

AGENDA

**Special Meeting of the Bedford City Council
Monday, July 11, 2016
Bedford City Hall Building A
2000 Forest Ridge Drive
Bedford, Texas 76021**

**Council Chamber Work Session 6:00 p.m.
Council Chamber Special Session 6:30 p.m.**

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

COUNCIL CHAMBER WORK SESSION

- **Review and discuss items on the regular agenda and consider placing items for approval by consent.**
 - **Presentation from Texas Health Harris Methodist Hospital HEB on the new Intensive Care Unit expansion.**

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 551.074, personnel matters - City Manager search.**

SPECIAL SESSION

CALL TO ORDER/GENERAL COMMENTS

INVOCATION (Pastor Chuck Stevenson, Meadow Creek Baptist Church)

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

APPROVAL OF THE MINUTES

1. **Consider approval of the following City Council minutes:**
 - a) **June 28, 2016 regular session**

PERSONS TO BE HEARD

2. **The following individuals have requested to speak to the Council tonight under Persons to be Heard:**
 - a) **Helen Martin, 809 Ridge Court, Bedford, Texas 76021 - Request to speak to Council proposed ban on feeding wildlife at BBR and other issues at the park.**

- b) Roger Smeltzer, 2921 Brown Trail, Suite 145, Bedford, Texas 76021 – Request to speak to Council regarding commercial signs.
- c) Bucky Geer, 2448 Spring Valley Drive, Bedford, Texas 76021 – Request to speak to Council regarding the Bedford Boys Ranch and the feeding of wildlife including the issue of signs and ordinances.
- d) Macie Condra, 3612 Cummings Court, Bedford, Texas 76021 – Request to speak to Council regarding the proposed sign ordinance.
- e) Julian Ghizdareanu, 2509 Sanders Court, Bedford, Texas 76021 / Cindy Hault and Murray Hault, 2517 Sanders Court, Bedford, Texas 76021 – Request to speak to Council regarding the proposed development at 2713 Murphy Drive.
- f) Matt Matthews, 850 E. State Highway 114, Suite 100, Southlake, Texas 76092 – Request to speak to Council regarding the real estate signage ordinance.

NEW BUSINESS

- 3. Public hearing and consider an ordinance to rezone Lots 2,3 and 4, Block 1, Highway 121 Business Park Addition and Lot 2, Block 1, Reliant Rehab Hospital Addition, located at 2308, 2332, 2336 and 2340 Airport Freeway (State Highway 121), Bedford, Texas from (H/MHC) Heavy Commercial/Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/Master Highway Corridor Overlay District, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Heartis Bedford to operate an independent senior living, assisted living and memory care facility. The subject property is generally located north of Bedford Road and east of State Highway 121. (Z-296)
- 4. Consider an ordinance amending Ordinance No. 15-3143; providing for a new Exhibit 'A' being the City of Bedford Sign Regulations; providing a savings clause; providing a severability clause; and providing an effective date.
- 5. Consider an ordinance amending Chapter 86. "Parks and Recreation," Section 86-1. "Definitions" and Section 86-3. "Prohibited activities generally" of the City of Bedford Code of Ordinances; repealing all ordinances in conflict herewith; containing a savings clause; containing a penalty clause; and declaring an effective date.
- 6. Consider a resolution authorizing the City Manager to enter into a contractual agreement for employee health and dental insurance benefits with CIGNA.
- 7. Consider a resolution authorizing the City Manager to enter into a contractual agreement with VSP to provide supplemental vision insurance to employees as a voluntary benefit option.
- 8. Consider a resolution approving the City of Bedford's Section 125 Plan that allows employees to make contributions for insurance premiums and Health Savings Accounts (HSA) on a pre-tax basis as allowable under the Internal Revenue Service (IRS) Code Section 125.
- 9. Consider a resolution authorizing the City Manager to enter into an addendum to the current ambulance billing agreement with Intermedix allowing the city to participant in the Ambulance Supplemental Payment Program.
- 10. Discussion and action regarding the appointment of the Mayor Pro Tem and Board and Commission Liaisons.
- 11. 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 Farco

- ✓ **Cultural Commission - Councilmember Champney**
- ✓ **Library Advisory Board - Councilmember Farco**
- ✓ **Parks and Recreation Board - Councilmember Sartor**
- ✓ **Teen Court Advisory Board - Councilmember Gebhart**
- ✓ **Senior Citizen Liaison - Councilmember Turner**

12. Council member Reports

13. City Manager/Staff Reports

EXECUTIVE SESSION

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

- a) Pursuant to Section 551.074, personnel matters - City Manager search**

14. 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, July 8, 2016 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

<u>PRESENTER:</u> Debbie Paganelli, Laura McWhorter and Margaret Markey with Texas Health Harris Methodist Hospital HEB	<u>DATE:</u> 07/11/16
Work Session	
<u>ITEM:</u> Presentation from Texas Health Harris Methodist Hospital HEB on the new Intensive Care Unit expansion. City Manager Review: _____	
<u>DISCUSSION:</u> Debbie Paganelli, President of Texas Health Harris Methodist Hospital HEB, Laura McWhorter, Vice President of Texas Health Resources Foundation, and Margaret Markey, Nursing Manager-Critical Care, will give a presentation to Council regarding the hospital's new ICU expansion.	
<u>ATTACHMENTS:</u> PowerPoint Presentation	

TEXAS HEALTH HARRIS METHODIST HOSPITAL HEB

INTENSIVE CARE UNIT



Intensive Care Unit – Today

- Texas Health HEB's 14-bed ICU, opened in 1994, includes a 4-bed dialysis unit and a 4-bed curtain bay area used only for overflow.
- Texas Health HEB has experienced a change in patient demographics, specifically critical care patients, resulting in capacity constraints.
- The number, size and condition of the current rooms are no longer sufficient for today's technology and equipment.

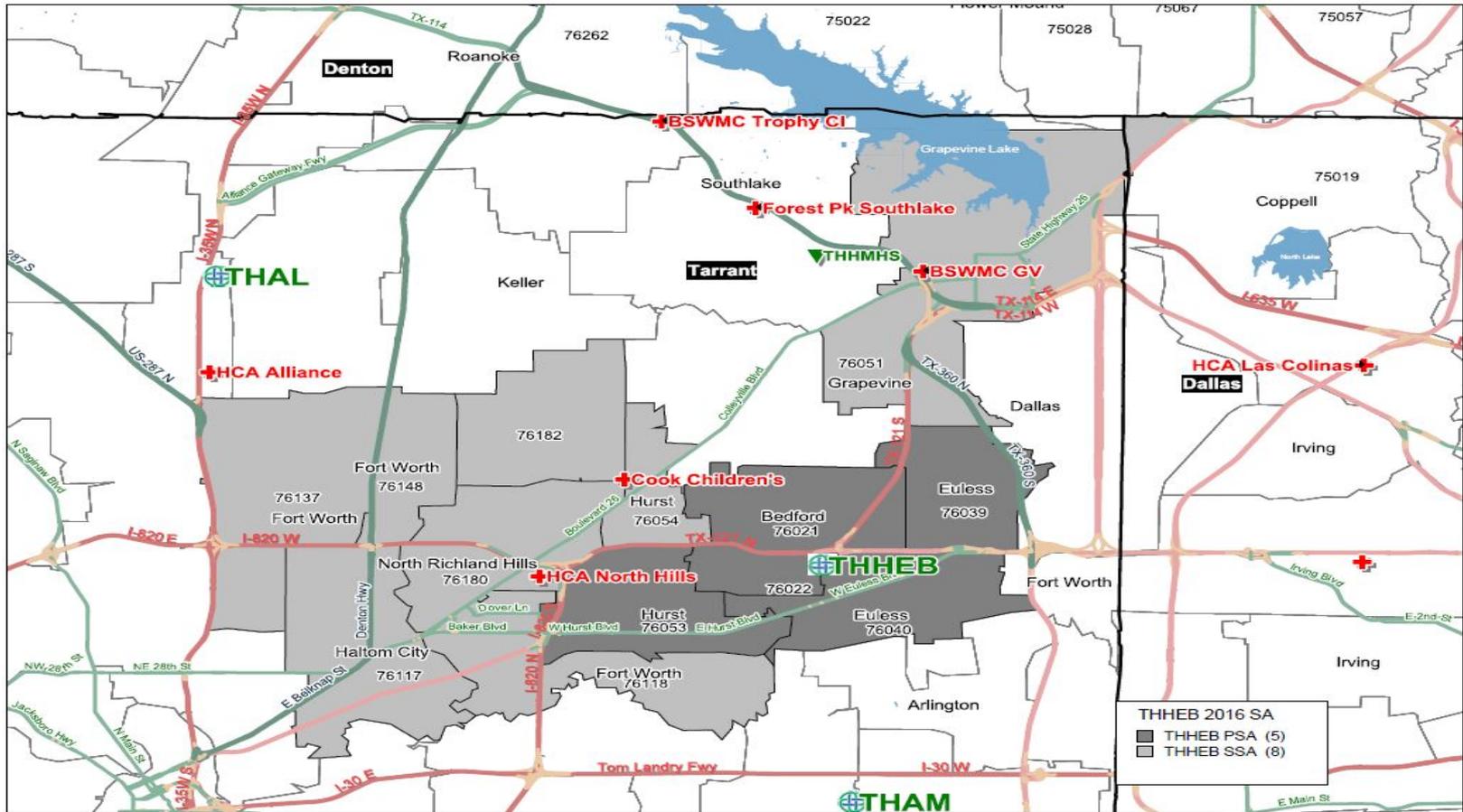
Intensive Care Unit – The Future

- Texas Health HEB will increase ICU/high acuity level capacity through the addition of 18 universal beds that meet today's industry standards.
- The expansion will provide Texas Health HEB the ability to effectively manage our market's aging and higher acuity level patients.

Intensive Care Unit – Why Now?

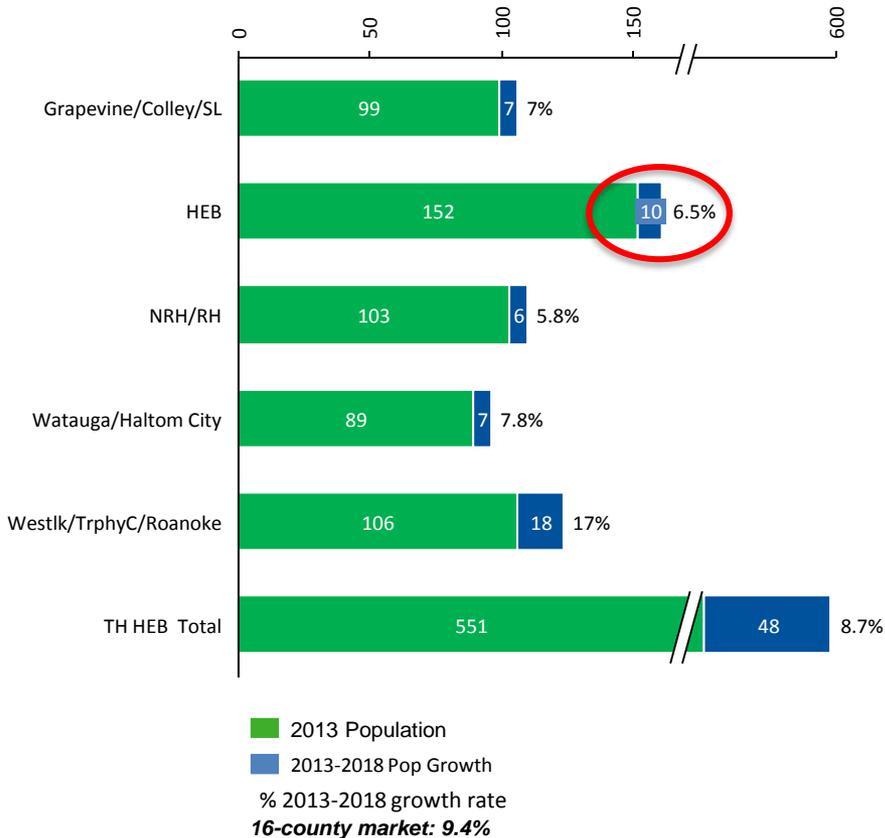
- The Texas Health HEB service area is projected to experience a 32% growth rate for the 65+ population from 2013-2018
 - Four out of five seniors are affected by a chronic condition, such as heart disease and cancer, hypertension, stroke, and diabetes, adding complications to any hospital stay – often times placing them in an high acuity unit. *Trendwatch* – an AHA publication
- As patient acuity rises, the length of stay increases, further compromising unit capacity
- Reaching capacity now will inhibit our ability to serve this projected growth in the future

Texas Health HEB Service Area



Anticipated population growth across THHEB's communities is lower, with Westlake area as an outlier

Texas Health HEB community population ('000's)



Population is more affluent than the average market, with a fast-growing older population and low rate of uninsured

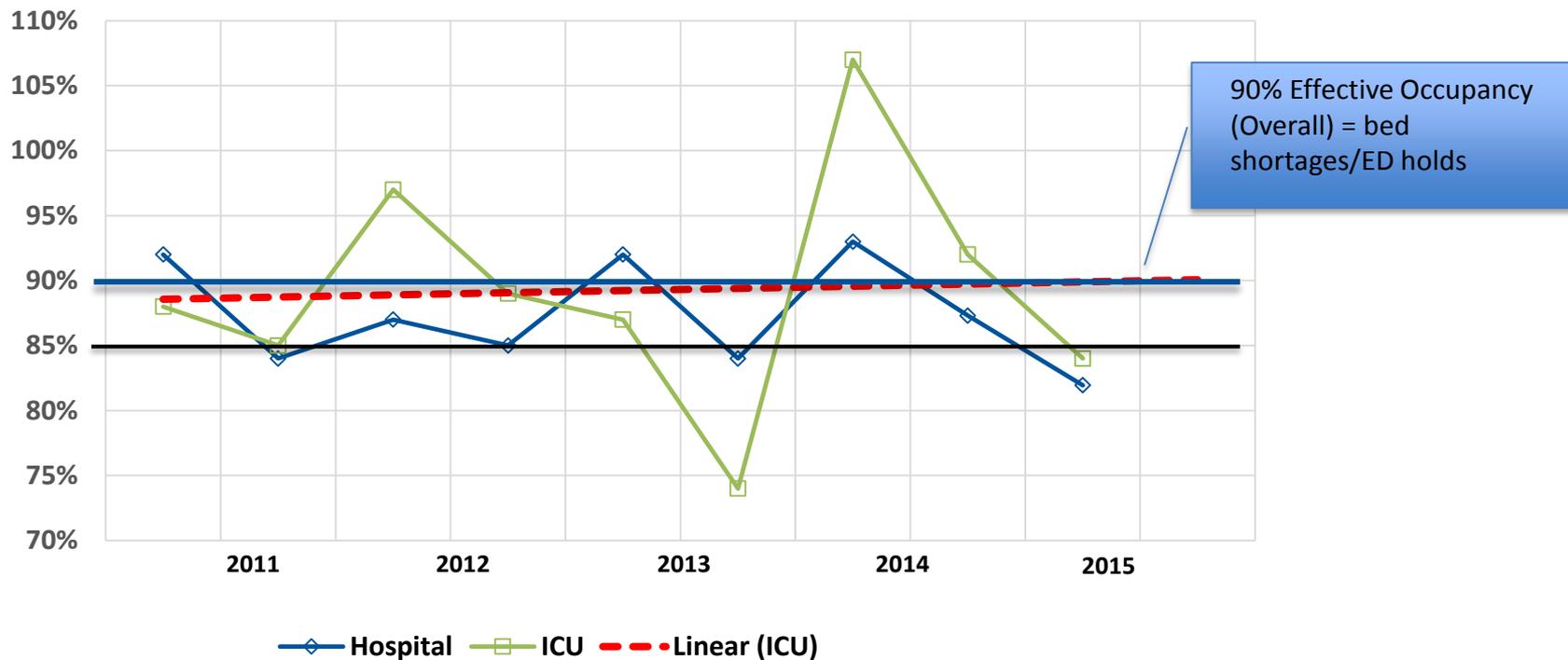
THHEB service area demographic profile

Community	% of THHEB IP Vol*	Abs. pop growth '13-'18	65+ % 2013 Pop	Growth Rate 65+ '13-'18	Avg. HH Income	% Uninsured
Grapevine/Colley/Southlake	5.1%	7,715	6.2%	46%	\$ 166,343	8.5%
HEB	53.3%	9,678	12%	23%	\$ 69,244	16.1%
North Richland Hills/Richland Hills	14.9%	6,423	12.3%	24%	\$ 72,226	15%
Watauga/Haltom City	6.3%	7,010	8%	29%	\$ 60,840	18.3%
Westlake/Trophy/Roanoke	4%	17,694	6.1%	45%	\$ 103,626	8.4%
Total Texas Health HEB market	83.5%	48,520	8.9%	32%	\$ 94,456	13.2%
16-county market	N/A	580,435	9.8%	27.1%	\$ 77,942	

Source: Thomson Reuters, US Dept. of Labor, Bureau of Labor Statistics
 Note: *IP volume excludes Normal Newborns

Texas Health HEB's ICU Capacity

With the exception of a dip in volumes in summer 2013, ICU effective occupancy has been consistently above operational maximum capacity of 85%.



Texas Health HEB Annual Volume

Volume Indicators	2015	2016 Budget
Emergency Room Visits	58,676	59,118
Emergency Patients Admitted	8,496	8,742
Discharges	14,796	15,456
Patient Days	65,049	66,144
Average Daily Census	181	183.7
Average Length of Stay	4.40	4.52
Outpatient Encounters	83,472	81,740
Observation Encounters	3,066	2,813
Surgeries	5,169	5,094
Births	2,144	2,111
Effective Occupancy	83.15%	87.23%

Texas Health HEB ICU Expansion Project



Texas Health
Harris Methodist Hospital®
HURST-EULESS-BEDFORD

Texas Health HEB ICU Expansion Project



Texas Health HEB ICU Expansion Project



Texas Health
Harris Methodist Hospital®
HURST-EULESS-BEDFORD

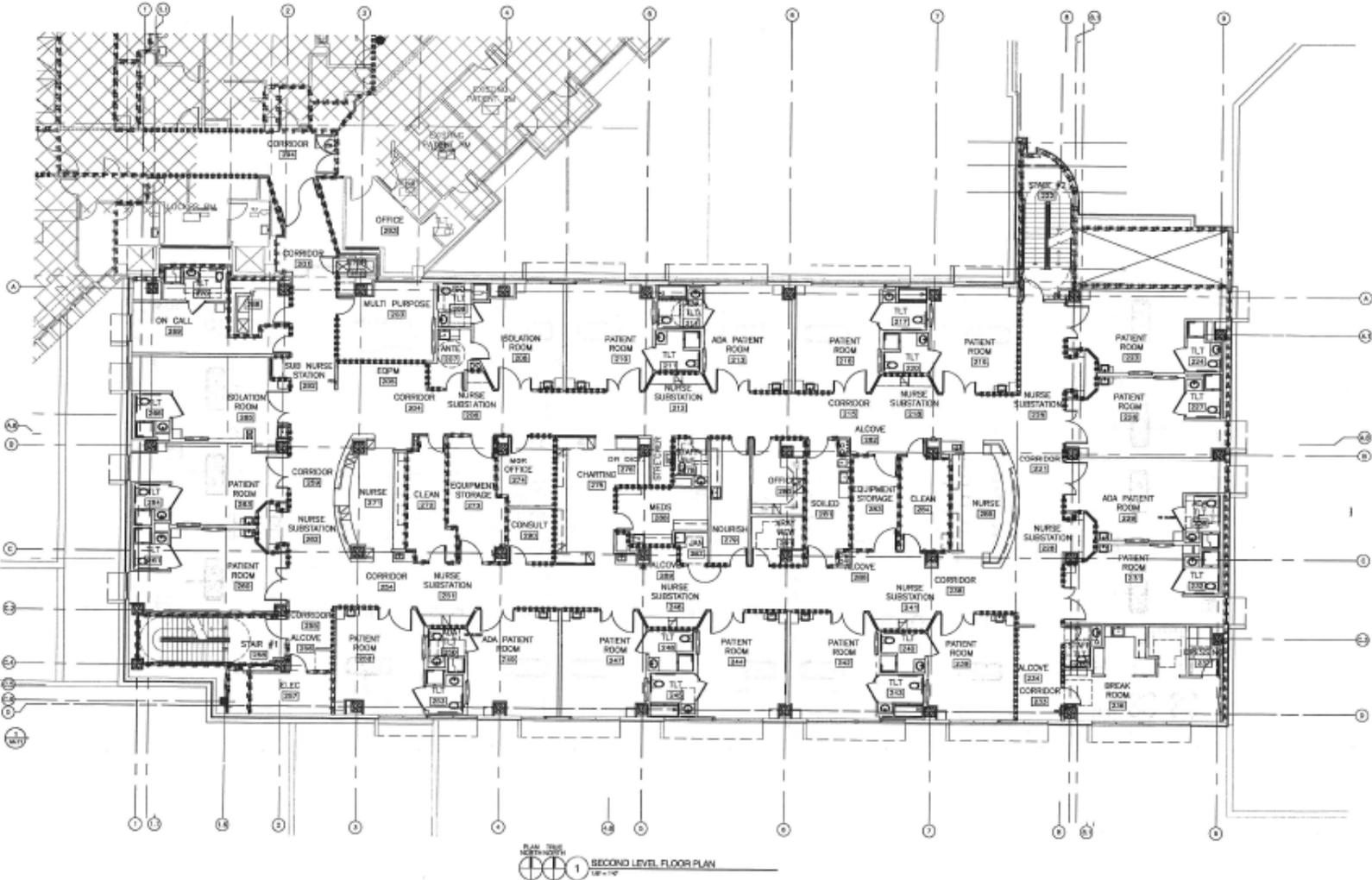
Texas Health HEB ICU Expansion Project



Texas Health HEB ICU Expansion Project



Texas Health HEB ICU Expansion Project



Texas Health HEB ICU Project Costs

- \$25 million
- Philanthropic goal \$2 million
 - Almost \$1 million raised to date
 - Lead gifts from auxiliary, leadership and board
 - Community campaign underway
- Naming opportunities available





Council Agenda Background

PRESENTER: Michael Wells, City Secretary

DATE: 07/11/16

Minutes

ITEM:

Consider approval of the following City Council minutes:

- a) June 28, 2016 regular session

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

June 28, 2016 regular session

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 6:00 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 28th day of June, 2016 with the following members present:

Roger Fisher
Ray Champney
Steve Farco
Dave Gebhart
Rusty Sartor

Mayor Pro Tem
Council Members

constituting a quorum.

Mayor Griffin and Councilmember Turner were absent from the meeting.

Staff present included:

Roger Gibson
Kelli Agan
Stan Lowry
Michael Wells
Natalie Foster
Jeff Gibson
Kenny Overstreet
Maria Redburn
Emilio Sanchez
Bobby Sewell
Bill Syblon
Eric Valdez

City Manager
Assistant City Manager
City Attorney
City Secretary
Public Information Officer
Police Chief
Public Works Director
Library Director
Planning Manager
Interim Fire Chief
Economic Development Director
Community Services Manager

COUNCIL CHAMBER WORK SESSION

Mayor Pro Tem Fisher called the Work Session to order at 6:00 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: 3, 5, 6, 7 and 8.

Public Works Director Kenny Overstreet presented information regarding Item #5. The City received low interest loans from the Texas Water Development Board for water development projects. The first project consists of Brown Trail from Harwood Road to Eagle Drive, Eagle Drive, Warbler Drive, Wren Court and Blue Jay Court. This location was identified as a high break area and was added to the packet when the City applied for the loan as it needed immediate work. The City received ten sealed bids on June 7, with R&D Burns Brothers submitting the most reasonable, responsible bid for the project. In answer to a question from Council, Mr. Overstreet confirmed that there was a lower bidder but that staff was unable to verify their references. In answer to further questions from Council, Mr. Overstreet stated that they try to group these types of water renewal projects in groups that cost approximately \$1M, with seven to eight streets per project in the same location; that some renewal will be behind the curbs and not in the streets themselves; that staff can look at getting assistance from Tarrant County on a mill and overlay of Brown Trail in next year's budget; that 4B is not going to support the entire \$90M in projects, but will support the worst areas; that once the second phase of this area is completed, they will come back and do mill and

overlay. Mr. Overstreet further confirmed that the bid amount covers remediation for such items as replacing grass and sprinkler systems. There was discussion on the bid coming in under the average of the bids; the correlation between 4B and overlaying roads; and being as efficient as possible in order to conserve funds and getting maximum productivity.

Mr. Overstreet presented information regarding Item #6, which, like the previous item, is to use State Water Implementation Fund for Texas (SWIFT) funds for three locations with a high number of water main breaks. This includes a 12-inch cast iron line along Commerce Place, which is one of three lines that pass under State Highway 121 and serves the east side of Bedford. When that line breaks, the water volume and pressure to that part of the City is reduced. Along Tibbets Drive, there is an eight-inch cast iron line that affects the traffic flow around the hospital and which has had seven breaks in the last four years. Once the contract is awarded, a meeting will be set up with the hospital to plan emergency routes. In answer to questions from Council, Mr. Overstreet stated that the project will have a 120-day timeframe for completion; that they will not be doing any of the work under the freeway; that part of the Commerce Place line was renewed as part of the highway construction; and that Tibbets Drive will be the priority.

Assistant City Manager Kelli Agan presented information regarding Item #7, which is an interlocal agreement between the City and the North Central Texas Council of Governments (NCTCOG) for the Trinity Railway Express (TRE). Bedford's portion for participation is \$90,456. The TRE is the rail system that connects residents to the airport and the DFW Metroplex, and is utilized by all the cities that line the corridor. It aids in the congestion along the freeway and in meeting the area's federal air quality standards. Bedford's portion is based on a license plate survey conducted in 2014 and part of 2015. Another survey will be conducted the following year so the City's annual payment may fluctuate based upon the results. In answer to questions from Council, Ms. Agan stated that Bedford residents utilize the service as evidenced by the license plate survey of those who park at the stations. In answer to further questions from Council, Ms. Agan confirmed that the City is not legally bound to enter into the agreement but that it allows Bedford to be partners with NCTCOG along with the area cities, as Bedford is the only city that does not currently participate. There was discussion that the Tarrant Regional Transpiration Coalition is looking into the "last mile" such as from Bedford to the train stations; the City becoming more aggressive in accommodating citizens by providing transportation; seeing if Catholic Charities, which has taken over Northeast Transportation Services (NETS), might expand their services in the future so they can accommodate "last mile" services to rail stations; and needing more public transportation as the area develops. Ms. Agan confirmed that the TRE, in conjunction with NCTCOG, put license plate readers at station parking lots and came out with an average number of Bedford vehicles; and money from the contributions from NCTCOG was then divided up amongst the eight cities based on the averages.

Mayor Pro Tem Fisher presented information regarding Item #8. He stated that the City's Charter allows the Council to remove Board and Commission members that have become inactive. A certified letter was sent to an individual and returned. Parks and Recreation Board Chairperson Jeannette Cook then recommended that the individual be removed to free up a place on the Board.

- **Presentation on recent Economic Development activities.**

Economic Development Director Bill Syblon presented an update on Economic Development activities in the City. He stated it was a strong year for the City at the International Council of Shopping Centers. A lot of meetings were held relevant to future development, and there interactions with potential developers and real estate brokers. At every meeting he received compliments about how the City was one of the best to deal with, which is a reflection of the Council and staff. At the southwest corner of Central Drive and Harwood Road, a Petro's Chili & Chips is going in. The company is based out of Tennessee and this will be their first location in Texas. It is a new franchisee who is taking time with the development of the building, and he is hoping for it to open in late summer. El Pollo Loco on Central Drive will be the first in the DFW Metroplex. It is a west coast concept that is breaking into the market. The Bedford Dialysis Center is constructing a 5,300 square foot facility off of Highway 157. Mr. Syblon discussed a two tenant building, whose major tenant, a national brand, has yet to be announced. The Popeye's at the southwest intersection of Bedford Road and Highway 183 has finally broken ground. He stated that smaller development and redevelopment projects have taken some time to work out as they are remainder pieces from the highway widening. The Department's number one priority has been the

vacancy of the former Tom Thumb space and they have put out feelers to a variety of retail sectors, as well as working with the shopping center owner. There has been positive movement in refilling that space per the owner but they are not being specific.

Mayor Pro Tem Fisher adjourned the Work Session at 6:25 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(2), consultation with the City Attorney on matters in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code – Sign Ordinance.**

Council convened into Executive Session pursuant to Texas Government Code Section 551.071(2), consultation with the City Attorney on matters in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code – Sign Ordinance at 6:25 p.m.

Council reconvened from Executive Session at 6:51 p.m. Council was unable to finish Executive Session and will convene again at the end of the Regular Session.

REGULAR SESSION

The Regular Session began at 6:57 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Pro Tem Fisher called the meeting to order. He stated that Mayor Griffin and Councilmember Turner were on vacation.

INVOCATION (Pastor Floyd Ellsworth, Oasis Community Worship Center)

Pastor Floyd Ellsworth of Oasis Community Worship Center gave the invocation.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS/UPCOMING EVENTS

Public Information Officer Natalie Foster reported that Bedford 4thFest will be held at the new and improved Boys Ranch Park. The celebration starts at 3:00 p.m. with a ribbon cutting celebration for the completion of Phase One of the park improvements. Twiggy the Water Skiing Squirrel will do a special performance, followed by a ribbon cutting and bubble ceremony. There will be patriotic refreshments and a meet-and-greet with Barkley, the Parks and Recreation mascot. At 4:00 p.m., the 4thFest activities will begin with live music, children activities, a salute to the soldiers, and a fireworks show to conclude the night. In answer to a question from Council, Ms. Foster stated that there will be some parking on-site but the main parking is at the Library, with overflow onto the Old Bedford School.

Mayor Pro Tem Fisher stated that Council is really excited and looking forward to formally opening the first phase of the park and showcasing it on a wonderful holiday for the country.

OPEN FORUM

Nobody chose to speak during Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilmember Champney, seconded by Councilmember Champney, to approve the following items by consent: 3, 5, 6, 7 and 8.

Motion approved 5-0-0. Mayor Pro Tem Fisher 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:

Michael Martin, Police Department - 10 years of service
Cassey Amburn, Fire Department - 10 years of service
Jean Green, Library - 15 years of service
Jerry Watson, Fire Department - 20 years of service
Michael Gardner, Public Works - 30 years of service

2. Proclamation declaring July 2016 as Parks and Recreation Month in the City of Bedford.

Mayor Pro Tem Fisher read a proclamation declaring July 2016 as Parks and Recreation Month in the City of Bedford. Community Services Manager Eric Valdez was present to accept the proclamation.

APPROVAL OF THE MINUTES

3. Consider approval of the following City Council minutes:

- a) **June 9, 2016 work session**
- b) **June 14, 2016 regular session**

This item was approved by consent.

PERSONS TO BE HEARD

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

- a) **Roger Smeltzer, 2921 Brown Trail, Suite 145, Bedford, Texas 76021 – Request to speak to Council regarding the sign ordinance.**

Mayor Pro Tem Fisher stated that for full disclosure, him and Mr. Smeltzer are friends and had discussed this issue earlier in the day. He thanked Mr. Smeltzer for his service to the City as a broker and gave his thoughts and prayers to him and his wife on the birth of their daughter.

Roger Smeltzer, 2921 Brown Trail, Suite 145, Bedford – Mr. Smeltzer stated that he is a broker with Vision Commercial, whose offices are in Bedford, and a lot of the growth and success of his company is due to the City. There was a movement three years previously to alter the sign regulations and he argued against major changes to commercial real estate signs. There is currently a movement for changes to temporary signage and he was concerned about how the process was approached. He stated it was legitimate that people complained about neon and bright blinking signs; however, just because commercial real estate signage falls within the temporary signage ordinance, does not mean they are included in those complaints. His number one question was whether a pulse had been taken on if the complaints about signage has included commercial real estate signs. He expected that when Council voted on the ordinance in December, that they would have sought the counsel of people in the City in that capacity but none of the owners were invited to speak. He stated that the new ordinance makes Bedford stricter than Southlake. He discussed the reality of what is in cities' sign ordinances and what is enforced, and stated

that many cities have a permit fee which are not enforced. Bedford has a distinction that many of its commercial properties are based on the highway and there is no delineation in the ordinance between signage along the highway and signage along arterial streets. He displayed signs that are actively up in the neighboring communities. He did not believe brokers, shopping center or commercial owners were asked for their input. He presented Council a list of 51 owners and brokers, who represent half a billion dollars in real estate in the community, that support not changing the sign ordinance. He discussed issues with wooden skids upon which signs are placed in areas where there is no frontage, TxDOT taking a lot of frontage property from owners, and certain locations without any greenspace who would then not be able to have real estate signs under the new ordinance. He presented several suggestions to Council including leaving the ordinance as is; never removing the ability of owner who do not have appropriate frontage because TxDOT took it; and separating the signage criteria to identify highway visible properties, who pay more taxes and have a different burden because of faster drivers and therefore need larger signs. He stated that a black and white sign was not appropriate for highway signage, and colors and logos are important. Property owners should have the ability to market their properties as they wish and taking signs down to the size in the ordinance will not help fill spaces in the community. Bedford is one of the few communities where he has had to pay a permit fee in the last ten years and the process is antiquated. He asked that if there are going to be permits to make the process easier. He currently has permits from the City that says he can have 4X8 signs but because of the change in the ordinance, he has replace them with signage that is 30 to 40 percent more expensive. He hoped that the City would listen to the active owners and brokers on how the ordinance affects them. He discussed the new owner of the Bedford Meadows Shopping Center who was told to take a sign down, and stated that it was was not business friendly. Banner signs on the highway are permitted to be fifty square feet but cannot be seen at a shopping center 150 to 200 feet from the highway. He stated they should be able to put up larger pieces of marketing material so people can see it.

There was discussion on the point of the signs being to grab attention; people not being able to see the signs from the freeway; and accessibility, visibility and branding. Mr. Smeltzer stated that Bedford does not have issues getting the obvious businesses but it does have a negative net absorption with retail, and brokers are trying to get anybody they can who will run a good business in the City. There was discussion on if there was research on whether black and white signage was going to help or hurt brokers and owners. Mr. Smeltzer asked how many people legitimately complained about the real estate signs. He stated that the City's codes are enforced more than those in other cities but asked where it crosses the line to not being business friendly. He moved to Bedford ten years ago because of how business friendly the City was. Property owners may not live and are unable to vote in the City but they pay a lot of taxes and provide businesses that pay more taxes. He asked that Council shift the commercial discussion off of the September 1 deadline and have a real discussion with the brokerage and commercial owner community about solving problems and improving the community. In answer to a question from Council regarding what else the City can do under the business friendly moniker to support him as a broker, Mr. Smeltzer stated that they should spend money on an updated Buxton Report as the community has changed since the highway expansion. Further, he stated it is a mistake to just focus on tax incentives as they only benefit the shopping center owners and instead target and deal directly with good quality tenants. He discussed issues with a new concept called an "escape room" that was to go into the City; however, the City's Zoning Ordinance did not acknowledge that use and included it under "amusement," while he saw the use as an office. That meant it had to go through the Specific Use Permit (SUP) process, so the business decided to go to Hurst instead. He did not have an issue with getting a SUP but with how long the process takes, and asked that it be streamlined for unique type situations. There was discussion on the goal of Council being to maintain the quality of the community and aesthetics; what is in the best interest of all concerned parties; statistics or data that demonstrate what effective signage looks like as far as distance, size, font and style; the changes in retail with internet sales; and what is reasonable from the standpoint of what the City wants to accomplish.

In answer to questions from Council, Mr. Smeltzer stated that, speaking for owners and his clients, they want to be in centers and communities that work as hard as they can to market the centers; that depending on the year, 45 to 50 percent of his business comes from signs but his online platform is very extensive; and most other firms will say 75 to 80 percent of their business is from drive-by signs. He cited an example of a location that had a smaller sign with another broker and was listed for six months with no offers; his company listed it for 45 days with a larger four-by-eight sign, and the location is now under contract. Mr. Smeltzer stated that Bedford's two biggest corollary issues are the change of the freeway pattern and

retail “suck” from Euless and development on Highway 121. There is a big issue in the City’s demographic model and older centers will see a shift to service-based retail. The biggest issue that will limit Bedford long term is the limited increase in rent from improving shopping centers and the City’s need to lead with dollars to the owners to push for change. He stated that 30 to 40 percent of his business comes through the internet. He discussed the impression the City can put on to people who potentially want to buy shopping centers and brokers, and with more expensive signs, he has to weigh whether to take a listing or not because he wants to be profitable. The last thing the City wants is having residential agents marketing its commercial properties. The City is going to push back on the brokerage community and regress because the City has worked hard the last several years to be business friendly. He discussed following the lead of other communities that are have shown success and have been proactive with the brokerage community and signage. There was discussion on avoiding indifference to the needs of the business community; a lack of approach to the business community on how the ordinance would impact them; considering the concerns of the business community; pushing for Bedford to be better; how best to make improvements while accommodating the needs of business owners and desires of the citizens; making sure Bedford is seen as business friendly; and making sure Bedford is a vital community for residents and businesses.

There was discussion that the Sign Ordinance is in place and is scheduled to go into effect September 1; the desire from some members of the Council to make some changes that are on the agenda for a special meeting on July 11; that Executive Session will reconvene after hearing Mr. Smeltzer’s presentation; and that no action will take place on the Sign Ordinance at this meeting.

b) Bill McFadden, 1108 Hialeah Path, Bedford, Texas 76022 - Request to speak to Council regarding vehicles parked on streets, the cellphone ordinance, Code Compliance issues, and obstructing sidewalks with vehicles.

Mr. McFadden was not present at the meeting.

c) Roger Gallenstein, 4013 Fairmont Court, Bedford, Texas 76021 – Request to speak to Council regarding the importance of a Destination for Economic Development.

Roger Gallenstein, 4013 Fairmont Court, Bedford – Mr. Gallenstein stated that he came before Council in July of 2014 about Bedford needing a destination and used the example of the Levitt Pavilion in Arlington. It is one of six, soon to be ten, such locations that host 50 free concerts a year in the community. He stated the idea of a destination comes down to economic development. People come from other places to the Levitt and spend money on food and see other business at which they may want to spend money. He discussed the Bedford Commons and developments in Colleyville and North Richland Hills that lack a destination and have unoccupied business spaces. He stated the City is looking at a cultural area and needs something to drive people to the City to shop at its stores. He discussed projects in Mansfield and Cleburne; and the City having a cultural district and the Bedford Commons but not a destination or unique development to bring people in. In regards to economic development, he was told by the President of the Downtown Arlington Association that the Levitt was the driver for 25 new restaurants since it began. Mr. Gallenstein stated that Bedford will not get a Levitt because there is a distance requirement but does need something for people to come to the City. He invited people to go to the Levitt to get a sense of community. A video was played showcasing the Levitt Pavilion from their website. Mr. Gallenstein stated that the Levitt in Arlington had a format to follow, but the City has to create one from scratch.

Patti Diou, 7005 Crater Lake Drive, Arlington, Texas – Ms. Diou is the Executive Director of the Arlington Levitt Pavilion. She stated that she has served on the Downtown Arlington Management Corporation Board for ten years, and the Board saw the Levitt as the perfect way to build the downtown. Downtown Arlington was previously desolate and described as a cultural wasteland. The City is known for big things like the Rangers, Cowboys and tourism but it wants to be known for building the community. Initially, they hoped the Levitt would attract 500 people but are now disappointed if they do not get crowds of 1,500 to 3,000 people. At a Blood, Sweat and Tears concert, there were 9,000 people in attendance. The Levitt was only built for 3,000 people so they have to shut down the streets in order to accommodate the crowds. The land for the Levitt came from a land swap Arlington did with a nearby church. It was built through a public-private partnership, whereby the City came in with \$6M for the project and the Corporation raised \$1.2M, with the national Levitt Foundation donating \$250,000. After the Levitt was built, it was gifted to Arlington, who owns it and runs it through their parks and recreation department, while the Corporation

serves as onsite management. The infrastructure, including the video screen, is the Corporations. Their initial budget was \$375,000 and is now \$900,000. The only way they can survive is through donors, sponsors and grants, as well as \$150,000 yearly from the national Levitt Foundation. In regards to economic impact, the Corporation has looked at ways to revitalize the downtown, including a dream sculpture, projects done by the Arlington Museum of Art, a multi-family development and a student housing project, the new \$30M Library, a \$49M mixed-use development caddy-corner to the Levitt, and \$13M in pedestrian improvements to Abrams Street. She stated that when the University of Texas at Arlington found out about the Levitt, they moved their developments to that side of the city. The whole dynamics of the downtown have changed and the Levitt is included in articles on Arlington along with the Cowboys, Rangers and Six Flags. The previous year, a ticketed concert with Kenny Loggins had 2,200 people from 17 different states and 109 different cities. She advised that before the City builds something like this, to have the money up front in order to avoid debt or it needs to be a good public-private partnership because people would be more bought into it. Approximately 115,00 people attend the 50 free concerts the previous year and Trip Advisor has the Levitt as one of the cool destinations for downtown. The primary reasons the Levitt was put in Arlington was for economic and community development. In answer to questions from Council, Ms. Diou confirmed that Bedford's cultural district is the type of geographic location that could accommodate something like the Levitt and stated that the City would have the opportunity to expand. She further stated that the Arlington Levitt is downtown across from city hall and she wished they were in a bigger park near Cowboys Stadium; that the venue was built based on the small venue in Pasadena and they did not expect it to grow as much as it did; that they will probably never move; that the newer Levitts are required to seat at least 7,000 people; and that she sees venues in other cities not as a competition but as great assets for the whole Metroplex. There was discussion on the cultural district being a catalyst to making Bedford Commons successful; having forward vision and thinking outside the box; the Cultural Commission and a series of new events the City is putting on; understanding the value of the arts; embracing HEB ISD; assets in the City including Arts Council Northeast, Onstage and the Trinity Arts Theater; and funds being available from the Texas Commission on the Arts once a cultural district designation is achieved.

NEW BUSINESS

- 5. Consider a resolution authorizing the City Manager to enter into a contract with R & D Burns Brothers, Inc. in the amount of \$1,140,065 for the Brown Trail/Eagle Drive/Warbler Drive/Wren Court/Blue Jay Court Water System Improvement Project.**

This item was approved by consent.

- 6. Consider a resolution authorizing the City Manager to enter into a contract with MACVAL Associates, LLC, in the amount of \$1,176,060 for the Commerce Place/Tibbets Drive/Scenic Hills Drive/Red Oak Lane Water System Improvements Project.**

This item was approved by consent.

- 7. Consider a resolution authorizing the City Manager to enter into an Interlocal Agreement with the North Central Texas Council of Governments, in the amount of \$90,456, for operation of the Trinity Railway Express commuter rail service.**

This item was approved by consent.

- 8. Consider a resolution removing an inactive member from the Parks and Recreation Board.**

This item was approved by consent.

- 9. Report on most recent meeting of the following Boards and Commissions:**
 - ✓ **Animal Shelter Advisory Board - Councilmember Fisher**

Mayor Pro Tem Fisher reported that the Board will have their quarterly meeting on July 13.

- ✓ **Beautification Commission - Councilmember Turner**

No report was given.

✓ **Community Affairs Commission - Councilmember Farco**

Councilmember Farco reported that the Commission will not meet in July.

✓ **Cultural Commission - Councilmember Champney**

No report was given.

✓ **Library Advisory Board - Councilmember Farco**

Councilmember Farco reported that the Board will not meet in July.

✓ **Parks and Recreation Board - Councilmember Sartor**

No report was given.

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

Councilmember Gebhart reported that the Board will next meet on September 2.

✓ **Senior Citizen Liaison - Councilmember Turner**

No report was given.

10. Council member Reports

Councilmember Farco reported that the City is moving forward with “Experiencing HEB,” which is working with the Mayor, the cities of Hurst, Euless and Bedford, HEB ISD, and the hospital. They are currently putting together a website to promote the activities of all three cities.

11. City Manager/Staff Reports

No report was given.

EXECUTIVE SESSION

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

- a) **Pursuant to Section 551.071(2), consultation with the City Attorney on matters in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code – Sign Ordinance.**

Council reconvened into Executive Session pursuant to Texas Government Code Section 551.071(2), consultation with the City Attorney on matters in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code – Sign Ordinance at 8:37 p.m.

Council reconvened from Executive Session at 8:52 p.m.

Any necessary action to be taken as a result of the Executive Session will occur during the Regular Session of the Bedford City Council Meeting.

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

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

ADJOURNMENT

Mayor Pro Tem Fisher adjourned the meeting at 8:54 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary



Council Agenda Background

PRESENTER: See below

DATE: 07/11/16

Persons to be Heard

ITEM:

- a) Helen Martin, 809 Ridge Court, Bedford, Texas 76021 - Request to speak to Council proposed ban on feeding wildlife at BBR and other issues at the park.
- b) Roger Smeltzer, 2921 Brown Trail, Suite 145, Bedford, Texas 76021 – Request to speak to Council regarding commercial signs.
- c) Bucky Geer, 2448 Spring Valley Drive, Bedford, Texas 76021 – Request to speak to Council regarding the Bedford Boys Ranch and the feeding of wildlife including the issue of signs and ordinances.
- d) Macie Condra, 3612 Cummings Court, Bedford, Texas 76021 – Request to speak to Council regarding the proposed sign ordinance.
- e) Julian Ghizdareanu, 2509 Sanders Court, Bedford, Texas 76021 / Cindy Hault and Murray Hault, 2517 Sanders Court, Bedford, Texas 76021 – Request to speak to Council regarding the proposed development at 2713 Murphy Drive.
- f) Matt Matthews, 850 E. State Highway 114, Suite 100, Southlake, Texas 76092 – Request to speak to Council regarding the real estate signage ordinance.

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

Letters of Request

From: [Helen Martin](#)
To: [Wells, Michael](#); [Joyce Powell](#);
Subject: Re: Bucky Geer
Date: Tuesday, June 28, 2016 11:19:52 AM

I would like to discuss the proposed ban on feeding wildlife at BBR and other issues at the park!

Thank you

Helen L Martin
817-501-0984

Sent from my iPhone

On Jun 28, 2016, at 10:37 AM, Wells, Michael <Michael.Wells@bedfordtx.gov> wrote:

Good morning Ms. Martin,

I'm in receipt of your request to speak at the July 11 Council meeting. Can you provide the general subject on which you wish to speak and your address for the record?

Thank you.

--

Michael Wells, TRMC

City Secretary

City of Bedford

2000 Forest Ridge Drive, Bedford, TX 76021-5713

Office: 817-952-2104 | Fax: 817-952-2103 | Michael.Wells@bedfordtx.gov

From: Agan, Kelli
Sent: Tuesday, June 28, 2016 9:05 AM
To: Helen Martin <>
Cc: Wells, Michael <Michael.Wells@bedfordtx.gov>
Subject: RE: Bucky Geer

Ms. Martin,

I am forwarding your request to the City Secretary, Michael Wells.

Kelli

From: Helen Martin
Sent: Tuesday, June 28, 2016 9:03 AM
To: Agan, Kelli
Subject: Fwd: Bucky Geer

Sent from my iPhone

Begin forwarded message:

From: Helen Martin < >
Date: June 28, 2016 at 9:02:48 AM CDT
To: Helen Martin <
Subject: Re: Bucky Geer

Kelli,

Can you place me on the list of people to address the council on July 11?

Thank you,

Helen L Martin
817-501-0984

Sent from my iPhone

From: [Roger Smeltzer](#)
To: [Wells, Michael](#)
Subject: Re: Open Records Request
Date: Thursday, June 30, 2016 8:54:28 AM

Commercial signs. I'll have nearly 100% of commercial owners by then.

Roger Smeltzer, Jr IMBA
Vision Commercial
817-320-2600
Roger@VisionCommercial.com

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Wells, Michael
Sent: Thursday, June 30, 2016 8:19 AM
To: Roger Smeltzer Jr
Subject: RE: Open Records Request

Good morning,

Just so I have it in writing, can you tell me on which subject you would like to speak?

--

Michael Wells
Office: 817-952-2104

From: Roger Smeltzer Jr
Sent: Wednesday, June 29, 2016 4:37 PM
To: Wells, Michael <Michael.Wells@bedfordtx.gov>
Subject: RE: Open Records Request

I would like to be on the Persons To Be Heard for the meeting on the 11th.

And when is the deadline to be added to that list?

Thanks,

Roger Smeltzer, Jr. IMBA

Vision Commercial
Principal/Broker
(817) 803-3287 (Office)
(817) 320-2600 (Cell)
(817) 704-4621 (Fax)

www.visioncommercial.com

From: [Bucky Geer](#)
To: [Wells, Michael](#)
Subject: July 11th Special Called Meeting
Date: Thursday, June 30, 2016 3:37:04 PM

Mr Wells.

I would like to be placed on the agenda in order to speak briefly about the Bedford Boy's Ranch and in particular the feeding of Wildlife. I would like to address the issue of signs and ordinances concerning this matter.

Respectfully,

Bucky Geer
2448 Spring Valley Drive
Bedford, Texas 76021
817-475-7051

From: [DRAMACIE CONDRA](#)
To: [Wells, Michael](#)
Subject: Proposed sign ordinance
Date: Thursday, June 30, 2016 5:30:53 PM

Hi Michael,

I am writing to urge the city council to vote against the proposed sign ordinance that would prohibit portable signs in the city of Bedford. Portable signs are one of the most cost effective forms of advertising the independent businesses in Bedford use. Prohibiting portable signs wouldn't harm the large chains because they can afford to take advantage of radio, tv, direct mail, and other forms that independent businesses can't afford.

I would also like to request to speak at the next council meeting on this subject.

Thanks!

Macie Condra
<http://www.dfwsignrentals.com/>
817.995.9894

From: [Julian Ghizdareanu](#)
To: [Wells, Michael](#)
Subject: Agenda for next city council meeting
Date: Tuesday, July 05, 2016 4:06:30 PM

Hello Mr Wells,

My name is Julian Ghizdareanu and I live at 2509 Sanders Ct in Bedford. Our neighbors and I would like to get on the next city council agenda meeting this coming week. We would like to discuss the proposed development of 2713 Murphy Dr. and let the council and development staff know of our issue with the proposed lot. We have a letter of intent from our HOA president whom is also an attorney, this will be sent to the city also. Please let us know how we may proceed further with signing up for the agenda. You can call me or email me, thank you for your help.

Sincerely,

Julian Ghizdareanu

(469)556-8183

Sent from [Mail](#) for Windows 10

From: [Cindy & Murray](#)
To: [Wells, Michael](#)
Subject: Council meeting July 11
Date: Wednesday, July 06, 2016 11:57:19 AM

Please add Cindy Hoult and Murray Hoult to agenda for Sanders Addition. Thank you.

Sent from my iPad

From: [Matt Matthews](#)
To: [Wells, Michael](#)
Subject: Council Meeting - 7/11
Date: Wednesday, July 06, 2016 9:30:13 AM

Michael,

Please add me to the persons to be heard list at Council on 7/11 regarding the real estate signage ordinance.

Thank you,
Matt

Matt Matthews
Associate, MBA
Matthews Commercial Group
850 E State Hwy 114 Suite 100
Southlake TX 76092
Office: 817-328-1183
Cell: 972-765-0886
Email: matt@kwc-dfw.com
Website: www.kwc-dfw.com





Council Agenda Background

PRESENTER: Emilio Sanchez, Planning Manager

DATE: 07/11/16

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

ITEM:

Public hearing and consider an ordinance to rezone Lots 2,3 and 4, Block 1, Highway 121 Business Park Addition and Lot 2, Block 1, Reliant Rehab Hospital Addition, located at 2308, 2332, 2336 and 2340 Airport Freeway (State Highway 121), Bedford, Texas from (H/MHC) Heavy Commercial/Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/Master Highway Corridor Overlay District, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Heartis Bedford to operate an independent senior living, assisted living and memory care facility. The subject property is generally located north of Bedford Road and east of State Highway 121. (Z-296)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The subject property is generally bound by Harwood Road to the north, Bedford Road to the south, and State Highway 121 to the east, with the site currently a vacant tract of land. The applicant is requesting to rezone the property allowing for Heartis Bedford to construct an independent living, assisted living and memory care facility within the Master Highway Corridor Overlay District (MHC). The land uses also require the rezoning of the property from Heavy Commercial to Planned Unit Development for the proposed use of an independent living facility within the MHC. The submitted facilities will meet all of the MHC design regulations.

The Planning and Zoning Commission recommended approval of this application at their May 26, 2016 meeting by a vote of 7-0-0, with the stipulation that the site plan be updated to reflect the required 152 parking spaces as agreed to by the applicant during the meeting.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance to rezone Lots 2,3 and 4, Block 1, Highway 121 Business Park Addition and Lot 2, Block 1, Reliant Rehab Hospital Addition, located at 2308, 2332, 2336 and 2340 Airport Freeway (State Highway 121), Bedford, Texas from (H/MHC) Heavy Commercial/Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/Master Highway Corridor Overlay District, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Heartis Bedford to operate an independent senior living, assisted living and memory care facility. The subject property is generally located north of Bedford Road and east of State Highway 121. (Z-296)

FISCAL IMPACT:

N/A

ATTACHMENTS:

- Ordinance
- Site Plan
- Building Elevations
- Aerial
- Zoning Sign Photo
- Planning and Zoning Minutes
- Star Telegram Publication

ORDINANCE NO. 16-

AN ORDINANCE TO REZONE LOTS 2,3 AND 4, BLOCK 1, HIGHWAY 121 BUSINESS PARK ADDITION AND LOT 2, BLOCK 1, RELIANT REHAB HOSPITAL ADDITION, LOCATED AT 2308, 2332, 2336 AND 2340 AIRPORT FREEWAY (STATE HIGHWAY 121), BEDFORD, TEXAS FROM (H/MHC) HEAVY COMMERCIAL/MASTER HIGHWAY CORRIDOR OVERLAY DISTRICT TO (PUD/MHC) PLANNED UNIT DEVELOPMENT/MASTER HIGHWAY CORRIDOR OVERLAY DISTRICT, SPECIFIC TO SECTION 4.15, PLANNED UNIT DEVELOPMENT OF THE CITY OF BEDFORD ZONING ORDINANCE, ALLOWING FOR HEARTIS BEDFORD TO OPERATE AN INDEPENDENT SENIOR LIVING, ASSISTED LIVING AND MEMORY CARE FACILITY. THE SUBJECT PROPERTY IS GENERALLY LOCATED NORTH OF BEDFORD ROAD AND EAST OF STATE HIGHWAY 121. (Z-296)

WHEREAS, it is deemed expedient and for the benefit of the City of Bedford, Texas, that the Zoning Ordinance be rezoned for property known as Lots 2,3 and 4, Block 1, Highway 121 Business Park Addition and Lot 2, Block 1, Reliant Rehab Hospital Addition, located at 2308, 2332, 2336 and 2340 Airport Freeway (State Highway 121), Bedford, Texas from (H/MHC) Heavy Commercial/Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/Master Highway Corridor Overlay District, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Heartis Bedford to operate an independent senior living, assisted living and memory care facility. The subject property is generally located north of Bedford Road and east of State Highway 121. (Z-296)

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:

Lots 2,3 and 4, Block 1, Highway 121 Business Park Addition and Lot 2, Block 1, Reliant Rehab Hospital Addition, shall be shown as approved by this ordinance.

SECTION 3. That the Site Plan attached hereto as Exhibit "A" is approved as a component of this ordinance approval. 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 provisions of other ordinances of the City of Bedford, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting revisions of such ordinances are hereby repealed.

SECTION 5. That it is hereby declared the intention of the City Council of the City of Bedford, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6. That any person, organization, corporation, partnership or entity that violates, disobeys, omits, neglects or fails to comply with the provisions of this ordinance shall be fined not more than two thousand dollars (\$2,000.00) for each offense or violation. Each day that an offense or violation occurs shall constitute a separate offense.

ORDINANCE NO. 16-

SECTION 7. That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Bedford and the laws of the State of Texas.

PRESENTED AND PASSED this 11th day of July 2016, by a vote of ___ ayes, ___ nays and ___ abstentions, at a special meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

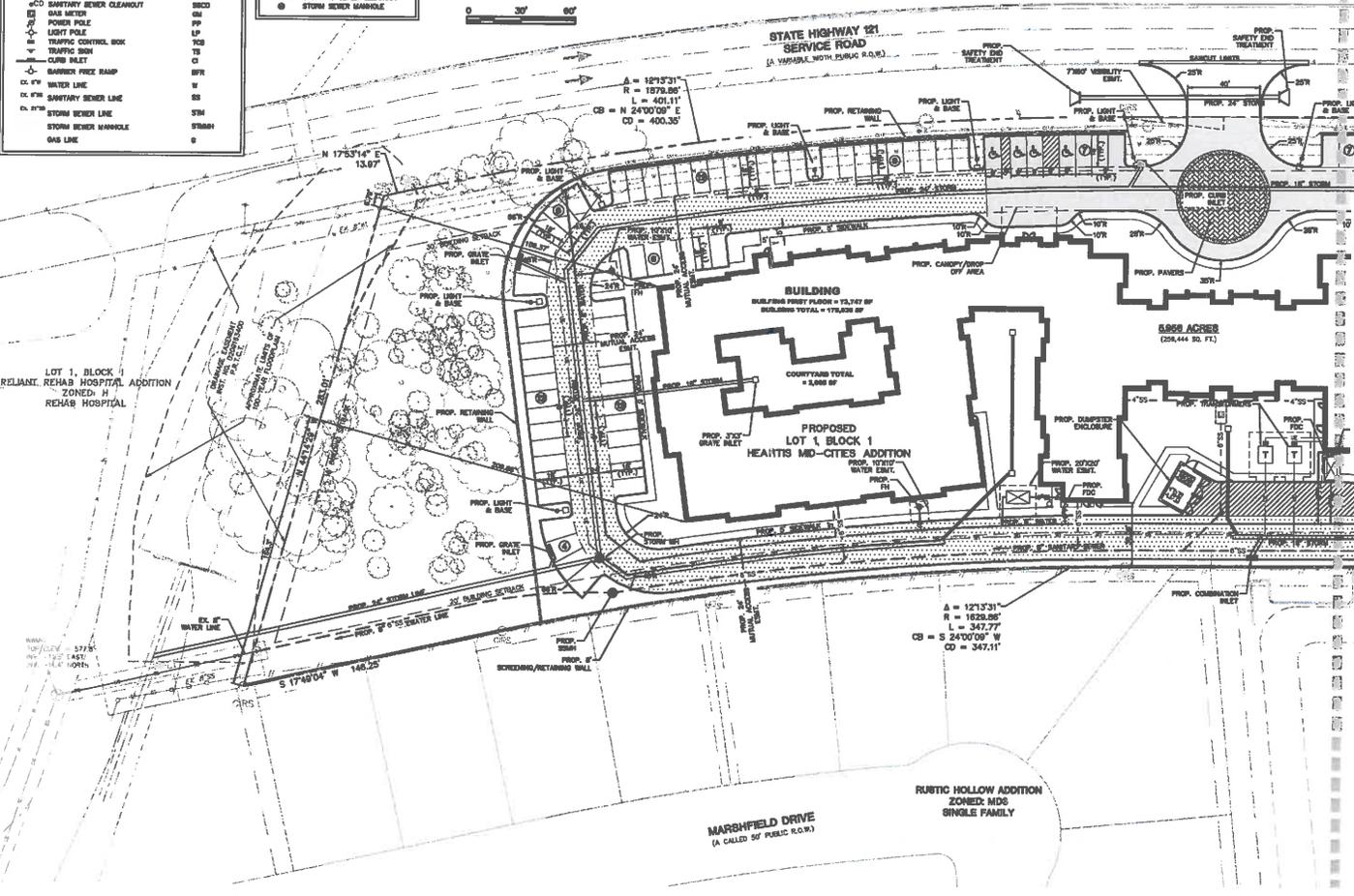
Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

EXISTING LEGEND & ABBREVIATIONS	
◆	FIRE HYDRANT
T	WATER VALVE
W	WATER METER
—	FIRE DEPARTMENT CONNECTION
○	POURIGATION METER
○	SANITARY SEWER MANHOLE
○	SANITARY SEWER CLEANOUT
○	GAS METER
PP	POWER POLE
LP	LIGHT POLE
TCB	TRAFFIC CONTROL BOX
TS	TRAFFIC SIGN
CT	CURB INLET
W	WATER LINE
SS	SANITARY SEWER LINE
SM	STORM SEWER LINE
SMH	STORM SEWER MANHOLE
G	GAS LINE

PROPOSED LEGEND	
◆	FIRE HYDRANT
T	WATER VALVE
W	WATER METER
—	FIRE DEPARTMENT CONNECTION
○	POURIGATION METER
○	SANITARY SEWER MANHOLE
○	SANITARY SEWER CLEANOUT
○	STORM SEWER MANHOLE



LOT 1, BLOCK 1
RELAXANT REHAB HOSPITAL ADDITION
ZONED: H
REHAB HOSPITAL

RUSTIC HOLLOW ADDITION
ZONED: MDS
SINGLE FAMILY

Exhibit "A"



LEGEND	
[Pattern]	PROPOSED 24' FIRE LANE/ACCESS FACILITY
[Pattern]	EXISTING 24' FIRE LANE/ACCESS FACILITY
[Pattern]	PROPOSED DECORATIVE PAVEMENT

SITE DATA SUMMARY	
PROPOSED USE:	HEARTIS MID-CITIES ADDITION (AL, MC & R CENTER)
LOT AREA:	293,444 SQ. FT. = 6.806 AC
ZONED:	HEAVY COMMERCIAL (HC) AND MASTER HIGHWAY CORRIDOR (MHC) OVERLAY DISTRICT
BUILDING FOOTPRINT:	81,200 SQ. FT.
BUILDING AREA:	178,330 SQ. FT. (TOTAL)
MAX. BUILDING HEIGHT:	45'-00" (3 STORIES)
LOT COVERAGE:	40'-00" FROM MF RESIDENTIAL, 41'-00" FROM SF RESIDENTIAL
FLOOR AREA RATIO:	0.3-1.5/1 UNIT, ALA-MC-0.25/RES (PER DAHS)
PARKING REQUIRED:	182 SPACES
PARKING PROVIDED:	182 SPACES
HANDICAP PARKING REQUIRED:	3 STD./1 VAN
HANDICAP PARKING PROVIDED:	8 STD./1 VAN
NOTE:	HANDICAP PARKING IS PROVIDED IN ACCORDANCE WITH ADA STDS.

NOTE: PROPOSED PROJECT SITE IS LOCATED WITHIN THE ZONE X, BOUND AS "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND A PORTION OF THE SUBJECT TRACT OF LAND LIES WITHIN ZONE "X" DEFINED AS "SPECIAL FLOOD HAZARD AREAS SUBJECT TO BEING REGULATED BY THE 1% ANNUAL CHANCE FLOOD. NO BASE FLOOD ELEVATIONS DETERMINED AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, MAP NO. 48463C0230X, EFFECTIVE DATE: SEPTEMBER 23, 2009, FOR TARRANT COUNTY, TEXAS AND INCORPORATED AREAS. IF THE SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR OR ENGINEER.

**SITE PLAN
HEARTIS MID-CITIES ADDITION
LOT 1, BLOCK 1**

BEING LOTS 2, 3, AND 4 OF HIGHWAY 99 BUSINESS PARK, AN ADDITION TO THE CITY OF SEYFORD, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CADDIS PARTNERS A, SLIDE 8088 PLAT RECORDS OF TARRANT COUNTY, TEXAS PERTAINING ALSO BEING ALL OF THAT CALLED EMM ACRES TRACT OF LAND DESCRIBED IN AN ASSIGNMENT DEED TO SOUTHWEST VENTURE/HEARTIS MID CITIES CO. RECORDED IN DOC. NO. 89888888, OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS

OWNER/DEVELOPER:
CADDIS PARTNERS
3910 A CENTRAL EXPRESSWAY
SUITE 200
DALLAS, TEXAS 75206
PH: 972/965-6140
CONTACT: LANA MEDINA

CIVIL ENGINEER:
STANTEC CONSULTING SERVICES, INC.
3310 HARVEST HILL ROAD
SUITE 100
DALLAS, TEXAS 75220
PH: 972/911-0011
CONTACT: KYLON M. WILSON, P.E.

THE CITY OF SEYFORD
SITUATED IN THE 1 & 6 QUARTER SURVEY, ABSTRACT NO. 808,
TARRANT COUNTY, TEXAS
1 LOT - 6.806 ACRES
MAY 18, 2008

- NOTE:
- ALL ADA PARKING AREAS SHALL HAVE MAX 2% SLOPE IN ALL DIRECTIONS.
 - ALL DIMENSIONS SHOWN ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - REFERENCE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.
 - REFERENCE SITE LIGHTING PLANS FOR EXACT LIGHTING LOCATIONS AND DETAILS.
 - ALL CURB RADI SHALL BE 3' TO FACE OF CURB UNLESS OTHERWISE NOTED.

CAUTION!!
CONTRACTOR IS TO CONTACT TEXAS ONE-CALL SYSTEM (1-800-248-4848) OR OTHER UTILITY LOCATING SERVICES AT LEAST 48 HOURS PRIOR TO CONSTRUCTION ACTIVITIES. STATEMENT CONTAINS SERVICES, INC. IS NOT RESPONSIBLE FOR OBTAINING ALL EXISTING UTILITIES IN THE PROJECT AREA NOR FOR OBTAINING THE EXACT LOCATIONS OF UTILITIES OR THESE DRAWINGS.



3310 HARVEST HILL ROAD, SUITE 100
DALLAS, TEXAS 75220
www.stantec.com

FINAL SITE PLAN

Heartis Mid-Cities Assisted Living Facility
CADDIS PARTNERS, LLC

LOT 1, BLOCK 1 LINES ADDITION
TARRANT COUNTY
City of Seiford, Texas

PRELIMINARY FOR REVIEW ONLY

Project Number: 222210101
File Name: E:\2010\10\222210101.dwg

DATE: 05/18/08
DRAWN: KMW
CHECKED: KMW
DATE: 05/18/08
DRAWING NO. 1
REVISION: SHEET 1



1 West Exterior Elevation

Scale: 1/2" = 1'-0"



2 East Exterior Elevation

Scale: 3/8" = 1'-0"



First Bank Tower
401 Congress Avenue,
Suite 1540
Austin, Texas 78701
Voice: 512-467-6380
Firm Reg. No. 4074-11

Not for Regulatory
Approval,
Permitting, or
Construction

Steven R. Zoerner
License #22742

Heartis - Seniors. Living.
Independent Living, Assisted Living and Memory Care
2364 Highway 121
Bedford, Texas 76021

Date: 02/22/2016
#Address:

Project No:
15-D-164
Sheet Title:
Colored Exterior
Elevations

Sheet No:
A5.1

X:\Projects\2016_04\15-D-164_Heartis_Bedford\02 - Schematic Design\A5.1.dwg, May 13, 2016, 7:18pm



1K Independent Living Exterior Elevation
Scale: 3/32" = 1'-0"



First Bank Tower
401 Congress Avenue,
Suite 1500
Austin, Texas 78701
Phone: 512-451-7330
Plan Reg. No. BR 17-2

Not for Regulatory
Approval,
Permitting, or
Construction

Steven R. Zaerner
License #22742

**Heartis - Seniors. Living.
Independent Living, Assisted Living and Memory Care**

2364 Highway 121
Bedford, Texas 76021

Design Development
Package

Date: 03/14/2016
Revised:

Project No:
15-D-164
Sheet Title:
Color
Exterior Elevations

Sheet No:
A5.1

P:\Projects\2015 Jobs\15-D-164 Heartis Bedford\02 - Schematic Design\A5.1.dwg, May 10, 2016, 11:35am



Frost Bank Tower
401 Congress Avenue,
Suite 1540
Austin, Texas 78701
Voice: 512/407/8388
Firm Reg No. 4074-11

Not for Regulatory
Approval, or
Permitting, or
Construction

Steven R. Zoerner
License #22742

Heartis - Seniors. Living.
Independent Living, Assisted Living and Memory Care

2344 Highway 121
Bedford, Texas 76021

Design Development
Package

Date:
03/14/2016

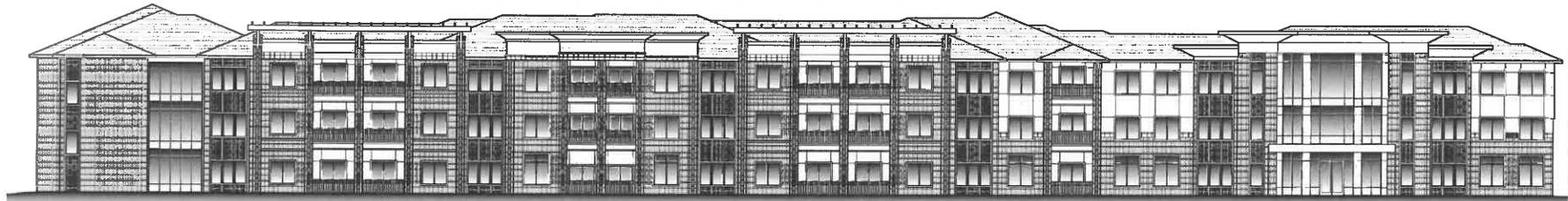
Revisions:

Project No:
15-D-164

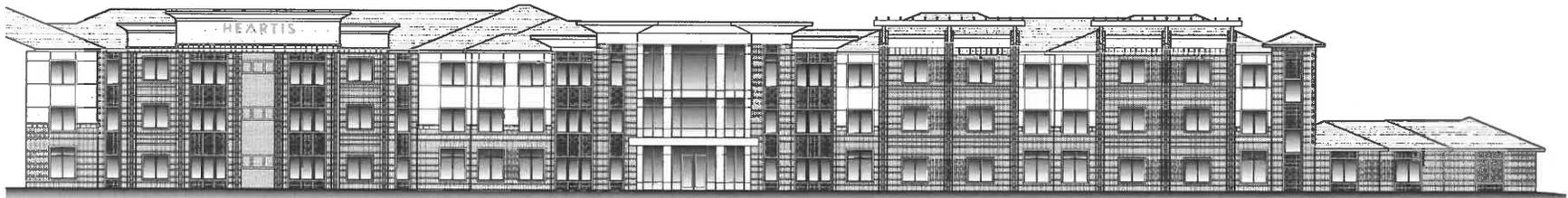
Sheet Title:
Exterior Elevations

Sheet No:

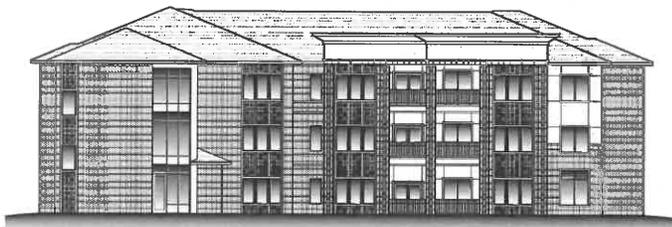
A5.1



1 K Independent Living West Exterior Elevation
Scale: 3/32" = 1'-0"



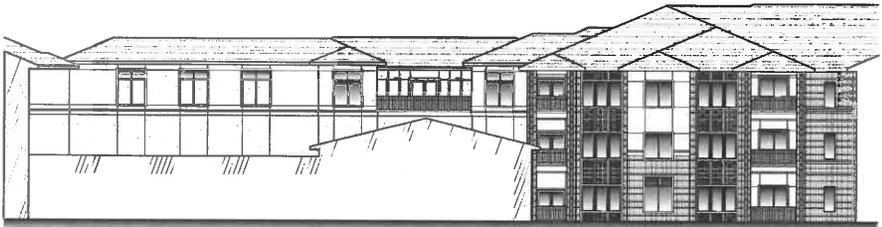
2 K Assisted Living West Exterior Elevation
Scale: 3/32" = 1'-0"



4 K Independent Living North Exterior Elevation
Scale: 3/32" = 1'-0"



3 K Independent Living East Exterior Elevation
Scale: 3/32" = 1'-0"



6 K Independent Living East Exterior Elevation
Scale: 3/32" = 1'-0"



5 K Independent Living South Exterior Elevation
Scale: 3/32" = 1'-0"

E:\Projects\2015_2016\15-D-164_Heartis_Bedford\03 - Design Development_A5.1.dwg, Sun, Mar 13, 2016, 10:50am



Hearing

Date: 5-26-2016 Z-296, P-031, F-049

Address: 2308, 2332, 2336 & 2340 Airport FWY (State HWY 121)
Bedford, TX 76021

Legal Description:

Lot 2,3 & 4 Block 1, Highway 121 Business Park Addition
Lot 2, Block 1, Reliant Rehab Hospital Addition



 200 Ft Buffer

 Project 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 the accuracy of said data.

Z-296, P-031 & F-049 2308, 2332, 2336 & 2340 Airport FWY (State Highway 121)
Zoned "H" Heavy Commercial



Legend

- Proposed Property
- Proposed Buildings

Applicants Signature of Acknowledgement

THIS PROPERTY IS UP FOR
**ZONING
CHANGE**
FOR INFO CALL
CITY OF BEDFORD PLANNING
AND ZONING DEPT. AT:
(817) 952-2137

THIS PROPERTY IS UP FOR A
PLATTING CHANGE
FOR INFO CALL
CITY OF BEDFORD PLANNING
AND ZONING DEPT. AT:
(817) 952-2137

**Z-296, P-031,
F-049**

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF MAY 26, 2016**

APPROVED

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

1. Consider approval of the following Planning and Zoning Commission meeting minutes: May 12, 2016 regular meeting

Motion: Vice Chairman Hall made a motion to approve the meeting minutes of the May 12, 2016 regular meeting.

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

Ayes: Commissioners Culver, Sinisi, Austin, Stroope, Chairman Carlson, Vice Chairman Hall

Nays: None

Abstention: Commissioner Reese

Motion approved 6-0-1. Chairman Carlson declared the May 12, 2016 meeting minutes approved.

PUBLIC HEARINGS

2. Public hearing and consider a request to rezone Lots 2,3 &4, Block 1 Highway 121 Business Park Addition & Lot 2, Block 1, Reliant Rehab Hospital Addition, located at 2308, 2332, 2336 & 2340 Airport FWY (State Highway 121), Bedford, Texas from (H) Heavy Commercial to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development, of the City of Bedford Zoning Ordinance, allowing for Heartis Bedford to operate an independent senior living, assisted living and memory care facility. The subject property is generally located north of Bedford Road and east of State Highway 121. (Z-296)

Emilio Sanchez, Planning Manager, reviewed zoning case Z-296.

Lana Medina, petitioner (development manager), 3021Fairmont Street, Dallas, TX 75201.

Facility will consist of 86 independent living apartments, 60 assisted living apartments, and 32 memory care apartments.

Independent living is for residents who do not necessarily need assistance but are looking to downsize and simply their lives. Assistance is on-site if needed. Meals are also provided/included as part of this program.

Expecting an occupancy rate of around 220 people. There are 171 units, half of which is independent living, and taking into account that there will be some couples moving into those units.

Parking lot to be increased from 140 to 152 parking spots. This will ensure there is adequate space for residents, staff and visitors. Did not initially plan for 152 spots due to tree preservation concerns. Increasing to 152 spots will increase parking without any tree removal while still complying with the parking lot ordinance.

Parking ratio will be 0.85:1, parking spaces per unit at 152 parking spots.

Updated site plan reflecting the additional parking spaces presented to commissioners during meeting.

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF MAY 26, 2016**

APPROVED

Chairman Carlson opened the public hearing at 7:27 p.m.

Chairman Carlson closed the public hearing at 7:27 p.m.

Additional 6 feet is requested for the height of the building due to higher room ceilings and to cover roof-top air-conditioning units. MHC restricts buildings to 35 feet, site plan proposes 41 feet.

Motion: Vice Chairman Hall made a motion to approve zoning case Z-296 with the stipulation that the parking be increased to 152 parking spaces, as per the site plan submitted during the meeting.

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

Ayes: Commissioners Culver, Sinisi, Reese, Austin, Stroope, Chairman Carlson, Vice Chairman Hall

Nays: None

Abstention: None

Motion approved 7-0-0. Chairman Carlson recommended approval of zoning case Z-296 with stipulation of parking increase to 152 parking spaces, as per the site plan submitted during the meeting.

3. **Public hearing and consider a request to preliminarily plat Lot 1, Block 1, Heartis Mid-Cities Addition, located at 2308, 2332, 2336 & 2340 Airport FWY (State Highway 121), Bedford, Texas. The property is generally located north of Bedford Road and east of State Highway 121. (P-031)**

Emilio Sanchez, Planning Manager, reviewed preliminary plat case P-031.

Chairman Carlson opened the public hearing at 7:33 p.m.

Chairman Carlson closed the public hearing at 7:33 p.m.

Motion: Vice Chairman Hall made a motion to approve preliminary plat case P-031 as submitted.

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

Ayes: Commissioners Culver, Sinisi, Reese, Austin, Stroope, Chairman Carlson, Vice Chairman Hall

Nays: None

Abstention: None

Motion approved 7-0-0. Chairman Carlson recommended approval of zoning case P-031

4. **Public hearing and consider a request to final plat Lot 1, Block 1, Heartis Mid-Cities Addition, located at 2308, 2332, 2336 & 2340 Airport FWY (State Highway 121), Bedford, Texas. The property is generally located north of Bedford Road and east of State Highway 121. (F-049).**

Emilio Sanchez, Planning Manager, reviewed final plat case F-049.

Chairman Carlson opened the public hearing at 7:35 p.m.



CITY OF
BEDFORD

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

June 23, 2016

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 Thursday, June 23, 2016.

FROM:

City of Bedford
Emilio Sanchez, Planning Manager

Dear Christine,

Please publish the following in "Legal Notices" on Sunday, June 26, 2016.

MESSAGE:

**CITY OF BEDFORD
PUBLIC HEARING**

The City of Bedford City Council gives notice of a public hearing on Monday, July 11, 2016, at 6:30 p.m. at City Hall, Council Chamber, 2000 Forest Ridge Drive, Building A, Bedford, Texas:

Public hearing and consider an ordinance to rezone Lots 2,3 & 4, Block 1 Highway 121 Business Park Addition & Lot 2, Block 1, Reliant Rehab Hospital Addition, located at 2308, 2332, 2336 & 2340 Airport FWY (State Highway 121), Bedford, Texas from (H) Heavy Commercial to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development, of the City of Bedford Zoning Ordinance, allowing for Heartis Bedford to operate an independent senior living, assisted living and memory care facility. The subject property is generally located north of Bedford Road and east of State Highway 121. (Z-296)

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



Council Agenda Background

<u>PRESENTER:</u> William Syblon, Development Director Emilio Sanchez, Planning and Zoning Manager	<u>DATE:</u> 7/11/16
Council Mission Area: Be responsive to the needs of the community.	
<u>ITEM:</u> Consider an ordinance amending Ordinance No. 15-3143; providing for a new Exhibit 'A' being the City of Bedford Sign Regulations; providing a savings clause; providing a severability clause; and providing an effective date. City Attorney Review: Yes City Manager Review: _____	
<u>DISCUSSION:</u> In 2015, Council and staff identified several areas of the Sign Ordinance that needed attention. These areas include Permanent and Temporary signs. The purpose of this ordinance is to protect property values, as well as provide a neat, clean, orderly and attractive appearance of the community. This ordinance has been revised to reduce sign clutter and to minimize adverse visual safety factors to travelers on areas open to public travel. To achieve this purpose, it is necessary to regulate the design, quality of materials, construction, location, illumination, and maintenance of signs that are visible from public property, public rights-of-way and private areas open to public travel. In December 2015, City Council approved revisions to the sign ordinance that would go into effect on September 1, 2016. These changes included the following: <ul style="list-style-type: none">• Conformance Timeline for Existing and Temporary Signs• Flag Display• Electronic Message Centers• Display Of Feather/Swooper Flags and Balloons for Grand Openings• Political Signs• Area Coverage Of Window Signs• Luminous Lighting in Storefront Windows• Existing Building For Lease Signs• Prohibited Signs On June 9, 2016, a City Council work session was held to discuss possible minor changes to the newly approved ordinance. Additionally, input was received at the June 28, 2016 City Council meeting with suggested modifications to the ordinance. As a result, the following amendments to the Sign Ordinance are being proposed. <ul style="list-style-type: none">• Allowable area of coverage of window signs increased from 25% to 33%.	

- Commercial duplex properties will be allowed to utilize temporary real estate signs if there is space for lease in lieu of the newly required existing building for lease signs.
- Existing building for lease signs will be considered legal non-conforming.
- Existing building for lease signs will be allowed to have color copy; however, neon will not be allowed.
- Permit fees for building for lease signs will be removed; however, permits will still be required.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance amending Ordinance No. 15-3143; providing for a new Exhibit 'A' being the City of Bedford Sign Regulations; providing a savings clause; providing a severability clause; and providing an effective date.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance
Exhibit 'A'
Red-line Ordinance

ORDINANCE NO. 16-

AN ORDINANCE AMENDING ORDINANCE NO. 15-3143; PROVIDING FOR A NEW EXHIBIT 'A' BEING THE CITY OF BEDFORD SIGN REGULATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is authorized by Chapter 216, Regulation of Signs by Municipalities by the Texas Local Government Code to license, regulate, control, or prohibit the erection of signs; and,

WHEREAS, the City Council of Bedford, Texas deems it necessary, in order to provide for the health, safety, and general welfare of the residents of the City of Bedford, to establish the provisions of this ordinance regarding the regulation of signs as authorized by the State of Texas; and,

WHEREAS, The City Council of Bedford, Texas has established regulations for signs, in Chapter 6. "Advertising," Article III. "Signs" of the Code of Ordinances; and,

WHEREAS, the City Council of the City of Bedford has after thoughtful deliberation voted to approve these Sign Regulations.

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 Ordinance No. 15-3143 is hereby amended by providing for a new Exhibit 'A' being the City of Bedford Sign Regulations as incorporated with this ordinance.

SECTION 3. 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 4. 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 5. That this Ordinance shall take effect from and on September 1, 2016 in accordance with law, and it is so ordained.

PRESENTED AND PASSED this 11th day of July, 2016, by a vote of ___ayes, ___nays and ___ abstentions, at a special meeting of the City Council of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

EXHIBIT A

City of Bedford Sign Regulations

DIVISION 1. GENERAL PROVISIONS

Section 6-66. PURPOSE OF ARTICLE

The purpose of this article is to provide uniform sign regulations for the City of Bedford, and its provisions shall be held to be the minimum requirements in the installation, erection, location, alteration, replacing, improving and maintenance of all signs. It is further intended to encourage signs which are well designed; which preserve locally recognized values of community appearance; which protect public investment in and the character of public thoroughfares; which aid in the attraction of shoppers and other visitors who are important to the economy of the city; which reduce hazards to motorists and pedestrians traveling on the public roadways; and thereby to promote the public health, safety and welfare.

Section 6-67. DEFINITIONS

Advertising Matter: The placement on, anchoring of or suspension from any building, pole sign, sidewalk, parkway, driveway, lawn, area or parking area of any goods, wares, merchandise or other advertising object which is, but not limited to, light; inflatable objects, pennants, or flags for the purpose of calling attention to.

Awning: An architectural projection, which provides weather protection, identity or decoration, and is supported by the building to which it is attached. It is composed of a lightweight rigid or retractable skeleton structure over which another cover is attached which may be of fabric or other materials may be illuminated. Sign text and logos on awnings are calculated as signage (not the entire awning area).

Buildings and Standards Commission: A Board composed of members appointed by the City Council to hear and rule upon variance requested to the Sign Ordinance. Building Official: The officer or other persons with the City of Bedford charged with the administration and enforcement of the Sign Ordinance.

Building Cladding: Building cladding is the exterior skin or envelope of a building, and constructed of materials including but not limited to: siding, wood, brick, stucco or stone.

Canopy: A canopy is a roof like structure that shelters a drive lane use such as, but not restricted to, a gasoline pump island. A canopy is open on two or more sides and maybe supported by either columns or by being attached to the building to which it is accessory.

Clearance: The vertical distance from the bottom of a sign face to the ground.

Dilapidated or Deteriorated Condition: Where structural support or frame members are visibly bent, broken, dented, deteriorated or torn sign copy materials and or paint must be to such an extent that a danger of injury to persons or property is created, or where the sign or the structure is not in compliance with the building code adopted by the City.

Erect: To build, construct, attach, hang, place, suspend or affix, and shall also include the painting of the signs on the exterior surface of a building or structure.

Flag: A flag is a rectangular or quadrilateral piece of fabric with a distinctive design that is used as a symbol, as a signaling device, or as decoration.

Flag, Decorative: Decorative flags shall be solid or color flags and may contain Logo, initials, business name or similar content used to attract attention.

Flag, Feather: Flags used to bring attention to, or advertising displays including but not limited to blade, feather, shark fin, swooper, teardrop, triangular and wind flags.

EXHIBIT A

Flag, Pennant: Any lightweight plastic, fabric or other material, whether or not it contains a message of any kind, suspended from a rope, wire, cord, string or other similar material designed to move in the wind whether existing in a series or individually.

Framework: A support structure which meets all existing wind and load requirements as stated in City of Bedford Ordinance, designed to secure a banner or an inter-changeable copy on all sides.

Height Measurement: The height of any sign shall be measured vertically at 90 degrees from the ground at the base of the sign.

Illumination, Internal: Lighting by means of a light which is within a sign having translucent background, silhouetting opaque letters or designs, on which is letters or designs, which are themselves made of translucent material.

Illumination, External: Lighting by means of an unshielded light source, (including neon tubing, etc.) which is effectively visible as an external part of the sign.

Logo: A “logo” is any design or insignia of an organization, individual, company, or product which is commonly used in advertising to identify that organization, individual, company or product.

Maintenance: The repair or replacement in kind of individual sign components including copy panels; electrical wiring and bulbs; or paint, stucco or other exterior finishes. This definition shall include the replacement of cabinets, structural faces, supporting structural members, primary uprights, posts and poles, or the sign in its entirety.

Parcel: A land area represented by a unified grouping of tenants, uses, or owners located in a shopping center, office complex, or industrial complex which utilizes common parking lots, landscaped areas, fire lanes, entrances, and/or signage. Said unified grouping may be located on multiple and separate platted lots or lots of record but may function under a single management system sharing amenities.

Setback: The distance from the property line or right-of-way line of all streets adjacent to the premises on which the sign is located.

Sign: Every sign, name, number, identification, description, announcement, declaration, demonstration, device, display, flag, banner, pennant, illustration, logo, balloon, streamer, valance, advertising display, poster, beacon, painting with advertising or commercial message, light or insignia, affixed directly or indirectly to or upon any building, window, stakes, posts, poles, trees or outdoor structure, calling attention to any object, product, service, place, or activity.

Sign, Abandoned: Any sign which pertains to a time, event or purpose which no longer obtains; any sign which was erected for or by the owner, occupant or business on a property and is now unrelated to the present use of this property; any sign, except a real estate sign, which is located on property which becomes vacant and unoccupied for a period of three months or more.

Sign, Area: Calculation means the area of the sign to be computed by drawing a line or lines around the sign in such a way as to form a rectangle oriented horizontally. The sum square footage of these figures shall be considered as the total area of the sign face. A sign face may be single sided or double sided, as with a typical pole sign; however, to calculate the area of a multi-sided sign, the sum of all sides of the sign shall not exceed twice the area specified for sign face.

Sign, Balloon: A visible airtight or air-flow through apparatus commonly made of latex, mylar, vinyl, PVC or other similar material that extends by a cord, rope, string, wire, stick or other similar material for the purpose of advertising or attracting attention to a business, commodity, service, sale, or product.

EXHIBIT A

Sign, Banner-Horizontal: A temporary sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentation's applied to paper, plastic, or fabric of any kind.

Sign, Banner-Vertical: A temporary sign of a lightweight fabric or similar material that is mounted in a vertical fashion secured at top and bottom of banner and secured to a building, parking lot pole or other permanent structure on the property. This banner is not considered as being a feather flag.

Sign, Banner-Vertical Sidewalk: A "still in business" temporary sign that is attached to an aluminum or fiberglass rod which is inserted directly into the ground or into a sleeve embedded in the ground or portable base. The flag portion of the sign is attached to a horizontal support at the top and the bottom of the banner, securing it to the rod. This banner is not considered as being a feather flag.

Sign, Billboard: A sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service or product not principally located or primarily manufactured or sold on the premises on which the sign is located. These signs are generally located off premise.

Sign, Box: The rectangle used to calculate the sign area.

Sign, Business: An on-site sign which directs attention to, and/or used to identify a business, profession, organization, institution, commodity, service, activity, entertainment, or other non-residential use conducted, sold, or offered on these premises, (site) where such sign is located, or within the building to which such sign is affixed.

Sign, Commercial Construction: A temporary on-site ground sign that pertains to nonresidential development approved or under construction.

Sign, Changeable Copy: The changing of advertising copy or message on a painted or printed sign, or the changing of advertising copy or message on a changeable reader board such as a theater marquee, electronic message board or similar signs specifically design for use of replaceable copy. The installation and construction of such signs shall be governed by the appropriate sign type; however the Changeable Copy message does not require a sign permit.

Sign, Directional: A permanent on-site attached sign intended to aid in vehicular movement on the site.

Sign, Directory: A sign listing the occupants of a building, or group of buildings on the same parcel, and/or identifying the location of and providing directions to any establishment on the same parcel.

Sign, Electronic Message Center: A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display and where the image sequence is accomplished immediately.

Sign, Enclosed Frame/Changeable Copy: See *Sign, Changeable Copy*.

Sign, Existing Building For Sale/Leasing (Permanent): An on-site free-standing sign intended to advertise a building or buildings in excess of three lease spaces for sale or lease.

Sign, Existing Building For Sale/Leasing (Temporary): A temporary on-site free-standing sign intended to advertise a building or buildings with three or less lease spaces for sale or lease. The temporary sign shall not exceed six (6) square feet in area with base/stake(s) commonly made of metal, wood or other similar material approved by the Building Official with an end for driving into the ground.

Sign, Flashing: An illuminated sign on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when such sign is illuminated. For the purpose of the ordinance, any moving illuminated sign affected by intermittent lighting shall be deemed (to be) a flashing sign.

EXHIBIT A

Sign, Freestanding: A sign not attached to a building. A freestanding sign may include but not be limited to a pole, pylon or a monument sign.

Sign, Gasoline Pricing: An outdoor advertising display with changeable copy letters and numerals that displays the current price of fuel or gasoline for sale.

Sign, Ground: Any sign connected to the ground by legs, poles, or other supports and which is not an attached, portable, monument, or vehicular sign.

Sign, Illegal: The Building Official, Code Compliance Officer or designated representative shall be authorized to abate or impound any temporary or permanent sign which is in violation of these regulations. Inclusive of advertising matter that constitutes a violation of the Bedford Sign Ordinance.

Sign, Illuminated: A sign which has characters, letters, figures, or designs illuminated by electric lights, luminous/neon tubes or other means that are specifically placed to draw attention to, or provide nighttime viewing of, the subject matter on the sign face.

Sign, Incidental: A sign with copy not to exceed three (3) square feet in surface area, of a non-commercial nature, intended primarily for the convenience of the public. Included but not limited to; signs designating restrooms, occupation, address numbers, hours of operation, entrances to buildings, directions, nameplates, public telephones and similar.

Sign, Inflatable's: Inflatable objects used to bring attention to, or advertising displays including but not limited to air puppets, wind dancers, hot air and rooftop inflatable's,

Sign, Menu Board: A sign displaying the menu for a drive up window for an establishment such as a food establishment or car wash.

Sign, Monument: A permanent ground sign generally constructed out of brick, stone, or cast concrete foundation across the entire base of the structure.

Sign, Mural: Artwork applied to the wall of a building depicting a scene or event of natural, social, cultural, or historic significance. Telephone numbers, advertising messages, and addresses may not be included in the artwork; however, logos, trademarks, and icons may be incorporated into the artworks as integral parts of the work.

Sign, Nonconforming: Any sign lawfully constructed which fails to conform to the provisions of this article.

Sign, Off-Premise: The term "off-premise sign" means a sign which is issued or intended to be used to attract attention to activities, commodities, services or other endeavors not offered on the premise on which the sign is located.

Sign, On-Premise: The term "on-premise sign" means a sign which promotes or advertises activities, commodities, services, or endeavors which are offered on the premise on which such sign is located.

Sign, Pole: A freestanding sign supported by a pole or poles having no guys or braces to the ground or to any other structure.

Sign, Political: A temporary sign pertaining to any national, state, county or local election. A sign that contains primarily a political message.

Sign, Portable (or moveable): Any sign which is not attached or affixed to the ground, a building, vehicle, or other fixed structure or object. Portable signs include those signs installed on wheels, trailers, skids, and similar mobile structures.

Sign, Projecting: A sign that projects from a building or wall, to which it is affixed, by more than twelve (12) inches.

Sign, Pylon: A freestanding multi-tenant sign erected on a premise; said sign having two or more tenants. Pylon poles, shafts, piers shall be solidly affixed to the ground and not attached to a building. The primary supports, columns, or poles shall be located on the outside of the sign structure with the contents of the sign affixed between the columns.

EXHIBIT A

Sign, Reader-board: A changeable copy sign with strips attached to the face of the sign to hold removable displays letters and numerals for the purpose of identifying products sold or services provided by the related business tenant on the same premise.

Sign, Real Estate: A sign pertaining to the sale, lease or rental of real property.

Sign, Real Estate Land Sale: An on-site ground sign on vacant land intended to advertise land for sale including un-platted tracts of land.

Sign, Residential Construction: A temporary on-site ground sign that pertains to a new residential development that is approved or under construction.

Sign, Roof: A sign erected upon or above a roof or parapet of a building or structure.

Sign, Sandwich Board: A portable sign consisting of two panels of equal size, which are hinged at the top and placed on the ground or pavement so as to be self-supporting.

Sign, Still in Business: A temporary sign to advertise and notify of the continued operation of a business at a site which may experience trauma due to public construction causing a disruption, decreasing visibility or difficulty of access to the site on which the business is located.

Sign, Temporary: Any sign constructed of cloth, canvas, plastic, light fabric, wallboard or other material with or without frames intended to be displayed for a limited period of time only.

Sign, Vehicular: Any sign attached to a trailer, skid, or similar mobile structure, where the primary use of such structure is to provide a base for such sign or constitute the sign itself.

Sign, Video Display: A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to indicate movement.

Sign, Walker (Human Directional Sign): A person, visible from the public R.O.W., which is holding, twirling, or wearing a sign or costume to draw attention to a business, project, place, or event.

Sign, Wall: A sign which is attached or affixed to the wall of a building or is an integral part of the wall of a building with the exposed face of the sign in a plane parallel to and not extending more than twelve (12) inches from said wall. A wall sign shall not extend above, the wall/parapet to which the sign is attached. For the purpose of this section, awnings, canopy fascias, mansards extending along a building side shall be considered a part of the wall. The roof (including mansard and fake mansard roofs) and roof area are not included in the wall area.

Sign, Wall-Primary: The wall determined to be the primary signage wall, subject to its incorporating either the major entrance or the common street address.

Sign, Wall-Secondary: The wall of a building which is determined to be of secondary importance to the business or establishment occupying the premises, and shall include any wall not designated as a primary wall; and shall not limit the number of secondary signs placed on the building.

Sign, Weekend Builder's Directional: A sign providing direction or instruction to guide persons to sites where new homes are under construction, usually off-premise.

Sign, Window: Any sign, poster, advertising decals, advertising decorative film, advertising or decorative painting, illuminated object or other similar displayed item, located on the internal or external surface of a window for the purpose of advertising or calling attention to any object, place, business' name, telephone number, website information, services, commodities, and/or products offered or sold that are available within the building that is visible from a public street or sidewalk.

Vehicle: Every mechanical device, in, upon, or by which any person or property is or may be transported or drawn upon a public street or highway, including any motor vehicles,

EXHIBIT A

commercial motor vehicles, truck, tractor, bus, motorcycle, motor home, camper, recreational vehicle, trailer, golf cart, watercraft or aircraft.

Wall Area: The area of the wall from the finished floor elevation (or top of foundation) to the top of the parapet wall or to the bottom of the eave, whichever is highest. This wall area is as shown on the architectural elevation of the wall including glass area and recessed wall areas.

Wall Area, Multistory Building: The sign wall area calculation for multistory buildings shall be based upon the height of the first story (including any mezzanine level).

Section 6-68. ADMINISTRATION & ENFORCEMENT

- (a) Building Official: The provisions of this article shall be administered and enforced by the Building Official, Code Compliance Officer or designated representative. All other officers and employees of the city shall assist and cooperate with the Building Official, Code Compliance Officer or designated representative in administering and enforcing the provisions of this article.
- (b) Permits required. No sign shall be erected, re-erected, constructed, attached, altered, except as provided by this article and after a permit for the same has been issued by the building official. A separate permit shall be required for a sign for each business entity, and a separate permit shall be required for each group of signs on a single supporting structure. In addition, electrical permits shall be obtained for electric signs.
- (c) Application for permit. The application for a sign permit shall be in a form approved by the Building Official which shall contain the following information:
1. Sign use classification.
 2. Name, address and telephone number of the applicant.
 3. Name, address and telephone number of the owner of the property on which the sign is to be located.
 4. Name, address and telephone number of the lessee the sign is to benefit, if any.
 5. Name, address and telephone number of the person erecting the sign.
 6. Scaled site plan showing:
 - a. location of the building, structure or tract to which or upon which the sign is to be attached or erected,
 - b. the position of the sign in relation to nearby structures or other signs, and
 - c. dimensions of setbacks, building lines, distances between sign and streets and property lines.
 7. Scaled drawing of the sign including the height, width, area, design and text.
 8. Engineered drawings (subject to requirement by the Building Official)
 9. Such other information as may be requested by the Building Official.
- (d) Fees. Sign permit fees and plan review fees shall be paid in accordance with the sign permit fee schedule established by the Bedford City Council. Sixty-five percent of the sign permit fee shall be charged as a plan review fee.
- (e) Sign Maintenance Required. All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be kept in good repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times.
- (e) Double permit fee: The permit fee for a sign permit shall be doubled when the installation or alteration of a sign is commenced or completed before the necessary permit is obtained.
- (f) Time limit for exercise of sign permit: In all cases where a sign permit has been approved, the sign permit shall be obtained and the sign(s) erected within a period not to exceed 180 days from the date of approval. In the event such sign or signs are not erected within this period the permit shall become null and void.

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- (g) *Only permitted signs to be erected:* No person shall erect, reconstruct, alter, relocate or place any sign within the city except such signs as are permitted by this article. All signs, including the frames, braces or supports thereof, shall be constructed and maintained in compliance with this title, the building and electrical codes, the zoning ordinance and all other applicable ordinances of the city.
- (h) *Inspections:* All signs for which permits are required shall be subject to inspection by the building official. Footing inspections may be required by the building official for all signs having footings. All signs containing electrical wiring shall be subject to the provisions of the governing electrical code, and the electrical components used shall bear the label of an approved testing agency. The building official may order the removal of any sign that is not maintained in accordance with the provisions of this section. All signs may be re-inspected at the discretion of the building official.
- (i) *Fines for Noncompliance:* Violators of any provision of this section shall be subject to fines set forth in this Code and/or signs may be removed by agents and employees of the city and may be either stored or destroyed without liability to the city or its agents or employees. The City may maintain custody of a confiscated sign up to ten (10) days. After ten (10) days the sign is subject to disposal. The owner of a sign confiscated by the City may claim the sign if it is still in the custody of the City upon payment to the City of an administrative fee of \$60.00 per sign. Violators are subject to municipal action for signs confiscated by the City and are subject to a fine as provided by State law.
- (j) *Permit Revocable:* The Building Official may suspend or revoke any sign permit whenever it is determined that the permit has been issued in error or on the basis of incorrect or false information supplied, or whenever such permit was issued in violation of any provision of this ordinance, any other ordinance of the City, the laws of the State of Texas or the federal government. Such revocation shall be effective when communicated in writing to the person to whom the permit is issued or the owner of the sign or the owner of the premises on which the sign is located. Any sign the subject of a revoked permit shall be immediately removed by the person in control of the sign or premises upon which the sign is located within 15 days of written notice of revocation.
1. A person may appeal the revocation of the sign permit to the Building and Standards Commission by filing with the Building Official written notice of an intention to appeal within 10 days after receipt of written notice of revocation. The decision of the Building and Standards Commission is final.
 2. Notice of revocation shall be deemed to have been received when deposited in the mail, postage prepaid, addressed to the owner of the premises, the owner of the sign, and the tenant for whose benefit the sign is erected as listed in the permit application.
- (k) *Existing Signs:* Existing Signs shall be subject to the following restrictions:
1. Existing signage regulated under Sections 6-70 (a), 6-70 (h), 6-74 (j), 6-74 (k) and 6-74 (q) of this ordinance and installed prior to the adoption date of this ordinance, shall be required to become compliant with the requirements of this ordinance not later than September 01, 2016.
 2. All other existing signs not identified in Section 6-68 (k) 1, and are lawfully legal non-conforming may exist in their present form but no such signs shall be altered or moved unless a permit is issued pursuant to the provisions of this ordinance. Non-conforming signs shall be removed. Replacement or new signage shall be required to comply with the current sign regulations.
 3. All existing signs are subject to requirements of the code regarding safety, maintenance and repair. Repair and maintenance of all existing signs may be performed as necessary provided not more than fifty percent (50%) of the sign is repaired, altered, or replaced. If more than fifty percent (50%) of the sign is affected regarding repair, alterations, or replacement, then any existing conforming status is lost and the sign must be brought into compliance with the current sign regulations.
- (l) *Sign Removal:* The owner or owner's representative of any property upon which any of the following signs are located shall immediately remove the sign upon notice from the Building Official, Code Compliance Officer or designated representative:
1. Upon determination by the Building Official, Code Compliance Officer or designated representative that a sign is in a dilapidated or deteriorated condition, the Building Official, Code Compliance

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Officer or designated representative shall give notice of said determination to the owner of the sign, or the owner of the property on which the sign is erected, and the lessee that the sign is to benefit. Said notice shall further specify a time period in which said dilapidated or deteriorated condition must be corrected. In the event the dilapidated or deteriorated condition is not corrected within the time provided in the notice of the Building Official, Code Compliance Officer or designated representative, then the owner of the property on which said sign is erected and the owner of the sign shall immediately remove the sign and all parts of the sign including supports, bracing and post.

- (m) *Removal by City:* In the event any owner of property on which a sign is situated fails to comply with any order issued by the Building Official, Code Compliance Officer or designated representative for removal of a sign under the provisions of this ordinance, then the City may undertake to remove said sign in compliance with the order. The owner of the land on which the sign is situated and the owner of the sign shall pay all costs incurred by the City in the removal of the sign.
- (n) *Relief by the Building and Standards Commission for Permanent Signs:* In order to prevent or lessen practical difficulties and unnecessary hardship inconsistent with the objectives of this article, the Building and Standards Commission may grant relief in the form of a waiver from the regulations prescribed herein relating to the height, area, location and number of said permanent signage; in such cases, however, the following circumstances shall be found to apply when granting a waiver:
1. Any waiver granted shall be subject to such conditions as will assure that the waiver thereby granted shall not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is situated; and
 2. Due to special circumstances applicable to the subject property, including size, shape, topography, street frontage, location or surrounding land use, the size or height of the building on which the sign is to be located; the classification of the street or highway on which the sign is located or designed primarily to be viewed from, the strict application of sign regulations is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
- (o) *Appeal- Decision of Building Official:* All questions of interpretation and enforcement shall be first presented to the building official and such questions shall be presented to the Building and Standards Commission (established by Section 22-31 of this Code), only on appeal from the decision of the administrative official. Any person aggrieved by any interpretation or by any decision or ruling of the building official for under the Sign Ordinance, shall have the right to make an appeal to the Building and Standards Commission. Notice of appeal shall be in writing and must be filed within 30 days. A fee of \$100.00 shall accompany such notice of appeal. Such an appeal shall be considered at a commission meeting and shall be subject to the regulations contained herein for commission meetings.
- (p) *Building and Standards Commission Appeal Hearing:* Within a period of 30 days from the filing of the appeal, the commission shall hear the appeal, together with the testimony of all parties concerned, and render a decision thereon within three (3) days thereafter. In hearing such an appeal, the commission shall not have the power to unconditionally waive or set aside the requirements of the sign ordinance, but shall have the power to interpret its provisions, and in case of alternate signage, shall determine whether such alternate signage is in fact equal to the standards of the sign ordinance, considering adequacy, stability, strength and safety to the public health and welfare.
- (q) *Appeal to District Court:* Any person who may be aggrieved by the decision of the Building and Standards Commission from a public hearing shall have a right of appeal to the District Court within ten (10) days from the date of the commission decision.
- (r) *Precedent of Regulations:* Where the rules and regulations of any other ordinance conflicts with these sign regulations, the regulations contained herein shall prevail and take precedence over any other regulation, including provisions as recorded in any zoning overlay district; however, with the exception of any Planned Unit Development district adopted after the effective day of this sign regulation.

DIVISION 2. CONSTRUCTION; INSTALLATION

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Section 6-69. GENERAL REGULATIONS

- (a) Sign Placement: All signs advertising the name of the business, services provided, or products sold, shall be located on the premises.
- (b) Existing and Proposed Sign area: Each establishment shall be entitled to sign area within the as set forth herein limitations. However, the area of all existing signs to remain on the premises occupied by the establishment shall be reported by the applicant and shall be added to the proposed new sign(s) for comparison with these limitations, which shall govern total sign area, existing and proposed.
- (c) Setback Limitation: There shall be a separation of ten feet between stand-alone signs. In addition, no, part of any sign shall overhang the property line into the public right-of-way or into the adjacent property. Signs shall be located a minimum of ten feet (10') from any overhead power line.
- (d) Street Visibility Triangle: No sign or other advertising structure shall be erected in the 25' by 25' visibility triangle at the intersection of two streets. The street visibility triangle is formed by the property lines and a diagonal line connecting them at points twenty-five feet (25') from the intersection of the property lines in compliance with the provisions provided in the Bedford Development Codes. Any sign projecting into the visibility triangle shall have a clearance of at least ten feet above the centerline grades of the intersecting streets.
- (e) Driveway Visibility Triangle: No sign or other advertising structure shall be erected in the 7' by 60' visibility triangle at the intersection of driveway with a street. The driveway visibility triangle is formed by the property line, the edge of the driveway and a diagonal line connecting a point seven feet (7') along the edge of driveway from the right-of-way and a point 60 feet along the right-of-way line from the edge of driveway. This driveway visibility triangle shall be in compliance with the provisions provided in the Bedford Development Codes. Any sign projecting into the visibility triangle shall have a clearance of at least ten feet above the centerline grades of the intersecting streets.
- (f) Traffic hazard: No sign shall be erected at any location where, by reason of the position, shape or color it may interfere with, obstruct the view of, or be confused with any authorized traffic sign or signal device; or which makes use of the words "stop", "go", "caution", "look", "danger", or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic. Nor shall any person or individual (sign, walker) carry a sign in a public right-of-way.
- (g) Pedestrian hazard: All signs or other advertising structures, which are erected at any point where pedestrians might be endangered, shall have a smooth surface. No nails, tacks or wires shall be permitted to protrude therefrom.
- (h) Lighting restrictions: Illuminated signs shall be erected in such a manner as not to interfere with traffic or pose other health or safety hazards. Spotlights or floodlights shall be shielded and shall be specifically directed at the sign itself. Spotlights or floodlights shall be fully shielded so that they are not visible from streets or adjoining property.
- (i) Wind Pressure and dead load requirements: All signs shall be designed and constructed to withstand wind pressure of not less than 90 mph wind load factor and shall be constructed to receive loads as required by the Building Code.
- (j) Site plan. Whenever a site plan is required to be filed, the site plan shall show the proposed location of any signs to be erected on the property and shall define the size and height of the signs with dimensions and elevation views.
- (k) Sign Buffer Area at edge of a building: The edge of a wall sign shall be a minimum distance of one foot from the edge of the building wall or tenant space divider.
- (l) Sign Face: No more than two sign faces (sides) are allowed per sign.
- (m) Wall Sign Setback Bonus. Wall signs that are setback from the public street right-of-way over one hundred and fifty feet (150') can increase the maximum primary wall signage size by 25%, and increase it an additional 25% for every additional one hundred feet (100') of setback; up to a maximum of 200% of the allowed sign area (i.e. 20% of the primary wall area) at four hundred and fifty feet (450').
 - 1. Over 150' setback, 125% of allowed sign area, or 12.5% of primary wall area,

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2. Over 250' setback, 150% of allowed sign area, or 15% of primary wall area,
3. Over 350' setback, 175% of allowed sign area, or 17.5% of primary wall area,
4. Over 450' setback, 200% of allowed sign area, or 20% of primary wall area*

*Under no circumstances shall the primary wall signage exceed 400 square feet regardless of wall size or increased setbacks.

(n) Required Parking Space: No sign shall be located in a required parking space.

(o) Flag Display:

- (1) The City of Bedford does not intend to prohibit, restrict, or have the effect of prohibiting or restricting an owner from the display of:
 - (a) the flag of the United States of America;
 - (b) the flag of the State of Texas; or
 - (c) an official or replica flag of any branch of the United States armed forces.
- (2) The following requirements apply to the display of any flag in the City of Bedford:
 - (a) The flag shall be displayed on a flagpole in a safe, secure manner that ensures the flag will not fly away or become a hazard.
 - (b) For residential lots, flag dimensions shall not exceed twenty-four (24) square feet. Commercial, Non-residential uses that are permitted in residentially zoned districts and Multi-Family zoned districts shall be exempt from this provision.
 - (c) A flagpole shall be supported and be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole, and any flag pole shall be made of safe materials and not be corroded.
 - (d) A flag shall not display obscenities in which the dominant theme of material taken as a whole appeals to a prurient interest in sex or is patently offensive because it affronts community standards relating to the description or representation of sexual matters and is utterly without redeeming social value.
 - (e) The display of a flag, or the location and construction of the supporting flagpole, shall not be located in a dedicated easement or public right of way.
 - (f) A displayed flag and the flagpole on which it is flown shall be maintained in good condition and a deteriorated flag or deteriorated or structurally unsafe flagpole shall be repaired, replaced, or removed.
 - (g) A maximum of two (2) flags or flagpoles may be located on a residential lot. Commercial, Non-residential uses that are permitted in residentially zoned districts and Multi-Family zoned districts shall be exempt from this provision.
 - (h) A flagpole or flag on a residential lot shall not be more than twenty (20) feet in height from the ground if located in the front yard of the property. Commercial, Non-residential uses that are permitted in residentially zoned districts and Multi-Family zoned districts shall be exempt from this provision.
 - (i) Flagpoles in excess of twenty (20) feet in height shall require a permit.
 - (j) Intensity of lights used in the display of the flag shall not shine upon a dwelling or property of another in such a manner as to causes distress, discomfort or injury to persons or in such a manner as to cause a glare or brightness to a degree that it constitutes a hazard or nuisance to traffic or person.
 - (k) Flag or flagpole shall not cause noise to the degree that would disturb a person of reasonable sensitivities on the adjoining property or the nearby neighborhood in regard to the noise caused by the flapping of a flag or noise caused by the external halyard of a flagpole.

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- (l) Flags depicting or relating to a national, local or religious holiday or season shall be exempt from the display regulations of this ordinance if installed maintained or displayed for not more than 45 consecutive days and coinciding with a national, local or religious holiday or season.
- (m) Flags four (4) square feet and less shall be exempt from the display regulations of this ordinance.

Section 6-70. SIGN TYPES

(a) Electronic Message Center: Electronic Message Centers shall be subject to the following restrictions:

1. No Electronic Message Center shall:
 - a. Display animated, full-motion or other moving images, display strobe, flashing, blinking images, expanding or contracting shapes, rotation or any similar visual effects of animation or movement.
 - b. Change the display of an image, graphic, text, or information on the sign for a period not less than once each eight (8) seconds. Any changes shall occur with fade, dissolve or an instant on/off cycle only.
 - c. Include any audio message.
2. Electronic Message Centers shall be permitted in districts zoned “S”, “L”, “H”, “I”, “PUD”, “MHC” and non-residential uses that are permitted in residentially zoned districts.
3. Electronic Message Centers shall not be allowed for primary or secondary wall signs but shall be allowed for incidental signage only.
4. Electronic Message Centers shall be equipped with both a dimmer control and a photocell which automatically adjusts the display's intensity according to natural ambient light conditions.
5. As measured from the nearest residential property line, no light emanation from an adjacent Electronic Message Center shall be in excess of 3 foot-candles.
6. Electronic Graphics Display Signs shall be illuminated at a level no greater than 0.3 foot-candles over ambient light levels for the location and shall employ light cutoff devices such as, but not limited to, louvers in order to minimize light escaping above the horizontal plane. Foot-candle readings shall be measured at ground level at the distances shown in Table 6.1.

Table 6.1

Sign size (Square Feet)	Distance from source
0 to 100	100 feet
101 to 350	150 feet
351 to 400	250 feet

(b) Video Display Signs: shall be permitted by granting of a waiver to the Sign Types regulations on a site-specific basis upon approval of the Building and Standards Commission.

(c) Vehicular Signs.

1. It shall be unlawful to attach any sign to a trailer, skid, or similar mobile structure, where the primary use of such structure is to provide a base for such sign or constitute the sign itself. This provision does not restrict the identification signs on vehicles used for bona fide transportation activity.
2. Unless otherwise provided by another ordinance, vehicles that display signage with advertisement and parked on the same site or premise of such business that it represents shall be permitted provided that such vehicle shall be parked on the side or rear of the building. Vehicles not able to be parked on the side or rear of the building shall be located adjacent to the front of the building and shall not be parked adjacent to the public right-of-way unless the vehicle is temporarily being used for loading or unloading of goods or merchandise.

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Government vehicles and vehicles operating under a City franchise are excluded from this requirement.

3. Signs placed on or affixed to vehicles and or trailers which are parked on public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property are prohibited.
- (d) Grand Opening. Grand opening events may utilize inflatable objects, pennant flags, feather flags and banner signs for a period not to exceed 30 days. Grand opening events are limited to the first 90 days after a certificate of occupancy has been issued. No searchlights or flashing type lights are allowed and are strictly prohibited during these events. When an existing business has substantially remodeled, as determined by the building official, the business will have the option of having a Re-Grand Opening. Permit is required.
- (e) “Still in Business” signs: Temporary signage necessary for operation of a business located on site during construction caused by public police authority in which access or visibility of the business is substantially hampered may be approved by the building official upon submitting plans addressing such condition.
1. Permit Required.
 2. Shall not exceed 50 square feet in area.
 3. A sidewalk vertical banner may be used. The sidewalk vertical banner, including frame, shall not exceed twenty-six (26) inches in width and ten (10) feet in total height.
 4. At his/her discretion, the building official may defer such approval to the City Manager’s Office or his or her designee. The decision of the City Manager is final.
 5. Is exempt from permit fee.
 6. Excluding feather flags, decorative flags and balloons, all other signs described in section 6-72 “Temporary Signs” shall be allowed for “Still in Business” signage.
- (f) Political Signs:
1. Political signs shall be subject to Section 216.903 of the Local Government Code.
 2. The following shall apply to political signs:
 - (a) A permit fee shall not be required.
 - (b) A political sign shall be allowed in any zoning district.
 - (c) Political signs shall not be located on any utility, light, traffic signal or sign pole.
 - (d) Political signs shall not be located so as to cause a safety or traffic hazard.
 - (e) Political signs shall not have an area greater than 36 square feet.
 - (f) Political signs shall not be more than eight feet in height.
 - (g) Political signs shall not be illuminated or projected.
 - (h) Political signs shall not contain any moving elements or parts.
 - (i) Political signs shall not be placed within public right-of-way.
 3. Political signs are allowed on private real property only with the consent of the property owner.
 4. Except as provided for in Subsection five (5), no political sign may be placed on public property owned, leased, or controlled by the City of Bedford. Provided, however, this subsection does not prohibit and individual from carrying or displaying political signs, nametags, badges, banners, or other political or campaign materials on public property so long as such activity is conducted in accordance with Chapter 61 and Chapter 85 of the Texas Election Code, as now or hereafter amended.

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5. Time, place and manner restrictions – signs on public property during voting periods.
 - (a) Time. In accordance with Texas Election Code §61.003, signs shall be allowed at polling sites during early voting periods or on Election Day. Signs so posted must be removed within forty-eight (48) hours after the close of the early voting period or the close of the polls on Election Day, whichever is applicable.
 - (b) For so long as required by Texas Election Code section 61.003 and 85.036, all public property upon which there is located a polling place, outside the area described in §61.003, and within the area which is allowed to have signs posted shall meet the following requirements:
 1. that is not on impervious surfaces;
 2. that is not a traffic or safety hazard;
 3. that is attached to a stake not to exceed a 9 gauge diameter (American Wire Gauge standard (AXG)) driven into the ground well clear of tree roots, irrigation lines and any other underground vegetation or structures
 4. not to be attached to any building or structure;
 5. not in a landscape bed to include flower beds;
 6. shall not have an area greater than six square feet; and
 7. an area which meets all the requirements of this ordinance.

(g) Projecting Signs:

1. One sign shall be allowed to project from the building face for each street-level business.
2. Signs shall not be located above the top of parapet wall or roof eave of a building.
3. Projecting Sign over a pedestrian walkway or drive must be a minimum of eight (8) feet clearance between the grade of the sidewalk or drive and the lowest portion of a Projecting Sign.
4. Signs shall not exceed twenty-five (25) square feet in area.
5. Signs horizontal length shall not exceed thirty-six (36) inches.
6. The near edge of a projecting sign shall be no more than twelve (12) inches from the wall of the building to which the sign is attached.
7. Signs including mounting hardware, shall not project more than forty-eight (48) inches from the wall of the building to which the sign is attached.
8. Individual sign letters shall not exceed twelve (12) inches in height.
9. Projecting signs may be illuminated.
10. Projecting signs shall not include electronic components such as message boards, video and graphic displays.
11. Projecting signs shall not be designed to include changeable copy.
12. A Projecting Sign may not project into the right-of-way.

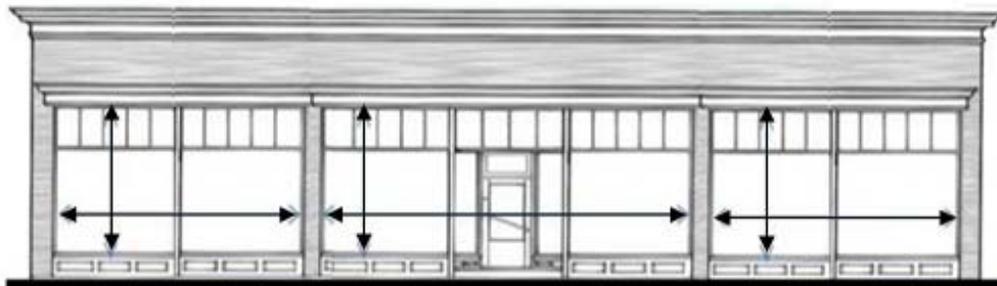
(h) Window Signs:

1. No sign permit required. Window Signs shall be regulated in districts zoned “S”, “L”, “H”, “T”, “PUD”, “MHC” and non-residential uses that are permitted in residentially zoned districts.
2. With the exception of illuminated Open/Closed Signs, Window Signs shall not be illuminated.
3. Window signs may occupy a maximum of 33% of the window area.
4. Window area for window signs shall be calculated by multiplying the window width times the height of each window area, including the mullions but excluding building cladding.

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5. Where a window sign consists solely of lettering or other sign elements printed or mounted on a window of a building without any distinguishing border or background, The entire area within a circle, triangle, or parallelogram enclosing the extreme limits of writing, representation, emblem, or any figure of similar character shall be treated as a single sign for purposes of area computation.
6. Window signage shall not obstruct the view of any cashier area.
7. Window signs shall be limited to the first floor of a multi-story building.
8. In addition to Window Signs, illuminated Open/Closed Signs shall be limited to one (1) per street frontage and shall:
 - (a) Only read “Open” or “Closed”.
 - (b) Only be located in the window of the business.
 - (c) Remain static and not blink, flash, oscillate or intermittently turn on and off.
 - (d) Not exceed four (4) square feet in sign area.
9. The following shall be exempt:
 - (a) Non-Illuminated addresses, hours of operation, credit card logos, signs allowed by Local and State law, Local and State mandated signage and signs that display the words “Now Hiring” only and do not include a commercial message or any form of advertisement.
 - (b) Mannequins and storefront displays of merchandise visible from the public right-of-way.

Example: Window area calculation not to exceed 33%.



Width x height of window excluding mullions.

(i) Existing Building For Sale/Lease Sign (Permanent)

1. Existing Building For Sale/Leasing Signs shall be permitted in districts zoned “S”, “L”, “H”, “I”, “PUD”, “MHC” and non-residential uses that are permitted in residentially zoned districts.
2. Sign structure shall be mounted on the ground.
3. Maximum sign height shall be five (5) feet plus a maximum of nine (9) inch finial on top of each post.
4. Maximum sign area shall not exceed twelve (12) square feet per sign face.
5. One (1) ground sign per street frontage.
6. Sign structure shall be permitted only when space is available for sale or lease on the same site.
7. Existing Building For Sale/Leasing Signs shall be designed and installed in accordance with the following guidelines:

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(a) Sign Post:

1. Material shall be of 3 – 4 inch extruded metal with decorative finials.
2. Height shall not exceed five (5) feet in height, excluding finials. Finials shall not exceed nine (9) inches in height.
3. Color shall be black

(b) Sign Frame:

1. Same material as the sign post
2. Same color as the sign post
3. Height of any decorative element over the sign frame shall be limited to a maximum of nine (9) inches.

(c) Sign Face:

1. Material shall be made up of ¼” to ½” plastic or aluminum coated MDO or plastic cored aluminum
2. Area of each sign face shall not exceed 12 square feet. Sign may be two-sided.
3. Color copy shall be allowed for sign face and background. Sign face and background shall not have neon colors.

Example: Existing Building For Sale/Lease Signs

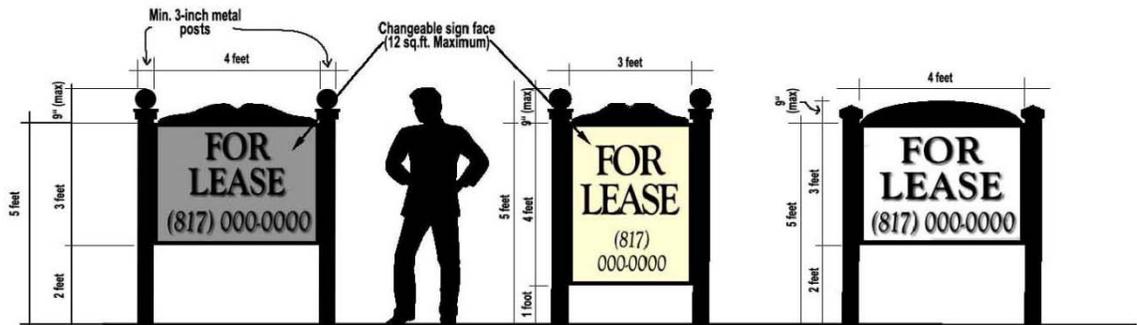


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Section 6-71. PERMANENT SIGNS

PERMANENT SIGNS					
TYPE OF SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT & CLEARANCE	NUMBER OF SIGNS	REQUIREMENTS**
Primary Wall Sign (Attached)	Non-residential* “S”, “L”, “H” “I” & “MHC”	Two square feet of sign area for each foot of store front width.	Top of parapet wall or roof eave height. Maximum height of sign is 6 feet	Not applicable, Signage area can be composed of multiple signs	Min. horizontal and/or vertical separation between signs shall be a two feet. Also see Setback Bonus.
Secondary Wall Sign (Attached)	Non-residential* “S”, “L”, “H” “I” & “MHC”	50% of allowed Primary wall sign area	Top of parapet wall or roof eave height	Not applicable, Signage area can be composed of multiple signs	Min. horizontal and/or vertical separation between signs shall be two feet. No sign permitted to face a residential property
Freestanding Freeway Pole	Non-residential* “S”, “L”, “H” “I” & “MHC” (in “MHC” must be within 25’ of frontage road)	300 s.f. each side	65 ft. max height with 10 ft. minimum ground clearance	1 freestanding (either pole or monument) sign per street frontage	Not allowed in public R.O.W.
Freestanding Freeway Pylon	Non-residential* “S”, “L”, “H” “I” & “MHC” (in “MHC” must be within 25’ of frontage road)	300 s.f. per tenant per parcel not to exceed the maximum height & clearance regulation	65 ft. max height, 10 ft. min height, 20 ft max width, 3 ft. minimum ground clearance to bottom of sign	1 freestanding pylon sign per street frontage, per platted lot or lot of record	Not allowed in public R.O.W
Freestanding Non-Freeway Pole	Non-residential* “S”, “L”, “H” “I” & “MHC”	100 s.f. each side	25 ft. max height with 10 ft. minimum ground clearance	1 freestanding (pole or monument) sign per street frontage	Not allowed in public R.O.W.
Freestanding Non-Freeway Pylon	Non-residential* “S”, “L”, “H” “I” & “MHC”	100 s.f. each per tenant per parcel not to exceed the maximum height & clearance regulation	25 ft. max height, 10 ft. min height, 20 ft max width, 3 ft. minimum ground clearance to bottom of sign	1 freestanding pylon sign per street frontage, per platted lot or lot of record	Not allowed in public R.O.W.
Electronic Message Center	Section 6-70 (a)	Section 6-70 (a)	Section 6-70 (a)	Section 6-70 (a)	Section 6-70 (a)
Video Display	Section 6-70 (b)	Section 6-70 (b)	Section 6-70 (b)	Section 6-70 (b)	Section 6-70 (b)

EXHIBIT A

PERMANENT SIGNS					
TYPE OF SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT & CLEARANCE	NUMBER OF SIGNS	REQUIREMENTS**
Freestanding Monument	Non-residential* “S”, “L”, “H” “T” & “MHC”	75 sq. ft. Entire Structure	7 feet	1 (either pole or monument) per street frontage, 2 max	Minimum ground contact: 75% of structure’s width
Existing Building with more than three lease spaces, For Sale/Leasing Sign (Permanent)	Non-residential* “S”, “L”, “H” “T” & “MHC”	Section 6-70 (i)	Section 6-70 (i)	Section 6-70 (i)	Section 6-70 (i)
Canopy (covering gas pumps, drive thru lanes or parking areas)	Non-residential* “S”, “L”, “H” “T” & “MHC”	30 square feet per side with maximum of 18 inch letters	Top of canopy fascia	On 3 sides of canopy only	Canopies not considered separate buildings for signage purposes
Mural	Non-residential* “S”, “L”, “H” “T” & “MHC”	Not applicable	Not applicable	Not applicable	No name, logo, text or slogan. <hr/> Murals are considered <u>Art</u> , not advertising
Enclosed Frame/Changeable Copy	Non-residential* “S”, “L”, “H” “T” & “MHC”	12 s.f. with no dimension greater than 4 ft.	Not applicable	2 per wall max., 4 per site max.	Enclosed frame permanently attached to wall
Multifamily Entry Monument	Multifamily: all MD & MF	75 sq. ft. Entire Structure.	7 ft.	1 per “main” entrance	Minimum ground contact: 75% of structure’s width
Subdivision Entry Monument	All Residentially zoned districts	75 sq. ft. Entire Structure	7 ft.	1 <u>pair</u> per “main” entrance	Minimum ground contact: 75% of structure’s width

EXHIBIT A

Section 6-72. TEMPORARY SIGNS

TEMPORARY SIGNS						
TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
Horizontal Banner	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	50 s.f.	Highest point of roof, Attached to building	60 days per calendar year, in a minimum of 10 day increments	Only 1 allowed No lighting
Vertical Banner	Yes, per each change out	Non-residential* “S”, “L”, “H” “T” & “MHC”	35 s.f. freeway frontage, 12 s.f. for non-freeway	35 ft. max., 6 ft. min. to bottom of vertical banner, Attached to building or parking lot pole	Not applicable	50 ft. min. spacing 100 ft. min. street frontage 25’ min. to side property line
New Business “Coming Soon” Banner	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	50 s.f.	Highest point of roof, Attached to building	During lease space finish out, 60 day max. or 30 day max. with no finish out	1 sign per lease space, on bldg. No lighting
New Business “Now Open” Banner	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	50 s.f.	Highest point of roof, Attached to building	30 days from C.O.	1 sign per lease space, on bldg. No lighting
Multifamily Units for Rent or Lease Banner	Yes	Multifamily: all MD & MF	50 s.f.	Highest point of roof on building, or 15 ft. max. for free-standing signs	180 days per year, in 10 day periods	1 per street frontage Maximum 2 No lighting
HOA Group Garage Sale Banner	No	Residential	50 s.f.	Placed at subdivision entrance wall/fence	2 per Calendar Year	1 per subdivision entrance Maximum 2
Com. Unit(s) Sale or Lease Banner	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	50 s.f.	Highest point of roof Attached to building	Unit sold or leased	1 per street frontage No lighting
“Still in Business” Sign	Yes, No Fee	Section 6-70 (e)	Section 6-70 (e)	Section 6-70 (e)	Section 6-70 (e)	Section 6-70 (e)
Pennant Flags	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	Not applicable	Highest point of roof	During event	Only during approved Grand Openings
Feather Flags	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	Not applicable	15 ft.	During event	Only during approved Grand Openings and Events Max 4 flags

EXHIBIT A

TEMPORARY SIGNS						
TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
Decorative Flag (solid or color, Logo, business name allowed)	No	Non-residential* “S”, “L”, “H” “T”, “MF” & “MHC”	6 s.f.	25 ft. max., 6 ft. min. to bottom of flag	Not applicable	Street frontage 0-150’ 4 flags 151-200’ 5 flags 201-250’ 6 flags 251-300’ 7 flags over 300’ 8 flags
Balloons & Inflatable Objects	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	Not applicable	50 ft.	During event	Only during approved Grand Openings and Events
Existing Building with three or less lease spaces, For Sale/Leasing Sign (Temporary)	Yes, No Fee	Non-residential* “S”, “L”, “H” “T” & “MHC”	6 s.f.	4 ft.	Unit sold or leased	1 per street frontage No lighting
Political Signs	No	Section 6-70 (f)	Section 6-70 (f)	Section 6-70 (f)	Section 6-70 (f)	Section 6-70 (f)
Window Signs	No	Section 6-70 (h)	Section 6-70 (h)	Section 6-70 (h)	Section 6-70 (h)	Section 6-70 (h)
Vehicle	No	Section 6-70 (c)	Section 6-70 (c)	Section 6-70 (c)	Section 6-70 (c)	Section 6-70 (c)
Weekend Builders Directional	Yes	All	6 s.f.	3 ft.	12:00 pm Friday till 12:00 pm Monday	25 max. 200 ft. or 1 block apart 40 ft. min. from intersection Not allowed in public R.O.W. No lighting
Open House Advertising	Yes	All	4 s.f.	3 ft	Signs can be displayed one hour before and removed within an hour after the “Open House.”	Open houses can be Saturday and Sunday only A maximum of 5 signs in addition to 1 on premise sign allowed Signs must say, “Open House” with a directional arrow. May have the company name, logo, and/or home address. Permit sticker must be attached to the signs.

EXHIBIT A

TEMPORARY SIGNS						
TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
Multi-Family Rent or Lease	No	Multi-Family Districts	4 s.f.	3 ft	From Friday 5:30 PM till Monday 9:30AM	Can be Saturday and Sunday only A maximum of 5 on premise signs allowed
Sandwich Board Sign	No	Non-residential* “S”, “L”, “H” “I” & “MHC”	8 s.f.	4 ft	Only allowed during business hours	1 sign per lease space Non-illuminated freestanding A-frame style signs are permitted. Signs must be weighted down to provide stability. Signs must be placed within five feet of the building entrance. Signs must maintain a pedestrian path not less than four feet.
Church, charity & civic, <u>On-Premises</u>	Yes, No fee	All	50 s.f.	15 ft. max. for free-standing signs.	10 days prior to event, 30 days max.	On private property Not in R.O.W. No lighting
Church, charity/civic, <u>Off-Premises</u>	Yes, No fee	All	12 s.f.	3 ft. max. for free-standing signs.	10 days prior to event, 30 days max.	On private property Not in R.O.W. No lighting Removed 24 hr. after event
Real Estate Land Sale (vacant lot)	Yes	All	100 s.f.	15 ft.	Remove prior to development	1 acre min. 2 signs max. 1 per street frontage No lighting
Residential Construction	Yes	All Residentially zoned districts	32 s.f.	5 ft.	Remove upon final/C.O.	1 per 4 lots per street frontage No lighting
Commercial Construction	Yes	Non-residential* “S”, “L”, “H” “I” & “MHC”	32 s.f.	5 ft.	Remove upon final/C.O.	1 per 4 lots per street frontage No lighting
<p align="center">* Non-residential uses that are permitted in residentially zoned districts.</p> <p align="center">**All signs are subject to setback regulations as set forth in Section 6-69 (c).</p>						

EXHIBIT A

Section 6-73. EXEMPTIONS

A permit shall not be required for any of the following signs; provided, however, such signs shall otherwise comply with all other applicable provisions of the sign code:

- (a) Standard maintenance, painting, repainting or cleaning of an existing advertising structure and not more than fifty percent (50%) of the sign is repaired, altered, or replaced. This exemption shall include but not be limited to theater marquees and similar signs that are specifically designed for the use of replaceable copy.
- (b) Government signs and signs for organizations sponsored by government including flags, insignia, legal notices, informational, directional, decorative displays for holidays, public demonstrations and traffic signs which are legally required or necessary to the essential functions of government agencies shall not be regulated by the sign ordinance.
- (c) Any traffic sign, public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- (d) Directional signs, on premise not exceeding four (4) square feet in area and three (3) feet in height giving directions or instructions.
- (e) Menu board signs for drive-thru lanes at restaurants.
- (f) Gasoline pricing signs less than fifteen square feet (15 s.f.)
- (g) Signs that display the words "Now Hiring" and business name and do not include a commercial message or advertisement. Employment ads are exempt.
- (h) With the exception of multi-family zoned districts and non-residential uses that are permitted in residentially zoned districts, all other residentially zoned districts with a sign not exceeding nine (9) square feet in area, which advertises the sale, builder, construction, rental or lease of the premise shall be exempt. The sign shall be removed upon the completion of the construction, sale or lease of the premises.
- (i) Signs provided in Section 6-72 "Temporary Signs" shall be allowed for Special or Civic events.
- (j) Political signs as defined in Section 6-67.
- (k) Organization identification signs attached to a donation bin.
- (l) Traffic control signs on private property including but not limited to; "Stop", "Yield", "No Parking", "Towing", "Handicap Parking" and similar signs which contain no commercial message.
- (m) Directory signs on private properties.
- (n) "No Dumping Allowed" signs posted to deter illegal dumping.
- (o) Warning and security signs, including signs placed by a public utility for the safety, welfare, or convenience of the public, including, but not limited to signs identifying high voltage, public telephone, neighborhood watch or crime watch signs or underground cables.
- (p) Incidental signs

Section 6-74. PROHIBITED SIGNS

- (a) Unless allowed by State, local law or other City ordinances, off-premises advertising signs.
- (b) Billboard signs.
- (c) No signs shall be allowed in a public right-of-way excluding government signs, signs sponsored by government including flags, government insignia, government informational, government sponsored decorative displays for holidays, public demonstrations and traffic signs which are legally required or necessary to the essential functions of government agencies.
- (d) Unless allowed by State, local law or other City ordinances, signs attached to light fixtures, poles, curbs, sidewalks, gutters, utility poles, fences, railings and trees.
- (e) Signs which prevent free ingress to, or egress from any door, window, or fire escape.

EXHIBIT A

- (f) Signs erected or displayed in such a manner as to obstruct free and clear vision at any location, street, intersection, or driveway. All signs placed at intersections shall prevent such problem by observing a sight triangle as provided for in the Development Codes.
- (g) Obscene signs in which the dominant theme of material taken as a whole appeals to a prurient interest in sex or is patently offensive because it affronts community standards relating to the description or representation of sexual matters and is utterly without redeeming social value.
- (h) Portable signs as defined in Section 6-67 Definitions.
- (i) “V” type signs with a face that protrudes from the opposite face at an interior angle greater than twenty-five (25) degrees.
- (j) With the exception of illuminated Open/Closed signs in Section 6-70 “Sign Types” (h) 3, exposed neon tubing, luminous tubing, LED or any luminous lighting product that is specifically placed to draw attention to, shall not be used for display inside, outside, or outline of, any window or portion of a window in districts zoned “S”, “L”, “H”, “I”, “PUD”, “MHC” and non-residential uses that are permitted in residentially zoned districts.
- (k) With the exception of illuminated Open/Closed signs in Section 6-70 “Sign Types” (h) 3, no other luminous signs shall be used for display in a window, or portion of a window in districts zoned “S”, “L”, “H”, “I”, “PUD”, “MHC” and non-residential uses that are permitted in residentially zoned districts.
- (l) Exposed neon tubing, luminous tubing or any luminous lighting product shall not be used on, or outline of any or portion of an exterior sign.
- (m) Signs illuminated to such intensity or in such a manner as to cause a glare or brightness to a degree that it constitutes a hazard or nuisance to traffic.
- (n) Spotlights or floodlights shall not be mounted on pole, pylon or monument signs for other reasons than for external illumination for the sign its self, specifically lights shall be located, aimed, or shielded so as to focus solely on the intended sign façade thereby reducing glare and stray light constituting a hazard or nuisance to traffic.
- (o) Search lights or flashing lights.
- (p) Any illuminated sign or portion of an illuminated sign with motion or visual impression that primarily changes through electronic means. Said signs include visual simulation of motion characteristic of chasing, running, blinking, oscillating, twinkling, changing colors or expanding or contracting light patterns.
- (q) Change the display of an image, graphic, text, color or information on any sign or any portion of any sign for a period less than once each eight (8) seconds.
- (r) Unless specifically approved by Planning and Zoning or City Council, roof signs. However, signs are allowed on building towers or other architectural features of the building.
- (s) Sign, Walker in a public right-of-way.
- (t) Structural or non-structural additions or attachments to monument signs, excluding structural modifications for which a valid permit has been issued.
- (u) Balloons, inflatables and feather flags shall not be allowed for display on multifamily or commercially zoned properties.
- (v) Unless specifically allowed in Section 6-72 “Temporary Signs”, feather flag type signs used to bring attention to, or advertising displays including blade, feather, shark fin, swooper, teardrop, triangular and wind flags shall be prohibited.
- (w) Any sign not specifically permitted by this ordinance.

ORDINANCE NO. 16-

AN ORDINANCE AMENDING ORDINANCE NO. 15-3143; PROVIDING FOR A NEW EXHIBIT 'A' BEING THE CITY OF BEDFORD SIGN REGULATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is authorized by Chapter 216, Regulation of Signs by Municipalities by the Texas Local Government Code to license, regulate, control, or prohibit the erection of signs; and,

WHEREAS, the City Council of Bedford, Texas deems it necessary, in order to provide for the health, safety, and general welfare of the residents of the City of Bedford, to establish the provisions of this ordinance regarding the regulation of signs as authorized by the State of Texas; and,

WHEREAS, The City Council of Bedford, Texas has established regulations for signs, in Chapter 6. "Advertising," Article III. "Signs" of the Code of Ordinances; and,

WHEREAS, the City Council of the City of Bedford has after thoughtful deliberation voted to approve these Sign Regulations.

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 Ordinance No. 15-3143 is hereby amended by providing for a new Exhibit 'A' being the City of Bedford Sign Regulations as incorporated with this ordinance.

SECTION 3. 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 4 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 5. That this Ordinance shall take effect from and on September 1, 2016 in accordance with law, and it is so ordained.

PRESENTED AND PASSED this 11th day of July, 2016, by a vote of ___ayes, ___nays and ___ abstentions, at a special meeting of the City Council of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

Exhibit A

City of Bedford Sign Regulations

DIVISION 1. GENERAL PROVISIONS

Section 6-66. PURPOSE OF ARTICLE

The purpose of this article is to provide uniform sign regulations for the City of Bedford, and its provisions shall be held to be the minimum requirements in the installation, erection, location, alteration, replacing, improving and maintenance of all signs. It is further intended to encourage signs which are well designed; which preserve locally recognized values of community appearance; which protect public investment in and the character of public thoroughfares; which aid in the attraction of shoppers and other visitors who are important to the economy of the city; which reduce hazards to motorists and pedestrians traveling on the public roadways; and thereby to promote the public health, safety and welfare.

Section 6-67. DEFINITIONS

Advertising Matter: The placement on, anchoring of or suspension from any building, pole sign, sidewalk, parkway, driveway, lawn, area or parking area of any goods, wares, merchandise or other advertising object which is, but not limited to, light; inflatable objects, pennants, or flags for the purpose of calling attention to.

Awning: An architectural projection, which provides weather protection, identity or decoration, and is supported by the building to which it is attached. It is composed of a lightweight rigid or retractable skeleton structure over which another cover is attached which may be of fabric or other materials may be illuminated. Sign text and logos on awnings are calculated as signage (not the entire awning area).

Buildings and Standards Commission: A Board composed of members appointed by the City Council to hear and rule upon variance requested to the Sign Ordinance. Building Official: The officer or other persons with the City of Bedford charged with the administration and enforcement of the Sign Ordinance.

Building Cladding: Building cladding is the exterior skin or envelope of a building, and constructed of materials including but not limited to: siding, wood, brick, stucco or stone.

Canopy: A canopy is a roof like structure that shelters a drive lane use such as, but not restricted to, a gasoline pump island. A canopy is open on two or more sides and maybe supported by either columns or by being attached to the building to which it is accessory.

Clearance: The vertical distance from the bottom of a sign face to the ground.

Dilapidated or Deteriorated Condition: Where structural support or frame members are visibly bent, broken, dented, deteriorated or torn sign copy materials and or paint must be to such an extent that a danger of injury to persons or property is created, or where the sign or the structure is not in compliance with the building code adopted by the City.

Erect: To build, construct, attach, hang, place, suspend or affix, and shall also include the painting of the signs on the exterior surface of a building or structure.

Flag: A flag is a rectangular or quadrilateral piece of fabric with a distinctive design that is used as a symbol, as a signaling device, or as decoration.

Flag, Decorative: Decorative flags shall be solid or color flags and may contain Logo, initials, business name or similar content used to attract attention.

Flag, Feather: Flags used to bring attention to, or advertising displays including but not limited to blade, feather, shark fin, swooper, teardrop, triangular and wind flags.

Exhibit A

Flag, Pennant: Any lightweight plastic, fabric or other material, whether or not it contains a message of any kind, suspended from a rope, wire, cord, string or other similar material designed to move in the wind whether existing in a series or individually.

Framework: A support structure which meets all existing wind and load requirements as stated in City of Bedford Ordinance, designed to secure a banner or an inter-changeable copy on all sides.

Height Measurement: The height of any sign shall be measured vertically at 90 degrees from the ground at the base of the sign.

Illumination, Internal: Lighting by means of a light which is within a sign having translucent background, silhouetting opaque letters or designs, on which is letters or designs, which are themselves made of translucent material.

Illumination, External: Lighting by means of an unshielded light source, (including neon tubing, etc.) which is effectively visible as an external part of the sign.

Logo: A “logo” is any design or insignia of an organization, individual, company, or product which is commonly used in advertising to identify that organization, individual, company or product.

Maintenance: The repair or replacement in kind of individual sign components including copy panels; electrical wiring and bulbs; or paint, stucco or other exterior finishes. This definition shall include the replacement of cabinets, structural faces, supporting structural members, primary uprights, posts and poles, or the sign in its entirety.

Parcel: A land area represented by a unified grouping of tenants, uses, or owners located in a shopping center, office complex, or industrial complex which utilizes common parking lots, landscaped areas, fire lanes, entrances, and/or signage. Said unified grouping may be located on multiple and separate platted lots or lots of record but may function under a single management system sharing amenities.

Setback: The distance from the property line or right-of-way line of all streets adjacent to the premises on which the sign is located.

Sign: Every sign, name, number, identification, description, announcement, declaration, demonstration, device, display, flag, banner, pennant, illustration, logo, balloon, streamer, valance, advertising display, poster, beacon, painting with advertising or commercial message, light or insignia, affixed directly or indirectly to or upon any building, window, stakes, posts, poles, trees or outdoor structure, calling attention to any object, product, service, place, or activity.

Sign, Abandoned: Any sign which pertains to a time, event or purpose which no longer obtains; any sign which was erected for or by the owner, occupant or business on a property and is now unrelated to the present use of this property; any sign, except a real estate sign, which is located on property which becomes vacant and unoccupied for a period of three months or more.

Sign, Area: Calculation means the area of the sign to be computed by drawing a line or lines around the sign in such a way as to form a rectangle oriented horizontally. The sum square footage of these figures shall be considered as the total area of the sign face. A sign face may be single sided or double sided, as with a typical pole sign; however, to calculate the area of a multi-sided sign, the sum of all sides of the sign shall not exceed twice the area specified for sign face.

Sign, Balloon: A visible airtight or air-flow through apparatus commonly made of latex, mylar, vinyl, PVC or other similar material that extends by a cord, rope, string, wire, stick or other similar material for the purpose of advertising or attracting attention to a business, commodity, service, sale, or product.

Exhibit A

Sign, Banner-Horizontal: A temporary sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentation's applied to paper, plastic, or fabric of any kind.

Sign, Banner-Vertical: A temporary sign of a lightweight fabric or similar material that is mounted in a vertical fashion secured at top and bottom of banner and secured to a building, parking lot pole or other permanent structure on the property. This banner is not considered as being a feather flag.

Sign, Banner-Vertical Sidewalk: A "still in business" temporary sign that is attached to an aluminum or fiberglass rod which is inserted directly into the ground or into a sleeve embedded in the ground or portable base. The flag portion of the sign is attached to a horizontal support at the top and the bottom of the banner, securing it to the rod. This banner is not considered as being a feather flag.

Sign, Billboard: A sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service or product not principally located or primarily manufactured or sold on the premises on which the sign is located. These signs are generally located off premise.

Sign, Box: The rectangle used to calculate the sign area.

Sign, Business: An on-site sign which directs attention to, and/or used to identify a business, profession, organization, institution, commodity, service, activity, entertainment, or other non-residential use conducted, sold, or offered on these premises, (site) where such sign is located, or within the building to which such sign is affixed.

Sign, Commercial Construction: A temporary on-site ground sign that pertains to nonresidential development approved or under construction.

Sign, Changeable Copy: The changing of advertising copy or message on a painted or printed sign, or the changing of advertising copy or message on a changeable reader board such as a theater marquee, electronic message board or similar signs specifically design for use of replaceable copy. The installation and construction of such signs shall be governed by the appropriate sign type; however the Changeable Copy message does not require a sign permit.

Sign, Directional: A permanent on-site attached sign intended to aid in vehicular movement on the site.

Sign, Directory: A sign listing the occupants of a building, or group of buildings on the same parcel, and/or identifying the location of and providing directions to any establishment on the same parcel.

Sign, Electronic Message Center: A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display and where the image sequence is accomplished immediately.

Sign, Enclosed Frame/Changeable Copy: See *Sign, Changeable Copy*.

Sign, Existing Building For Sale/Leasing (Permanent): An on-site free-standing sign intended to advertise a building or buildings in excess of three lease spaces for sale or lease.

Sign, Existing Building For Sale/Leasing (Temporary): A temporary on-site free-standing sign intended to advertise a building or buildings with three or less lease spaces for sale or lease. The temporary sign shall not exceed six (6) square feet in area with base/stake(s) commonly made of metal, wood or other similar material approved by the Building Official with an end for driving into the ground.

Sign, Flashing: An illuminated sign on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when such sign is illuminated. For the purpose of the ordinance, any moving illuminated sign affected by intermittent lighting shall be deemed (to be) a flashing sign.

Exhibit A

Sign, Freestanding: A sign not attached to a building. A freestanding sign may include but not be limited to a pole, pylon or a monument sign.

Sign, Gasoline Pricing: An outdoor advertising display with changeable copy letters and numerals that displays the current price of fuel or gasoline for sale.

Sign, Ground: Any sign connected to the ground by legs, poles, or other supports and which is not an attached, portable, monument, or vehicular sign.

Sign, Illegal: The Building Official, Code Compliance Officer or designated representative shall be authorized to abate or impound any temporary or permanent sign which is in violation of these regulations. Inclusive of advertising matter that constitutes a violation of the Bedford Sign Ordinance.

Sign, Illuminated: A sign which has characters, letters, figures, or designs illuminated by electric lights, luminous/neon tubes or other means that are specifically placed to draw attention to, or provide nighttime viewing of, the subject matter on the sign face.

Sign, Incidental: A sign with copy not to exceed three (3) square feet in surface area, of a non-commercial nature, intended primarily for the convenience of the public. Included but not limited to; signs designating restrooms, occupation, address numbers, hours of operation, entrances to buildings, directions, nameplates, public telephones and similar.

Sign, Inflatable's: Inflatable objects used to bring attention to, or advertising displays including but not limited to air puppets, wind dancers, hot air and rooftop inflatable's,

Sign, Menu Board: A sign displaying the menu for a drive up window for an establishment such as a food establishment or car wash.

Sign, Monument: A permanent ground sign generally constructed out of brick, stone, or cast concrete foundation across the entire base of the structure.

Sign, Mural: Artwork applied to the wall of a building depicting a scene or event of natural, social, cultural, or historic significance. Telephone numbers, advertising messages, and addresses may not be included in the artwork; however, logos, trademarks, and icons may be incorporated into the artworks as integral parts of the work.

Sign, Nonconforming: Any sign lawfully constructed which fails to conform to the provisions of this article.

Sign, Off-Premise: The term "off-premise sign" means a sign which is issued or intended to be used to attract attention to activities, commodities, services or other endeavors not offered on the premise on which the sign is located.

Sign, On-Premise: The term "on-premise sign" means a sign which promotes or advertises activities, commodities, services, or endeavors which are offered on the premise on which such sign is located.

Sign, Pole: A freestanding sign supported by a pole or poles having no guys or braces to the ground or to any other structure.

Sign, Political: A temporary sign pertaining to any national, state, county or local election. A sign that contains primarily a political message.

Sign, Portable (or moveable): Any sign which is not attached or affixed to the ground, a building, vehicle, or other fixed structure or object. Portable signs include those signs installed on wheels, trailers, skids, and similar mobile structures.

Sign, Projecting: A sign that projects from a building or wall, to which it is affixed, by more than twelve (12) inches.

Sign, Pylon: A freestanding multi-tenant sign erected on a premise; said sign having two or more tenants. Pylon poles, shafts, piers shall be solidly affixed to the ground and not attached to a building. The primary supports, columns, or poles shall be located on the outside of the sign structure with the contents of the sign affixed between the columns.

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Sign, Reader-board: A changeable copy sign with strips attached to the face of the sign to hold removable displays letters and numerals for the purpose of identifying products sold or services provided by the related business tenant on the same premise.

Sign, Real Estate: A sign pertaining to the sale, lease or rental of real property.

Sign, Real Estate Land Sale: An on-site ground sign on vacant land intended to advertise land for sale including un-platted tracts of land.

Sign, Residential Construction: A temporary on-site ground sign that pertains to a new residential development that is approved or under construction.

Sign, Roof: A sign erected upon or above a roof or parapet of a building or structure.

Sign, Sandwich Board: A portable sign consisting of two panels of equal size, which are hinged at the top and placed on the ground or pavement so as to be self-supporting.

Sign, Still in Business: A temporary sign to advertise and notify of the continued operation of a business at a site which may experience trauma due to public construction causing a disruption, decreasing visibility or difficulty of access to the site on which the business is located.

Sign, Temporary: Any sign constructed of cloth, canvas, plastic, light fabric, wallboard or other material with or without frames intended to be displayed for a limited period of time only.

Sign, Vehicular: Any sign attached to a trailer, skid, or similar mobile structure, where the primary use of such structure is to provide a base for such sign or constitute the sign itself.

Sign, Video Display: A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to indicate movement.

Sign, Walker (Human Directional Sign): A person, visible from the public R.O.W., which is holding, twirling, or wearing a sign or costume to draw attention to a business, project, place, or event.

Sign, Wall: A sign which is attached or affixed to the wall of a building or is an integral part of the wall of a building with the exposed face of the sign in a plane parallel to and not extending more than twelve (12) inches from said wall. A wall sign shall not extend above, the wall/parapet to which the sign is attached. For the purpose of this section, awnings, canopy fascias, mansards extending along a building side shall be considered a part of the wall. The roof (including mansard and fake mansard roofs) and roof area are not included in the wall area.

Sign, Wall-Primary: The wall determined to be the primary signage wall, subject to its incorporating either the major entrance or the common street address.

Sign, Wall-Secondary: The wall of a building which is determined to be of secondary importance to the business or establishment occupying the premises, and shall include any wall not designated as a primary wall; and shall not limit the number of secondary signs placed on the building.

Sign, Weekend Builder's Directional: A sign providing direction or instruction to guide persons to sites where new homes are under construction, usually off-premise.

Sign, Window: Any sign, poster, advertising decals, advertising decorative film, advertising or decorative painting, illuminated object or other similar displayed item, located on the internal or external surface of a window for the purpose of advertising or calling attention to any object, place, business' name, telephone number, website information, services, commodities, and/or products offered or sold that are available within the building that is visible from a public street or sidewalk.

Vehicle: Every mechanical device, in, upon, or by which any person or property is or may be transported or drawn upon a public street or highway, including any motor vehicles,

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commercial motor vehicles, truck, tractor, bus, motorcycle, motor home, camper, recreational vehicle, trailer, golf cart, watercraft or aircraft.

Wall Area: The area of the wall from the finished floor elevation (or top of foundation) to the top of the parapet wall or to the bottom of the eave, whichever is highest. This wall area is as shown on the architectural elevation of the wall including glass area and recessed wall areas.

Wall Area, Multistory Building: The sign wall area calculation for multistory buildings shall be based upon the height of the first story (including any mezzanine level).

Section 6-68. ADMINISTRATION & ENFORCEMENT

- (a) Building Official: The provisions of this article shall be administered and enforced by the Building Official, Code Compliance Officer or designated representative. All other officers and employees of the city shall assist and cooperate with the Building Official, Code Compliance Officer or designated representative in administering and enforcing the provisions of this article.
- (b) Permits required. No sign shall be erected, re-erected, constructed, attached, altered, except as provided by this article and after a permit for the same has been issued by the building official. A separate permit shall be required for a sign for each business entity, and a separate permit shall be required for each group of signs on a single supporting structure. In addition, electrical permits shall be obtained for electric signs.
- (c) Application for permit. The application for a sign permit shall be in a form approved by the Building Official which shall contain the following information:
1. Sign use classification.
 2. Name, address and telephone number of the applicant.
 3. Name, address and telephone number of the owner of the property on which the sign is to be located.
 4. Name, address and telephone number of the lessee the sign is to benefit, if any.
 5. Name, address and telephone number of the person erecting the sign.
 6. Scaled site plan showing:
 - a. location of the building, structure or tract to which or upon which the sign is to be attached or erected,
 - b. the position of the sign in relation to nearby structures or other signs, and
 - c. dimensions of setbacks, building lines, distances between sign and streets and property lines.
 7. Scaled drawing of the sign including the height, width, area, design and text.
 8. Engineered drawings (subject to requirement by the Building Official)
 9. Such other information as may be requested by the Building Official.
- (d) Fees. Sign permit fees and plan review fees shall be paid in accordance with the sign permit fee schedule established by the Bedford City Council. Sixty-five percent of the sign permit fee shall be charged as a plan review fee.
- (e) Sign Maintenance Required. All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be kept in good repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times.
- (e) Double permit fee: The permit fee for a sign permit shall be doubled when the installation or alteration of a sign is commenced or completed before the necessary permit is obtained.
- (f) Time limit for exercise of sign permit: In all cases where a sign permit has been approved, the sign permit shall be obtained and the sign(s) erected within a period not to exceed 180 days from the date of approval. In the event such sign or signs are not erected within this period the permit shall become null and void.

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- (g) *Only permitted signs to be erected:* No person shall erect, reconstruct, alter, relocate or place any sign within the city except such signs as are permitted by this article. All signs, including the frames, braces or supports thereof, shall be constructed and maintained in compliance with this title, the building and electrical codes, the zoning ordinance and all other applicable ordinances of the city.
- (h) *Inspections:* All signs for which permits are required shall be subject to inspection by the building official. Footing inspections may be required by the building official for all signs having footings. All signs containing electrical wiring shall be subject to the provisions of the governing electrical code, and the electrical components used shall bear the label of an approved testing agency. The building official may order the removal of any sign that is not maintained in accordance with the provisions of this section. All signs may be re-inspected at the discretion of the building official.
- (i) *Fines for Noncompliance:* Violators of any provision of this section shall be subject to fines set forth in this Code and/or signs may be removed by agents and employees of the city and may be either stored or destroyed without liability to the city or its agents or employees. The City may maintain custody of a confiscated sign up to ten (10) days. After ten (10) days the sign is subject to disposal. The owner of a sign confiscated by the City may claim the sign if it is still in the custody of the City upon payment to the City of an administrative fee of \$60.00 per sign. Violators are subject to municipal action for signs confiscated by the City and are subject to a fine as provided by State law.
- (j) *Permit Revocable:* The Building Official may suspend or revoke any sign permit whenever it is determined that the permit has been issued in error or on the basis of incorrect or false information supplied, or whenever such permit was issued in violation of any provision of this ordinance, any other ordinance of the City, the laws of the State of Texas or the federal government. Such revocation shall be effective when communicated in writing to the person to whom the permit is issued or the owner of the sign or the owner of the premises on which the sign is located. Any sign the subject of a revoked permit shall be immediately removed by the person in control of the sign or premises upon which the sign is located within 15 days of written notice of revocation.
1. A person may appeal the revocation of the sign permit to the Building and Standards Commission by filing with the Building Official written notice of an intention to appeal within 10 days after receipt of written notice of revocation. The decision of the Building and Standards Commission is final.
 2. Notice of revocation shall be deemed to have been received when deposited in the mail, postage prepaid, addressed to the owner of the premises, the owner of the sign, and the tenant for whose benefit the sign is erected as listed in the permit application.
- (k) *Existing Signs:* Existing Signs shall be subject to the following restrictions:
1. Existing signage regulated under Sections 6-70 (a), 6-70 (h), ~~6-70 (i)~~, 6-74 (j), 6-74 (k) and 6-74 (q) of this ordinance and installed prior to the adoption date of this ordinance, shall be required to become compliant with the requirements of this ordinance not later than September 01, 2016.
 2. All other existing signs not identified in Section 6-68 (k) 1, and are lawfully **legal non-conforming in existence on the date of adoption of this ordinance** may exist in their present form but no such signs shall be altered or moved unless a permit is issued pursuant to the provisions of this ordinance. **Non-conforming signs shall be removed. Replacement or new signage shall be required to comply with the current sign regulations.**
 3. All existing signs are subject to requirements of the code regarding safety, maintenance and repair. Repair and maintenance of all existing signs may be performed as necessary provided not more than fifty percent (50%) of the sign is repaired, altered, or replaced. If more than fifty percent (50%) of the sign is affected regarding repair, alterations, or replacement, then any existing conforming status is lost and the sign must be brought into compliance with the current sign regulations.
- (l) *Sign Removal:* The owner or owner's representative of any property upon which any of the following signs are located shall immediately remove the sign upon notice from the Building Official, Code Compliance Officer or designated representative:

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1. Upon determination by the Building Official, Code Compliance Officer or designated representative that a sign is in a dilapidated or deteriorated condition, the Building Official, Code Compliance Officer or designated representative shall give notice of said determination to the owner of the sign, or the owner of the property on which the sign is erected, and the lessee that the sign is to benefit. Said notice shall further specify a time period in which said dilapidated or deteriorated condition must be corrected. In the event the dilapidated or deteriorated condition is not corrected within the time provided in the notice of the Building Official, Code Compliance Officer or designated representative, then the owner of the property on which said sign is erected and the owner of the sign shall immediately remove the sign and all parts of the sign including supports, bracing and post.
- (m) *Removal by City:* In the event any owner of property on which a sign is situated fails to comply with any order issued by the Building Official, Code Compliance Officer or designated representative for removal of a sign under the provisions of this ordinance, then the City may undertake to remove said sign in compliance with the order. The owner of the land on which the sign is situated and the owner of the sign shall pay all costs incurred by the City in the removal of the sign.
- (n) *Relief by the Building and Standards Commission for Permanent Signs:* In order to prevent or lessen practical difficulties and unnecessary hardship inconsistent with the objectives of this article, the Building and Standards Commission may grant relief in the form of a waiver from the regulations prescribed herein relating to the height, area, location and number of said permanent signage; in such cases, however, the following circumstances shall be found to apply when granting a waiver:
1. Any waiver granted shall be subject to such conditions as will assure that the waiver thereby granted shall not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is situated; and
 2. Due to special circumstances applicable to the subject property, including size, shape, topography, street frontage, location or surrounding land use, the size or height of the building on which the sign is to be located; the classification of the street or highway on which the sign is located or designed primarily to be viewed from, the strict application of sign regulations is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
- (o) *Appeal- Decision of Building Official:* All questions of interpretation and enforcement shall be first presented to the building official and such questions shall be presented to the Building and Standards Commission (established by Section 22-31 of this Code), only on appeal from the decision of the administrative official. Any person aggrieved by any interpretation or by any decision or ruling of the building official for under the Sign Ordinance, shall have the right to make an appeal to the Building and Standards Commission. Notice of appeal shall be in writing and must be filed within 30 days. A fee of \$100.00 shall accompany such notice of appeal. Such an appeal shall be considered at a commission meeting and shall be subject to the regulations contained herein for commission meetings.
- (p) *Building and Standards Commission Appeal Hearing:* Within a period of 30 days from the filing of the appeal, the commission shall hear the appeal, together with the testimony of all parties concerned, and render a decision thereon within three (3) days thereafter. In hearing such an appeal, the commission shall not have the power to unconditionally waive or set aside the requirements of the sign ordinance, but shall have the power to interpret its provisions, and in case of alternate signage, shall determine whether such alternate signage is in fact equal to the standards of the sign ordinance, considering adequacy, stability, strength and safety to the public health and welfare.
- (q) *Appeal to District Court:* Any person who may be aggrieved by the decision of the Building and Standards Commission from a public hearing shall have a right of appeal to the District Court within ten (10) days from the date of the commission decision.
- (r) *Precedent of Regulations:* Where the rules and regulations of any other ordinance conflicts with these sign regulations, the regulations contained herein shall prevail and take precedence over any other regulation, including provisions as recorded in any zoning overlay district; however, with the exception of any Planned Unit Development district adopted after the effective day of this sign regulation.

DIVISION 2. CONSTRUCTION; INSTALLATION

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Section 6-69. GENERAL REGULATIONS

- (a) Sign Placement: All signs advertising the name of the business, services provided, or products sold, shall be located on the premises.
- (b) Existing and Proposed Sign area: Each establishment shall be entitled to sign area within the as set forth herein limitations. However, the area of all existing signs to remain on the premises occupied by the establishment shall be reported by the applicant and shall be added to the proposed new sign(s) for comparison with these limitations, which shall govern total sign area, existing and proposed.
- (c) Setback Limitation: There shall be a separation of ten feet between stand-alone signs. In addition, no, part of any sign shall overhang the property line into the public right-of-way or into the adjacent property. Signs shall be located a minimum of ten feet (10') from any overhead power line.
- (d) Street Visibility Triangle: No sign or other advertising structure shall be erected in the 25' by 25' visibility triangle at the intersection of two streets. The street visibility triangle is formed by the property lines and a diagonal line connecting them at points twenty-five feet (25') from the intersection of the property lines in compliance with the provisions provided in the Bedford Development Codes. Any sign projecting into the visibility triangle shall have a clearance of at least ten feet above the centerline grades of the intersecting streets.
- (e) Driveway Visibility Triangle: No sign or other advertising structure shall be erected in the 7' by 60' visibility triangle at the intersection of driveway with a street. The driveway visibility triangle is formed by the property line, the edge of the driveway and a diagonal line connecting a point seven feet (7') along the edge of driveway from the right-of-way and a point 60 feet along the right-of-way line from the edge of driveway. This driveway visibility triangle shall be in compliance with the provisions provided in the Bedford Development Codes. Any sign projecting into the visibility triangle shall have a clearance of at least ten feet above the centerline grades of the intersecting streets.
- (f) Traffic hazard: No sign shall be erected at any location where, by reason of the position, shape or color it may interfere with, obstruct the view of, or be confused with any authorized traffic sign or signal device; or which makes use of the words "stop", "go", "caution", "look", "danger", or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic. Nor shall any person or individual (sign, walker) carry a sign in a public right-of-way.
- (g) Pedestrian hazard: All signs or other advertising structures, which are erected at any point where pedestrians might be endangered, shall have a smooth surface. No nails, tacks or wires shall be permitted to protrude therefrom.
- (h) Lighting restrictions: Illuminated signs shall be erected in such a manner as not to interfere with traffic or pose other health or safety hazards. Spotlights or floodlights shall be shielded and shall be specifically directed at the sign itself. Spotlights or floodlights shall be fully shielded so that they are not visible from streets or adjoining property.
- (i) Wind Pressure and dead load requirements: All signs shall be designed and constructed to withstand wind pressure of not less than 90 mph wind load factor and shall be constructed to receive loads as required by the Building Code.
- (j) Site plan. Whenever a site plan is required to be filed, the site plan shall show the proposed location of any signs to be erected on the property and shall define the size and height of the signs with dimensions and elevation views.
- (k) Sign Buffer Area at edge of a building: The edge of a wall sign shall be a minimum distance of one foot from the edge of the building wall or tenant space divider.
- (l) Sign Face: No more than two sign faces (sides) are allowed per sign.
- (m) Wall Sign Setback Bonus. Wall signs that are setback from the public street right-of-way over one hundred and fifty feet (150') can increase the maximum primary wall signage size by 25%, and increase it an additional 25% for every additional one hundred feet (100') of setback; up to a maximum of 200% of the allowed sign area (i.e. 20% of the primary wall area) at four hundred and fifty feet (450').
 - 1. Over 150' setback, 125% of allowed sign area, or 12.5% of primary wall area,

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2. Over 250' setback, 150% of allowed sign area, or 15% of primary wall area,
3. Over 350' setback, 175% of allowed sign area, or 17.5% of primary wall area,
4. Over 450' setback, 200% of allowed sign area, or 20% of primary wall area*

*Under no circumstances shall the primary wall signage exceed 400 square feet regardless of wall size or increased setbacks.

(n) Required Parking Space: No sign shall be located in a required parking space.

(o) Flag Display:

- (1) The City of Bedford does not intend to prohibit, restrict, or have the effect of prohibiting or restricting an owner from the display of:
 - (a) the flag of the United States of America;
 - (b) the flag of the State of Texas; or
 - (c) an official or replica flag of any branch of the United States armed forces.
- (2) The following requirements apply to the display of any flag in the City of Bedford:
 - (a) The flag shall be displayed on a flagpole in a safe, secure manner that ensures the flag will not fly away or become a hazard.
 - (b) For residential lots, flag dimensions shall not exceed twenty-four (24) square feet. Commercial, Non-residential uses that are permitted in residentially zoned districts and Multi-Family zoned districts shall be exempt from this provision.
 - (c) A flagpole shall be supported and be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole, and any flag pole shall be made of safe materials and not be corroded.
 - (d) A flag shall not display obscenities in which the dominant theme of material taken as a whole appeals to a prurient interest in sex or is patently offensive because it affronts community standards relating to the description or representation of sexual matters and is utterly without redeeming social value.
 - (e) The display of a flag, or the location and construction of the supporting flagpole, shall not be located in a dedicated easement or public right of way.
 - (f) A displayed flag and the flagpole on which it is flown shall be maintained in good condition and a deteriorated flag or deteriorated or structurally unsafe flagpole shall be repaired, replaced, or removed.
 - (g) A maximum of two (2) flags or flagpoles may be located on a residential lot. Commercial, Non-residential uses that are permitted in residentially zoned districts and Multi-Family zoned districts shall be exempt from this provision.
 - (h) A flagpole or flag on a residential lot shall not be more than twenty (20) feet in height from the ground if located in the front yard of the property. Commercial, Non-residential uses that are permitted in residentially zoned districts and Multi-Family zoned districts shall be exempt from this provision.
 - (i) Flagpoles in excess of twenty (20) feet in height shall require a permit.
 - (j) Intensity of lights used in the display of the flag shall not shine upon a dwelling or property of another in such a manner as to causes distress, discomfort or injury to persons or in such a manner as to cause a glare or brightness to a degree that it constitutes a hazard or nuisance to traffic or person.
 - (k) Flag or flagpole shall not cause noise to the degree that would disturb a person of reasonable sensitivities on the adjoining property or the nearby neighborhood in regard to the noise caused by the flapping of a flag or noise caused by the external halyard of a flagpole.

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- (l) Flags depicting or relating to a national, local or religious holiday or season shall be exempt from the display regulations of this ordinance if installed maintained or displayed for not more than 45 consecutive days and coinciding with a national, local or religious holiday or season.
- (m) Flags four (4) square feet and less shall be exempt from the display regulations of this ordinance.

Section 6-70. SIGN TYPES

(a) Electronic Message Center: Electronic Message Centers shall be subject to the following restrictions:

1. No Electronic Message Center shall:
 - a. Display animated, full-motion or other moving images, display strobe, flashing, blinking images, expanding or contracting shapes, rotation or any similar visual effects of animation or movement.
 - b. Change the display of an image, graphic, text, or information on the sign for a period not less than once each eight (8) seconds. Any changes shall occur with fade, dissolve or an instant on/off cycle only.
 - c. Include any audio message.
2. Electronic Message Centers shall be permitted in districts zoned “S”, “L”, “H”, “I”, “PUD”, “MHC” and non-residential uses that are permitted in residentially zoned districts.
3. Electronic Message Centers shall not be allowed for primary or secondary wall signs but shall be allowed for incidental signage only.
4. Electronic Message Centers shall be equipped with both a dimmer control and a photocell which automatically adjusts the display's intensity according to natural ambient light conditions.
5. As measured from the nearest residential property line, no light emanation from an adjacent Electronic Message Center shall be in excess of 3 foot-candles.
6. Electronic Graphics Display Signs shall be illuminated at a level no greater than 0.3 foot-candles over ambient light levels for the location and shall employ light cutoff devices such as, but not limited to, louvers in order to minimize light escaping above the horizontal plane. Foot-candle readings shall be measured at ground level at the distances shown in Table 6.1.

Table 6.1

Sign size (Square Feet)	Distance from source
0 to 100	100 feet
101 to 350	150 feet
351 to 400	250 feet

(b) Video Display Signs: shall be permitted by granting of a waiver to the Sign Types regulations on a site-specific basis upon approval of the Building and Standards Commission.

(c) Vehicular Signs.

1. It shall be unlawful to attach any sign to a trailer, skid, or similar mobile structure, where the primary use of such structure is to provide a base for such sign or constitute the sign itself. This provision does not restrict the identification signs on vehicles used for bona fide transportation activity.
2. Unless otherwise provided by another ordinance, vehicles that display signage with advertisement and parked on the same site or premise of such business that it represents shall be permitted provided that such vehicle shall be parked on the side or rear of the building. Vehicles not able to be parked on the side or rear of the building shall be located adjacent to the front of the building and shall not be parked adjacent to the public right-of-way unless the vehicle is temporarily being used for loading or unloading of goods or merchandise.

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Government vehicles and vehicles operating under a City franchise are excluded from this requirement.

3. Signs placed on or affixed to vehicles and or trailers which are parked on public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property are prohibited.
- (d) Grand Opening. Grand opening events may utilize inflatable objects, pennant flags, feather flags and banner signs for a period not to exceed 30 days. Grand opening events are limited to the first 90 days after a certificate of occupancy has been issued. No searchlights or flashing type lights are allowed and are strictly prohibited during these events. When an existing business has substantially remodeled, as determined by the building official, the business will have the option of having a Re-Grand Opening. Permit is required.
- (e) “Still in Business” signs: Temporary signage necessary for operation of a business located on site during construction caused by public police authority in which access or visibility of the business is substantially hampered may be approved by the building official upon submitting plans addressing such condition.
1. Permit Required.
 2. Shall not exceed 50 square feet in area.
 3. A sidewalk vertical banner may be used. The sidewalk vertical banner, including frame, shall not exceed twenty-six (26) inches in width and ten (10) feet in total height.
 4. At his/her discretion, the building official may defer such approval to the City Manager’s Office or his or her designee. The decision of the City Manager is final.
 5. Is exempt from permit fee.
 6. Excluding feather flags, decorative flags and balloons, all other signs described in section 6-72 “Temporary Signs” shall be allowed for “Still in Business” signage.
- (f) Political Signs:
1. Political signs shall be subject to Section 216.903 of the Local Government Code.
 2. The following shall apply to political signs:
 - (a) A permit fee shall not be required.
 - (b) A political sign shall be allowed in any zoning district.
 - (c) Political signs shall not be located on any utility, light, traffic signal or sign pole.
 - (d) Political signs shall not be located so as to cause a safety or traffic hazard.
 - (e) Political signs shall not have an area greater than 36 square feet.
 - (f) Political signs shall not be more than eight feet in height.
 - (g) Political signs shall not be illuminated or projected.
 - (h) Political signs shall not contain any moving elements or parts.
 - (i) Political signs shall not be placed within public right-of-way.
 3. Political signs are allowed on private real property only with the consent of the property owner.
 4. Except as provided for in Subsection five (5), no political sign may be placed on public property owned, leased, or controlled by the City of Bedford. Provided, however, this subsection does not prohibit and individual from carrying or displaying political signs, nametags, badges, banners, or other political or campaign materials on public property so long as such activity is conducted in accordance with Chapter 61 and Chapter 85 of the Texas Election Code, as now or hereafter amended.

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5. Time, place and manner restrictions – signs on public property during voting periods.
 - (a) Time. In accordance with Texas Election Code §61.003, signs shall be allowed at polling sites during early voting periods or on Election Day. Signs so posted must be removed within forty-eight (48) hours after the close of the early voting period or the close of the polls on Election Day, whichever is applicable.
 - (b) For so long as required by Texas Election Code section 61.003 and 85.036, all public property upon which there is located a polling place, outside the area described in §61.003, and within the area which is allowed to have signs posted shall meet the following requirements:
 1. that is not on impervious surfaces;
 2. that is not a traffic or safety hazard;
 3. that is attached to a stake not to exceed a 9 gauge diameter (American Wire Gauge standard (AXG)) driven into the ground well clear of tree roots, irrigation lines and any other underground vegetation or structures
 4. not to be attached to any building or structure;
 5. not in a landscape bed to include flower beds;
 6. shall not have an area greater than six square feet; and
 7. an area which meets all the requirements of this ordinance.

(g) Projecting Signs:

1. One sign shall be allowed to project from the building face for each street-level business.
2. Signs shall not be located above the top of parapet wall or roof eave of a building.
3. Projecting Sign over a pedestrian walkway or drive must be a minimum of eight (8) feet clearance between the grade of the sidewalk or drive and the lowest portion of a Projecting Sign.
4. Signs shall not exceed twenty-five (25) square feet in area.
5. Signs horizontal length shall not exceed thirty-six (36) inches.
6. The near edge of a projecting sign shall be no more than twelve (12) inches from the wall of the building to which the sign is attached.
7. Signs including mounting hardware, shall not project more than forty-eight (48) inches from the wall of the building to which the sign is attached.
8. Individual sign letters shall not exceed twelve (12) inches in height.
9. Projecting signs may be illuminated.
10. Projecting signs shall not include electronic components such as message boards, video and graphic displays.
11. Projecting signs shall not be designed to include changeable copy.
12. A Projecting Sign may not project into the right-of-way.

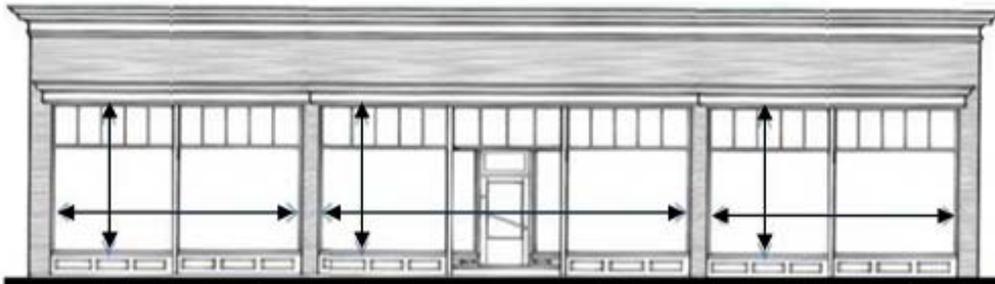
(h) Window Signs:

1. No sign permit required. Window Signs shall be regulated in districts zoned “S”, “L”, “H”, “T”, “PUD”, “MHC” and non-residential uses that are permitted in residentially zoned districts.
2. With the exception of illuminated Open/Closed Signs, Window Signs shall not be illuminated.
3. Window signs may occupy a maximum of ~~25%~~ 33% of the window area.
4. Window area for window signs shall be calculated by multiplying the window width times the height of each window area, including the mullions but excluding building cladding.

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5. Where a window sign consists solely of lettering or other sign elements printed or mounted on a window of a building without any distinguishing border or background, The entire area within a circle, triangle, or parallelogram enclosing the extreme limits of writing, representation, emblem, or any figure of similar character shall be treated as a single sign for purposes of area computation.
6. Window signage shall not obstruct the view of any cashier area.
7. Window signs shall be limited to the first floor of a multi-story building.
8. In addition to Window Signs, illuminated Open/Closed Signs shall be limited to one (1) per street frontage and shall:
 - (a) Only read “Open” or “Closed”.
 - (b) Only be located in the window of the business.
 - (c) Remain static and not blink, flash, oscillate or intermittently turn on and off.
 - (d) Not exceed four (4) square feet in sign area.
9. The following shall be exempt:
 - (a) Non-Illuminated addresses, hours of operation, credit card logos, signs allowed by Local and State law, Local and State mandated signage and signs that display the words “Now Hiring” only and do not include a commercial message or any form of advertisement.
 - (b) Mannequins and storefront displays of merchandise visible from the public right-of-way.

Example: Window area calculation not to exceed ~~25%~~ 33%.



Width x height of window excluding mullions.

- (i) Existing Building For Sale/Lease Sign (Permanent)
 1. Existing Building For Sale/Leasing Signs shall be permitted in districts zoned “S”, “L”, “H”, “I”, “PUD”, “MHC” and non-residential uses that are permitted in residentially zoned districts.
 2. Sign structure shall be mounted on the ground.
 3. Maximum sign height shall be five (5) feet plus a maximum of nine (9) inch finial on top of each post.
 4. Maximum sign area shall not exceed twelve (12) square feet per sign face.
 5. One (1) ground sign per street frontage.
 6. Sign structure shall be permitted only when space is available for sale or lease on the same site.
 7. Existing Building For Sale/Leasing Signs shall be designed and installed in accordance with the following guidelines:

Exhibit A

(a) Sign Post:

1. Material shall be of 3 – 4 inch extruded metal with decorative finials.
2. Height shall not exceed five (5) feet in height, excluding finials. Finials shall not exceed nine (9) inches in height.
3. Color shall be black

(b) Sign Frame:

1. Same material as the sign post
2. Same color as the sign post
3. Height of any decorative element over the sign frame shall be limited to a maximum of nine (9) inches.

(c) Sign Face:

1. Material shall be made up of ¼” to ½” plastic or aluminum coated MDO or plastic cored aluminum
2. Area of each sign face shall not exceed 12 square feet. Sign may be two-sided.
3. Color copy shall be allowed for sign face and background. Sign face and background shall not have neon colors. ~~color shall be one of the following: white, gray, or beige/cream.~~

Example: Existing Building For Sale/Lease Signs

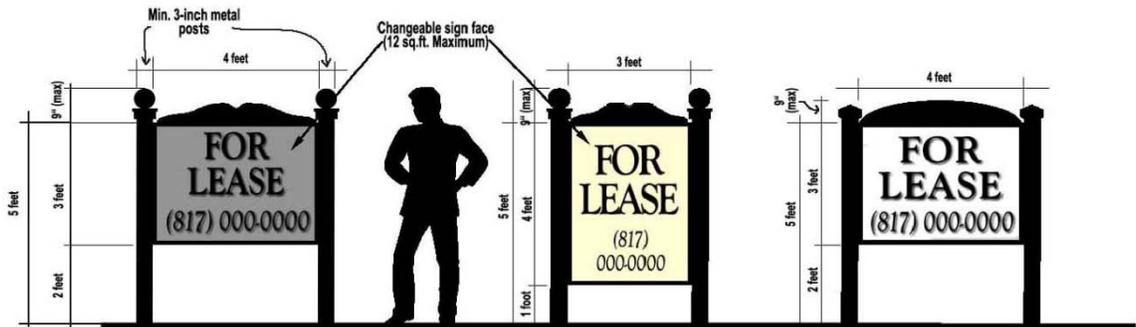


Exhibit A

Section 6-71. PERMANENT SIGNS

PERMANENT SIGNS					
TYPE OF SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT & CLEARANCE	NUMBER OF SIGNS	REQUIREMENTS**
Primary Wall Sign (Attached)	Non-residential* “S”, “L”, “H” “I” & “MHC”	Two square feet of sign area for each foot of store front width.	Top of parapet wall or roof eave height. Maximum height of sign is 6 feet	Not applicable, Signage area can be composed of multiple signs	Min. horizontal and/or vertical separation between signs shall be a two feet. Also see Setback Bonus.
Secondary Wall Sign (Attached)	Non-residential* “S”, “L”, “H” “I” & “MHC”	50% of allowed Primary wall sign area	Top of parapet wall or roof eave height	Not applicable, Signage area can be composed of multiple signs	Min. horizontal and/or vertical separation between signs shall be two feet. No sign permitted to face a residential property
Freestanding Freeway Pole	Non-residential* “S”, “L”, “H” “I” & “MHC” (in “MHC” must be within 25’ of frontage road)	300 s.f. each side	65 ft. max height with 10 ft. minimum ground clearance	1 freestanding (either pole or monument) sign per street frontage	Not allowed in public R.O.W.
Freestanding Freeway Pylon	Non-residential* “S”, “L”, “H” “I” & “MHC” (in “MHC” must be within 25’ of frontage road)	300 s.f. per tenant per parcel not to exceed the maximum height & clearance regulation	65 ft. max height, 10 ft. min height, 20 ft max width, 3 ft. minimum ground clearance to bottom of sign	1 freestanding pylon sign per street frontage, per platted lot or lot of record	Not allowed in public R.O.W
Freestanding Non-Freeway Pole	Non-residential* “S”, “L”, “H” “I” & “MHC”	100 s.f. each side	25 ft. max height with 10 ft. minimum ground clearance	1 freestanding (pole or monument) sign per street frontage	Not allowed in public R.O.W.
Freestanding Non-Freeway Pylon	Non-residential* “S”, “L”, “H” “I” & “MHC”	100 s.f. each per tenant per parcel not to exceed the maximum height & clearance regulation	25 ft. max height, 10 ft. min height, 20 ft max width, 3 ft. minimum ground clearance to bottom of sign	1 freestanding pylon sign per street frontage, per platted lot or lot of record	Not allowed in public R.O.W.
Electronic Message Center	Section 6-70 (a)	Section 6-70 (a)	Section 6-70 (a)	Section 6-70 (a)	Section 6-70 (a)
Video Display	Section 6-70 (b)	Section 6-70 (b)	Section 6-70 (b)	Section 6-70 (b)	Section 6-70 (b)

Exhibit A

PERMANENT SIGNS					
TYPE OF SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT & CLEARANCE	NUMBER OF SIGNS	REQUIREMENTS**
Freestanding Monument	Non-residential* “S”, “L”, “H” “T” & “MHC”	75 sq. ft. Entire Structure	7 feet	1 (either pole or monument) per street frontage, 2 max	Minimum ground contact: 75% of structure’s width
Existing Building with more than three lease spaces, For Sale/Leasing Sign (Permanent)	Non-residential* “S”, “L”, “H” “T” & “MHC”	Section 6-70 (i)	Section 6-70 (i)	Section 6-70 (i)	Section 6-70 (i)
Canopy (covering gas pumps, drive thru lanes or parking areas)	Non-residential* “S”, “L”, “H” “T” & “MHC”	30 square feet per side with maximum of 18 inch letters	Top of canopy fascia	On 3 sides of canopy only	Canopies not considered separate buildings for signage purposes
Mural	Non-residential* “S”, “L”, “H” “T” & “MHC”	Not applicable	Not applicable	Not applicable	No name, logo, text or slogan. <hr/> Murals are considered <u>Art</u> , not advertising
Enclosed Frame/Changeable Copy	Non-residential* “S”, “L”, “H” “T” & “MHC”	12 s.f. with no dimension greater than 4 ft.	Not applicable	2 per wall max., 4 per site max.	Enclosed frame permanently attached to wall
Multifamily Entry Monument	Multifamily: all MD & MF	75 sq. ft. Entire Structure.	7 ft.	1 per “main” entrance	Minimum ground contact: 75% of structure’s width
Subdivision Entry Monument	All Residentially zoned districts	75 sq. ft. Entire Structure	7 ft.	1 <u>pair</u> per “main” entrance	Minimum ground contact: 75% of structure’s width

Exhibit A

Section 6-72. TEMPORARY SIGNS

TEMPORARY SIGNS						
TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
Horizontal Banner	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	50 s.f.	Highest point of roof, Attached to building	60 days per calendar year, in a minimum of 10 day increments	Only 1 allowed No lighting
Vertical Banner	Yes, per each change out	Non-residential* “S”, “L”, “H” “T” & “MHC”	35 s.f. freeway frontage, 12 s.f. for non-freeway	35 ft. max., 6 ft. min. to bottom of vertical banner, Attached to building or parking lot pole	Not applicable	50 ft. min. spacing 100 ft. min. street frontage 25’ min. to side property line
New Business “Coming Soon” Banner	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	50 s.f.	Highest point of roof, Attached to building	During lease space finish out, 60 day max. or 30 day max. with no finish out	1 sign per lease space, on bldg. No lighting
New Business “Now Open” Banner	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	50 s.f.	Highest point of roof, Attached to building	30 days from C.O.	1 sign per lease space, on bldg. No lighting
Multifamily Units for Rent or Lease Banner	Yes	Multifamily: all MD & MF	50 s.f.	Highest point of roof on building, or 15 ft. max. for free-standing signs	180 days per year, in 10 day periods	1 per street frontage Maximum 2 No lighting
HOA Group Garage Sale Banner	No	Residential	50 s.f.	Placed at subdivision entrance wall/fence	2 per Calendar Year	1 per subdivision entrance Maximum 2
Com. Unit(s) Sale or Lease Banner	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	50 s.f.	Highest point of roof Attached to building	Unit sold or leased	1 per street frontage No lighting
“Still in Business” Sign	Yes, No Fee	Section 6-70 (e)	Section 6-70 (e)	Section 6-70 (e)	Section 6-70 (e)	Section 6-70 (e)
Pennant Flags	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	Not applicable	Highest point of roof	During event	Only during approved Grand Openings
Feather Flags	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	Not applicable	15 ft.	During event	Only during approved Grand Openings and Events Max 4 flags

Exhibit A

TEMPORARY SIGNS						
TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
Decorative Flag (solid or color, Logo, business name allowed)	No	Non-residential* “S”, “L”, “H” “T”, “MF” & “MHC”	6 s.f.	25 ft. max., 6 ft. min. to bottom of flag	Not applicable	Street frontage 0-150’ 4 flags 151-200’ 5 flags 201-250’ 6 flags 251-300’ 7 flags over 300’ 8 flags
Balloons & Inflatable Objects	Yes	Non-residential* “S”, “L”, “H” “T” & “MHC”	Not applicable	50 ft.	During event	Only during approved Grand Openings and Events
Existing Building with three or less lease spaces, For Sale/Leasing Sign (Temporary)	Yes, No Fee	Non-residential* “S”, “L”, “H” “T” & “MHC”	6 s.f.	4 ft.	Unit sold or leased	1 per street frontage <hr/> No lighting
Political Signs	No	Section 6-70 (f)	Section 6-70 (f)	Section 6-70 (f)	Section 6-70 (f)	Section 6-70 (f)
Window Signs	No	Section 6-70 (h)	Section 6-70 (h)	Section 6-70 (h)	Section 6-70 (h)	Section 6-70 (h)
Vehicle	No	Section 6-70 (c)	Section 6-70 (c)	Section 6-70 (c)	Section 6-70 (c)	Section 6-70 (c)
Weekend Builders Directional	Yes	All	6 s.f.	3 ft.	12:00 pm Friday till 12:00 pm Monday	25 max. <hr/> 200 ft. or 1 block apart <hr/> 40 ft. min. from intersection <hr/> Not allowed in public R.O.W. No lighting
Open House Advertising	Yes	All	4 s.f.	3 ft	Signs can be displayed one hour before and removed within an hour after the “Open House.”	Open houses can be Saturday and Sunday only <hr/> A maximum of 5 signs in addition to 1 on premise sign allowed <hr/> Signs must say, “Open House” with a directional arrow. May have the company name, logo, and/or home address. <hr/> Permit sticker must be attached to the signs.

Exhibit A

TEMPORARY SIGNS						
TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
Multi-Family Rent or Lease	No	Multi-Family Districts	4 s.f.	3 ft	From Friday 5:30 PM till Monday 9:30AM	Can be Saturday and Sunday only A maximum of 5 on premise signs allowed
Sandwich Board Sign	No	Non-residential* “S”, “L”, “H” “I” & “MHC”	8 s.f.	4 ft	Only allowed during business hours	1 sign per lease space Non-illuminated freestanding A-frame style signs are permitted. Signs must be weighted down to provide stability. Signs must be placed within five feet of the building entrance. Signs must maintain a pedestrian path not less than four feet.
Church, charity & civic, <u>On-Premises</u>	Yes, No fee	All	50 s.f.	15 ft. max. for free-standing signs.	10 days prior to event, 30 days max.	On private property Not in R.O.W. No lighting
Church, charity/civic, <u>Off-Premises</u>	Yes, No fee	All	12 s.f.	3 ft. max. for free-standing signs.	10 days prior to event, 30 days max.	On private property Not in R.O.W. No lighting Removed 24 hr. after event
Real Estate Land Sale (vacant lot)	Yes	All	100 s.f.	15 ft.	Remove prior to development	1 acre min. 2 signs max. 1 per street frontage No lighting
Residential Construction	Yes	All Residentially zoned districts	32 s.f.	5 ft.	Remove upon final/C.O.	1 per 4 lots per street frontage No lighting
Commercial Construction	Yes	Non-residential* “S”, “L”, “H” “I” & “MHC”	32 s.f.	5 ft.	Remove upon final/C.O.	1 per 4 lots per street frontage No lighting
* Non-residential uses that are permitted in residentially zoned districts.						
**All signs are subject to setback regulations as set forth in Section 6-69 (c).						

Exhibit A

Section 6-73. EXEMPTIONS

A permit shall not be required for any of the following signs; provided, however, such signs shall otherwise comply with all other applicable provisions of the sign code:

- (a) Standard maintenance, painting, repainting or cleaning of an existing advertising structure and not more than fifty percent (50%) of the sign is repaired, altered, or replaced. This exemption shall include but not be limited to theater marquees and similar signs that are specifically designed for the use of replaceable copy.
- (b) Government signs and signs for organizations sponsored by government including flags, insignia, legal notices, informational, directional, decorative displays for holidays, public demonstrations and traffic signs which are legally required or necessary to the essential functions of government agencies shall not be regulated by the sign ordinance.
- (c) Any traffic sign, public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- (d) Directional signs, on premise not exceeding four (4) square feet in area and three (3) feet in height giving directions or instructions.
- (e) Menu board signs for drive-thru lanes at restaurants.
- (f) Gasoline pricing signs less than fifteen square feet (15 s.f.)
- (g) Signs that display the words "Now Hiring" and business name and do not include a commercial message or advertisement. Employment ads are exempt.
- (h) With the exception of multi-family zoned districts and non-residential uses that are permitted in residentially zoned districts, all other residentially zoned districts with a sign not exceeding nine (9) square feet in area, which advertises the sale, builder, construction, rental or lease of the premise shall be exempt. The sign shall be removed upon the completion of the construction, sale or lease of the premises.
- (i) Signs provided in Section 6-72 "Temporary Signs" shall be allowed for Special or Civic events.
- (j) Political signs as defined in Section 6-67.
- (k) Organization identification signs attached to a donation bin.
- (l) Traffic control signs on private property including but not limited to; "Stop", "Yield", "No Parking", "Towing", "Handicap Parking" and similar signs which contain no commercial message.
- (m) Directory signs on private properties.
- (n) "No Dumping Allowed" signs posted to deter illegal dumping.
- (o) Warning and security signs, including signs placed by a public utility for the safety, welfare, or convenience of the public, including, but not limited to signs identifying high voltage, public telephone, neighborhood watch or crime watch signs or underground cables.
- (p) Incidental signs

Section 6-74. PROHIBITED SIGNS

- (a) Unless allowed by State, local law or other City ordinances, off-premises advertising signs.
- (b) Billboard signs.
- (c) No signs shall be allowed in a public right-of-way excluding government signs, signs sponsored by government including flags, government insignia, government informational, government sponsored decorative displays for holidays, public demonstrations and traffic signs which are legally required or necessary to the essential functions of government agencies.
- (d) Unless allowed by State, local law or other City ordinances, signs attached to light fixtures, poles, curbs, sidewalks, gutters, utility poles, fences, railings and trees.
- (e) Signs which prevent free ingress to, or egress from any door, window, or fire escape.

Exhibit A

- (f) Signs erected or displayed in such a manner as to obstruct free and clear vision at any location, street, intersection, or driveway. All signs placed at intersections shall prevent such problem by observing a sight triangle as provided for in the Development Codes.
- (g) Obscene signs in which the dominant theme of material taken as a whole appeals to a prurient interest in sex or is patently offensive because it affronts community standards relating to the description or representation of sexual matters and is utterly without redeeming social value.
- (h) Portable signs as defined in Section 6-67 Definitions.
- (i) "V" type signs with a face that protrudes from the opposite face at an interior angle greater than twenty-five (25) degrees.
- (j) With the exception of illuminated Open/Closed signs in Section 6-70 "Sign Types" (h) 3, exposed neon tubing, luminous tubing, LED or any luminous lighting product that is specifically placed to draw attention to, shall not be used for display inside, outside, or outline of, any window or portion of a window in districts zoned "S", "L", "H", "I", "PUD", "MHC" and non-residential uses that are permitted in residentially zoned districts.
- (k) With the exception of illuminated Open/Closed signs in Section 6-70 "Sign Types" (h) 3, no other luminous signs shall be used for display in a window, or portion of a window in districts zoned "S", "L", "H", "I", "PUD", "MHC" and non-residential uses that are permitted in residentially zoned districts.
- (l) Exposed neon tubing, luminous tubing or any luminous lighting product shall not be used on, or outline of any or portion of an exterior sign.
- (m) Signs illuminated to such intensity or in such a manner as to cause a glare or brightness to a degree that it constitutes a hazard or nuisance to traffic.
- (n) Spotlights or floodlights shall not be mounted on pole, pylon or monument signs for other reasons than for external illumination for the sign its self, specifically lights shall be located, aimed, or shielded so as to focus solely on the intended sign façade thereby reducing glare and stray light constituting a hazard or nuisance to traffic.
- (o) Search lights or flashing lights.
- (p) Any illuminated sign or portion of an illuminated sign with motion or visual impression that primarily changes through electronic means. Said signs include visual simulation of motion characteristic of chasing, running, blinking, oscillating, twinkling, changing colors or expanding or contracting light patterns.
- (q) Change the display of an image, graphic, text, color or information on any sign or any portion of any sign for a period less than once each eight (8) seconds.
- (r) Unless specifically approved by Planning and Zoning or City Council, roof signs. However, signs are allowed on building towers or other architectural features of the building.
- (s) Sign, Walker in a public right-of-way.
- (t) Structural or non-structural additions or attachments to monument signs, excluding structural modifications for which a valid permit has been issued.
- (u) Balloons, inflatables and feather flags shall not be allowed for display on multifamily or commercially zoned properties.
- (v) Unless specifically allowed in Section 6-72 "Temporary Signs", feather flag type signs used to bring attention to, or advertising displays including blade, feather, shark fin, swooper, teardrop, triangular and wind flags shall be prohibited.
- (w) Any sign not specifically permitted by this ordinance.



Council Agenda Background

PRESENTER: Eric Valdez, Community Services Manager

DATE: 07/11/16

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

ITEM:

Consider an ordinance amending Chapter 86. "Parks and Recreation," Section 86-1. "Definitions" and Section 86-3. "Prohibited activities generally" of the City of Bedford Code of Ordinances; repealing all ordinances in conflict herewith; containing a savings clause; and declaring an effective date.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

At a Council Work Session held on May 11, 2016, a discussion was held regarding the feeding of ducks and other wildlife at the Boys Ranch Park. The Council heard a presentation from Sam Kieschnick, a biologist with the Texas Department of Parks and Wildlife, who discussed that the supplemental feeding of wildlife can lead to overpopulation and that the Department strongly discourages such activity. There was also discussion that supplemental feeding and overpopulation can lead to the increased susceptibility of animals contracting life-threatening diseases. Council directed staff to research a "no feeding" ordinance.

The attached ordinance provides a definition for "feeding" and "wildlife" and prohibits the feeding of any wildlife in any park in the City as well as public property adjacent to the parks.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance amending Chapter 86. "Parks and Recreation," Section 86-1. "Definitions" and Section 86-3. "Prohibited activities generally" of the City of Bedford Code of Ordinances; repealing all ordinances in conflict herewith; containing a savings clause; and declaring an effective date.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance
Red-Line Ordinance

ORDINANCE NO. 16-

AN ORDINANCE AMENDING CHAPTER 86. "PARKS AND RECREATION," SECTION 86-1. "DEFINITIONS" AND SECTION 86-3. "PROHIBITED ACTIVITIES GENERALLY" OF THE CITY OF BEDFORD CODE OF ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; CONTAINING A PENALTY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the supplemental feeding of wildlife leads to overcrowding and increases the susceptibility for wildlife to contract life-threatening diseases; and,

WHEREAS, the City Council of Bedford, Texas desires to maintain and protect the public health, public property and wildlife; and,

WHEREAS, The Texas Department of Parks and Wildlife discourage supplemental feeding of wildlife in public and private places.

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 Chapter 86. "Parks and Recreation," Section 86-1. "Definitions" and Section 86-3. "Prohibited activities generally" of the City of Bedford Code of Ordinances shall be repealed and replaced in their entirety to read as follows:

CHAPTER 86. PARKS AND RECREATION

Sec. 86-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amplified sound means any sound projected or transmitted by artificial means, including but not limited to amplifiers, loudspeakers, or any similar devices.

City manager means the city manager or a duly designated representative or agent.

Department means the city department of community services.

Director means the city manager or designee.

Feeding means the act of depositing an edible product, either directly to wildlife or placed within a city park in a manner that provides an opportunity for wildlife to consume immediately or at a later time.

Park means any land selected, obtained or acquired by the city for use as a public park, or recreation, or playground area, and any building or facility thereon, owned and maintained by the city as a public park, or recreation or playground area, whether or not such areas have been formally dedicated to such purpose.

Park board means the park and recreation board established by chapter 2 of the code.

Parking area means any designated portion of any park, or any park road or drive that is set aside for the parking of vehicles.

Permit means written permission from the park and recreation board, or director to carry out a given activity in a park.

ORDINANCE NO. 16-

Person means any person, firm, partnership, association, corporation, company, or organization of any kind.

Pollution means contamination or other alteration of the physical, chemical, or biological properties of park waters, including changes in the temperature, taste, color, turgidity or odor of the water, or such discharge of any liquid, gas, solid, radioactive or other substance into any park waters that will or is likely to create a public nuisance or render such waters harmful, detrimental or injurious to the public health, safety, or welfare or to domestic, recreational, or other beneficial uses or to wild animals, birds, fish, or other aquatic life.

Vehicle includes any wheeled device of conveyance, propelled by motor or engine. The term shall include any trailer of any kind, size or description. Exception is made for vehicles in the service of the city.

Vessel includes any device of human conveyance on the water, whether propelled by motor, wind or human power. The term includes, but is not limited to, any boat, canoe, raft or other watercraft.

Wildlife means any nondomestic creature (mammal, amphibian, reptile or fowl) which is of a species which is wild by nature, which can normally be found in a wild state and which is not naturally tame or gentle.

Sec. 86-3. - Prohibited activities generally.

(1) Buildings and other property.

a. Removal of natural resources.

- 1. No person in a park shall dig or remove any beach sand, whether submerged or not, or any soil, rock, stones, trees, shrubs or plants, down timber, or other wood or materials.**
- 2. No person in a park shall make any excavation by tool, equipment, blasting, or other means or agency.**

b. Erection of structures.

- 1. No person in a park shall construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon, or across such lands.**
- 2. It shall be an affirmative defense to section 86-3(1)b.1 above that the person had written permission of the city manager.**

(2) Trees, shrubbery, lawn.

a. Injury and removal.

- 1. No person shall damage, cut, carve, transplant, or remove any tree, or plant or injure the bark, or pick the flowers or seeds of any tree or plant.**
- 2. No person shall attach any rope, wire, or other contrivance to any tree or plant.**
- 3. No person shall dig or otherwise disturb grass areas to the detriment of these areas, or in any way injure, or impair the natural beauty or usefulness of any area, provided that normal use of grassed areas will not be prohibited.**

ORDINANCE NO. 16-

4. It shall be an affirmative defense to section 86-3(2) 1—3 that the person was a regularly authorized party acting by and under the authority and regulation of the city manager.

b. Climbing, etc. No person shall climb any tree or walk, stand or sit upon monuments, vases, fountains, railings, fences, or upon any other property not designated or customarily used for such purposes.

c. Hitching of animals. No person shall tie or hitch a horse or other animal to any tree or plant.

(3) Wildlife.

a. **Hunting.**

1. No person shall hunt, molest, harm, frighten, tease, shoot, or throw missiles at any animal, including domestic or wildlife.

2. No person shall remove or have in his possession the young of any wildlife, or the eggs, or nest or young of any reptile or fowl.

3. Exception to the foregoing is made in that snakes known or reasonably believed to be deadly venomous, such as rattlesnakes or other deadly reptiles, may be killed on sight.

b. **Feeding.** The supplemental feeding of wildlife leads to overcrowding and increases the susceptibility for wildlife to contract life threatening diseases. The Texas Department of Parks and Wildlife discourages supplemental feeding of wildlife in public and private places. The purpose of this section is to control the feeding of wildlife in order to protect the public health, public property, and wildlife.

1. No person shall engage in the feeding of any wildlife within any park within the city or within any public property adjacent thereto.

SECTION 3. That this ordinance shall be cumulative of all provisions of other ordinances of the City of Bedford, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting revisions of such ordinances are hereby repealed.

SECTION 4. 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 5. That any person convicted of a violation of this ordinance shall be punished by a fine not to exceed the amount allowed to be imposed under state law.

SECTION 6. That this ordinance shall be in full force and effect from and after its passage.

PRESENTED AND PASSED this 11th day of July 2016, by a vote of ___ ayes, ___ nays and ___ abstentions, at a special meeting of the City Council of the City of Bedford, Texas.

ORDINANCE NO. 16-

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

ORDINANCE NO. 16-

AN ORDINANCE AMENDING CHAPTER 86. "PARKS AND RECREATION," SECTION 86-1. "DEFINITIONS" AND SECTION 86-3. "PROHIBITED ACTIVITIES GENERALLY" OF THE CITY OF BEDFORD CODE OF ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; CONTAINING A PENALTY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the supplemental feeding of wildlife leads to overcrowding and increases the susceptibility for wildlife to contract life-threatening diseases; and,

WHEREAS, the City Council of Bedford, Texas desires to maintain and protect the public health, public property and wildlife; and,

WHEREAS, The Texas Department of Parks and Wildlife discourage supplemental feeding of wildlife in public and private places.

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 Chapter 86. "Parks and Recreation," Section 86-1. "Definitions" and Section 86-3. "Prohibited activities generally" of the City of Bedford Code of Ordinances shall be repealed and replaced in their entirety to read as follows:

CHAPTER 86. PARKS AND RECREATION

Sec. 86-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amplified sound means any sound projected or transmitted by artificial means, including but not limited to amplifiers, loudspeakers, or any similar devices.

City manager means the city manager or a duly designated representative or agent.

Department means the city department of community services.

Director means the city manager or designee.

Feeding means the act of depositing an edible product, either directly to wildlife or placed within a city park in a manner that provides an opportunity for wildlife to consume immediately or at a later time.

Park means any land selected, obtained or acquired by the city for use as a public park, or recreation, or playground area, and any building or facility thereon, owned and maintained by the city as a public park, or recreation or playground area, whether or not such areas have been formally dedicated to such purpose.

Park board means the park and recreation board established by ~~this~~ chapter [2 of the code](#).

Parking area means any designated portion of any park, or any park road or drive that is set aside for the parking of vehicles.

Permit means written permission from the park and recreation board, or director to carry out a given activity in a park.

ORDINANCE NO. 16-

Person means any person, firm, partnership, association, corporation, company, or organization of any kind.

Pollution means contamination or other alteration of the physical, chemical, or biological properties of park waters, including changes in the temperature, taste, color, turbidity or odor of the water, or such discharge of any liquid, gas, solid, radioactive or other substance into any park waters that will or is likely to create a public nuisance or render such waters harmful, detrimental or injurious to the public health, safety, or welfare or to domestic, recreational, or other beneficial uses or to wild animals, birds, fish, or other aquatic life.

Vehicle includes any wheeled device of conveyance, propelled by motor or engine. The term shall include any trailer of any kind, size or description. Exception is made for vehicles in the service of the city.

Vessel includes any device of human conveyance on the water, whether propelled by motor, wind or human power. The term includes, but is not limited to, any boat, canoe, raft or other watercraft.

Wildlife means any nondomestic creature (mammal, amphibian, reptile or fowl) which is of a species which is wild by nature, which can normally be found in a wild state and which is not naturally tame or gentle.

Sec. 86-3. - Prohibited activities generally.

(1) Buildings and other property.

a. Removal of natural resources.

1. No person in a park shall dig or remove any beach sand, whether submerged or not, or any soil, rock, stones, trees, shrubs or plants, down timber, or other wood or materials.
2. No person in a park shall make any excavation by tool, equipment, blasting, or other means or agency.

b. Erection of structures.

1. No person in a park shall construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon, or across such lands.
2. It shall be an affirmative defense to section 86-3(1)b.1 above that the person had written permission of the city manager.

(2) Trees, shrubbery, lawn.

a. Injury and removal.

1. No person shall damage, cut, carve, transplant, or remove any tree, or plant or injure the bark, or pick the flowers or seeds of any tree or plant.
2. No person shall attach any rope, wire, or other contrivance to any tree or plant.
3. No person shall dig or otherwise disturb grass areas to the detriment of these areas, or in any way injure, or impair the natural beauty or usefulness of any area, provided that normal use of grassed areas will not be prohibited.

ORDINANCE NO. 16-

4. It shall be an affirmative defense to section 86-3(2) 1—3 that the person was a regularly authorized party acting by and under the authority and regulation of the city manager.

b. Climbing, etc. No person shall climb any tree or walk, stand or sit upon monuments, vases, fountains, railings, fences, or upon any other property not designated or customarily used for such purposes.

c. Hitching of animals. No person shall tie or hitch a horse or other animal to any tree or plant.

(3) ~~Wild animals, birds~~ Wildlife, etc.

a. Hunting.

1. No person shall hunt, molest, harm, frighten, tease, shoot, or throw missiles at any ~~animal, reptile or bird~~ animal, including domestic or wildlife.

2. No person shall remove or have in his possession the young of any ~~wild animal~~ wildlife, or the eggs, or nest or young of any reptile or ~~bird~~ fowl.

3. Exception to the foregoing is made in that snakes known or reasonably believed to be deadly venomous, such as rattlesnakes or other deadly reptiles, may be killed on sight.

b. Feeding. ~~No person shall give, or offer, or attempt to give to any animal or bird any tobacco, alcohol, or other known toxic injurious substance. The supplemental feeding of wildlife leads to overcrowding and increases the susceptibility for wildlife to contract life threatening diseases. The Texas Department of Parks and Wildlife discourages supplemental feeding of wildlife in public and private places. The purpose of this section is to control the feeding of wildlife in order to protect the public health, public property, and wildlife.~~

1. No person shall engage in the feeding of any wildlife within any park within the city or within any public property adjacent thereto.

SECTION 3. That this ordinance shall be cumulative of all provisions of other ordinances of the City of Bedford, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting revisions of such ordinances are hereby repealed.

SECTION 4. 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 5. That any person convicted of a violation of this ordinance shall be punished by a fine not to exceed the amount allowed to be imposed under state law.

SECTION 6. That this ordinance shall be in full force and effect from and after its passage.

PRESENTED AND PASSED this 11th day of July 2016, by a vote of ___ayes, ___nays and ___ abstentions, at a special meeting of the City Council of the City of Bedford, Texas.

ORDINANCE NO. 16-

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



Council Agenda Background

<u>PRESENTER:</u> Jill McAdams, <i>SPHR</i> Human Resources Director Lisa Mizell, Benefits Seminar Plus	<u>DATE:</u> 07/11/16
Council Mission Area: Be responsive to the needs of the community.	
<u>ITEM:</u> Consider a resolution authorizing the City Manager to enter into a contractual agreement for employee health and dental insurance benefits with CIGNA. City Attorney Review: N/A City Manager Review: _____	
<u>DISCUSSION:</u> The City’s contracts for health and dental insurance with CIGNA expire on September 30, 2016. As a result, the City, utilizing benefit consultants Benefit Seminars Plus, went out to bid for these insurance products. Bids were received in May 2016. Bidding organizations were asked to provide a bid for a minimum of a 12-month contract period with an expiration date of September 30, 2017. Because of the on-going complexity of the medical insurance renewal due to many factors, including very high insurance claims, it was decided that staff would reconvene the Employee Insurance Committee (“the Committee”) in order to assist in the decision making process and to keep the employees they represented informed of the process and challenges associated with the renewal. The Committee met several times throughout the process and provided valuable feedback and suggestions that led to the decisions that were made. <u>Medical Insurance:</u> The City experienced another year with very high utilization of the health insurance plan. In April 2016, when the Request for Proposals (“RFP”) went out, medical claims were 128.4% over premium. The claims used to calculate the renewal were paid from April 1, 2015 through March 30, 2016. There were five on-going claims exceeding \$100,000 and several claims exceeding \$50,000 that were on-going and had the potential to exceed the \$100,000 pooling point. Staff and the Committee reviewed several options concerning plan design. Included in those options were PPO plans, High Deductible Health Plans that offered a Health Savings Account partner, self-funded plans and providing employees funding to go to the Marketplace to purchase their own health insurance. Self-Insurance was ruled out because the annual cost to fund this plan would be \$3,641,468.40, which represents a 63.48% increase over the current premiums paid. Providing a stipend to employees to purchase insurance through the Marketplace was also eliminated. Based on extensive research, staff learned that the Affordable Care Act does not allow employers to provide funding for employees to purchase health insurance. Therefore, any contributions given by the City would need to be added to the employees’ base salary, which in turn, increases operation costs such as the overtime and Texas Municipal Retirement System (TMRS) rates, etc. A conservative estimate of these costs, along with payment of penalties associated with not offering health insurance, increases the cost of insurance to \$3,283,682, or 69.55% over the current costs. Regarding fully insured products, the RFP was sent to Aetna, CIGNA, Blue Cross Blue Shield, United Health Care and TML. These are the only major insurance carriers left in the market for group plans. Aetna declined to bid because the Kaner Medical Group is not in their Affordable Care Network and they did not believe that they could be competitive. United Health Care declined to bid because they did not believe that they could offer a competitive quote. Blue Cross Blue Shield, TML and CIGNA submitted quotes. The CIGNA, Blue Cross Blue Shield and TML quotes can be found on the attached spreadsheet “City of Bedford Health Insurance Comparison 2016.” The rates and increases on this spreadsheet	

reflect no increases passed on to the employee for coverage in the “base plan” and extending the cost of buy up plans to employees, ensuring that all employees receive the same dollar amount contribution from the City across all plans offered.

As illustrated in the spreadsheet, CIGNA’s renewal came in at an increase of 39.60%, or \$3,633,237.48. This rate included a 9.61% discount for customer loyalty to CIGNA. Blue Cross Blue Shield presented a bid of \$3,979,274.28, which is an increase of 50.94% over the current premiums paid. TML provided a bid of \$4,971,124.56, which is a 97.78% increase over the current rates paid. The Blue Cross Blue Shield and TML plans provided smaller networks and lesser benefits, along with the substantial increase in premiums. The Committee ruled out these carriers because of the lesser benefits, smaller networks and because of the fact that the message that they received from the employees that they represented was that employees did not want to have to pay more for their insurance benefits.

This left the CIGNA bid as the only viable option for consideration. However, the major complaint that was expressed in the Committee meetings was that there were some employees that did not like CIGNA’s Local Plus network. This network was added to the insurance plan portfolio last year as a means to reduce cost. The Local Plus Network is CIGNA’S version of a controlled network designed to keep medical costs in control. The providers in this network must commit to certain standards in order to keep costs contained and outcomes at a higher standard than the other networks offered by CIGNA. Because of the concerns, although not wide spread, the Committee suggested going back to CIGNA to see if they would be willing to offer the base plan option with the Open Access Plus network (which is a less restrictive network) without increasing the cost to the City. Typically, insurance companies charge a “load fee” to load another insurance plan into their system. CIGNA agreed to add this plan with no additional charges to be incurred by the City. This plan will become an additional buy-up option for employees.

Dental Insurance: The City also experienced high utilization of dental insurance this year. The RFP went out in May 2016 and covered a 12-month period from April 2015 through March 2016. Claims were 109.2% over premiums paid. RFPs were sent to 13 carriers, of which 11 declined to bid due to being non-competitive. This left CIGNA and MetLife. While the MetLife bid was lower, the network of providers was different than CIGNA’s network and changing to MetLife would mean that employees who had work in progress would have to have that work completed prior to October 1, 2016. The Committee felt that this would be difficult to honor and disruptive, especially for those with orthodontics work in progress. Also, there have been no complaints received from the Committee on the dental benefits. The Committee felt that employees would be willing to absorb this slight increase for the convenience of not having to change dentists or complete work in progress. The MetLife quote was used to go back to CIGNA to see if there was any way that they would be willing to come down on the cost. CIGNA did come down 0.7% on the quote and added an additional 12 months to the rate guarantee for the DMO product. In keeping the rate philosophy consistent with the medical insurance, the City will absorb the increase on the DMO base plan and pass any additional costs for the buy-up PPO option to the employee, keeping the City’s contribution to the insurance premiums the same across all plans. This information can be found in the attached spreadsheet “City of Bedford Dental Comparison 2016.”

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a contractual agreement for employee health and dental insurance benefits with CIGNA.

FISCAL IMPACT:

The proposed budget for FY 2016/2017 will include funding for health and dental insurance.

ATTACHMENTS:

Resolution
City of Bedford Health Insurance Comparison
2016
City of Bedford Dental Comparison 2016

RESOLUTION NO. 16-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACTUAL AGREEMENT FOR EMPLOYEE HEALTH AND DENTAL INSURANCE BENEFITS WITH CIGNA.

WHEREAS, the City of Bedford provides medical and dental insurance benefits for all eligible employees; and,

WHEREAS, the current contracts for medical and dental insurance benefits will expire on September 30, 2016; and,

WHEREAS, the City of Bedford has received bids for medical and dental insurance benefits and has evaluated all options; and,

WHEREAS, the City Council of Bedford, Texas has determined that CIGNA should provide the City's employee medical and dental insurance.

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

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

SECTION 2. That the City Council does hereby authorize the City Manager to enter into a contractual agreement with CIGNA for provision of employee medical insurance benefits for the period of October 1, 2016 to September 30, 2017.

SECTION 3. That the City Council does hereby authorize the City Manager to enter into a contractual agreement with CIGNA for provision of employee dental insurance benefits for the period of October 1, 2016 to September 30, 2017 for the PPO Plan and October 1, 2016 to September 30, 2018 for the DMO Plan.

PRESENTED AND PASSED this 11th day of July 2016 by a vote of ___ ayes, ___ nays and ___ abstentions, at a special 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

City of Bedford Health Insurance Comparison 2016

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Provider	CIGNA - Current			CIGNA - Renewal				Blue Cross Blue Shield			TML		
2	Plan Type	LOCAL PLUS \$2500 HDHP	\$1500 HDHP	PPO	LOCAL PLUS \$2500 HDHP	\$2500 HDHP	\$1500 HDHP	PPO	\$2500 HMO	\$1500 HDHP	PPO	\$2500 HDHP	\$1500 HDHP	PPO
3	Family Collective Deductible	Yes	Yes	No	Yes	Yes	Yes	No	No	No	No	Yes	Yes	No
4	Deductible (In Net/Out of Net)	\$2500/5000	\$1500/3000	\$1000/2000	\$2500/5000	\$2500/5000	\$1500/3000	\$1000/2000	\$2500	\$1500/3000	\$1000/2000	\$2500/2750	\$1500/1750	\$1500/1750
5	Family Deductible	2X	2X	2X	2X	2X	2X	2X	2X	2X	2X	2X	2X	2X
6	Deductible Carry Forward	No	No	No	No	No	No	No	No	No	Yes	No	No	No
7	Out of Pocket (Including Ded)	\$5000/15000	\$3500/12000	\$3500/10500	\$5000/15000	\$5000/15000	\$3500/12000	\$3500/10500	\$4000	\$3000/12000	\$3000/10500	\$6450/No limit	\$6450/No limit	\$6600/No limit
8	Family Out of Pocket	2X	2X	2X	2X	2X	2X	2X	2X	2X	2X	2X	2X	2X
9	Coinsurance	80/60%	80/60%	80/50%	80/60%	80/60%	80/60%	80/50%	80%	80/60%	80/60%	80/50%	80/50%	80/50%
10	PCP Office Visit Co-pay	NA	NA	\$30	NA	NA	NA	\$30	\$40	NA	\$30	NA	NA	\$30
11	Specialist Copay	NA	NA	\$50	NA	NA	NA	\$50	\$60	NA	\$50	NA	NA	\$30
12	Preventive Care	\$0/Ded+40%	\$0/Ded+40%	\$0/Ded+50%	\$0/Ded+40%	\$0/Ded+40%	\$0/Ded+40%	\$0/Ded+50%	\$0	\$0/Ded+40%	\$0/Ded+40%	\$0/Ded+50%	\$0/Ded+50%	\$0/Ded+50%
13	Lab & X Ray (Diagnostic)	Ded+20/40%	Ded+20/40%	\$0/Ded+50%	Ded+20/40%	Ded+20/40%	Ded+20/40%	\$0/Ded+50%	Ded+20%	Ded+20/40%	\$0/Ded+40%	Ded+20/50%	Ded+20/50%	\$0/Ded+50%
14	Inpatient Hospital	Ded+20/40%	Ded+20/40%	Ded+20/50%	Ded+20/40%	Ded+20/40%	Ded+20/40%	Ded+20/50%	Ded+20%	Ded+20/40%	Ded+20/40%	Ded+20/50%	Ded+20/50%	Ded+20/50%
15	Hospital Deductible/admission	NA	NA	\$250 / \$500	NA	NA	NA	\$250 / \$500	NA	NA	NA	NA	NA	NA
16	Outpatient Surgery	Ded+20/40%	Ded+20/40%	Ded+20/50%	Ded+20/40%	Ded+20/40%	Ded+20/40%	Ded+20/50%	Ded+20%	Ded+20/40%	Ded+20/40%	Ded+20/50%	Ded+20/50%	Ded+20/50%
17	Urgent Care	Ded+20/40%	Ded+20/40%	\$75+20%	Ded+20/40%	Ded+20/40%	Ded+20/40%	\$75+20%	\$75+20%	Ded+20/40%	Ded+20/40%+\$75	Ded+20/50%	Ded+20/50%	Ded+20/40%+\$75
18	Emergency Room	Ded+20%	Ded+20%	\$150+20%	Ded+20%	Ded+20%	Ded+20%	\$150+20%	\$150+20%	Ded+20/40%	Ded+20/40%+\$150	Ded+20/50%	Ded+20/50%	Ded+20/40%+\$150
19	Prescription Drugs:	Generic Maintenance \$0			Generic Maintenance \$0				\$1000 Max 2Xfam	\$500 Max 2Xfam	\$500 Max 2Xfam	After Ded MAC	After Ded MAC	Mac
20	Generic	30%	30%	\$10	30%	30%	30%	\$10	Ded+20%	Ded+20/40%	\$10	20%	20%	\$9
21	Name brand	40%	40%	\$25	40%	40%	40%	\$25	Ded+20%	Ded+20/40%	\$25	20%	20%	\$38
22	Non-formulary	50%	50%	\$50	50%	50%	50%	\$50	Ded+20%	Ded+20/40%	\$50	20%	20%	\$60 / 120
23	Mail order	3X	3X	2X	3X	3X	3X	2X	Ded+20%	Ded+20/40%	3X			
24	Network	Local Plus	Open Access Plus		Local Plus	Open Access Plus (OAP)			Blue Premier Access	Blue Choice		Rented UHC		
25	Monthly Premium													
26	Employee	\$441.32	\$538.74	\$671.81	\$595.13	\$636.79	\$726.50	\$905.95	\$639.17	\$810.26	\$1,010.40	\$837.98	\$929.44	\$1,180.72
27	Employee & Spouse	\$900.27	\$1,099.03	\$1,370.50	\$1,214.03	\$1,299.01	\$1,482.06	\$1,848.15	\$1,303.86	\$1,652.94	\$2,061.23	\$2,028.64	\$2,252.04	\$2,865.80
28	Employee & Child(ren)	\$856.11	\$1,045.14	\$1,303.29	\$1,154.48	\$1,235.29	\$1,409.39	\$1,757.51	\$1,239.91	\$1,571.89	\$1,960.15	\$1,504.16	\$1,669.48	\$2,123.54
29	Employee & Family	\$1,429.79	\$1,745.50	\$2,176.65	\$1,928.10	\$2,063.07	\$2,353.84	\$2,935.26	\$2,070.77	\$2,625.23	\$3,273.68	\$2,507.36	\$2,783.88	\$3,543.32
30	Monthly Payroll Deduction													
31	Employee	\$0.00	\$97.42	\$230.49	\$0.00	\$41.66	\$131.37	\$310.82	\$0.00	\$171.09	\$371.23	\$0.00	\$91.46	\$342.74
32	Employee & Spouse	\$161.67	\$360.43	\$631.90	\$161.67	\$246.65	\$429.70	\$795.79	\$161.67	\$510.75	\$919.04	\$161.67	\$385.07	\$998.83
33	Employee & Child(ren)	\$103.36	\$292.39	\$550.54	\$103.36	\$184.17	\$358.27	\$706.39	\$103.36	\$435.34	\$823.60	\$103.36	\$268.68	\$722.74
34	Employee & Family	\$313.70	\$629.41	\$1,060.56	\$313.70	\$448.67	\$739.44	\$1,320.86	\$313.70	\$868.16	\$1,516.61	\$313.70	\$590.22	\$1,349.66
35	Participation by Plan	236	47	15	236	23	24	15	236	47	15	236	47	15
36	Employee	133	30	12	133	15	15	12	133	30	12	133	30	12
37	Employee & Spouse	15	9	2	15	4	5	2	15	9	2	15	9	2
38	Employee & Child(ren)	42	0	0	42	0	0	0	42	0	0	42	0	0
39	Employee & Family	46	8	1	46	4	4	1	46	8	1	46	8	1
40	Monthly Premium by Plan	\$173,926.57	\$40,017.35	\$12,979.37	\$234,543.50	\$23,000.17	\$27,723.16	\$17,502.96	\$251,899.15	\$60,186.10	\$19,520.94	\$320,394.22	\$70,422.60	\$23,443.56
41	Total Monthly (all 3 plans)	\$226,923.29			\$302,769.79				\$331,606.19			\$414,260.38		
42	Annual Premium (all 3 plans)	\$2,723,079.44			\$3,633,237.48				\$3,979,274.28			\$4,971,124.56		
43	- Employee Contributions	\$449,858.84			\$459,859.68				\$548,166.60			\$475,053.12		
44	Annual Cost to Bedford (nc to P)	\$2,273,220.60			\$3,173,377.80				\$3,431,107.68			\$4,496,071.44		
45	Amt of Increase to Bedford				\$900,157.20				\$1,157,887.08			\$2,222,850.84		
46	% Increase to Bedford				39.60%				50.94%			97.78%		

This information is proprietary and for cost illustrative purposes only. Please review benefit summaries, certificates and proposals for covered benefits, limitations and exclusions.

City of Bedford Dental Comparison 2016

	A	B	C	D	E	F	G	H	I
1	Provider	CIGNA Current		CIGNA Renewal		CIGNA Revised Renewal		MetLife	
2	Plan	PPO	DMO	PPO	DMO	PPO	DMO	PPO	DMO
3	Must use Network	No	Yes	No	Yes	No	Yes	No	Yes
4	Must pick Dentist	No	Yes	No	Yes	No	Yes	No	Yes
5	Maximum Annual Benefit	\$1,500	Unlimited	\$1,500	Unlimited	\$1,500	Unlimited	\$1,500	Unlimited
6	Deductible	\$50	\$0	\$50	\$0	\$50	\$0	\$50	\$0
7	Family	\$150	\$0	\$150	\$0	\$150	\$0	\$150	\$0
8	Preventive	100%	\$5	100%	\$5	100%	\$5	100%	\$5
9	Definition of Cleanings	2 per year	2 per year	2 per year	2 per year	2 per year	2 per year	2 per year	2 per year
10	Cleanings	100%	100%	100%	100%	100%	100%	100%	100%
11	X-rays	100%	100%	100%	100%	100%	100%	100%	100%
12	Basic	80%	Copays	80%	Copays	80%	Copays	80%	Copays
13	Fillings	80%	\$0	80%	\$0	80%	\$0	80%	\$12-30
14	Includes endo + perio	Yes	NA	Yes	NA	Yes	NA	Yes	NA
15	Major	60%	Copays	60%	Copays	60%	Copays	60%	Copays
16	Crown	60%	\$425	60%	\$425	60%	\$425	60%	\$335
17	Wait for timely new hires	None	None	None	None	None	None	None	None
18	Late Adds	OE no wait	NA	OE no wait	NA	OE no wait	NA	OE no wait	NA
19	Orthodontics	50%	Copays	50%	Copays	50%	Copays	50%	Copays
20	Deductible	Combined	\$0	Combined	\$0	Combined	\$0	Combined	\$0
21	Adult coverage	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
22	Child treatment (Lifetime)	\$1,500	\$1,872	\$1,500	\$1,872	\$1,500	\$1,872	\$1,500	\$2,410
23	Adult treatment (Lifetime)	\$1,500	\$2,184	\$1,500	\$2,184	\$1,500	\$2,184	\$1,500	\$2,410
24	Waiting period	None	None	None	None	None	None	None	None
25	Network	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
26	% of usual + customary OON	90%	NA	90%	NA	90%	NA	90%	NA
27	Rate guarantee	To 10/1/16		12 months		12 months	24 months	12 months	
28	Premium:								
29	Employee Only	\$31.96	\$13.30	\$35.60	\$13.30	\$35.60	\$12.90	\$36.25	\$10.49
30	Employee and Spouse or 1 Child	\$52.81	\$23.68	\$58.82	\$23.68	\$58.82	\$22.97	\$59.89	\$19.93
31	Employee and 2 or more	\$105.93	\$43.50	\$117.98	\$43.50	\$117.98	\$42.19	\$120.13	\$29.90
32	Participation by Plan	225	112	225	112	225	112	225	112
33	Employee	92	61	92	61	92	61	92	61
34	Employee & Spouse or 1 Child	53	25	53	25	53	25	53	25
35	Employee & 2 or more	80	26	80	26	80	26	80	26
36	Monthly Payroll Deduction								
37	Employee	\$5.00	\$0.00	\$5.00	\$0.00	\$5.00	\$0.00	\$5.00	\$0.00
38	Employee & Spouse or 1 Child	\$20.50	\$4.82	\$26.51	\$4.82	\$26.51	\$4.82	\$27.58	\$4.82
39	Employee & 2 or more	\$48.56	\$15.84	\$60.61	\$15.84	\$60.61	\$15.84	\$62.76	\$15.84
40	Monthly Premium by Plan	\$14,213.65	\$2,534.30	\$15,831.06	\$2,534.30	\$15,831.06	\$2,458.09	\$16,119.57	\$1,915.54
41	Total Monthly (Both Plans)	\$16,747.95		\$18,365.36		\$18,289.15		\$18,035.11	
42	Annual Premium (Both Plans)	\$200,975.40		\$220,384.32		\$219,469.80		\$216,421.32	
43	- Current Employee Contributions	\$71,563.68		\$86,954.04		\$86,954.04		\$89,698.56	
44	Annual Cost to Bedford (w/No PR changes)	\$129,411.72		\$133,430.28		\$132,515.76		\$126,722.76	
45	Amount of Increase			\$4,018.56		\$3,104.04		-\$2,688.96	
46	% Increase to Bedford			3.1%		2.4%		-2.1%	



Council Agenda Background

PRESENTER: Jill McAdams, <i>SPHR</i> Human Resources Director Lisa Mizell, Benefits Seminar Plus		DATE: 07/11/16
Council Mission Area: Be responsive to the needs of the community.		
ITEM: Consider a resolution authorizing the City Manager to enter into a contractual agreement with VSP to provide supplemental vision insurance to employees as a voluntary benefit option. City Attorney Review: Yes City Manager Review: _____		
DISCUSSION: The City has offered vision insurance as a voluntary supplemental employee benefit since 2011. In 2015, after many complaints from employees, the City went out to bid for vision insurance and selected VSP. The rate had a guarantee for oneyear. During the City's time with VSP, Human Resources staff has received no complaints from employees regarding VSP or their vision insurance coverage and staff has been pleased with the customer service received from VSP as a plan administrator; therefore, when the contract came up for renewal, staff requested that the City's brokers, Benefits Seminar Plus, only contact VSP for a renewal. VSP provided a renewal quote with a two-year rate guarantee of the exact plan currently being offered and an alternate plan, as illustrated on the attached spreadsheet "2016 Vision Comparison for the City of Bedford. The difference in the current plan and the alternate plan is in the cost of lenses and can be found on line 5 of the spreadsheet. The current plan has a lenses co-pay of \$25 and the alternate plan increases that co-pay to \$30. The difference in the monthly cost is \$0.33 per single employee, \$0.53 for employee+spouse, \$0.54 for employee+child(ren) and \$0.86 for employee + family. Human Resources staff presented the information to the Employee Insurance Committee. It is the joint recommendation of staff and the Committee to renew the current plan with the slight increase because employees are most familiar with this plan and there would be additional premium savings associated with this renewal due to the City's participation in the Section 125 Plan that allows employees to pay for insurance premiums on a pre-tax basis.		
RECOMMENDATION: Staff recommends the following motion: Approval of a resolution authorizing the City Manager to enter into a contractual agreement with VSP to provide supplemental vision insurance to employees as a voluntary benefit option.		
FISCAL IMPACT: N/A	ATTACHMENTS: Resolution 2016 Vision Comparison for City of Bedford	

RESOLUTION NO. 16-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACTUAL AGREEMENT WITH VSP TO PROVIDE SUPPLEMENTAL VISION INSURANCE TO EMPLOYEES AS A VOLUNTARY BENEFIT OPTION.

WHEREAS, the City of Bedford provides various voluntary supplemental insurance benefits for all eligible regular full time employees; and,

WHEREAS, the City of Bedford has determined that VSP should provide the City's supplemental employee vision insurance benefit; and,

WHEREAS, the City of Bedford has offered VSP vision insurance to employees and employees and staff are completely satisfied with VSP vision insurance; and,

WHEREAS, the City of Bedford has received a renewal bid for supplemental vision insurance and has evaluated the plan options provided and determined that the current plan should be renewed.

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

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

SECTION 2. That the City Council does hereby authorize the City Manager to enter into a contractual agreement with VSP to provide supplemental vision insurance to employees as a voluntary benefit option for the period of October 1, 2016 to September 30, 2018.

PRESENTED AND PASSED this 11th day of July 2016, by a vote of ___ ayes, ___ nays and ___ abstentions, at a special 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

2016 Vision Comparison for City of Bedford

	A	B	C	D
1		VSP	VSP	VSP Alternate Plan
2		Current	Renewal	Alternate
3	Eye Exam	\$10	\$10	\$10
4	Frequency	12 months	12 months	12 months
5	Lenses	\$25	\$25	\$30
6	Frequency	12 months	12 months	12 months
7	Enhancements	30-35% Discounts	30-35% Discounts	30-35% Discounts
8	Frames	\$130 Allowance,	\$130 Allowance,	\$130 Allowance,
9	Frequency	24 months	24 months	24 months
10	Contacts (lieu of glasses)	\$130 Allowance	\$130 Allowance	\$130 Allowance
11	Fitting and Follow Up	Up to \$60	Up to \$60	Up to \$60
12	Frequency	12 months	12 months	12 months
13	Rate Guarantee	To 10/1/16	24 months	24 months
14	Monthly Premium:			
15	Employee	\$7.29	\$7.62	\$7.29
16	Employee and Spouse	\$11.67	\$12.20	\$11.67
17	Employee and Child(ren)	\$11.91	\$12.45	\$11.91
18	Employee and Family	\$19.21	\$20.07	\$19.21



Council Agenda Background

PRESENTER: Jill McAdams, *SPHR*
Human Resources Director

DATE: 07/11/16

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

ITEM:

Consider a resolution approving the City of Bedford's Section 125 Plan that allows employees to make contributions for insurance premiums and Health Savings Accounts (HSA) on a pre-tax basis as allowable under the Internal Revenue Service (IRS) Code Section 125.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

Employees have the option to pay for their insurance benefits and HSA contributions on a pre-tax basis under the IRS Code Section 125. By doing so, their premiums and contributions are made before taxes, thus eliminating taxation on those monetary contributions.

The IRS requires that the City of Bedford reinstate, on a yearly basis, the Premium Only Section 125 Plan ("Plan") adopted by the City on January 1, 1989. The Plan expires on September 30, 2016.

The City of Bedford intends that the Plan qualify as a "cafeteria plan" under Section 125 of the IRS Code of 1986 as amended. A copy of the summary plan document is attached.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution approving the City of Bedford's Section 125 Plan that allows employees to make contributions for insurance premiums and Health Savings Accounts (HSA) on a pre-tax basis as allowable under the Internal Revenue Service (IRS) Code Section 125.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution
Summary Plan Document-Premium Only Section
125 Plan

RESOLUTION NO. 16-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO REINSTATE THE PREMIUM ONLY SECTION 125 PLAN ADOPTED BY THE CITY OF BEDFORD ON JANUARY 1, 1989.

WHEREAS, the City Council of Bedford, Texas has previously determined on January 1, 1989 that it would be in the best interests of its employees to adopt a Section 125 Premium Only Plan allowing for pre-taxed medical and dental benefit coverage and Health Savings Account (HSA) contributions; and,

WHEREAS, the current plan for this benefit will expire on September 30, 2016; and,

WHEREAS, the City will continue to allow employees to pay for their premiums and HSA contributions on a pre-tax basis.

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 of Bedford reinstates its Section 125 Premium Only Plan all in accordance with the specifications outlined in the attached Summary Plan Document; and, be it known that this document was executed on January 1, 1989 and is to be reinstated October 1 of each year thereafter.

SECTION 3. That it be further resolved that the City of Bedford undertake all actions necessary to implement and administer said plan.

SECTION 4. That the undersigned hereby certifies that he/she is the custodian of books and records of the City of Bedford, Texas, an entity duly formed pursuant to the laws of the State of Texas, and that the foregoing is a true resolution duly adopted, and that said meeting was held in accordance with state law and the bylaws of the City of Bedford.

PRESENTED AND PASSED on this 11th day of July 2016 by a vote of ___ ayes, ___ nays and ___ abstentions, at a special 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



The City of Bedford
Premium Only Section 125 Plan
Summary Plan Description
Effective January 1, 1989; Amended October 1, 2012

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As used in this Summary Plan Description (SDP), “Your” means an active employee as described under “who is Eligible”

Plan Purpose

The purpose of the City of Bedford Premium Only Plan (“Plan”) is to allow you to purchase coverage for health care with pre-tax dollars through a special type of spending account.

The advantage of this special spending account is that you pay no federal taxes on the contributions you make. This means a higher take-home pay for you than if you purchased health coverage with after-tax dollars.

The following pages explain how the plan works.

Who is Eligible?

If you are an employee regularly scheduled to work 30 or more hours per week at the City of Bedford (“Employer”), or any affiliate of the Employer which adopts the Plan (“Participating Employer”) then you are eligible to participate in the Plan.

How to Enroll

To enroll in the Plan, you must complete an election form; thereafter, in order to participate, you must re-enroll during the calendar month period preceding each Plan Year. If you are already a Plan Participant and you fail to complete an election form for the upcoming Plan Year then you will be deemed to have elected cash compensation to the extent permissible. If you are a newly Eligible Employee and fail to complete an election form then you will be deemed to have elected cash compensation to the extent permissible, (this means you have agreed to accept your pay after-taxes have been taken out, to pay for qualifying benefits). For the purpose of this Plan, “Plan Year” means the twelve month period commencing October 1 and ending on the subsequent September 30. Keep in mind that your choices are in effect for the entire Plan Year. Generally, you cannot change the elections you have made after the beginning of the Plan Year. However, there are certain limited situations when you can change your elections, see “Election Changes” in this Summary. If for any reason you become unable to make the required contributions for the Plan, your benefits will cease at that time. You will not be able to resume pre-tax payment of premiums until the new Plan Year.

Election Changes

You usually cannot change your election to participate in the Salary Reduction Plan or vary the salary reduction amounts that you have selected during the Plan Year (known as the irrevocability rule). Of course you can change your elections for benefits and salary reductions during the Open Enrollment Period, but that will apply only for the upcoming Plan Year. During the Plan Year, however, there are several important exceptions to the irrevocability rule, known as “Changes in Election Events.” Participants can change their elections under the Salary Reduction Plan during a Plan Year if an event occurs that is a Change in Election Event and certain other conditions are met, as described below. For details, see the various Change in Election Events headings below for the specific type of Changes in Election Event: Leaves of absence, including FMLA leave; Changes in Status; Certain Judgments, Decrees and Orders; Medicare and Medicaid; Changes in Cost; and Changes in Coverage. In addition, the Plan

Administrator can change certain elections on its own initiative. Note also that no changes can be made with respect to Medical Insurance Benefits if they are not permitted under the Medical Insurance Plan.

If any change in Election Event occurs, you must inform the Plan Administrator and complete a new Election Form/Salary Reduction Agreement within 30 days after the occurrence. If the change involves a loss of your Spouse's or Dependent eligibility for Medical Insurance Benefits, then the change will be deemed effective as of the date that eligibility is lost due to the occurrence of the Change in Election Event, even if you do not request it within 30 days.

1. Leaves of Absence. You may change an election under the Salary Reduction Plan upon FMLA and non-FMLA leaves.

2. Change in Status. If one or more of the following Changes in Status occur, you may revoke your old election and make a new election provided that both the revocation and new election are on account of and correspond with the Change in Status. Those occurrences that qualify as a Change in Status include the events described below, as well as any other events that the Plan Administrator, in its sole discretion and on a uniform and consistent basis, determines are permitted under IRS regulations:

- a change in your legal marital status (such as marriage, death of a Spouse, divorce, legal separation, or annulment). "Spouse" means the person who is legally married to you and is treated as a spouse under the Internal Revenue Code ("the Code");
- a change in the number of Dependents (such as the birth of a child, adoption or placement for adoption of a Dependent, or death of a Dependent). "Dependent" means your tax dependent under the code;
- any of the following events that change the employment status of you, your Spouse, or your Dependent and that affects benefits eligibility under a cafeteria plan (including this Salary Reduction Plan) or other employee benefit plan of you, your Spouse, or your Dependents. Such events include any of the following changes in employment status: termination or commencement of employment; a strike or lockout; a commencement of or return from an unpaid leave of absence; a change in worksite; switching from salaried to hourly-paid; union to non-union; or full-time to part-time (or vice versa); incurring a reduction or increase in hours of employment; or any other similar change that makes the individual become (or cease to be) eligible for a particular employee benefit;
- an event that causes your Dependent to satisfy or cease to satisfy an eligibility requirement for a particular benefit (such as attaining a specific age, ceasing to be a student, or a similar circumstance).
- A change in your, your Spouse's or your Dependent's place of residence.

3. Change in Status – Other Requirements. If you wish to change your election based on a Change in Status, you must establish that the revocation is on account of and corresponds with the Change in Status. The Plan Administrator, in its sole discretion and on a uniform and consistent basis, shall determine whether a requested change is on account of and corresponds with a Change in Status. As a general rule, a desired election change will be found to be consistent with a Change in Status event if the event affects coverage.

In addition, you must satisfy the following specific requirements in order to alter your election based on that Change in Status:

- *Loss of Spouse or Dependent Eligibility; Special COBRA Rules.* For accident and health benefits a special rule governs which types of election changes are consistent with the Changes in Status. For a Change in Status involving your divorce, annulment, or legal separation from your Spouse, the death of your Spouse or your Dependent, or your Dependent's ceasing to satisfy the

eligibility requirements for coverage, you may elect only to cancel the accident or health benefits for the affected Spouse or Dependent. A change in election for any individual other than your Spouse involved in the divorce, annulment, or legal separation, your deceased Spouse or Dependent, or your Dependent that ceased to satisfy the eligibility requirements would fail to correspond with the Change in Status.

However, if you, your Spouse, or your Dependent elects COBRA continuation coverage under the Employer's plan because you ceased to be eligible because of a reduction of hours or because your Dependent ceases to satisfy eligibility requirements for coverage, and if you remain a Participant under the terms of the Salary Reduction Plan, then you may in certain circumstances be able to increase your contributions to pay for such coverage.

- *Gain of Coverage Eligibility Under Another Employer's Plan.* For a Change in Status in which you, your Spouse, or your Dependent gains eligibility for coverage under another employer's cafeteria plan (or qualified benefit plan) as a result of change in your marital status or a change in your, your Spouse's, or your Dependent's employment status, your election to cease or decrease coverage for that individual under the Salary Reduction Plan would correspond with the Change in Status only if coverage for that individual becomes effective or is increased under the other employer's plan.

4. Special Enrollment Rights. In certain circumstances, enrollment for Medical Insurance Benefits may occur outside the Open Enrollment Period, as explained in materials provided to you separately describing the Medical Insurance Benefits. (The Employer's Special Enrollment Notice also contains important information about the special enrollment rights that you may have, a copy of which was previously furnished to you. Contact Human Resources if you need another copy.) When a special enrollment right explained in those separate documents applies to your Medical Insurance Benefits, you may change your election under the Salary Reduction Plan to correspond with the special enrollment right.

5. Certain Judgments, Decrees, and Orders. If a judgment, decree, or order from a divorce, separation, annulment or custody change requires your child (including a foster child who is your Dependent) to be covered under the Medical Insurance Benefits, you may change your election to provide coverage for the child. If the order requires that another individual (such as your former Spouse) cover the child, then you may change your election to revoke coverage for the child if such coverage is, in fact, provided for the child.

6. Medicare or Medicaid. If you, your Spouse, or your Dependent becomes entitled to (i.e., becomes enrolled in) Medicare or Medicaid, then you may reduce or cancel that person's accident or health coverage under the Medical Insurance Plan. Similarly, if you, your Spouse, or your Dependent who has been entitled to Medicare or Medicaid loses eligibility for such coverage, then you may elect to commence or increase that person's accident or health coverage.

7. Change in Cost. If the cost charged to you for your Medical Insurance Benefits significantly increases during the Plan Year, then you may choose to do any of the following: (a) make a corresponding increase in your contributions; (b) revoke your election and receive coverage under another benefits package option (if any) that provides similar coverage, or elect similar coverage under the plan of your Spouse's employer; or (c) drop your coverage, but only if no other benefits package option provides similar coverage.

For insignificant increases or decreases in the cost of benefits, however, the Plan Administrator will automatically adjust your election contributions to reflect the minor change in cost. The Plan Administrator generally will notify you of increases in the cost of Medical Insurance benefits.

8. Change in Coverage. You may also change your election if one of the following events occurs:

- *Significant Curtailment of Coverage.* If your Medical Insurance Benefits coverage is significantly curtailed without a loss of coverage (for example, when there is an increase in the deductible under the Medical Insurance Benefits), then you may revoke your election for that coverage and elect coverage under another benefits package option that provides similar coverage. (Coverage under a plan is significantly curtailed only if there is an overall reduction of coverage under the plan generally – loss of one particular physician in a network does not constitute significant curtailment). If your Medical Insurance Benefits coverage is significantly curtailed with a loss of coverage (for example, if you lose all coverage under the option by reason of an overall lifetime or annual limitation), then you may either revoke your election and elect coverage under another benefits package option that provides similar coverage, elect similar coverage under the plan of your Spouse’s employer, or drop coverage but only if there is no option available under the plan that provides similar coverage. (The Plan Administrator generally will notify you of significant curtailments in Medical Insurance Benefits coverage.)
- *Addition or significant Improvement of Salary Reduction Plan Option.* If the Salary Reduction Plan adds a new option or significantly improves an existing option, then the Plan Administrator may permit Participants who are enrolled in an option other than the new or improved option to elect the new or improved option. Also, the Plan Administrator may permit eligible Employees to elect the new or improved option on a prospective basis, subject to limitations imposed by the applicable option.
- *Loss of Other Group Health Coverage.* You may change your election to add group health coverage for you, your Spouse, or your Dependent, if any of you loses coverage under any group health coverage sponsored by a governmental or educational institution (for example, a state children’s health insurance program or certain Indian tribal programs).
- *Change in Election Under Another Employer Plan.* You may make an election change that is on account of and corresponds with a change made under another employer plan (including a plan of the Employer or a plan of your Spouse’s or Dependent’s employer), so long as (a) the other cafeteria plan or qualified benefits plan permits its participants to make an election change permitted under the IRS regulations; or (b) the Salary Reduction Plan permits you to make an election for a period of coverage (for example, the Plan Year) that is different from the period of coverage under the other cafeteria plan or qualified benefits plan. For example, if an election to drop coverage is made by your Spouse during his or her employer’s open enrollment, you may add coverage under the Salary Reduction Plan to replace the dropped coverage.

9. Modifications Required by the Plan Administrator. The Plan Administrator may modify your election(s) downward during the Plan Year if you are a key employee or highly compensated individual (as defined by the Code), if necessary to prevent the Salary Reduction Plan from becoming discriminatory within the meaning of the federal income tax law. Additionally, if a mistake is made as to your eligibility or participation, the allocations made to your account, or the amount of benefits to be paid to you or another person, then the Plan administrator shall, to the extent that it deems administratively possible and otherwise permissible under the Code and other applicable law, allocate, withhold, accelerate, or otherwise adjust such amounts as will in its judgment accord the credits to the account or distributions to which you are or such other person is properly entitled under the Salary

Reduction Plan. Such action by the Plan Administrator may include withholding of any amounts due from your compensation.

When You May Participate

You are eligible to participate on the first day of the calendar month coinciding with or next following your completion of one day of active employment as an Eligible Employee. It is specifically the Participant's responsibility regarding insurance premium reimbursement not to request anything that could violate the terms of their insurance policy.

Health Savings Account (HSA) Module

An Eligible Employee can elect to participate in the HSA Module by electing to pay the HSA Contribution on a pre-tax Salary Reduction basis to the HSA established and maintained outside the Plan by a trustee/custodian to which the Employer can forward contributions to be deposited (this funding feature constitutes the HSA Benefits offered under this Plan). Such election can be increased, decreased or revoked prospectively at any time during the Plan Year, effective no later than the first day of the next calendar month following the date that the election change was filed.

The annual Contribution for your HSA Benefits is equal to the annual benefit amount elected by you (for example, if the maximum \$5,950 annual benefit amount is elected, then the annual contribution amount is also \$5,950). In no event shall the amount elected exceed the statutory maximum amount for HSA contributions applicable to the Participant's High Deductible Health Plan coverage option (i.e., single or family) for the calendar year in which the Contribution is made (See the IRS website for annual contribution limits).

An additional catch-up Contribution (See the IRS website for catch-up limit provisions) may be made for Employees who are age 55 or older. In addition, the maximum annual Contribution shall be reduced by any matching (or other) Employer Contribution made on the Participant's behalf other than pre-tax Salary Reduction made under the plan.

The Plan Year covers two calendar years which may result in the IRS guidelines for HSA contributions being modified mid-plan year. If this occurs the Employer will electronically communicate all changes in HSA contribution guidelines to Plan Participants.

The HSA is not an employer-sponsored employee benefit plan – it is an individual trust or custodial account separately established and maintained by a trustee/custodian outside the Plan. Consequently, the HSA trustee/custodian, not the Employer, will establish and maintain the HSA. The HSA trustee/custodian will be chosen by the Employer. The Plan Administrator will maintain records to keep track of HSA Contributions an Employee makes via pre-tax Salary Reductions, but it will not create a separate fund or otherwise segregate assets for this purpose. The Employer has no authority or control over the funds deposited in a HSA.

The tax treatment of the HSA (including contributions and distributions) is governed by Code § 223.

HSA Benefits under this Plan consist solely of the ability to make Contributions to the HSA on a pre-tax Salary Reduction basis. Terms and conditions of coverage and benefits will be provided by and are set forth in the HSA, not this Plan. The terms and conditions of each Participant's HSA trust or custodial account are described in the HSA trust or custodial agreement provided by the applicable trustee/custodian to each electing Participant and are not a part of this Plan.

The HSA is not an employer-sponsored employee benefits plan. It is a savings account that is established and maintained by an HSA Trustee/Custodian outside this Plan to be used primarily for

reimbursement of “qualified eligible medical expenses” as set forth in Code § 223(d)(2). The Employer has no authority or control over the funds deposited in a HSA. Even though this Plan may allow pre-tax Salary Reduction contributions to a HSA, the HSA is not intended to be an ERISA benefit plan sponsored or maintained by the Employer.

An election to make a Contribution to your HSA can be increased, decreased or revoked at any time during the year on a prospective basis. Such election changes shall be effective no later than the first day of the next calendar month following the date that the election change was filed. No Benefit Package Option election changes can occur as a result of a change in HSA election. See your Plan Administrator for more details.

Flexible Spending Account (FSA) Module

An Employee who works a minimum of 1560 hours per year can elect to participate in the FSA Module by electing to pay the FSA contribution on a pre-tax Salary Reduction basis to the FSA established and maintained outside the Plan by a trustee/custodian to which the Employer can forward contributions to be deposited (this funding feature constitutes the FSA Benefits offered under this Plan).

The maximum allowable annual Contribution for your (medical) FSA Benefits is \$2000 and \$5000 for your (dependent care) FSA. In no event shall the amount elected exceed maximum amounts listed above. All funds must be used by the end of the calendar year in which the plan is in effect, otherwise, funds are forfeited back to the employer.

The Employer will electronically communicate any changes to the maximum FSA contribution guidelines to Plan Participants.

The FSA is an employer-sponsored employee benefit plan in addition to an individual trust or custodial account separately established and maintained by a trustee/custodian outside the Plan. Consequently, the FSA trustee/custodian, not the Employer, will establish and maintain the FSA. The FSA trustee/custodian will be chosen by the Employer. The Plan Administrator will maintain records to keep track of FSA Contributions an Employee makes via pre-tax Salary Reductions, but it will not create a separate fund or otherwise segregate assets for this purpose. The Employer has no authority or control over the funds deposited in a FSA other than limiting the maximum allowable contributions as listed above.

The tax treatment of the FSA (including contributions and distributions) is governed by Code § 223.

FSA Benefits under this Plan consist solely of the ability to make Contributions to the FSA on a pre-tax Salary Reduction basis. Terms and conditions of coverage and benefits will be provided by and are set forth in the FSA, not this Plan. The terms and conditions of each Participant’s FSA trust or custodial account are described in the FSA trust or custodial agreement provided by the applicable trustee/custodian to each electing Participant and are not a part of this Plan.

FMLA Leaves of Absence *(Applicable to groups of 50+ employees)*

If you go on a qualifying leave under the Family and Medical Leave Act of 1993 (FMLA), then to the extent required by the FMLA your Employer will continue to maintain your Medical Insurance Benefits on the same terms and conditions as if you were still active (that is, your Employer will continue to pay its share of the contributions to the extent that you opt to continue coverage). Your Employer may require you to continue all Medical Insurance Benefits coverage while you are on paid leave (so long as Participants on non-FMLA paid leave are required to continue coverage). If so, you will pay your share of the contributions by the method normally used during any paid leave (for example, on a pre-tax

salary-reduction basis). If you are going on unpaid FMLA leave (or paid FMLA leave where coverage is not required to be continued) and you opt to continue your Medical Insurance Benefits, then you may pay your share of the contributions in one of three ways: (a) with after-tax dollars while on leave; (b) with pre-tax dollars to the extent that you receive compensation during the leave, or by pre-paying all or a portion of your share of the contributions for the expected duration of the leave on a pre-tax salary reduction basis out of your pre-leave compensation, including unused sick days and vacation days (to pre-pay in advance, you must make a special election before such compensation normally would be available to you (but note that prepayments with pre-tax dollars may not be used to pay for coverage during the next Plan Year); or (c) by other arrangements agreed upon by you and the Plan Administrator (for example, the Plan Administrator may pay for coverage during the leave and withhold amounts from your compensation upon your return from leave).

If your Employer requires all Participants to continue Medical Insurance Benefits during the unpaid FMLA leave, then you may discontinue paying your share of the required contributions until you return from leave. Upon returning from leave, you must pay your share of any required contributions that you did not pay during the leave. Payment for your share will be withheld from your compensation either on a pre-tax or after-tax basis, depending on what you and the Plan Administrator agree to. If your Medical Insurance Benefits coverage ceases while you are on FMLA leave (e.g., for non-payment of required contributions), you will be permitted to re-enter such Benefits, as applicable, upon return from such leave on the same basis as when you were participating in the Plan before the leave or as otherwise required by the FMLA. You may be required to have coverage for such Benefits reinstated so long as coverage for Employees on non-FMLA leave is required to be reinstated upon return from leave. If that policy permits you to discontinue contributions while on leave, then upon returning from leave you will be required to repay the contributions not paid by you during leave. Payment will be withheld from your compensation either on a pre-tax or after-tax basis, as agreed to by the Plan Administrator and you or as the Plan Administrator otherwise deems appropriate.

Non-FMLA Leaves of Absence

If you go on an unpaid leave of absence that does not affect eligibility, then you will continue to participate and the contribution due from you (if not otherwise paid by your regular salary reductions) will be paid by pre-payment before going on leave, with after-tax contributions while on leave or with catch-up contributions after the leave ends, as determined by the Plan Administrator. If you go on an unpaid leave that does affect eligibility, then the Change in Status rules will apply (see Q-1).

About Social Security Taxes

Social Security taxes are not deducted from the amount you pay in premiums on a pre-tax basis. This could result in a small reduction in the Social Security benefit you receive at retirement. This is because Social Security benefits are based on what you earned while you were working, up to the Taxable Wage Base (TWB). If your salary is above the TWB, your Social Security benefit is not likely to be affected. If you are below the TWB, the benefit would be reduced. The tax advantages you gain through this Plan may offset any possible reduction in Social Security benefits.

About Income Taxes

If you cover dependent children under medical plan(s) sponsored by the City of Bedford and your family's adjusted income is \$35,458 or less, you may be eligible to receive the Supplemental Earned

Income Credit for Health Insurance Premiums (based on the tax code as of January 1, 2004). However, the amount of your contributions for health coverage, which are paid on a pre-tax basis, would reduce the amount of this tax credit. You should, therefore, review whether it is more advantageous for you to take the full tax credit or to elect to have your medical and dental contributions paid on a pre-tax basis.

Future of the Premium Only Account

The Plan is based on the Employer's understanding of the current provisions of the Internal Revenue Code. The Employer reserves the right to amend or discontinue the Plan if regulations or changes in the tax law make it advisable to do so. If the Plan is amended or terminated, it will not affect any benefit to which you were entitled before the date of the amendment or termination. It is specifically the Participant's responsibility regarding insurance premium reimbursement not to request anything that could violate the terms of their insurance policy.

Insurance Contracts

Any moneys refunded to the Employer or a participating Employer, due to actuarial error in the rate calculation, will be the property of and retained by the Employer or the Participating Employer.

COBRA Continuation Coverage *(Generally applicable to groups of 20+ employees)*

If you terminate employment, under Federal law, you, your spouse, and/or your covered dependents lose coverage under this Plan. You, your spouse, and/or your covered dependents may be entitled to continuation of health care coverage. The Administrator will inform you of these rights if you lose coverage for any reason other than divorce, legal separation or a covered dependent ceasing to be a dependent. Generally, if we employed twenty (20) or more employees "on a typical business day" in the preceding calendar year, health plan continuation must be made available for a period not to exceed eighteen (18) months if a loss of benefits occurs because of your termination of employment or reduction of hours, or for a period not to exceed three (3) years for any of the other reasons given in (b) or (c) below. Under certain circumstances, persons who are disabled at the time of termination of employment or reduction of hours and/or within the first 60 days of COBRA coverage may be eligible for continuation of coverage for a total of 29 months (rather than 18). You should check with the Administrator for more details regarding this extended coverage. However, in certain circumstances, this continuation coverage may be terminated for reasons such as failure to pay continuation coverage cost, coverage under another employer's plan (whether as an employee or otherwise, provided the other employer's health plan does not contain any exclusion or limitation with respect to any pre-existing condition of the beneficiary unless the pre-existing condition limit does not apply to, or is satisfied by, the qualified beneficiary by reason of the group health plan portability, access and renewability requirements of the Health Insurance Portability and Accountability Act, ERISA or the Public Health Services Act), termination of our health plan, a "for cause" termination of coverage for reasons such as fraud, or you (or the person entitled to continued coverage) become enrolled in Medicare. However, if you become enrolled in Medicare, your covered dependents may still qualify for continuation coverage. The cost of continuation coverage must be paid by the individual choosing such coverage; however, the cost may not exceed 102% of the cost of the same coverage for a "similarly situated" employee or family member. When the continuation coverage for a disabled person is extended from 18 months to 29 months, the disabled person may be charged 150% (rather than 102%) of the cost of the coverage after expiration of the initial 18-month period.

(a) If you would otherwise lose your health plan coverage under this Plan because of a termination of employment or a reduction in hours, you may continue the health plan coverage provided under this plan. However, this will not be a tax-deductible expense to you, absent unusual circumstances.

(b) Your spouse may choose continuation of coverage for himself or herself if he or she loses group health coverage for any of the following reasons: (1) your death; (2) your divorce or legal separation; or (3) you become enrolled in Medicare.

(c) Your dependent children, including a child born to or placed for adoption with the Participant during the period of COBRA coverage, may choose continuation coverage for themselves if they lose group health coverage for any of the following reasons: (1) death of a parent; (2) your divorce or legal separation; (3) you become enrolled in Medicare; or (4) your dependent ceases to be a dependent child under this Plan.

It is your responsibility to notify the Plan Administrator of a divorce, legal separation or other change in marital status, change in a spouse's address, or a child losing dependent status under the plan, within sixty (60) days of the event. It is our responsibility to notify the Plan Administrator of your death, termination of employment or reduction in hours, the Employer's bankruptcy, or Medicare eligibility.

"Medicare" means the Health Insurance For the Aged and Disabled Act, Title XVIII of Public Law 89-97, Social Security, as amended.

Revised Definition of "Dependent" by WFTRA

The definition of "Dependents" has been revised under Section 152 of the Code by the Working Families Tax Relief Act of 2005, effective January 1, 2005. An individual is considered to be a dependent if he or she is a qualifying child or qualifying relative of the taxpayer.

The following four criteria must be met to be a qualifying child:

1. The individual has a specific family type relationship to the taxpayer
2. The individual does not provide more than half of his or her own support
3. The individual has the same place of residence as the taxpayer for more than half of the year
4. The individual does not turn age 19 (24 if a full time student), by the end of the Plan Year

In addition the following four criteria must be met to be a qualifying relative:

1. The individual has a specific family type relationship to the taxpayer
2. The individual is not a qualifying child of any other taxpayer
3. The individual receives more than half of his or her support from the taxpayer
4. The individual's annual gross income is less than the Section 151 limit (this criteria does not apply to health plans)

In the case of an individual who is permanently and totally disabled (as defined in Code Section 22 (e)(3)) at any time during such calendar year, the age requirement for a qualifying child does not apply.

No person shall be considered a Dependent of more than one Employee. If both an Employee and an Employee's spouse are employed by the Employer dependent children may be covered by either spouse, but not by both.

ERISA Rights Statement

The Employee Retirement Income Security Act of 1974 ("ERISA") was enacted to help assure that all employer-sponsored group Medical Insurance Benefits conform to standards set by Congress. An employee who is a Participant in the Plan is entitled to certain rights and protections under ERISA which

provides that all Participants will be entitled to (1) examine, without charge, at the Plan Administrator's office and at other appropriate locations, all Plan documents and copies of documents filed with the U.S. Department of Labor, such as detailed annual reports and Plan descriptions; (2) obtain copies of all Plan documents and other Plan information upon written request to the Plan Administrator, subject to a reasonable charge for copies; and, (3) receive a summary of the Plan's annual financial report. The Plan Administrator is required by law to furnish each Participant with a copy of this Summary Annual Report. Plan records are kept on a Plan Year basis.

In addition to creating rights for plan participants, ERISA imposes duties upon those responsible for the operation of a plan who are called "fiduciaries" and who have a duty to operate the Plan prudently and in the interest of Participants and Beneficiaries. If a claim for a benefit under the Plan is denied in whole or in part, the claimant must receive a written explanation of the reason for the denial. The claimant has the right to have the claim reviewed and reconsidered.

Within 180 days of receipt of a notice denying a claim you or your duly authorized representative may request in writing a full and fair review of the claim by the Plan Administrator, or by an appeals committee appointed by the Employer for that purpose ("Committee"). The Plan Administrator may extend the 180-day period where the nature of the benefit involved or other attendant circumstances make such extension appropriate.

Under ERISA, there are steps an Employee covered under a plan can take to enforce the above rights. For instance, if the person requests materials and does not receive them within 30 days, the person may file suit in a federal court. In such a case, the court may require the City to provide the materials and pay the person up to \$110 a day until the person receives the materials, unless the materials were not sent because of reasons beyond the city's control.

If a person has a claim for benefits which is denied or ignored, in whole or in part, the person may file suit in a state or federal court. If it should happen that plan fiduciaries misuse the Plan's money, or if an Employee covered under this Plan is discriminated against for asserting his or her rights, the person may seek assistance from the U.S. Department of Labor, or may file suit in a federal court. The court will decide who should pay court costs and legal fees. If the claimant loses, the court may order the claimant to pay these costs and fees, for example, if it finds the claim to be frivolous.

If an Employee covered under the Plan has any questions about the Plan, the Employee should contact the City of Bedford Human Resources department. If an Employee has any questions about this statement of the Employee's rights under ERISA, the Employee should contact the nearest Area office of the U.S. Labor-Management Services Administration, Department of Labor.

Special Note: This is a Summary Plan Description only. Your specific rights to benefits under the Plan are governed solely, and in every respect by your Employer's Premium Only Plan Document, a copy of which is available from the City upon your request (see Statement of ERISA Rights). If there is any discrepancy between the description of the Plan as contained in this material and the official Plan document, the language of the Plan document shall govern.

Administrative Facts

Plan Sponsor and Administrator

The Plan is sponsored by the City of Bedford, 2000 Forest Ridge Drive, Bedford, TX 76021. The City of Bedford Human Resources Department shall act as Plan Administrator. The Plan Administrator manages the overall operations of the Plan and decides all questions that come to it on a fair and equitable basis for participants and their Beneficiaries. The HR Coordinator, the person in charge of

benefits of the City of Bedford, located at 2000 Forest Ridge Drive, Bedford, TX 76021, is responsible for the day-to-day operation of the Plan.

Plan Identification Numbers

The Employer Identification Number (“EIN”) assigned to the City of Bedford by the Internal Revenue Service (“IRS”) is 75-1166224. The Plan Number (“PN”) assigned to the Premium Only Plan by the City is 501. You should refer to these numbers in any correspondence about the Plan.

Service of Legal Process

The City of Bedford has designated the Plan Administrator as its agent for service of legal process in connection with claims under the Plan. Such process may be served on the City by directing the process to the Plan Administrator at the City of Bedford address.

Classification and Funding

This Plan is classified as a Code section 125 welfare benefits plan by the Department of Labor and is funded by Employer and Employee contributions.

Not a Contract of Employment

No provision of the Plan is to be considered a contract of employment between you and the Employer. The Employer’s rights with regard to disciplinary action and termination of the Employee, if necessary, are in no manner changed by any provision of the Plan.



CITY OF BEDFORD

Schedule A

SCHEDULE OF BENEFITS

- (X) GROUPS HEALTH INSURANCE PLAN
- (X) HSA HIGH DEDUCTIBLE HEALTH PLAN
- (X) HEALTH SAVINGS ACCOUNT (HSA) MODULE
- (X) HEALTH AND DEPENDENT CARE FLEXIBLE SPENDING ACCOUNTS (FSA)
- (X) GROUP DENTAL COVERAGE
- (X) VISION CARE INSURANCE
- () GROUP TERM LIFE INSURANCE
- () DISABILITY INCOME-SHORT TERM (A & S)
- () DISABILITY INCOME-LONG TERM (LTD)
- (X) CANCER INSURANCE
- () ACCIDENTAL DEATH AND DISMEMBERMENT
- (X) INTENSIVE CARE INSURANCE
- (X) ACCIDENT INSURANCE
- (X) HOSPITAL INDEMNITY INSURANCE

The Employee contributions necessary to obtain the coverage options set forth in this Schedule A above will be communicated by the Employer to Eligible Employees upon commencement of participation and to Participants at the time of the Enrollment Period. The required Employee contribution amounts will be considered as the maximum elective Employee contributions necessary for participation in each Plan option above. It is specifically the Participant's responsibility regarding insurance premium reimbursement not to request anything that could violate the terms of their insurance policy.



Council Agenda Background

PRESENTER: Bobby Sewell, Interim Fire Chief

DATE: 07/11/16

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

ITEM:

Consider a resolution authorizing the City Manager to enter into an addendum to the current ambulance billing agreement with Intermedix allowing the city to participant in the Ambulance Supplemental Payment Program.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

The Fire Department is requesting approval of an addendum to the City’s current ambulance billing agreement with Intermedix, which would allow the city to participant in the Ambulance Supplemental Payment Program with potential to increase revenue.

The City currently bills patients who have coverage through Medicare and Medicaid. Due to program requirements, the City cannot balance bill the patient for remaining balance post insurance payment. This program will enable the City to recover those expenses that otherwise would not be collectable. Intermedix would submit eligible claims on behalf of the City. Their fee for this service would be 13 percent of actual collections.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into an addendum to the current ambulance billing agreement with Intermedix allowing the city to participant in the Ambulance Supplemental Payment Program.

FISCAL IMPACT:

Additional Revenue potential to the General Fund

ATTACHMENTS:

Resolution Addendum

RESOLUTION NO. 16-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADDENDUM TO THE CURRENT AMBULANCE BILLING AGREEMENT WITH INTERMEDIX ALLOWING THE CITY TO PARTICIPANT IN THE AMBULANCE SUPPLEMENTAL PAYMENT PROGRAM.

WHEREAS, the City Council of Bedford, Texas determines the necessity to addend the current ambulance billing agreement with Intermedix: Advanced Data Processing, Inc., a subsidiary of Intermedix Corporation, a Delaware corporation; and,

WHEREAS, the City Council of Bedford, Texas determines that the addendum would allow the City to participant in the Ambulance Supplemental Payment Program for certain classes of providers pursuant to 42 CFR 447.321, section 1902 (a)(30) of the Social Security Act.

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

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

SECTION 2. That the City Council does hereby authorize the City Manager to enter into an addendum to the current ambulance billing agreement with Intermedix for the purpose of participating in Ambulance Supplemental Payment Program.

PRESENTED AND PASSED this 11th day of July, 2016, 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

**Addendum to Service Agreement
Option of Ambulance Supplemental Payment Program**

This Addendum (“Addendum”) is made and entered into this ____ day of _____, 2016 (the “Addendum Effective Date”) by and between City of Bedford, a Texas Municipality with principal offices located at 1816 Bedford Road. Bedford TX 76021 (“Client”) and Advanced Data Processing, Inc., a subsidiary of Intermedix Corporation, a Delaware Corporation with principal offices located at 6451 North Federal Highway, Suite 1000, Fort Lauderdale, Florida 33308 (“Intermedix”).

WHEREAS, Client and Intermedix are parties to the Agreement for Ambulance Billing and Related Professional Services (the “Agreement”) as of its Effective Date; and

WHEREAS, The Centers for Medicare and Medicaid Services (CMS) allows States to establish alternative payment methodologies (herein referred as the “Ambulance Supplemental Payment Program”) for certain classes of providers pursuant to 42 CFR 447.321, section 1902 (a)(30) of the Social Security Act, and

WHEREAS, Client has elected to partner with Intermedix and Intermedix’s Consultant, Public Consulting Group, Inc., to develop, for a fee, an Ambulance Supplemental Payment Program.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the Agreement as follows:

1. A new section 5.01.1 will be added to the Agreement to read as follows:

“5.01.1 Settlement Fee (Ambulance Supplemental Payment Program). Intermedix will charge to Client a Settlement Fee as follows:

“Thirteen Percent (13%) of the Client’s revenue from the Ambulance Supplemental Payment Program when the funding settlement is received.”

2. Capitalized terms not otherwise defined in this Amendment shall have the meanings ascribed to such terms in the Agreement. All terms and conditions of the Agreement are hereby ratified and shall remain in full force and effect except to the extent this Amendment expressly modifies or is inconsistent with the terms and conditions of the Agreement, in which case the terms of this Amendment shall be controlling.

IN WITNESS WHEREOF, the parties have executed this Addendum as of the date written above.

Client:
City of Bedford

Intermedix:
Advanced Data Processing, Inc., a subsidiary
of Intermedix Corporation, a Delaware
corporation

By: _____
Name: _____
Title: City Manager _____
Date: _____

By: _____
Name: _____
Title: _____
Date: _____



Council Agenda Background

PRESENTER: Mayor and Council
Michael Wells, City Secretary

DATE: 07/11/16

Council Request

ITEM:

Discussion and action regarding the appointment of the Mayor Pro Tem and Board and Commission Liaisons.

City Manager Review: _____

DISCUSSION:

Attached is the current listing of all existing Boards and Commissions in which Council Members serve as liaisons. New appointments need to be made for the 2016-2017 Council term.

ATTACHMENTS:

Council Appointments to Boards and Commissions

**CITY OF BEDFORD
MAYOR AND CITY COUNCIL APPOINTMENTS TO
BOARDS, COMMISSIONS, AND COMMITTEES 2016-17**

Mayor Pro-Tem	Roger Fisher	NEW MAYOR PRO-TEM
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BEDFORD BOARD, COMMISSION, AND COMMITTEE LIAISON	CURRENT COUNCIL MEMBER LIAISON	STAFF LIAISON	MEETING DATE	NEW COUNCIL MEMBER LIAISON
Animal Shelter Advisory Board	Roger Fisher	Eric Griffin	3x per year	
Beautification Commission	Roy W. Turner	Don Henderson	3 rd Mondays @ 6:30pm	
Building & Standards Commission	N/A	Joey Lankford Tommy Peterson	As called	N/A
Community Affairs Commission	Steve Farco	Meg Jakubik	3 rd Thursday @ 5:30pm	
Cultural Commission	Ray Champney	Wendy Hartnett	TBD	
Ethics Commission	N/A	Cliff Blackwell	1x a year	N/A
Library Board	Steve Farco	Maria Redburn	3 rd Wednesday @ 7:00pm	
NCTCOG/RTC	Steve Farco	N/A	Varies	
Parks & Recreation Board	Rusty Sartor	Eric Valdez	1 st Thursday @ 7:00 pm	
Planning & Zoning Commission	N/A	Bill Syblon	2 nd & 4 th Thursdays	N/A
Teen Court Advisory Board	Dave Gebhart	Mindy Eichorst	Quarterly	
Trinity River Authority	Roy W. Turner	N/A	As necessary	
Zoning Board of Adjustments	N/A	Bill Syblon	3 rd Wednesday @ 6:00pm	N/A

COMMITTEE, FOUNDATION, AND CORPORATION MEMBERS	CURRENT COUNCIL MEMBER(S)	MEETING DATE	NEW COUNCIL MEMBER(S)
Audit Committee (Mayor and 2 Members required)	Jim Griffin, Roy W. Turner, Roger Fisher	Varies	
Industrial Development Authority	Jim Griffin, Dave Gebhart, Ray Champney	As necessary	
Economic Development Foundation	Jim Griffin	As necessary	
Street Improvement Economic Development Corporation	Steve Farco, Roy W. Turner, Roger Fisher, Rusty Sartor	3 rd Tuesday of January & July	
Investment Committee Member	Roy W. Turner	Varies	
Health Facilities Development Corporation	Roy W. Turner, Ray Champney, Roger Fisher	As necessary	
Senior Center	Roy W. Turner	N/A	