requested that the Commissioners Court approve Change Order No. 1 with Excel 4 Construction, LLC in the amount of \$11,141.00 for reconciliation of quantities in the City of Bedford.

BACKGROUND:

Bids were opened on November 22, 2013 with Excel 4 Construction, LLC, the low bidder at \$139,889.00 for water line improvements. This is a reconciliation change order to account for various contract quantity overruns and underruns. The new contract amount is \$151,030.00.

FISCAL IMPACT:

CD funds in the amount of \$123,812.64 are available for construction and the City of Bedford has agreed to pay the remainder. Funds for this contract are available through the Community Development Block Grant #B-13-UC-48-0001. Upon approval of a claim for payment under this contract, funds will be drawn down from the U.S. Treasury through HUD's electronic transfer system to the County's bank account.

THIS IS TO CERTIFY THAT FEDERAL FUNDS ARE AVAILABLE FOR THIS PROJECT.

S. RENEE TIDWELL
Tarrant County Auditor

In the amount of:
\$11,141.00

Approved - City of Bedford
Minute Order dated 1/14/14

SUBMITTED BY:	Community Development	PREPARED BY:	Patricia Ward/Brad Hearne
		APPROVED BY:	

111080

MA, 14 2014

CHANGE ORDER NO. ONE (1)

PROJECT: Water System Improvements Savannah Way --
(Pipeline Road North to Charleston Drive (City of Bedford))

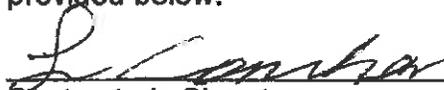
OWNER: Tarrant County Community Development

CONSULTING ENGINEER: J. Richard Perkins, P.E.
3925 Laurel Lane
Bedford, Texas 76021 (817) 354-8750

DATE OF CHANGE ORDER: May 13, 2014

SCOPE OF WORK REVISIONS TO PROJECT: The project scope was modified due to: (1) the need for additional 6" water pipe for side street tie-ins; (2) the addition of one fire hydrant assembly that was on the plans but not in the Bid Proposal; (3) the addition of four (4) long single water services to homes on Savannah that had services on the side of the lot rather than in the front of the lot on the addressed street; and (4) an additional 21 square feet of sidewalk removal and replacement required for the extra fire hydrant assembly. The pay items and their respective quantities and unit prices that were included in the project scope revision are noted below.

The Contractor's agreement to adjust the quantities of these facilities for the prices outlined in this Change Order is evidenced by his signature in the space provided below.



Contractor's Signature
Excel 4 Construction, LLC

5-13-14
Date

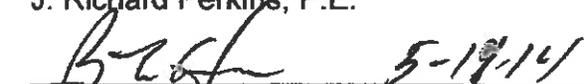


Steve Hines, City Construction Inspector

In the amount of:
\$ 11,141.00
Approved - City of Bedford
Minute Order dated 1/14/14



City Consulting Engineer
J. Richard Perkins, P.E.


5-13-14

Tarrant County Community Development



Tarrant County Judge



S. RENEE TIDWELL, CPA
COUNTY AUDITOR

CHANGE ORDER NO. ONE (1)

**39th YEAR WATER SYSTEM IMPROVEMENTS
SAVANNAH WAY (PIPELINE ROAD NORTH TO CHARLESTON DRIVE)
(CITY OF BEDFORD)**

BID ITEM NO.	QUANTITY	DESCRIPTION WITH UNIT PRICES WRITTEN IN WORDS	UNIT PRICE	AMOUNT TOTAL
3	+21	Sawcut, Remove, & Replace 4" Reinf. Concrete Sidewalk, for the sum of: <u>Five Dollars</u> and <u>No Cents</u> Per S.F. (Square Foot)	<u>\$ 5.00</u>	<u>\$ +105.00</u>
11	+48	Furnish & Install 6" PVC Water Line, for the sum of: <u>Fifty-seven Dollars</u> and <u>No Cents</u> Per L.F. (Lineal Foot)	<u>\$ 57.00</u>	<u>\$ +2,736.00</u>
12	+4	Furnish & Install 8" PVC Water Line, for the sum of: <u>Forty Dollars</u> and <u>No Cents</u> Per LF. (Lineal Foot)	<u>\$ 40.00</u>	<u>\$ +160.00</u>
16	+1	Furnish & Install Fire Hydrant Assembly, for the sum of: <u>Forty-six Hundred Dollars</u> and <u>No Cents</u> Per Ea. (Each)	<u>\$ 4,600.00</u>	<u>\$ +4,600.00</u>
18	+4	1" Long Single Water Service, for the sum of: <u>Eight Hundred Eighty-five Dollars</u> and <u>No Cents</u> Per Ea. (Each)	<u>\$ 885.00</u>	<u>\$ +3,540.00</u>

TOTAL AMOUNT	
CHANGE ORDER NO. ONE (1)	\$ <u>+11,141.00</u>
ORIGINAL CONTRACT AMOUNT	\$ <u>139,889.00</u>
TOTAL REVISED CONTRACT AMOUNT	\$ <u>151,030.00</u>

JUN 13 2014

RECONCILIATION CHANGE ORDER NO. TWO (2)

PROJECT: Water System Improvements Savannah Way --
(Pipeline Road North to Charleston Drive (City
of Bedford) (39th Year CDBG Project)

OWNER: Tarrant County Community Development

CONSULTING ENGINEER: J. Richard Perkins, P.E.
3925 Laurel Lane
Bedford, Texas 76021 (817) 354-8750

DATE OF CHANGE ORDER: June 10, 2014

SCOPE OF WORK REVISIONS TO PROJECT: The project scope was modified due to: (1) the need for less concrete curb and gutter removal and replacement; (2) the need for additional sidewalk removal and replacement at two of the curb ramps; and (3) the need for less reinforced concrete retaining wall at one of the curb ramps. The pay items and their respective quantities and unit prices that were included in the project scope revision are noted below.

The Contractor's agreement to adjust the quantities of these facilities for the prices outlined in this Change Order is evidenced by his signature in the space provided below.



Contractor's Signature
Excel 4 Construction, LLC

Date



Steve Hines, City Construction Inspector

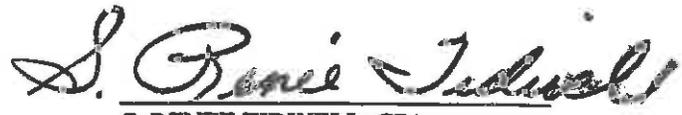


City Consulting Engineer
J. Richard Perkins, P.E.

 6-12-14
Tarrant County Community Development



Tarrant County Judge



S. RENEE TIDWELL, CPA
COUNTY AUDITOR

In the amount of:

\$ -0-

\$ (251.00)

Approved - City of Bedford

Minutes dated 1/14/14

TOTAL AMOUNT CHANGE ORDER NO. ONE (1)	\$ <u>+11,141.00</u>
ORIGINAL CONTRACT AMOUNT	\$ <u>139,889.00</u>
TOTAL REVISED CONTRACT AMOUNT	\$ <u>151,030.00</u>



Council Agenda Background

PRESENTER: Roger Gibson, Police Chief

DATE: 08/12/14

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

ITEM:

Consider a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) and Protocol Agreement with Alliance for Children.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

The mission of Alliance for Children is to protect victimized children of Tarrant County through teamed investigations, healing services, and community education.

The Department of Family and Protective Services and law enforcement agencies throughout Tarrant County refer child sexual abuse cases, serious child physical abuse cases, and child fatality investigations to Alliance for Children centers.

Alliance for Children is a non-profit organization involved directly in the protection of children from abuse through coordinated and teamed investigations with law enforcement, Child Protective Services, Cook Children's Medical Center and the District Attorney's Office.

The City of Bedford has partnered with Alliance for Children since December 2000. A Detective from the Police Department serves as a liaison with this organization for investigative purposes.

The MOU outlines that each agency that utilizes Alliance for Children has specific responsibilities with regard to criminal investigations, prosecution, medical and therapeutic treatment for cases involving child sexual and physical abuse. However, it also outlines that each agency acknowledges that the multidisciplinary team approach through Alliance for Children will serve to enhance the individual efforts of each agency by:

- development and maintenance of interagency and inter-professional cooperation and coordination in case management
- a multidisciplinary team and case management approach
- obtaining evidence useful in both criminal and civil proceedings
- providing extensive initial case screen and validation procedures to minimize the number of false allegations
- providing and coordinating therapeutic treatment programs for victims and families
- reducing the number of interviews of victims of child sexual and/or physical abuse to minimize the "revictimization" of the child
- providing for extensive and continued training and education of the professionals working within the multidisciplinary team center and those outside professionals in the community who deal with child victims of sexual and physical abuse
- serving as a continuing resource and focus of information, education, and referrals for the community

The Protocol Agreement outlines the following:

- operational guidelines
- forensic interviews
- medical protocol

- referrals
- case review team meetings
- record retention
- general provisions

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) and Protocol Agreement with Alliance for Children.

FISCAL IMPACT:

Alliance for Children services are made possible by contributions from each participating law enforcement entity. The Police Department contributes \$9,430 each year through account 01-55-02-8307.

ATTACHMENTS:

Resolution
 Memorandum of Understanding
 Protocol Agreement

RESOLUTION NO. 14-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) AND PROTOCOL AGREEMENT WITH ALLIANCE FOR CHILDREN.

WHEREAS, the City Council of Bedford, Texas determines the need to continue a partnership with Alliance for Children; and,

WHEREAS, the City Council of Bedford, Texas recognizes the benefit to the community by participating with other Tarrant County agencies in a joint partnership with a child advocacy organization.

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 enter into a Memorandum of Understanding (MOU) and Protocol Agreement with Alliance for Children.

PRESENTED AND PASSED this 12th day of August, 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

ALLIANCE FOR CHILDREN PROTOCOL

Mission Statement

The mission of Alliance For Children is to protect children of Tarrant County from child abuse through teamed investigations, healing services, and community education.

Operational Guidelines

Case Referral

Department of Family and Protective Services (DFPS) and Tarrant County law enforcement agencies will refer child sexual abuse cases, serious child physical abuse cases, and child fatality investigations to Alliance For Children (AFC) centers. DFPS will assume responsibility for referring cases in which they have involvement. Law enforcement agencies will need to refer those cases that do not fall under the jurisdiction of DFPS. Alliance For Children serves victims of sexual and physical child abuse in Tarrant County and who are considered to be at risk of further abuse unless immediate intervention occurs.

When scheduling clients to come to the centers, the agency partner scheduling clients will notify the center staff of the appointment.

Victim Interviews

A significant purpose of the digitally recorded interview is to reduce the number of times the alleged victim is interviewed, and to reduce the number of individuals who interview the alleged victim. In AFC centers, alleged victims are interviewed by either Alliance For Children interviewers assigned to the case or by the Tarrant County District Attorney's Office Child Forensic Interviewer. The digital interview is not used as a substitute for the victim testifying at trial.

Department of Family and Protective Services Field Screenings

Department of Family and Protective Services workers will screen alleged victims of child abuse and neglect who do not meet the criteria for an immediate forensic interview. This initial audio-recorded screening will be used to determine other abuse or safety issues in the home and will become the process by which the DFPS investigator can determine whether a forensic interview is indicated. Best practice is that all children/adults are brought to an AFC center so their forensic interview is digitally recorded. Only in the most compelling of circumstances will off-site interviews be utilized. When off-site forensic interviews are arranged, identical coordination between forensic interviewers and partner agencies will take place, as partners can observe the interviews via Alliance For Children's mobile forensic interviewing equipment.

Criteria for children/adults receiving immediate forensic interviews include:

- Children making an outcry of sexual abuse to someone considered to be a professional as defined in Section 261.101 of the Texas Family Code.
- A multidisciplinary team member requests a forensic interview for children in the following categories:
 - Child witnesses of sexual abuse
 - Severe child physical abuse as determined by the investigating agencies
 - Drug endangered children
 - Children who have witnessed violent crimes
 - Children with speech communication needs
 - Children with cognitive disabilities
 - DFPS supervisor requests an immediate interview after staffing the case with the Investigations Program Director
 - Children in other situations will be considered for forensic interviews on a case by case basis
- A forensic interview may be completed on adults with speech or cognitive disabilities as indicated by request of the investigating agency.

Forensic Interview Protocol

1. The requesting agency will send a Request for Forensic Interview to initiate the scheduling of the interview to the appropriate interviewer. The forensic interview will be coordinated with all partners' schedules, as well as the schedule of the family, to set the forensic interview as soon as possible. The forensic interview will be scheduled at the AFC center closest to the family's home, with exceptions on a case-by-case basis.
2. Best practice requires the presence of both the DFPS investigator and detective in the monitoring room to observe the interview as it takes place. If the detective or DFPS investigator assigned to the case is not available, the forensic interviewer will consult with his/her immediate supervisors.
3. Whenever possible, the interviewer digitally records the interviews of all children at one of the three Alliance For Children centers.
4. Detectives and DFPS investigators will observe the interview through a closed circuit monitoring device at the time the interview is taking place. The interviewer may leave the room to discuss additional questions with detectives and DFPS investigators as needed.
5. Certain cases may merit the use of a Multi-Session Forensic Interview (MSFI). The decision to proceed with a MSFI will be a unanimous decision by the investigators, District Attorney's office, and forensic interviewer. If a MSFI is not recommended, an alternative recommendation may be made by the team.

The forensic interviewer may refer the family to the Family Advocate Program for the evaluation of service needs.

Multi-Session Forensic Interview

A Multi-Session Forensic Interview (MSFI) is a forensic interview completed over multiple sessions for children and cases with special considerations. Those may be: children with

communication or cognitive disabilities, children who have suffered extreme trauma, victims of human trafficking, preschool aged children, or children from diverse cultural backgrounds.

If a MSFI is recommended by the team, conversations with the caregiver will be held regarding limiting any questioning or auxiliary conversations pertaining to the allegations of abuse. These conversations will be directed by the investigators involved.

MSFIs will be arranged by the forensic interviewer, coordinating with the Department of Family and Protective Services worker and law enforcement. Best practice dictates the investigative parties are present. Digital recordings and all products of each session will be retained by the forensic interviewer and ~~may~~ will be made available to TDFPS, law enforcement, and prosecution consistent with Texas Family Code, Section 264.408. at the conclusion of the final MSFI.

Medical Protocol

Sexual Abuse

Emergent: Any case with a child age 16 or under alleging contact of mouth, vagina, or anus in the past 96 hours should be discussed with the Crimes Against Children detective on-call. The Crimes Against Children detective will contact the Child Advocacy Resource and Evaluation (CARE) Team examiner on-call through the office or Dispatch to determine whether the Emergency Room or CARE Team is to evaluate the child to best meet the needs of the child and law enforcement.

Examiner on-call should be contacted directly to discuss each case and arrange an appropriate appointment. Call (682) 885-3953. Do not go directly to the hospital until the examiner is contacted to avoid patient and family inconveniences.

Scheduled: Any child 16 or under alleging sexual contact greater than 96 hours or if there is risk of partial disclosure or recantation. Appointments should be scheduled through the CARE Team office or by contacting the examiner on-call if questions of management arise.

Physical Abuse: For incidents of physical abuse that occur during working hours, the referring agency will contact the CARE Team. The medical provider will determine if the child should be seen in CARE Team or the Emergency Department. After 4:30 pm Monday through Friday and on weekends, these patients should continue to go through the emergency department.

A. Injuries that should be referred for evaluation:

1. Age 0-6 months: Any injury
2. Age 6 months and older:
 - a. Bruises, lacerations, or burns to protected, fleshy, or flexor surfaces – for example: inner thighs, abdomen, neck, face, ear, genitalia
 - b. Bruises, lacerations, or burns showing an object pattern – for example: belt loop, cigarette burn, curling iron
 - c. Oral injuries, especially frenulum tears i.e. lacerations of the mouth
 - d. Fractures, especially metaphyseal fractures, rib fractures or multiple fractures
 - e. Head trauma

3. Age 0-13: Positive urine or blood screen for alcohol or drugs of abuse
- B. Concerns for neglect: Call to request a case review
- C. At risk: Siblings, 5 years of age and younger, of children treated for maltreatment require an evaluation of abuse. Staff from the investigating agency must accompany the child to the clinic. Evaluations of older siblings by non-medical personnel will be reported back to the CARE Team.
- D. Routine health care/maintenance for abused children should be provided by their primary caretaker. Previously identified injuries should be rechecked or followed up by the physician or agency that identified the injuries.
- E. For any other concerns, please call for assistance.
- F. In an emergency, call 911.

Referral to Alliance For Children Client Services Programs

Department of Family and Protective Services (DFPS) workers and detectives either housed at an AFC center or housed elsewhere may refer clients who may need additional support or services to the Alliance For Children Family Advocate Program for needs assessment, resource and referral, support services, or case management. DFPS workers and detectives may also refer validated victims of child abuse and their protecting caregivers to AFC's Department of Clinical Services for assessment and group and individual counseling for victims of child abuse. The CARE Team from Cook Children's Medical Center may also make referrals for families as appropriate.

Referral for the AFC Family Advocate Program is made directly to the Family Advocate located at the center closest to where the family lives. Services offered include:

1. Assessment for social service needs of both children and caregivers
2. Referral to AFC case management services, if appropriate
3. Development of a client service plan
4. Case management program to access needed services from other social services agencies
5. Referral or information provided regarding mental health services as needed by the family

Referral for the AFC Clinical Program may include:

1. Assessment for mental health needs of both children and caregivers, using nationally validated standardized assessment tools
2. Development of a client treatment plan
3. Referral to 16 weeks of AFC group counseling services for sexually abused children and protecting caregivers
4. Referral to 16 weeks of individual counseling services as appropriate
5. Use of Evidence Based Practice through Trauma Focused- Cognitive Behavioral Therapy (TF-CBT) or Parent Child Interaction Therapy (PCIT)
6. Referral for more intensive psychosocial assessment, if indicated

Case Review Team Meetings

Case review team meetings occur every other Tuesday morning in the Arlington and Fort Worth centers. At the Northeast AFC center, staffings occur every other Thursday. The representatives attending for law enforcement and DFPS are those workers assigned to each case on the agenda. Immediate supervisors for each agency also attend. Assistant District Attorneys from the Tarrant County District Attorney's (DA) Office attend to assess the legal aspects of the case. Medical personnel from Cook Children's Medical Center attend to provide consultation on medical findings for child sexual abuse victims and to consult on physical abuse cases.

AFC Center Coordinators from each AFC center, as well as AFC staff representing the Forensic Interview Program, Family Advocate Program, and Department of Clinical Services will also attend staffings to report on the delivery of conducted forensic interviews, needed support or referral services, and mental health services to client victims.

In situations where the DFPS caseworker or the law enforcement officer assigned to a case is not housed at an Alliance For Children center, the worker is notified by the AFC Center Coordinator prior to the meeting that his/her case is being staffed. If the professional cannot physically attend the meeting, he/she makes every effort to attend through teleconferencing.

Case Staffing Criteria

Criteria for cases to be staffed at biweekly team review meetings:

General

1. Any case in which the child victim comes to an AFC center for investigative services and makes an outcry of abuse or neglect
2. All cases in which the child is removed from the home and placed in the custody of Child Protective Services
3. Any case requested to be staffed by an investigator or any other member of a partner agency

Sexual Abuse

1. All cases in which the victim is 6 years of age or younger, regardless of whether the child comes to the center
2. Cases with multiple victims and the alleged offender lives in the same household with at least one of the victims
3. Cases with one or more victims and multiple perpetrators

Physical Abuse

1. All cases in which the victim is hospitalized
2. All cases in which the child has serious injury which is defined as bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or a protracted loss or impairment of the function of any bodily member or organ

3. All cases in which the victim is 6 years or younger and the child has fractures or non-accidental injuries to the head or torso
4. All cases in which the child victim is not mobile and unexplained injuries have occurred

Child Deaths

All child deaths assigned to investigators will be staffed.

Record Retention

Client Files

Partner Agency

All documents generated by the Department of Family and Protective Services, law enforcement, and the District Attorney's Office as the result of a child abuse investigation or criminal prosecution remain the property of the originating agency. Duplicates of DFPS and/or law enforcement documents may be included in work product of the Tarrant County District Attorney's Office. The above information is maintained as work product of the Tarrant County DA's Office.

During an active investigation, the Legal Analyst of the Tarrant County DA's Office may compile information from partner agencies. This information is used during the multi-disciplinary case staffing process at each of the three centers and is made available to all participants at the case staffing. As new information is developed during the investigative phase of the case, updated information may be provided to the multi-disciplinary team (MDT) during case staffings in the above-mentioned form. All copies are to be returned after the meeting, and the original information for each case will be maintained as work product of the Tarrant County District Attorney's Office.

Client files kept by the partner agencies will be maintained for the period of time that the agencies' internal procedures dictate. These files are stored in the partner agencies' offices at AFC and are later archived by the partner agencies at off-site locations. These files are eventually destroyed in accordance with each agency's internal policies.

In the event that Alliance For Children is subpoenaed for client records as described above, the attorney is directed to the partner agency that has possession of the records.

Alliance For Children Client Files

AFC collects a self-disclosing client information form from the parents or caregivers of suspected victims of child abuse at the time they first enter the center for either investigative or rehabilitative services. This form does not deal with the abuse incident, but collects demographic information on the family. When the information is collected, it is entered into the internet-based data collection system maintained by Children's Advocacy Centers of Texas (CACTX) and the paper copy is given to the Tarrant County District Attorney's Office Legal Analyst who is housed at the center. The client information form then becomes part of the work product of the Tarrant County DA's Office.

Alliance For Children maintains Family Advocacy Program files on client families where service needs are indicated. These families may be referred by the Department of Family

and Protective Services, law enforcement, the Tarrant County DA's Office, other Children's Advocacy Centers, or Cook Children's Medical Center for ongoing services. The Family Advocate Program file is maintained electronically. This electronic file may contain scanned releases of information, needs assessments for the family, resource assistance applications, or other relevant paperwork pertaining to the case management services provided to the family. Case notes are entered into the CACTX data collection system.

Family Advocacy Program files are the property of Alliance For Children. The Family Advocate working with the family, Director of Program Services, and the Executive Director are the employees who have regular access to the file. This sharing of information is possible through the signed release of information form in the case file and the mandated responsibility to report information about suspected abuse. Information sharing is also made possible through the Texas Family Code, Section 264 and Alliance For Children's Interagency Agreement.

In the event that a subpoena for AFC client records is received, AFC will provide copies of records requested and will attend court proceedings as specified. The Tarrant County DA's Office will be notified by AFC if opposing counsel issues a subpoena for records.

Forensic Interviews

All forensic interviews captured on DVD are conducted either by AFC Forensic Interviewers or by the Child Forensic Interviewer who is an employee of the Tarrant County District Attorney's Office.

After the interview, the DVD is logged into the AFC forensic interview log that is maintained by the Alliance For Children forensic interviewer at each center or into the DA forensic interview log that is maintained by the DA forensic interviewer. The DVD is given to the requesting investigative agency for inclusion in their case file and/or storage. AFC will not store DVDs in any of the three Alliance For Children centers.

All DVDs are destroyed according to the internal protocols of the Department of Family and Protective Services or the District Attorney's Office. Alliance For Children is not involved in those decisions.

Alliance For Children is committed to the education of students interested in the field of child abuse, law enforcement, social services, child and family development, or counseling/therapy. AFC supervises interns in various programs within the agency, and training for those students may include observation of a forensic interview. Interns are not provided copies regarding interviews nor can they take notes identifying the victim or family.

On occasion, the DFPS worker or law enforcement detective may show the DVD to the suspect, protective caregiver, or to attorneys involved in the case. At no time does Alliance For Children staff allow individuals access to view the DVD; it must be done by the investigating (CPS or LE) or prosecutors. make arrangements for individuals to view the DVD. The investigating or prosecuting agencies always make viewing arrangements.

Alliance For Children maintains a one-page Interview Sheet on all forensic interviews completed by AFC forensic interviewers. For interviews completed by the Child Forensic Interviewer with the Tarrant County District Attorney's Office, the DA's Office maintains their records. This sheet has basic case information to include case numbers, assigned

investigations and the child's information. It contains a short summary of the details gathered during the forensic interview. A copy is provided to the investigating agencies when the professionals are given the DVD of the interview. These forms are maintained by the interviewer who completed the forensic interview and maintained in locked and secure spaces.

As Alliance For Children does not possess recorded statements of clients forensically interviewed, any requests for DVDs via subpoenas are redirected to the agency that has ownership of the DVD.

Medical Records

AFC does not maintain, nor does it have access to client medical records. Those records belong to Cook Children's Medical Center (CCMC) and may be included in the case records of the Department of Family and Protective Services and law enforcement agencies investigating the case. Sharing of medical records between CCMC, DFPS, and local law enforcement agencies occur through protocols set between those agencies and the appropriate statutes and regulations.

Mental Health Records

If clients referred to the AFC Clinical Program elect to participate in AFC's group or individual counseling program, the resulting mental health records are the property of Alliance For Children. Only the therapist and AFC Director of Clinical Services have access to these records.

Information in the mental health file includes the intake assessment, initial pre-test results of standardized assessment tests, progress notes from the therapist and the post-test results of the same assessment tools as the client leaves the counseling program.

The files will be maintained in locked file cabinets at the AFC center where the client received services or in electronic files.

In the event that a subpoena for AFC client records is received, AFC will provide copies of records requested and will attend court proceedings as specified. The Tarrant County District Attorney's Office will be notified by AFC if opposing counsel issues a subpoena for records.

Electronic Client Information Files

Alliance For Children utilizes the CACTX internet-based client tracking system for case management purposes.

The ability to generate statistical information from cases entered belongs jointly to Alliance For Children and CACTX, Inc. AFC owns all statistical reports specific to its program. CACTX owns all information from AFC as it is incorporated into statewide statistical reports.

Ownership and control of the raw data that is inputted into the internet-based platform continues to belong to the agency that generated the information. For example, if raw data inputted includes information about medical findings, the information about medical findings continues to belong to the medical institution that made the findings.

If electronic records are subpoenaed, the subpoena will be redirected to the agency generating the information.

General Provision

1. Each agency works with and assists the others and AFC to ensure that the best interest and protection of children is served. The Center Coordinator and immediate supervisor to each new partner agency staff assigned to a center jointly provide orientation to the new employee.
2. The appropriate law enforcement agency investigates and gathers information necessary to determine whether or not a crime has been committed, and presents information to the proper authorities for prosecution.
3. The Department of Family and Protective Services is responsible for the protection of children and adults from harm by their parents or others responsible for their care. DFPS is responsible for conducting a civil investigation and taking whatever action necessary to protect children from further harm.
4. The Assistant District Attorneys from the Tarrant County District Attorney's Office are responsible for assessing the legal aspects of the case in accordance with their prosecutorial role.
5. Cook Children's Medical Center is responsible for providing the medical direction for Alliance For Children.
6. All efforts are made by each agency to coordinate each step of the investigation/assessment process in order to minimize the number of interviews of children.
7. All agencies participating in current investigations attend Case Review Team meetings as scheduled.
8. In appropriate situations, emergency staffings for a case may be called outside of regular staffing schedules. Staffing attendees will include frontline investigators, immediate supervisors and others deemed appropriate by the team.
9. All agencies' staff may attend training sponsored by AFC. Alliance For Children provides financial support for professionals and volunteers to attend specialized training when possible.
10. All community volunteers/interns must meet the criteria set by AFC in order to qualify as Alliance For Children volunteers/interns.
11. It is expressly understood that each agency works within its departmental mandates and policies. Nothing contained herein supersedes the statutes, rules, and regulations governing each agency. To the extent that any provision of this agreement is inconsistent with any such statute, rule, or regulation, the statute, rule, or regulation shall prevail.
12. All agencies/organizations participating with Alliance For Children agree to provide specially trained professionals with skills in child abuse interviewing, assessment, and investigation to be jointly assigned as teams to handle appropriate cases of child abuse.
13. Any conflicts that occur between agencies regarding cases being addressed by the centers shall be taken to immediate supervisors. If not resolved, then the dispute will be addressed by a meeting between designated agency representatives and the Executive Director of Alliance For Children.
14. All personnel and agencies involved with the operations of AFC agree to maintain confidentiality of all records and information gathered on all child sexual and physical

abuse cases in accordance with applicable laws, including Texas Family Code, Chapter 264.

15. All agencies/organizations participating in an AFC center will share pertinent case information with the appropriate agency as requested. In situations involving public agency, medical staff or Alliance For Children staff as suspected offenders, confidentiality will be maintained and these cases will not be staffed in the MDT staffing sessions.
16. Alliance For Children's Memorandum of Understanding shall be reviewed and shall be modified as determined by the Executive Director and interagency partners by the execution of a modified agreement, and the appropriate agencies will be notified. This Agreement may be modified:
 - a. to conform to existing or new statutes, rules, regulations, or departmental policies that may conflict with any provisions of this Agreement;
 - b. to better meet the needs of children and families in the provision of child abuse related services;
 - c. to improve the procedures set forth in this Agreement;
 - d. to add or delete agencies as parties to the Agreement;
 - e. for such other purposes as the parties may agree.
17. This agreement can be terminated by any party without cause of giving written notice to the other parties.
18. All State and Federal confidentiality laws will be followed in connection with this agreement.
19. Signatories of this Agreement will include the following agencies:
 - Alliance For Children
 - Arlington Police Department
 - Bedford Police Department
 - Colleyville Police Department
 - Cook Children's Medical Center
 - Eules Police Department
 - Fort Worth Police Department
 - Grand Prairie Police Department
 - Grapevine Police Department
 - Haltom City Police Department
 - Hurst Police Department
 - Keller Police Department
 - Mansfield Police Department
 - North Richland Hills Police Department
 - Richland Hills Police Department
 - Southlake Police Department
 - Tarrant County District Attorney's Office
 - Tarrant County Sheriff's Office
 - Texas Department of Family and Protective Services
 - Watauga Police DepartmentAny other agency/organization that will house personnel at an Alliance For Children center or plans to follow the procedures set by this Agreement.

While each of the undersigned agencies has specific responsibilities with regard to the investigation, prosecution, medical and therapeutic treatment of cases of child sexual and

physical abuse, we do hereby acknowledge that the multidisciplinary team approach through the institution of Alliance For Children, in the County of Tarrant Texas, will serve to enhance the individual efforts of each agency and will unify our community, through these respective agencies, and through public support and awareness, in the daily work to ensure the protection and preservation of the children of Tarrant County.

This agreement shall become effective upon signature of the parties listed below:

_____	_____
Will Johnson, Chief (date)	Gary Fowler, Chief (date)
Arlington Police Department	Mansfield Police Department

_____	_____
Roger Gibson, Chief (date)	Jimmy Perdue, Chief (date)
Bedford Police Department	North Richland Hills Police Department

_____	_____
Michael Holder, Chief (date)	Barbara Childress, Chief (date)
Colleyville Police Department	Richland Hills Police Department

_____	_____
Nancy Cychol, President (date)	Stephen Mylett, Chief (date)
Cook Children's Medical Center	Southlake Police Department

_____	_____
Michael Brown, Chief (date)	Joe Shannon, District Attorney (date)
Eules Police Department	Tarrant County

Jeffrey Halstead, Chief (date)
Fort Worth Police Department

Dee Anderson, Sheriff (date)
Tarrant County

Steve Dye, Chief (date)
Grand Prairie Police Department

Colleen McCall, CPS Director of Field (date)
Department of Family and Protective Services

Eddie Salame, Chief (date)
Grapevine Police Department

Kezeli Wold, APS Director of Field (date)
Department of Family and Protective Services

Keith Lane, Chief (date)
Haltom City Police Department

Paul Morris, CCL Asst. Commissioner (date)
Department of Family and Protective Services

Steve Moore, Chief (date)
Hurst Police Department

Lowell Cannaday, Chief (date)
Watauga Police Department

Mark Hafner, Chief (date)
Keller Police Department

Julie Evans, Executive Director (date)
Alliance For Children

ALLIANCE FOR CHILDREN
MEMORANDUM OF UNDERSTANDING

Reviewed May 2014

We, the undersigned, by and through our supervisory heads, (and through our designated representatives, listed below) do hereby agree to the following policy supporting the creation, development, and implementation of Children's Advocacy Centers in the County of Tarrant, Texas. To wit:

At present the number of child sexual and physical abuse cases in Tarrant County is increasing with alarming frequency, representing not only an immediate danger to each child victim involved, but also a continuing threat to the mental, physical and emotional welfare and safety of Tarrant County.

We recognize that the current systems that deal with these young victims, although comprised of agencies committed to the protection and best interest of every child in Tarrant County, cannot meet many of their needs in practice.

We are a system designed for and oriented to adults, a system that has few provisions or concessions to the specific needs and fragile state of those children who are, through no choice of their own, expected to enter into yet another threatening adult environment.

As participants in this system, we recognize many children within our current system are often "revictimized" by excessive interviews, lack of communication between agencies, incomplete investigations and the unavailability of immediate and long term medical and therapeutic treatment.

Having recognized these problems, we are supportive of the creation, development and implementation of child-oriented facilities, which serve as a cooperative effort between the undersigned agencies, wherein a multi-disciplinary approach is utilized in the investigation, prosecution, medical and therapeutic treatment involving child victims of sexual and physical abuse.

We do further agree that the stated purpose of each Alliance For Children center is set forth as follows:

1. To develop, achieve, and maintain interagency and inter-professional cooperation and coordination in the case management and handling of child sexual and physical abuse cases (those specific cases to be enumerated and outlined in agreed interagency protocol);
2. To provide for a multidisciplinary team and case management approach which is focused first on the suspected child victim's needs, second on the law enforcement, prosecution, and civil proceedings involved, and third on the family members who are supportive of the child and whose interests are consistent with the best interest of the child;
3. To obtain evidence useful both for criminal prosecution as well as protective action in civil proceedings;

4. To provide extensive, initial case screening and validation procedures so as to minimize the number of false allegations of sexual and physical abuse reports, with the early detection of such cases leading to the timely exoneration of innocent parties;
5. To provide and coordinate the therapeutic treatment program for child victims and their families;
6. To reduce to an absolute minimum number of interviews of child sexual and physical abuse victims so as to minimize the "revictimization" of the child;
7. To provide for the extensive and continued training and education of those professionals working within the multidisciplinary team center, and for those outside professionals in the community who deal with child victims of sexual and physical abuse;
8. To serve as a continuing resource and focus of information, education, and referral for the community, and for future as well as existing multidisciplinary team facilities within the State of Texas and nationwide.

While each of the undersigned agencies has specific responsibilities with regard to the investigation, prosecution, medical and therapeutic treatment of cases of child sexual and physical abuse, we do hereby acknowledge that the multidisciplinary team approach through the institution of Alliance For Children, in the County of Tarrant Texas, will serve to enhance the individual efforts of each agency and will unify our community, through these respective agencies, and through public support and awareness, in the daily struggle to ensure the protection and preservation of the children of Tarrant County.

All State and Federal confidentiality laws will be followed in connection with this agreement. This agreement can be terminated by any party without cause of giving written notice to the other parties.

This agreement shall become effective upon signature of the parties listed below:

 Will Johnson, Chief (date)
 Arlington Police Department

 Gary Fowler, Chief (date)
 Mansfield Police Department

 Roger Gibson, Chief (date)
 Bedford Police Department

 Jimmy Perdue, Chief (date)
 North Richland Hills Police Department

Michael Holder, Chief (date)
Colleyville Police Department

Barbara Childress, Chief (date)
Richland Hills Police Department

Nancy Cychol, President (date)
Cook Children's Medical Center

Stephen Mylett, Chief (date)
Southlake Police Department

Michael Brown, Chief (date)
Euless Police Department

Joe Shannon, District Attorney (date)
Tarrant County

Jeffrey Halstead, Chief (date)
Fort Worth Police Department

Dee Anderson, Sheriff (date)
Tarrant County

Steve Dye, Chief (date)
Grand Prairie Police Department

Colleen McCall, CPS Director of Field (date)
Department of Family and Protective Services

Eddie Salame, Chief (date)
Grapevine Police Department

Kezeli Wold, APS Director of Field (date)
Department of Family and Protective Services

Keith Lane, Chief (date)
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Paul Morris, CCL Asst. Commissioner (date)
Department of Family and Protective Services

Steve Moore, Chief (date)
Hurst Police Department

Lowell Cannaday, Chief (date)
Watauga Police Department

Mark Hafner, Chief (date)
Keller Police Department

Julie Evans, Executive Director (date)
Alliance For Children



Council Agenda Background

PRESENTER: Roger Gibson, Police Chief

DATE: 08/12/14

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

ITEM:

Consider a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with Texas Health Resources.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

On June 24, 2014, City Council approved the purchase of a security camera network and recording system through Wildfire Camera Networks. The security camera network consists of five pan/tilt/zoom cameras that will be secured to existing structures or light poles in commercial parking lots.

The Texas Health Resource (THR) facility, located at 1604 Hospital Parkway, was identified as one of the strategic camera locations. THR has agreed to allow the installation of one camera system to be affixed upon their building at no charge to the City. Additionally, THR has agreed to incur the cost of providing an electrical outlet and continuous electric service to the camera location that will be affixed upon their building.

The MOU outlines the following:

- both parties and their responsibilities
- ownership of the camera system
- ability of THR to review images captured by the system
- termination agreement

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with Texas Health Resources.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution
Memorandum of Understanding

RESOLUTION NO. 14-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH TEXAS HEALTH RESOURCES.

WHEREAS, the City Council of Bedford, Texas determines the need to enter into a MOU with Texas Health Resources for the installation of a camera system; and,

WHEREAS, the City Council of Bedford, Texas recognizes the benefit to the community through this partnership.

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 enter into a Memorandum of Understanding (MOU) with Texas Health Resources.

PRESENTED AND PASSED this 12th day of August, 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

August 1, 2014

City of Bedford
2000 Forest Ridge Drive
Bedford, TX, US, 76021

RE: Roof Mounted Security Camera System

Dear Gentlemen:

This is to confirm the understanding of Texas Health Resources (“Owner”) and the City of Bedford (“Department”) with regard to installation of police monitoring cameras at 1604 Hospital Parkway in the location marked as Exhibit “A”. The parties agree as follows:

1. The Department is responsible for all costs to set up and operate the camera system. Installation will commence upon execution of this agreement and any site review.
2. The Department will own the system and all related infrastructure and have exclusive remote control over its operation. Other than as set out in (4) below, Owner is not responsible for any costs, liability or damages associated with the System.
3. The Department will permit reasonable review of images by Owner, when requested. Owner acknowledges that images may be overwritten after ten (10) days.
4. Owner will supply needed power connections and pay for ongoing electric costs.
5. Either party may terminate this Agreement upon ninety (90) days notice.

If the above is acceptable, please sign and return to me.

Very truly yours,

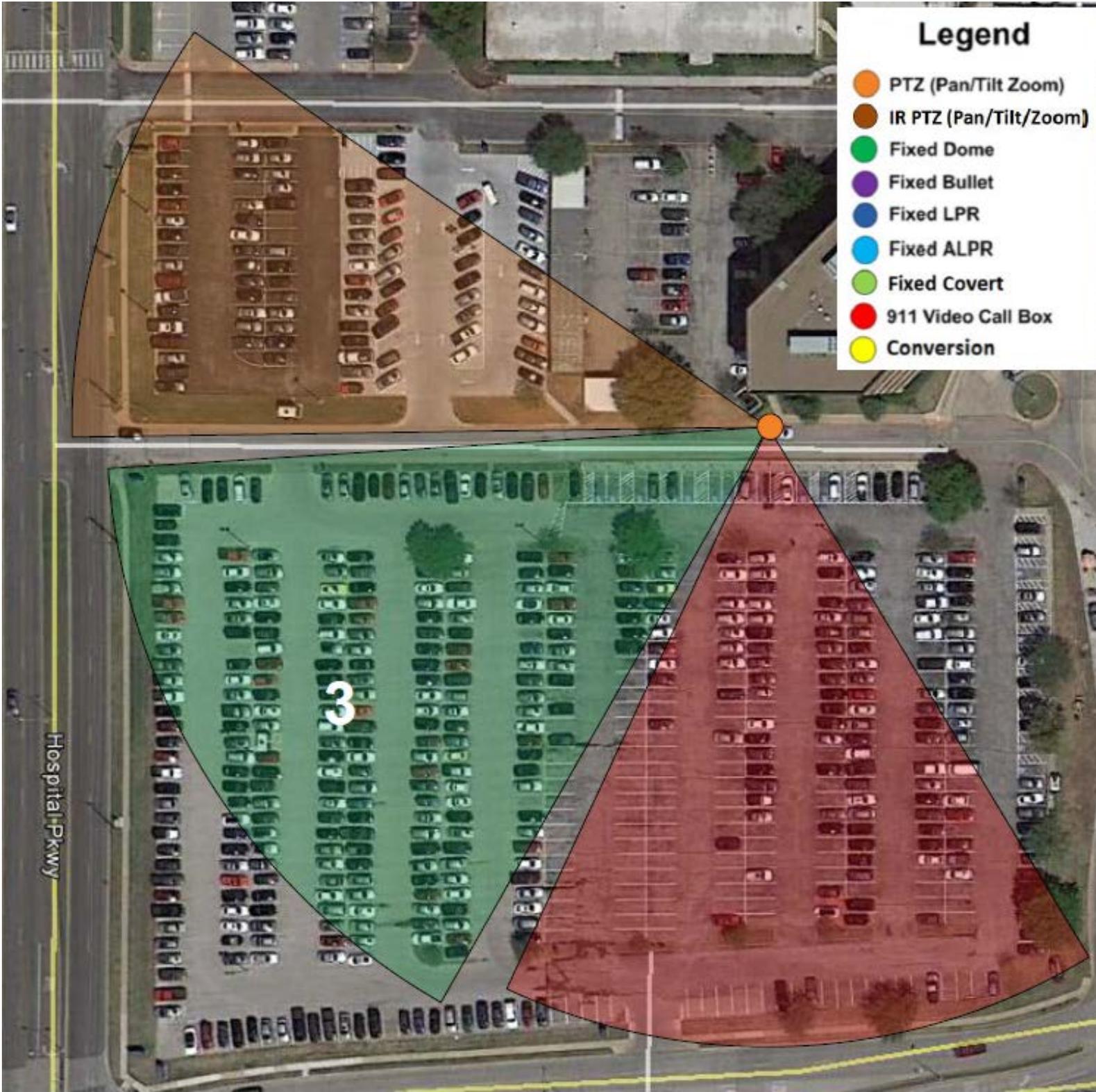
Jon M. Sullivan, Jr.
Vice President, Real Estate Operations

AGREED:

City of Bedford

Date: _____

Exhibit "A"





Council Agenda Background

PRESENTER: Roger Gibson, Police Chief

DATE: 08/12/14

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

ITEM:

Consider a resolution authorizing the City Manager to enter into a rooftop equipment/system agreement with Leis 'Ohana Hui Family Partnership, LTD.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

On June 24, 2014, City Council approved the purchase of a security camera network and recording system through Wildfire Camera Networks. The security camera network consists of five pan/tilt/zoom cameras that will be secured to existing structures or light poles in commercial parking lots.

The building at 1901 Central Drive (old Wells Fargo) owned by Leis 'Ohana Hui Family Partnership, LTD, (LOHFP), was identified as one of the strategic camera locations. LOHFP has agreed to allow the installation of one camera system and a relay access point to the other four camera locations to be affixed upon their building at no charge to the City. LOHFP is waiving the standard \$300/month rooftop rental fee in lieu of the placement of one camera system. The contractual installation of an electrical outlet will be coordinated and funded by the Police Department.

The agreement outlines the following:

- legal description
- installation requirements
- liability
- rules and regulations

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a rooftop equipment/system agreement with Leis 'Ohana Hui Family Partnership, LTD.

FISCAL IMPACT:

The fiscal impact of this agreement includes the installation of an electrical outlet. This amount will be paid out of the Police Department's Drug Enforcement Fund.

ATTACHMENTS:

Resolution
Rooftop Equipment/System Agreement

RESOLUTION NO. 14-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A ROOFTOP EQUIPMENT/SYSTEM AGREEMENT WITH LEIS 'OHANA HUI FAMILY PARTNERSHIP, LTD.

WHEREAS, the City Council of Bedford, Texas determines the need to enter into an agreement with Leis 'Ohana Hui Family Partnership, LTD. for the installation of a camera system and relay access point; and,

WHEREAS, the City Council of Bedford, Texas recognizes the benefit to the community through this agreement.

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 enter into a rooftop equipment/system agreement with Leis 'Ohana Hui Family Partnership, LTD.

PRESENTED AND PASSED this 12th day of August, 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

ROOFTOP EQUIPMENT / SYSTEM AGREEMENT

1901 Central Drive
Bedford, Texas 76021

This lease, made as of the ____ day of _____, 20____ by and between the Landlord and the Tenant named below.

ARTICLE I. - BASIC LEASE TERMS

For the purpose of this Lease, the following terms shall have the meanings set forth below:

1.1 Landlord. *Leis 'Ohana Hui Family Partnership, LTD*

1.2 Tenant.

1.3 Building. The Building (including the Leased Premises) known as ***Bedford Place I, 1901 Central Drive, Bedford, Texas***, located on that tract of land described as Exhibit A (the "Land"), together with all other buildings, structures, fixtures and other improvements located thereon from time to time, collectively referred to herein as the "Property."

1.4 Lease Term. ***Month-To-Month***, beginning on the Commencement Date.

1.5 Commencement Date. If improvements are to be erected upon the Leased Premises pursuant to a separate Leasehold Improvements Agreement between Landlord and Tenant, as described in Section 6.1, then the "Commencement Date" shall be the earlier of the date Tenant begins operating its business in the Leased Premises or the "completion date" as stated in such Leasehold Improvements Agreement; and if no improvements are to be erected upon the Leased Premises pursuant to a Leasehold Improvements Agreement, the Commencement Date shall be the earlier of the date Tenant begins operating its business in the Leased Premises or _____, **2014**. The Commencement Date shall constitute the commencement of the term of this Lease for all purposes, whether or not Tenant has actually taken possession.

1.6 Base Rent. \$

1.7 Security Deposit. \$

1.8 Addresses.

Landlord's Address:
LOHFP
1919 S Shiloh Rd., LB 36
Garland, Texas 75042

Tenant's Address:

Manager's Address:
Tomlinson-Leis Management
1901 Central Drive, Suite 740
Bedford, Texas 76021

Landlord, Tenant and Manager, by written notice to the others may change from time to time the foregoing addresses, and Landlord, by written notice to Tenant, may notify Tenant from time to time of the Appointment of a new Manager and such new Manager's address.

ARTICLE II. -EQUIPMENT / SYSTEM SPECIFICATIONS

Tenant shall install or have installed a rooftop equipment / system according to the specifications listed below.

- 2.1 Contractor must submit to the Landlord a complete set of drawings and specifications for approval prior to any work being accomplished. Lease agreements are not to be substituted for the above documents without the approved written consent of the Landlord.
- 2.2 The iron framework edges shall be smooth and shall have no rough or sharp edges that will gouge or cut into pad or roof.
- 2.3 Tenant shall install a 5/8-inch rubber absorption pad under the entire frame.
- 2.4 The cement blocks shall not come in contact with any portion of the existing roof prior to and after the installation, including demolition upon contract termination.
- 2.5 Tenant agrees to assume the responsibility of any roof leaks within a ten square foot perimeter from the center of the base frame. Tenant also agrees to accept the Landlord's choice of contractors and cannot dispute any such claims submitted and will reimburse the Landlord for all repair costs, including taxes, that arrive from such repairs. In addition, late fees after 30 days from date of invoice will be assessed at the rate of 15%.
- 2.6 Tenant agrees to reimburse Landlord for any and all damage or claims that occur from installation, maintenance, repairs, including demolition upon termination of the agreement.
- 2.7 Tenant agrees to indemnify to the extent allowed by law, protect, defend, and hold Landlord and its employees harmless from and against any and all claims, liabilities, judgments, cost, damages, and expenses, including reasonable attorney's fees, arising out of or any way related to the communication equipment, including the installation, maintenance, operation, or removal thereof.
- 2.8 The communication equipment and the use thereof shall not interfere with the use of any other communication or similar equipment of any kind. All interference claims shall be settled in accordance with the then prevailing interference rules and regulations promulgated by the FCC.
- 2.9 Tenant shall not sublease or transfer any portion of the Lease or allow other Tenants and or contractors to connect with any part of the equipment without Landlord's written approval.
- 2.10 Tenant shall submit for Landlord's written approval, detailed drawings and specifications for any equipment / system guide wires to be installed and/or anchored to the building.
- 2.11 Tenant shall ensure all cables and equipment are installed to comply with all applicable codes. All cables must be neatly routed and strapped with an approved type device. Cables will not be routed through fire damper, elevator shafts, supported or tied to sprinkler systems, or light fixtures, and allowed to lie directly on the lay-in ceilings. Any installation that does not meet these standards is cause for termination within 48 hours after receiving verbal or written notification from Landlord.
- 2.12 Tenant shall be responsible for the entire cost of installation and maintenance of the equipment / system, as well as the cost to remove the equipment / system upon termination of the Lease.
- 2.13 Liability Insurance. Tenant at all times during the Lease term shall, at its own expense, keep in full force and effect comprehensive general liability insurance with "personal injury" coverage and contractual liability coverage, with minimum limits of \$1,000,000.00 on account of bodily injuries to, or death of, one or more than one person as the result of any one accident or occurrence and \$500,000.00 on account of damage to property. Tenant shall also carry insurance against fire and such other risks as are from time to time included in Standard All-Risk Insurance (including coverage against vandalism and malicious mischief) for the full insurable value of Tenant's merchandise, trade fixtures, furnishings, wall covering, carpeting, drapes, equipment and all items of personal property of Tenant located on or in the Leased Premises. All insurance policies or duly executed certificates for the same required to be carried by Tenant under this Lease, together with satisfactory evidence of the payment of the premium thereof, shall be deposited with Landlord on the date Tenant first occupies the

Leased Premises and upon renewals of such policies not less than fifteen (15) days prior to the expiration of the term of such coverage. All insurance required to be carried by Tenant under this Lease shall be in form and content, and written by insurers acceptable to Landlord, in its sole discretion. If Tenant shall fail to comply with any of the requirements contained relating to insurance, Landlord may obtain such insurance and Tenant shall pay to Landlord, on demand as additional rent hereunder, the premium cost thereof.

2.14 In the event the Tenant shall default in the prompt payment of rent when same is due, or violate, or omit to perform any of the provisions of the Agreement as herein written, or in the event the Tenant shall abandon the Premises, or leave them vacant, Landlord may send written notice of such default to Tenant by mail or otherwise, to the demised premises, and unless Tenant shall completely cure said default within seven (7) days after the sending of such notice, Landlord may, without being liable for prosecution therefore, take possession of Equipment / System, and may elect to cancel this Agreement.

2.15 Limitation of Warranties. LANDLORD AND TENANT EXPRESSLY AGREE THAT THERE ARE AND SHALL BE NO IMPLIED WARRANTIES OR MERCHANTABILITY, HABITABILITY, FITNESS FOR A PARTICULAR PURPOSE OR OF ANY OTHER KIND ARISING OUT OF THIS LEASE, AND THERE ARE NO WARRANTIES WHICH EXTEND BEYOND THOSE EXPRESSLY SET FORTH IN THIS LEASE. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, TENANT EXPRESSLY ACKNOWLEDGES THAT LANDLORD HAS MADE NO WARRANTIES OR REPRESENTATIONS CONCERNING ANY HAZARDOUS SUBSTANCES OR OTHER ENVIRONMENTAL MATTERS AFFECTING ANY PART OF THE PROPERTY, AND LANDLORD HEREBY EXPRESSLY DISCLAIMS AND TENANT WAIVES ANY EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO ANY SUCH MATTERS.

2.16 The following Exhibits are attached hereto, incorporated herein, and made a part hereof for all purposes: [Check all that apply]

- Exhibit A – Legal Description
- Exhibit B – Rooftop Diagram
- Exhibit C – Rules and Regulations

EXECUTED effective as of the date first set forth in the Lease.

LANDLORD:

LEIS 'OHANA HUI FAMILY PARTNERSHIP LTD

BY: Aikane Corporation, General Partner

BY: _____

Edward B. Tomlinson, II

TITLE: *Vice President*

TENANT:

BY: _____

NAME: _____

TITLE: _____

EXHIBIT B
ROOFTOP DIAGRAM

EXHIBIT B

SPECIAL PROVISIONS

NONE

(Remainder of page intentionally left blank)

EXHIBIT D

LEASEHOLD IMPROVEMENTS AGREEMENT

NONE

(Remainder of page intentionally left blank)

EXHIBIT C

RULES AND REGULATIONS

1. Landlord agrees to furnish Tenant three keys without charge. Additional keys will be furnished at a nominal charge. Tenant shall not change locks or install additional locks on doors without prior written consent of Landlord. Tenant shall not make or cause to be made duplicates of keys procured from Landlord without prior written approval of Landlord. All keys to the Leased Premises shall be surrendered to Landlord upon termination of this Lease.
2. Tenant will refer all contractors, contractor's representatives and installation technicians rendering any service on or to the Leased Premises for Tenant to Landlord for Landlord's approval before performance of any contractual service. Tenant's contractors and installation technicians shall comply with Landlord's rules and regulations pertaining to construction and installation. This provision shall apply to all work performed on or about the Leased Premises, including installation of telephones, telegraph equipment, electrical devices and attachments and installations of any nature affecting floors, walls, woodwork, trim, windows, ceiling and equipment or any other physical portion of the Leased Premises or the Property.
3. Tenant shall not at any time occupy any part of the Leased Premises as sleeping or lodging quarters.
4. Tenant shall not place, install or operate on the Leased Premises or in any part of the Property any engine, stove or machinery, or conduct mechanical operations or cook thereon or therein, or place or use in or about the Leased Premise or the Property any explosives, gasoline, kerosene, oil, acids, caustics, or any flammable, explosive or hazardous material without written consent of Landlord, with the exception of incidental microwave usage.
5. Landlord will not be responsible for lost or stolen merchandise, trade fixtures, furniture, furnishings, personal property, equipment, money or jewelry from the Leased Premises or the Property regardless of whether such loss occurs when the area is locked against entry or not.
6. No dogs, cats, fowl, or other animals shall be brought into or kept in or about the Leased Premises or Property,
7. Employees of Landlord shall not receive or carry messages for or to any Tenant or other person or contract with or render free or paid services to any Tenant or to any of Tenant's agents, employees or invitees.
8. None of the parking, plaza, recreation or lawn areas, entries, passages, doors, elevators, hallways or stairways shall be blocked or obstructed or any rubbish, litter, trash or material of any nature placed, emptied or thrown into these areas or such area used by Tenant's agents, employees or invitees at any time for purposes inconsistent with their designation by Landlord.
9. The water closets and other water fixtures shall not be used for any purpose other than those for which they were constructed, and any damage resulting to them from misuse or by the defacing or injury of any part of the Property shall be borne by the person who shall occasion it. No person shall waste water by interfering with the faucets or otherwise.
10. No person shall disturb occupants of the Property by the use of any radios, record players, tape recorders, musical instruments, the making of unseemly noises or any unreasonable use.
11. Nothing shall be thrown out of the windows of the Property or down the stairways or other passages.
12. Tenant and its employees, agents and invitees shall park their vehicles only in those parking areas designated by Landlord. Tenant shall furnish Landlord with state automobile license numbers of Tenant's vehicles and its employees' vehicles within five (5) days after taking possession of the Leased Premises and shall notify Landlord of any changes within five (5) days after such change occurs. Tenant shall not leave any vehicle in a state of disrepair (including without limitation, flat tires, out of date inspection stickers or license plates) on

the Leased Premises or the Property. If Tenant or its employees, agents or invitees park their vehicles in areas other than the designated parking areas or leave any vehicle in a state of disrepair, Landlord, after giving written notice to Tenant of such violation, shall have the right to remove such vehicles at Tenant's expense.

13. Parking in a parking garage or area shall be in compliance with all parking rules and regulations including any sticker or other identification system established by Landlord. Failure to observe the rules and regulations shall terminate Tenant's right to use the parking garage or area and subject the vehicle in violation of the parking rules and regulations to removal and impoundment. No termination of parking privileges or removal of impoundment of a vehicle shall create any liability on Landlord or be deemed to interfere with Tenant's right to possession of its Leased Premises. Vehicles must be parked entirely within the stall lines and all directional signs, arrows and posted speed limits must be observed. Parking is prohibited in areas not striped for parking, in aisles, where "No Parking" signs are posted, on ramps, in cross hatched areas, and in other areas as may be designated by Landlord. Parking stickers or other forms of identification supplied by Landlord shall remain the property of Landlord and not the property of Tenant and are not transferable. Every person is required to park and lock his vehicle. All responsibility for damage to vehicles or persons is assumed by the owner of the vehicle or its driver.
14. Movement in or out of the Property of furniture of office supplies and equipment, or dispatch or receipt by Tenant of any merchandise or materials which require use of elevators or stairways, or movement through the Property entrances or lobby, shall be restricted to hours designated by Landlord. All such movement shall be under supervision of Landlord and carried out in the manner agreed between Tenant and Landlord by prearrangement before performance. Such prearrangement will include determination by Landlord of time, method, and routing of movement and limitations imposed by safety or other concerns which may prohibit any article, equipment or any other item from being brought into the Property. Tenant assumes, and shall indemnify Landlord against, all risks and claims of damage to persons and properties arising in connection with any said movement.
15. Landlord shall not be liable for any damages from the stoppage of elevators for necessary or desirable repairs or improvements or delays of any sort or duration in connection with the elevator service.
16. Tenant shall not lay floor covering within the Leased Premises without written approval of Landlord. The use of cement or other similar adhesive materials not easily removed with water is expressly prohibited.
17. Tenant agrees to cooperate and assist Landlord in the prevention of canvassing, soliciting and picketing within the Property.
18. During all hours other than regular hours, Landlord reserves the right to exclude from the Property, all persons who are not known to the Property security personnel and who do not present a pass to the Property signed by the Tenant. Each Tenant shall be responsible for all persons for whom Tenant supplies a pass.
19. If any governmental license or permit shall be required for the proper and lawful conduct of Tenant's business, Tenant, before occupying the Leased Premises, shall procure and maintain such license or permit and submit it for Landlord's inspection. Tenant shall at all times comply with the terms of any such license or permit.
20. Except with the prior written consent of Landlord, Tenant shall not sell, or permit the sale from the Leased Premises of, or use or permit the use of any sidewalk or mall area adjacent to the Leased Premises for the sale of newspapers, magazines, periodicals, theater tickets or any other goods or merchandise, nor shall Tenant carry on, or permit or allow any employee or other person to carry on, business in or from the Leased Premises for the service or accommodation of occupants of any other portion of the Building, nor shall the Leased Premises be used for manufacturing of any kind, or for any business or activity other than that specifically provided for in Tenant's Lease.
21. Tenant shall not install any radio or television antenna, loudspeaker or other device on the exterior walls of the Building.

22. Tenant shall not use in any space, or in the common areas of the Building, any handtrucks except those equipped with rubber tires and side guards or such other material handling equipment as Landlord may approve. No other vehicles of any kind shall be brought by Tenant into Building or kept in or about the Leased Premises without prior written approval of Landlord.
23. Tenant shall store all its trash and garbage within the Leased Premises until daily removal of same by Tenant to such location in the Building as may be designated from time to time by Landlord. No material shall be placed in the Building trash boxes or receptacles if such material is of such nature that it may not be disposed of in the ordinary and customary manner of removing and disposing of trash and garbage in the city in which the Leased Premises is located without being in violation of any law or ordinance governing such disposal.
24. Tenant shall not permit the use or the operation of any coin operated machines on the Leased Premises, including, without limitation, vending machines, video games, pinball machines, or pay telephones without the prior written consent of Landlord.
25. As used in the Lease, "business days" means Monday through Saturday (except holidays); "regular hours" means 6:00 a.m. To 6:00 p.m. on weekdays and 6:00 a.m to 1:00 p.m on Saturday; and "holidays" means New Years Day, Fourth of July, Labor Day, Thanksgiving and Christmas, together with such other holidays designated by Landlord consistent with those holidays designated by Landlords of comparable office buildings located in the county in which the Building is located.
26. Landlord desires to maintain in the Property the highest standard of dignity and good taste consistent with comfort and convenience for Tenants. Any action or condition not meeting this high standard should be reported directly to Landlord. Your cooperation will be mutually beneficial and sincerely appreciated. Landlord reserves the right to make such other and further reasonable rules and regulations as in its judgment may from time to time be necessary, for the safety, care and cleanliness of the Leased Premises and for the preservation of good order therein.
27. The Building is a Non Smoking Building. Smoking inside the suite and common areas is prohibited.



Council Agenda Background

PRESENTER: Charles Carlisle, Risk/Contractual Services
Manager

DATE: 08/12/14

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

ITEM:

Consider a resolution authorizing the City Manager to enter into a contract with Harrison, Walker & Harper (HWH) to remodel the men's and women's restrooms at the Senior Center in the amount of \$24,656.49.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The restrooms at the Senior Center have not been updated/remodeled in approximately 30 years and are in need of attention. The partitions are rusting, the fixtures are out-of-date, and the sinks and countertops are dated and are in poor condition. The floor tile in the men's restroom is loose in several places and the grout has not been sealed in years. As a result, the bathroom has a very strong odor that cannot be solved without replacing the tile and grout.

These two rooms are utilized by everyone that visits the Senior Center. A remodel would enable the City to add a second handicap stall to the women's restroom and provide more accessibility to the sinks.

The Senior Center will be closed the week of September 8-12, 2014, to have new flooring installed throughout the building, which has been discussed with the Senior Citizen Advisory Board. Because these are the only restrooms servicing this building, this is the most favorable time to complete this much needed project.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a contract with Harrison, Walker & Harper (HWH) to remodel the men's and women's restrooms at the Senior Center in the amount of \$24,656.49.

FISCAL IMPACT:

Facility Maintenance Fund: \$24,656.49

ATTACHMENTS:

Resolution
Scope of Work

RESOLUTION NO. 14-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HARRISON, WALKER & HARPER (HWH) TO REMODEL THE MEN'S AND WOMEN'S RESTROOMS AT THE SENIOR CENTER IN THE AMOUNT OF \$24,656.49

WHEREAS, the City of Bedford Staff recommends that the City Council approve the remodel of the Senior Center restrooms; and,

WHEREAS, the City Council of Bedford, Texas approves the remodel of the Senior Center restrooms.

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 a contract in with Harrison, Walker & Harper (HWH) to remodel the Senior Center restrooms.

SECTION 3. That the funding in the amount of \$24,656.49 shall come from the Facility Maintenance and Repair Fund.

PRESENTED AND PASSED this 12th day of August 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

Job Name: Bedford Restroom Remodel

Estimate KH

Date: 7/18/2014

Scope of Work: Remodel Mend & Women's Restroom
SHINGLES

Job Size (actual) 300

<u>ITEM</u>	<u>Description</u>	<u>Quantity</u>	<u>Units</u>	<u>Rate</u>	<u>Total Cost</u>	
General Conditions						\$1,050.00
	TAS Inspection Fee	1	LS	\$0.00		Exclude
	Supervision	0	WK	\$2,375.00	\$0.00	
	Add-Ons	1	WK	\$500.00	\$500.00	
	Dumpster	1	EA	\$550.00	\$550.00	
Demolition						\$2,380.00
	Remove Sinks	4	EA	\$50.00	\$200.00	
	Remove Toilet Partition	5	EA	\$100.00	\$500.00	
	Remove Urinal Screen	1	EA	\$200.00	\$200.00	
	Remove Millwork	12	FT	\$35.00	\$420.00	
	Salvage Toilet Accessories	10	EA	\$22.00	\$220.00	
	Remove Mirror	2	EA	\$60.00	\$120.00	
	Remove Drywall & Wall Tile	240	SF	\$3.00	\$720.00	
Millwork						\$200.00
	In wall Blocking @ Lavatories	1	LS	\$350.00	\$200.00	
Drywall						\$2,400.00
	Hang Moisture Resistant Drywall	240	SF	\$10.00	\$2,400.00	
Ceramic Tile						\$6,550.00
	Floor Tile	275	SF	\$10.00	\$2,750.00	
	Base Tile	110	LF	\$10.00	\$1,100.00	
	Wall Tile	240	SF	\$10.00	\$2,400.00	
	Wall Tile Cap	30	LF	\$10.00	\$300.00	
Paint						\$650.00
	Touchup Paint	1	LS	\$650.00	\$650.00	
Toilet Accessories						\$6,040.00
	Toilet Partition	5	EA	\$800.00	\$4,000.00	
	Urinal Screen	1	EA	\$350.00	\$350.00	
	Mirror	4	EA	\$220.00	\$880.00	
	36" Grab Bar	2	EA	\$180.00	\$360.00	
	Reinstall Toilet Accessories	10	EA	\$45.00	\$450.00	

Plumbing				\$3,000.00
Re-plumb and Install Wall Hung Lavatorie:	4 EA	\$750.00	\$3,000.00	
			Est. Total	\$22,270.00
	Builders Risk	0.30%		\$66.81
				\$22,336.81
	General Liability	0.35%		\$78.18
				\$22,414.99
	Contingency	0.0%		\$0.00
			Est. Subtotal	\$22,414.99
	Fee	10.0%		\$2,241.50
				\$24,656.49
	Remodel Tax	0.00% City Exempt		\$0.00
			Grand Total	\$24,656.49
			Price per SF	\$82.19
			Exclude Permits	