

# **AGENDA**

**Regular Meeting of the Bedford City Council  
Tuesday, February 28, 2012  
2000 Forest Ridge Drive  
Bedford, Texas 76021**

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

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

## **CALL TO ORDER**

## **WORK SESSION**

- Review and discuss items on the regular agenda and consider placing items for approval by consent.
- Presentation of concepts for Bedford Open for Business Campaign.

## **EXECUTIVE SESSION:**

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

- Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 2A, Bedford-Arlington Road Ltd. Sub.

## **REGULAR SESSION 6:30 P.M.**

## **CALL TO ORDER/GENERAL COMMENTS**

**INVOCATION** (Pastor Charles Brown, St. Timothy Cumberland Presbyterian Church)

## **PLEDGE OF ALLEGIANCE**

## **OPEN FORUM**

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

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

## **COUNCIL RECOGNITION**

1. Proclamation declaring February 18, 2012 as National AMBUCS Service Day.
2. Proclamation declaring March 12, 2012 as Girl Scout Day.
3. Proclamation declaring March 2012 as Women Veterans Month.
4. Employee Service Recognition

## APPROVAL OF THE MINUTES

5. Consider approval of the following City Council minutes:
  - a) February 14, 2012 regular meeting

## OLD BUSINESS

6. Presentation by Robert Hinkle, NTE, regarding the S.H. 183 expansion.
7. Consider an ordinance to rezone property known as Tract 3A, Block 15, Stonegate Addition from Light Commercial to Heavy Commercial/Specific Use Permit/Rental Services with Outside Storage. The property is generally located south of State Highway 183 and east of Brown Trail. (Z-214) (Tabled at the February 14, 2012 Council Meeting)
8. Consider an ordinance to rezone a portion of Lot 2A, Block 1, Harwood Retail Joint Venture Addition, Ste. 110 from Light Commercial/Specific Use Permit/Outside Seating to Light Commercial/Specific Use Permit/Outside Seating/Indoor Amusement Center. The property is generally located east of State Highway 121 and north of Harwood Road. (Z-215) (Tabled at the February 14, 2012 Council Meeting)
9. Consider an ordinance amending Chapter 6 of the City of Bedford Code of Ordinances, "Advertising;" Article III-Signs, Section 6-67 "Definitions," Section 6-69 "General Regulations," Section 6-70 "Special Sign Types," Section 6-71 "Permanent Signs," Section 6-72 "Temporary Signs," Section 6-74 "Prohibited Signs;" providing for an Exhibit "A" being the City of Bedford Sign Regulations; providing a savings clause; providing a severability clause; and providing an effective date.

## NEW BUSINESS

10. Consider a resolution agreeing to meet all match contribution requirements for the expenditures under the Tarrant County Home Investment Partnerships Program for Program Year 2012.
11. Consider a resolution accepting the report from the independent auditor and the audited financial statements for the fiscal year ending September 30, 2011.
12. Consider a resolution authorizing the City Manager to enter into a contract with AMS Utiliserv for City water meter reading services in the amount of \$0.705 per meter for routine meter reading and \$2.69 per meter for redundant, accurate meter reading.
13. Consider a resolution suspending the March 6, 2012, effective date of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex") requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with Atmos Cities Steering Committee ("ACSC") and other cities in the Atmos Mid-Tex service area to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals; and requiring reimbursement of cities' rate case expenses.
14. Consider a resolution rejecting bids for the construction of the Simpson Terrace Water Well and Various Facilities.
15. Consider a resolution authorizing the City Manager to enter into a Contract with Viking Construction, Inc. in the amount of \$99,309.12 for the 2012 Microsurfacing Project.
16. Consider a resolution authorizing the City Manager to purchase rescue equipment and related components from Advanced Rescue Systems, for TNT Rescue Tool products, in the amount of \$22,465.

17. Consider a resolution to accept the bid of Jerman Enterprises, in the amount of \$22,652, for the purchase of the Brown Trail Well Site located at 3200 Brown Trail, Bedford, Texas.
18. Consider a resolution naming the Vice-Chairperson of the Cultural Commission.
19. Report on most recent meeting of the following Boards and Commissions:
- ✓ Animal Control Board- Councilman Griffin
  - ✓ Animal Shelter Advisory Board- Councilman Griffin
  - ✓ Beautification Commission- Councilman Turner
  - ✓ Community Affairs Commission- Councilman Fisher
  - ✓ Cultural Commission- Councilman Champney
  - ✓ Investment Committee- Councilman Savage
  - ✓ Library Board- Councilman Brown
  - ✓ Parks & Recreation Board- Councilman Griffin
  - ✓ Senior Citizen Advisory Board- Councilman Savage
  - ✓ Teen Court Advisory Board- Councilman Griffin

20. Council member reports

21. City Manager report

22. 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, February 24, 2012 at 5:00 p.m., and remained so posted at least 72 hours before said meeting convened.

\_\_\_\_\_  
**Michael Wells, City Secretary**

\_\_\_\_\_  
**Date Notice Removed**

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



# Council Agenda Background

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**PRESENTER:** Christine Wetzel, Managing Director of  
ThomasArts

**DATE:** 02/28/12

Work Session

**ITEM:**

Presentation of concepts for Bedford Open for Business Campaign.

City Manager Review: \_\_\_\_\_

**DISCUSSION:**

At the meeting on December 13, 2011, Council directed staff to move forward in working with ThomasArts to develop theme concepts for an “open for business” type campaign. Staff is seeking feedback and direction on which theme(s) the Council would prefer. In addition, more detailed information will be presented on the two proposed programs discussed at the December 13 meeting. One of the programs was very similar to the City of Grapevine’s, using a punch card that would be entered into monthly drawings, and the other concept was a sweepstakes.

**ATTACHMENTS:**

N/A



# Council Agenda Background

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**PRESENTER:** Jim Story, Mayor

**DATE:** 02/28/12

**Council Recognition**

**ITEM:**

**Proclamation declaring February 18, 2012 as National AMBUCS Service Day.**

**City Manager Review:** \_\_\_\_\_

**DISCUSSION:**

**Members of Mid Cities AMBUCS will be on hand to accept this proclamation.**

**ATTACHMENTS:**

**Proclamation**



CITY OF  
**BEDFORD**

# Proclamation

*WHEREAS, February 18, 2012, is National AMBUCS Service Day and this occasion provides a fitting opportunity to recognize the many contributions of this fine organization; and*

*WHEREAS, with the Mid-Cities Chapter among the 131 chapters throughout the United States, AMBUCS is a leading nonprofit volunteer service association; since its inception, the organization has raised millions of dollars toward its mission of creating independence for people with disabilities; and*

*WHEREAS, National AMBUCS Service Day brings together volunteers in communities throughout the nation to participate in a host of projects, such as constructing wheelchair ramps, installing safety grab bars in bathrooms and visiting hospitals and schools; and*

*WHEREAS, in addition to promoting service activities, each AMBUCS chapter contributes to two national programs, the AmTryke Therapeutic Tricycle Project, which provides special cycles in the homes, schools, and rehabilitation facilities of disabled children, and AMBUCS Scholars-Scholarships for Therapists, a program that awards more than \$150,000 in scholarships each year to students in accredited therapy programs; and*

*WHEREAS, members of AMBUCS have demonstrated an unwavering commitment to enriching the lives of others, and for their efforts, they are truly deserving of praise.*

*NOW, THEREFORE, let it be known that I, Jim Story, Mayor of the City of Bedford, and the City Council do hereby proclaim February 18, 2012 as:*

## ***National AMBUCS Service Day***

*in the City of Bedford and be it further resolved that all those participating in the National AMBUCS Service Day be commended for their work in behalf of disabled individuals and that they be extended best wishes for a successful and memorable event.*

*In witness whereof, I have hereunto set my hand and  
caused the seal of the City of Bedford to be affixed this  
28th day of February, 2012.*

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JIM STORY MAYOR  




# Council Agenda Background

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**PRESENTER:** Jim Story, Mayor

**DATE:** 02/28/12

Council Recognition

**ITEM:**

Proclamation declaring March 12, 2012 as Girl Scout Day.

City Manager Review: \_\_\_\_\_

**DISCUSSION:**

Local Girl Scouts will be present to accept the proclamation.

**ATTACHMENTS:**

Proclamation



CITY OF  
**BEDFORD**

# Proclamation

*WHEREAS, Girl Scouts was founded on this day 100 years ago; and*

*WHEREAS, for last 100 years, Girl Scouting has worked to build girls of courage, confidence and character who make the world a better place; and*

*WHEREAS, Girl Scouts gives every girl access to life-changing experiences that inspire her to do something big; and*

*WHEREAS, Girl Scouts builds the best leadership experience that defines activities and outcomes, is differentiated by age-level, promotes consistency, and offers flexible pathways for participation for all girls 5-17; and*

*WHEREAS, the Texas Oklahoma Plains council serves 81 counties across Texas and in the Oklahoma panhandle; and*

*WHEREAS, this council also serves over 24,000 girls and 9,000 adult volunteers; and*

*WHEREAS, through the girls and volunteers Girl Scouts of Texas Oklahoma Plains is making an impact in nearly 300 cities across the region; and*

*WHEREAS, the accomplishments of the Girl Scouts deserve acknowledgement, affirmation, and celebration;*

*NOW, THEREFORE, let it be known that I, Jim Story, Mayor of the City of Bedford, and the City Council do hereby proclaim March 12, 2012 as:*

## ***Girl Scout Day***

*in the City of Bedford and do encourage all to continue to recognize and support the efforts of Girl Scouts in building the next generation of leaders in their communities.*

*In witness whereof, I have hereunto set my hand and caused the seal of the City of Bedford to be affixed this 28th day of February, 2012.*

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JIM STORY MAYOR  




# Council Agenda Background

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**PRESENTER:** Jim Story, Mayor

**DATE:** 02/28/12

Council Recognition

**ITEM:**

Proclamation declaring March 2012 as Women Veterans Month.

City Manager Review: \_\_\_\_\_

**DISCUSSION:**

Michelle Rosales-Kneubuhl from Grace After Fire will be present to accept the proclamation.

**ATTACHMENTS:**

Proclamation  
Letter of Request



CITY OF  
**BEDFORD**

# Proclamation

*WHEREAS, the 82<sup>nd</sup> Legislature of the State of Texas designated the month of March each year Women Veterans Month in tribute to the immeasurable contributions that women in the military have made to this nation; and*

*WHEREAS, long before women gained regular admission to the military, they worked as nurses, water bearers, laundresses, and cooks, sometimes served as spies, and saboteurs, and on occasion even took up arms; and*

*WHEREAS, in 1901 the United States Army created a nurse corps, the U.S. Navy and Marine Corps enlisted women as yeomen and reservists to free their male counterparts for combat; and*

*WHEREAS, the army established the Women's Army Auxiliary Corp, later known as the Women's Army; the Army also created the WASP, while the Navy organized the Waves, the Marine Corp established the Marine Corps Women's Reserve, and the Coast Guard created a reserve unit known as the SPARs. In 1948 an Act of Congress granted them permanent status in the regular and reserve forces; and*

*WHEREAS, Grace After Fire, a 501 (c) (3) Texas-based non profit organization strives to give women Veterans the support they need to restore and sustain a high quality of life while transitioning from service within those regular and reserve forces to civilian life.*

*NOW, THEREFORE, let it be known that I, Jim Story, Mayor of the City of Bedford, and the City Council do hereby proclaim the month of March 2012 as:*

## ***Women Veterans Month***

*in the City of Bedford and call upon all citizens to express our deepest gratitude and unfailing support to the women who have served our Nation with tenacity, courage, and professionalism.*

*In witness whereof, I have hereunto set my hand and caused the seal of the City of Bedford to be affixed this 28th day of February, 2012.*

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JIM STORY MAYOR

## Jakubik, Megan

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**From:** Projects [REDACTED]  
**Sent:** Monday, January 30, 2012 1:26 PM  
**To:** Jakubik, Megan  
**Cc:** pkhendricks@phprinc.com  
**Subject:** Grace After Fire-proclamation request of last week from Diann Stadler-PHPR Inc

*Dear Ms Jakubik,*

*As you know, I work with Grace After Fire, a non-profit organization that strives to give women Veterans in your community the support they need to restore and sustain a high quality of life while transitioning from military into civilian life.*

*We are so happy that Bedford is joining our state in proclaiming March (or a week in March) as Women Veterans Month (or week). I am confirming that the proclamation is being read at a council meeting; please let me know the time and date of the meeting. We are asking our local women Veterans to be there during that session to say Thank You to you.*

*Please let me know any other details that are relevant to their being at the council meeting so I can let the Grace team know. They will be carrying forward the interaction and appearance planning with local veterans.*

*On behalf of all women Veterans here in Bedford, thank you for making a statement that is so important for us all to hear.*

*Sincerely,*

Diann Stadler  
Special Projects

Paige Hendricks Public Relations Inc.  
1255 West Magnolia Avenue | Fort Worth TX 76104 | [www.phprinc.com](http://www.phprinc.com) | 817 924 2300 p | 817 924 2312 f



# Council Agenda Background

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**PRESENTER:** Beverly Griffith, City Manager

**DATE:** 02/28/12

**Council Recognition**

**ITEM:**

**Employee Service Recognition.**

**City Manager Review:** \_\_\_\_\_

**DISCUSSION:**

**The following employees have completed a service period and are eligible for recognition:**

- |                    |          |                    |
|--------------------|----------|--------------------|
| • Ryan Deyo        | 5 years  | Fire Department    |
| • Stephen Selvidge | 10 years | Police Department  |
| • Biff Schuessler  | 30 years | Police Department  |
| • Don Henderson    | 30 years | Community Services |

**ATTACHMENTS:**

**N/A**



# Council Agenda Background

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**PRESENTER:** Michael Wells, City Secretary

**DATE:** 02/28/12

**Minutes**

**ITEM:**

Consider approval of the following City Council minutes:

- a) February 14, 2012 regular meeting

City Manager Review: \_\_\_\_\_

**DISCUSSION:**

N/A

**ATTACHMENTS:**

Minutes of February 14, 2012 regular meeting

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 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 14th day of February, 2012 with the following members present:

Jim Story	Mayor
Chris Brown	Council Members
Ray Champney	
Roger Fisher	
Jim Griffin	
Roy Savage	
Roy W. Turner	

constituting a quorum.

Staff present included:

Beverly Griffith	City Manager
David Miller	Deputy City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Roger Gibson	Police Chief
Mirenda McQuagge-Walden	Managing Director of Community Services
Maria Redburn	Library Manager
Bill Syblon	Development Director

### **CALL TO ORDER**

Mayor Story called the Work Session to order at 6:00 p.m.

### **WORK SESSION**

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

Council discussed placing the following items on consent: 4, 9, 13 with a change in the amount in the resolution to \$18,880, and 14.

Mayor Story adjourned the Work Session at 6:05 p.m.

### **EXECUTIVE SESSION:**

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

- a) Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments.
- b) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Pentecostal Church of God.
- c) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 2A, Bedford-Arlington Road Ltd. Sub.

Council convened into Executive Session pursuant to Texas Government Code Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments, Section 551.087, deliberation regarding economic development negotiations relative to Pentecostal Church of God and Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 2A, Bedford-Arlington Road Ltd. Sub. at approximately 6:06 p.m.

Council reconvened from Executive Session at approximately 6:32 p.m.

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

### **REGULAR SESSION 6:30 P.M.**

The Regular Session began at 6:34 p.m.

### **CALL TO ORDER/GENERAL COMMENTS**

Mayor Story called the meeting to order. Mayor Story wished everyone a Happy Valentine's Day.

### **INVOCATION (Senior Pastor Nosa Onaiwu, Arise and Shine International Ministries)**

Senior Pastor Nosa Onaiwu of Arise and Shine International Ministries gave tonight's invocation.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given.

### **OPEN FORUM**

Michael Boyter, Chairman of the Beautification Commission, 3217 Sapphire Street – Mr. Boyter stated that the dream of Bedford creating its own community garden has become a reality. 13 months ago, Council challenged the Commission to conceive of and develop a community garden within the City limits. Council desired that no City personnel or assets be used in the development or construction of the garden, that it be made sustainable through voluntary efforts of the community and that this goal be accomplished while minimizing the impact to taxpayers. He is pleased to report that they have accomplished this goal in full, while complying with Council's instructions.

The Commission faced a number of hurdles to bring the project to fruition. First, they assisted staff in amending appropriate ordinances. With the City being 97% built out, there was the challenge of locating land for the garden. Finally, limited resources forced them to partner with others to bring it to reality. The partnership is with 6Stones Mission Network. It is located at 209 Industrial Boulevard across from Trinity High School. It is on property owned by the First Baptist Church of Euless, who graciously provided this land to the Commission at no cost to the project or taxpayers. The Church has also agreed to initially pay for the water for the garden. The garden is comprised of a consortium of businesses, residents and community leaders. The Tarrant County Master Gardeners Association has labeled the garden as a certified teaching project, which is the only one in northeast Tarrant County. Texas Agrilife has also adopted the project. The garden will be managed by an oversight board comprised of members of the Commission, the Council, 6Stones, Master Gardeners of Tarrant County, HEBISD and selected local business leaders. The board will be responsible for the continuing development, promotion and sustainable long-term goals of the project. The board has established subcommittees responsible for the day-to-day maintenance of the garden and assisting gardeners with their needs and educational opportunities. 6Stones has accepted the liabilities associated with, as well as the administrative responsibilities for, the project. In return, the gardeners are being asked to donate 50% of their harvest to the New Hope Center. Master Gardener Annette Lee has taken a leadership role in the creative design, development and construction of the Garden. The garden consists of 77 beds ranging in size from 4X8 foot to 4X16 foot. Residents or local organizations can rent beds for \$20.00, \$30.00 and \$40.00 respectively, plus a one-time \$10.00 background check. Master gardeners will be available to assist

people on what and when to plant. The beds have been laid out with a border of concrete blocks and specially mixed organic soil will be in each bed. Each gardener will be responsible for the routine upkeep and watering of their beds. All necessary tools will be on-hand in an on-site tool shed.

Mr. Boyter listed what it has taken to put the project together: 100 tons of premixed organic soil has been delivered to the site; 145 tons of mulch has been donated by neighbors and landscaping companies; 85,000 pounds of concrete blocks were donated by a local brick company; 48 irrigation heads and 500 feet of irrigation PVC was donated by a local irrigation contractor; 7 truckloads of sand has been donated; 15 fruit trees were donated by TXU; and over 2,000 volunteer hours have been utilized. All of this is at no cost to the City. In accordance with a special use permit, a local architect has completed plans for a pavilion and tool shed which will be 24X85 foot. The estimated cost is in the \$60,000 range and he hopes that construction will be completed within the next three months. No City manpower or equipment was utilized to move dirt or will be used for the long term sustainability of the garden. No direct taxpayer dollars have been used to get the project off of the ground.

The Commission voted unanimously to allocate \$10,000 from its disposable funding towards the purchase of tools and the tool shed. These funds have been provided by local businesses and do not involve the use of tax dollars. He asks for the Council's support in promoting their community garden. Any interested resident can go to the City's website for instructions to adopt a plot. A spring planning event will be conducted sometime in March. Once the pavilion is completed, everybody will be invited to a grand opening.

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

Motioned by Councilman Champney, seconded by Councilman Turner, to approve the following items by consent: 4, 9, 12, 13 with changing the cost to \$18,880 as now stipulated and 14.

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

### **COUNCIL RECOGNITION**

#### **1. Recognition of Tutor Electric for the IEC Award of Excellence in Electrical Commercial Construction.**

Tutor Electric was recognized for receiving the Independent Electrical Contractor Award of Excellence in Electrical Commercial Construction for their work on the new Bedford Public Library. Bobby Brinkmann and Bobby and Diana Tutor from Tutor Electric were present.

#### **2. Invitation to attend the Sixth Annual Seuss Festival on March 4, 2012.**

The Cat in the Hat invited all Bedford residents to attend the Sixth Annual Seuss Festival on March 4, 2012 from 1:00 p.m. to 4:00 p.m. at the Bedford Public Library to celebrate Dr. Suess' 108th birthday. There will be a birthday cake celebration, lemonade, a Suessical costume contest, balloons, guest celebrity readers, photo booths, and singers from L.D. Bell High School. This event is co-sponsored by the Bedford Library Friends and the Bedford Public Library.

### **PERSONS TO BE HEARD**

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

- a) Matthew Tolar, 708 Spring Forest Drive, Bedford TX 76021 – Requested to speak to the Council regarding the policy for towing uninsured vehicles.**

Mr. Tolar withdrew his request to speak prior to the meeting.

- b) Roger Smeltzer, 2909 Miles Way, Bedford TX 76021 – Requested to speak to the Council regarding portable signs.**

Roger Smeltzer, 2909 Miles Way – Mr. Smeltzer stated that the issue with portable signs affects businesses more than is perceived. He does not mind getting rid of neon colors and going to black and white; however, banning the signs hurts new businesses trying to brand themselves and limits the ability of businesses to market themselves.

#### **APPROVAL OF THE MINUTES**

- 4. Consider approval of the following City Council minutes:**  
a) **January 24, 2012 regular meeting**

This item was approved by consent.

#### **OLD BUSINESS**

- 5. Discussion and possible action to appoint a delegate from the City Council to attend the ICSC Convention May 20-23. \*\*\*Item requested by Mayor Story (Tabled at the January 24, 2012 Council meeting)**

This item was discussed in conjunction with Item #16. Mayor Story stated that since the previous meeting, he has had spoken to Mary Frazier with the HEB Chamber of Commerce. She offered that, as far as the Economic Development Foundation is concerned, it would be better if he remained the Bedford representative, as he is the current chair of the Foundation, until his term ends in May.. He said it was an option to allow him to stay on as chairman until May and then a new Council member could be elected to the Foundation. Also, if Council would like, he could still attend the ICSC Conference in May.

Council was of the consensus for Mayor Story to remain on the Foundation until May.

Motioned by Councilman Turner, seconded by Councilman Champney, that the Council select Mayor Story to be the Council representative to the ICSC convention this May.

Motion passed 4-3-0. Mayor Story declared he motion carried.

Voting in favor of the motion: Mayor Story, Councilman Savage, Councilman Champney, and Councilman Turner.

Voting in opposition to the motion: Councilman Fisher, Councilman Griffin and Councilman Brown.

#### **NEW BUSINESS**

- 6. Public hearing and consider an ordinance to rezone a portion of property known as Lot 1B, Block 14, Bedford Meadows Addition, Suite F from Heavy Commercial to Heavy Commercial/Specific Use Permit/Tattoo and Body Piercing Shop. The property is generally located west of Central Drive and north of Bedford Road. (Z-213)**

Development Director Bill Syblon presented information regarding this ordinance. This application is to permit body piercing and tattooing at an existing business. The applicant would utilize 1,100 square feet of the 3,600 square foot building for tattooing and body piercing. The Development Review Committee identified several items that needed clarification, including the site plan and floor plan being to scale and showing the proper dimensions. These items were reviewed by the Planning and Zoning Commission and they still required further clarification. Planning and Zoning recommended denial of this request at their January 10 meeting by a unanimous vote. For Council to approve this item, it would require a super majority vote. Mr. Syblon stated that the applicant has submitted revised materials that show the site and floor plans dimensioned accurately.

Mayor Story opened the public hearing at 7:27 p.m.

James Helgason of the Benanti Law Firm and Adam Rivera, the applicant, representing The Dragon's Breath – Mr. Helgason stated that they were told what was originally submitted was sufficient for the Planning and Zoning Commission. It was made clear that it was just a formality and that the denial by the Planning and Zoning Commission came as a complete surprise. They hired the architectural firm of Michael J. Wright and Associates, who redid the site plan and floor plan for Council's consideration. They have also gathered an informal petition of citizens in Tarrant and Dallas counties in support of approving this SUP. He stated that The Dragon's Breath has been performing tattooing and body piercing at that location for about ten years. It came to their attention that a previous manager had done some remodeling that was not approved; however, the location has a new manager that wants to work with the City to bring in tax revenue. If this application is rejected, they plan on resubmitting the application.

Susan Miller, 2025 Oakmeadow – Ms. Miller spoke in opposition to allowing tattooing at the location. When she bought her house, The Dragon's Breath was already there. There is also a pawn shop at the other end of the strip mall. She appreciated their petition but wants to see if her neighbors are on there and she is determined to get signatures of people who live around the area. She stated that it was a safe, family neighborhood and she is again opposed to allowing tattooing.

Patrick Stevens, 3001 Woodbridge Drive- Mr. Stevens stated that it seems like people with tattoos are being profiled as bad individuals. Tattooing does not attract a motley crew or bad people. He stated that there seems to be ulterior motives with the Police Department and The Dragon's Breath and that there is a personal vendetta from the City due to preconceived notions of the type of people the establishment will draw. He believes the City should take care of people and their needs instead of locking up people with tattoos. He stated that this meeting is just procedure because the Council's minds are already made up and would the next step be to completely shut down The Dragon's Breath?

James Helgason – Mr. Helgason stated that Mr. Stevens' comments were not the position of the applicant and that they do not believe there are ulterior motives.

Mayor Story closed the public hearing at 7:39 p.m.

Motioned by Councilman Turner, seconded by Councilman Griffin, to deny an ordinance to rezone a portion of property known as Lot 1B, Block 14, Bedford Meadows Addition, Suite F from Heavy Commercial to Heavy Commercial/Specific Use Permit/Tattoo and Body Piercing Shop.

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

**7. Public hearing and consider an ordinance to rezone a portion of property known as Tract 3A, Block 15, Stonegate Addition from Light Commercial to Heavy Commercial/Specific Use Permit/Rental Services with Outside Storage. The property is generally located south of State Highway 183 and east of Brown Trail. (Z-214)**

Development Director Bill Syblon presented information regarding this ordinance. This SUP is to allow U-Haul to operate out of an existing business. It would coexist with a retail use and no modifications to the outside of the building are being proposed. Since this SUP changes the zoning from light commercial to heavy commercial, all previous SUPs will expire. There were no outstanding issues relative to the Zoning Ordinance. This item was approved by the Planning and Zoning Commission at their January 24, 2012 meeting by a vote of 5-2-0 with the stipulation that the applicant meet the landscaping requirements in the site plan and ordinance.

Charles Simons, 1001 Mineral Wells Street – Mr. Simons is the applicant. In response to questions from Council, Mr. Simons stated that there would not be any repairs at the location; they would just be renting trucks and trailers. He stated that there would not be a separate office and that they would be using the same phone and computer as the bridal shop. There would not be any signage as the trucks themselves serve as advertisements. Charles Bowen, the area field manager for U-Haul, stated that any repairs to the vehicles would be minor. The administration of renting vehicles would work off a website so they could use the same computer as the bridal shop. The applicant would be an agent for U-haul. In

regards to the number of vehicles on the property, if it gets to the point that they reach capacity, he will be called to remove some vehicles.

Dan Boutwell, City Planner, stated that there were no stipulations from the Planning and Zoning Commission as to the maximum number of trucks/trailers that could be parked on site. They are required to have 16 retail parking spaces and they have a total of 68 spaces. The City's requirements are that the applicant not use any of the retail parking spaces to park trucks/trailers and that no trucks/trailers could extend into the fire lane. Currently, the site plan does not limit the total number of trucks/trailers the applicant can have on site nor is there designation where the truck/trailers can be parked.

Mayor Story opened the public hearing at 8:08 p.m.

Nobody chose to speak under tonight's public hearing.

Mayor Story closed the public hearing at 8:08 p.m.

Council requested from staff that a recommendation be made on the number of truck/trailers that should be parked on site. Further, they requested that the site plan specify the number of trucks/trailers allowed to be parked on site and clearly designate where the trucks/trailers are to be parked. Finally, Council requested clarification on the site plan regarding landscaping.

Motioned by Councilman Champney, seconded by Councilman Fisher, to table an ordinance to the next Council meeting to rezone a portion of property known as Tract 3A, Block 15, Stonegate Addition from Light Commercial to Heavy Commercial/Specific Use Permit/Rental Services with Outside Storage in order to get a more detailed site plan to address concerns that Council has.

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

**8. Public hearing and consider an ordinance to rezone a portion of property known as Lot 2A, Block 1, Harwood Retail Joint Venture Addition, Ste. 110 from Light Commercial/Specific Use Permit/Outside Seating to Light Commercial/Specific Use Permit/Outside Seating/Indoor Amusement Center. The property is generally located east of State Highway 121 and north of Harwood Road. (Z-215)**

Development Director Bill Syblon presented information regarding this ordinance. Papa G's would like to expand their outdoor seating area along the south and west side of the shopping center. To clarify the amusement center portion of the SUP, Mr. Syblon stated it was to operate three or more coin operated machines. Some parking spaces will have to be removed, but the overall parking ratio still meets the zoning ordinance. At the time of the review by the Planning and Zoning Commission, a stipulation was added that any covered patio area would need to be sprinkled unless other remedies were worked out with the Fire Marshal.

Sam Dalton, 2900 Highway 121, Suite 110 - Mr. Dalton is the applicant. He stated that the amusement center would include pool tables, air hockey, and arcade type games. There is no sprinkler currently in the building; it would be cost prohibitive to sprinkle the outside seating; therefore, at this time, he wants it to be uncovered.

City Attorney Stan Lowry explained to Council that what is being approved is what the applicant will be allowed to construct. Council discussed tabling the item in order for the applicant to bring back revised exhibits that include showing the outside seating area to be uncovered, more architectural detail regarding the materials to be used for the outside seating, what the enclosed bar would look like and that there would be no permanent neon signage.

Mayor Story opened the public hearing at 8:34 p.m.

Nobody chose to speak during tonight's public hearing.

Mayor Story closed the public hearing at 8:35 p.m.

Motioned by Councilman Griffin, seconded by Councilman Savage, to table an ordinance to rezone a portion of property known as Lot 2A, Block 1, Harwood Retail Joint Venture Addition, Ste. 110 from Light Commercial/Specific Use Permit/Outside Seating to Light Commercial/Specific Use Permit/Outside Seating/Indoor Amusement Center.

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

**9. Consider an ordinance amending the budget of the City of Bedford, Texas, for the fiscal period of October 1, 2011 through September 30, 2012; and declaring an effective date.**

This item was approved by consent.

**10. Consider an ordinance amending Article IV. "Boards, Commissions and Committees," Division 4. "Community Affairs Commission," Sections 2-226. "Creation," 2-228. "Terms Staggered," 2-229. "Powers and Duties," and 2-231. "Mission" of the City of Bedford Code of Ordinances; repealing all ordinances in conflict herewith; providing a severability clause; and declaring an effective date.**

Deputy City Manager David Miller stated that the Community Affairs Commission (CAC) had discussions on expanding their membership, which requires Council approval. CAC Chairperson Mark Massey stated that in his first year on the Commission, the idea was fostered that the CAC could assist the City in communicating and fostering cooperation with the community to include homeowners associations, residents and businesses. The CAC has gained some momentum with the Shop Bedford First program, which now has 222 businesses signed up and there are coupons in the Bedford Connection. He stated that in talking with volunteer groups that he is a member of, they do not know what the CAC is and the CAC does not know what these groups are. In business and residential outreach meetings, they advertise these volunteer groups to help with their attendance and increase the City's volunteer labor force. He sees some splintering in communication in that one group is doing one thing while another one is doing something else; he would like to bring these groups together, at least in regards to communication, to work more closely together under the CAC umbrella. He has asked people to take leadership roles, as far as communications, in things that the City is doing such as FourthFest. He has talked to the presidents of each of these volunteer groups and they liked the idea and are willing to serve. This was approved unanimously at the last CAC meeting. He also proposed to change the CAC's Power and Duties by adding a line that they are to support City-sponsored community programs and festivals. Finally, he proposed to change the Mission of the CAC by changing it from "To Serve" to "To foster a community environment among" as well as including City-sponsored programs.

Council discussed the potential problem of achieving quorums with the increase in members. They also discussed that these volunteer groups are not Council appointed Board or Commission members. There was discussion regarding a Council work session to discuss these ideas and making recommendations to the CAC or having a joint work session with the CAC.

No action was taken on this item.

**11. Consider an ordinance amending Chapter 6 of the City of Bedford Code of Ordinances, "Advertising;" Article III-Signs, Section 6-67 "Definitions," Section 6-69 "General Regulations," Section 6-70 "Special Sign Types," Section 6-71 "Permanent Signs," Section 6-72 "Temporary Signs," Section 6-74 "Prohibited Signs;" providing for an Exhibit "A" being the City of Bedford Sign Regulations; providing a savings clause; providing a severability clause; and providing an effective date.**

Development Director Bill Syblon presented information regarding this ordinance. This item is a follow-up to a couple of Council's Work Sessions, the most recent being January 24, to discuss particular changes to the Sign Ordinance.

Council discussed passing the changes they are in agreement on tonight and addressing the other changes, including Portable Signs, Commercial Complex For Sale/Lease Signs, and window paintings or markings, six months from now to see if enforcement of current ordinances has any effect. Council was in agreement with the changes to the following: Freeway Pole Signs, Freeway Pylon Signs, Murals, Political Signs, US/Texas/Patriotic Flags, New Commercial Building Signs on 183/121/157, "Still in Business" Signs, and the definition of "Parcel."

City Manager Beverly Griffith stated that it would be better to bring back a clean ordinance based on Council's input at the next Council meeting. No action was taken on this item.

**12. Consider a resolution of the City Council of the City Of Bedford, Texas approving an Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code and the City's Economic Development Incentive Policy and Program, with Pentecostal Church of God ("PCG").**

This item was approved by consent.

**13. Consider a resolution authorizing the purchase of a replacement code enforcement truck in the amount of \$19,365 through the State of Texas Buy Board Purchasing Program.**

This item was approved by consent with a reduction in the amount authorized to \$18,880.

**14. Consider a resolution of the City Council of Bedford, Texas, authorizing the submission of the grant application for a mobile observation tower through the Edward Byrne Memorial Justice Assistance Grant (JAG).**

This item was approved by consent.

**15. Consider a resolution creating the Central Bedford Development Plan Stakeholder Committee; establishing the purpose; appointing members to the stakeholder committee; establishing meeting times; and establishing an end date.**

City Manager Beverly Griffith presented information regarding this resolution. This Committee will serve as a focus group to work with Kimley-Horn on developing a Central Bedford Development Plan. The work will take approximately four months and this portion of the project should be completed by June. The Committee is comprised of 15 members as follows: Seven Council members; two members of the Planning and Zoning Commission – Jim Davisson and Bill Reese; one member of the Cultural Commission – Alicia McGlinchey; one member of the Chamber of Commerce – Geoff Graham; one member from Fort Worth Credit Union – Mark Rhodes; one member from State National – Trace Ledbetter; one member from Dunhill Partners – Tim Denker; and one citizen-at-large – Bill Ridgway. With the exception of Bill Reese, who staff is trying to contact, all members have stated their availability and willingness to serve. There is a sunset provision on the Committee of September 30, 2012 or when their work is complete, whichever is earlier.

Motioned by Councilman Fisher, seconded by Councilman Griffin, to approve a resolution creating the Central Bedford Development Plan Stakeholder Committee; establishing the purpose; appointing members to the stakeholder committee; establishing meeting times; and establishing an end date.

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

**16. Discussion and possible action regarding the Economic Development Foundation Board appointment. \*\*\*Item requested by Councilman Champney**

This item was discussed in conjunction with Item #5.

**17. Report on most recent meeting of the following Boards and Commissions:**  
✓ **Animal Control Board- Councilman Griffin**

No report was given.

✓ **Animal Shelter Advisory Board- Councilman Griffin**

No report was given.

✓ **Beautification Commission- Councilman Turner**

Councilman Turner stated that an extensive report from the Commission was given tonight by the Chairperson. He urged citizens to visit their community garden.

✓ **Community Affairs Commission- Councilman Fisher**

Councilman Fisher stated that the Energy Smart Fair is April 14 from 1:00 p.m. to 4:00 p.m. at the Library. There will be both indoor and outdoor exhibits and demonstrations with booths and speakers. It is free to the public. 13 vendors have given verbal commitments and three of four speaking positions have been filled.

✓ **Cultural Commission- Councilman Champney**

Councilman Champney reported that the Commission had a meeting the previous night. They are moving along very well from the stand point of gathering information. They have set additional meeting and stakeholder dates. They will be assigning a vice chairperson at their next meeting. They are right on track in the planning process and should have a plan in place by early to mid-summer.

✓ **Library Board- Councilman Brown**

Councilman Brown stated that the Board will meet tomorrow night at 7:00 p.m. at the Library.

✓ **Parks & Recreation Board- Councilman Griffin**

Councilman Griffin reported that the Board continues to work on the proposal for a dog park to bring to Council, which will include the size, scope and cost.

✓ **Senior Citizen Advisory Board- Councilman Savage**

Councilman Savage reported that Jake Dennis passed away the previous week. The total attendance for the Senior Center in 2011 was 30,384 or a monthly attendance of 2,532. 35 volunteers donated 4,375 hours during the year. These volunteers were honored at the Volunteer Banquet held on February 10. AARP continues to offer 55-Alive driving courses every month. The Center hosted a craft sale in October with 36 vendors. The annual Thanksgiving luncheon was very good and the entertainment was provided by the Bedford Ramblers. He thanked the senior staff, the Mayor and Council for helping to serve the seniors. The Center will host income tax assistance again this year though there are many local places available, including the Library and the Eules Senior Center. Monthly attendance at the Center was as follows: October – 1,054 Bedford residents and 1,294 others; November – 963 Bedford residents and 1,135 others; and December – 894 Bedford residents and 944 others.

✓ **Teen Court Advisory Board- Councilman Griffin**

Councilman Griffin reported that the Board is working towards revising some of their articles of incorporation and expanding their membership. They have started putting in motion events that will lead up to the Teen Court Banquet, including putting together committees. The dates chosen so far for the Banquet are April 19 or April 26.

## **18. Council member reports**

Councilman Griffin reminded everybody that the Library Mardi Gras Gala will be held this Saturday, February 18 starting at 7:00 p.m.

✓ **Mayor Story**

**a) Information concerning the Wheelchairs for Iraqi Kids charity.**

Mayor Story attended the HEB Sports Hall of Fame Banquet and one of the honorees was Brad Blauser, a graduate of LD Bell High School. Mr. Blauser was a contractor who went to Iraq and saw people carrying children with leg problems. He found out that 15% of children in Iraq are crippled. He set up a non-profit to provide wheelchairs for these children and was one of the CNN heroes this past year. His organization has a website at [wheelchairsforiraqikids.com](http://wheelchairsforiraqikids.com) and they are looking for donations and help. He has set up a factory in Iraq that builds wheelchairs and has a company in North Dakota that builds wheelchairs for \$300.

**b) Report on the Tarrant County Mayors Council meeting of February 6, 2012.**

Mayor Story reported that one of the speakers at the meeting was Reid Rector, the Director of Faith In Action, which is a county-wide network of 100 churches that works a lot like 6Stones. The Workforce Development Board announced that AMR is going to have 4,500 layoffs locally, including maintenance workers at Alliance Airport. Federal money has come in for job retraining and a job fair will be held on April 27 in Arlington. Patricia Ward urged that CDBG contracts get done in a timely manner. Finally, election rules are supposed to be coming out this week.

**19. City Manager report**

City Manager Beverly Griffith stated that next Monday is Presidents' Day, but City offices will be open. She also wished everybody a Happy Valentine's Day.

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

Action as a result of the Executive Session was taken during the approval of items by consent.

**ADJOURNMENT**

Mayor Story adjourned the meeting at 9:46 p.m.

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Jim Story, Mayor

ATTEST:

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Michael Wells, City Secretary



# Council Agenda Background

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**PRESENTER:** Robert Hinkle, NTE

**DATE:** 02/28/12

Staff Report

**ITEM:**

Presentation by Robert Hinkle, NTE, regarding the S.H. 183 expansion.

City Manager Review: \_\_\_\_\_

**DISCUSSION:**

Robert Hinkle from NTE Mobility Partners will present an update regarding the S.H. 183 expansion project.

**ATTACHMENTS:**

N/A



# Council Agenda Background

<b><u>PRESENTER:</u></b> William Syblon, Development Director Kim Kyongnam, U-Haul (Isis Bridal)		<b><u>DATE:</u></b> 02/28/12
<b>Council Mission Area:</b> Foster economic growth.		
<b><u>ITEM:</u></b>  Consider an ordinance to rezone a portion of property known as Tract 3A, Block 15, Stonegate Addition from Light Commercial to Heavy Commercial/Specific Use Permit/Rental Services with Outside Storage. The property is generally located south of State Highway 183 and east of Brown Trail. (Z-214) (Tabled at the February 14, 2012 Council Meeting)  <b>City Attorney Review:</b> N/A  <b>City Manager Review:</b> _____		
<b><u>DISCUSSION:</u></b>  This item was tabled at the February 14, 2012 Council Meeting to allow the applicant time to revise the site plan. The applicant is requesting to table this application to the March 13, 2012 City Council meeting.  The Planning and Zoning Commission recommended approval of this item at their January 26, 2012 meeting by a vote of 5-2-0 with the <u>stipulation:</u> The applicant meets the landscaping requirement as indicated on the site plan.		
<b><u>RECOMMENDATION:</u></b>  Staff recommends acceptance of the request to table with the following motion:  Table an ordinance to rezone a portion of property known as Tract 3A, Block 15, Stonegate Addition from Light Commercial to Heavy Commercial/Specific Use Permit/Rental Services with Outside Storage. The property is generally located south of State Highway 183 and east of Brown Trail to the March 13, 2012 Council Meeting. (Z-214)		
<b><u>FISCAL IMPACT:</u></b>  N/A	<b><u>ATTACHMENTS:</u></b>  Applicant Request	

**Jakubik, Megan**

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**From:** Alonso, Yolanda  
**Sent:** Friday, February 17, 2012 10:31 AM  
**To:** Wells, Michael; Jakubik, Megan  
**Cc:** Syblon, Bill; Dan C. Boutwell  
**Subject:** FW: zoning Case Z-214

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From: Kyongnam Kim  
Sent: Friday, February 17, 2012 9:47 AM  
To: Alonso, Yolanda  
Subject: zoning case Z-214

We request to table Zoning Case Z-214 until the 3/13/12 City Council meeting to allow for the preparation of a revised site plan.

Thank you.

Isis bridal/Uhaul 404 Airport Freeway, Bedford, Texas 76022



# Council Agenda Background

**PRESENTER:** William Syblon, Development Director  
Sam Dalton, Papa G's

**DATE:** 02/28/12

**Council Mission Area:** Foster economic growth.

**ITEM:**

Consider an ordinance to rezone a portion of property known as Lot 2A, Block 1, Harwood Retail Joint Venture Addition, Ste. 110 from Light Commercial/Specific Use Permit/Outside Seating to Light Commercial/Specific Use Permit/Outside Seating/Indoor Amusement Center. The property is generally located east of State Highway 121 and north of Harwood Road. (Z-215) (Tabled at the February 14, 2012 Council Meeting)

**City Attorney Review:** N/A

**City Manager Review:** \_\_\_\_\_

**DISCUSSION:**

This is a business that currently has a specific use permit for outside seating in a retail shopping center. The applicant is proposing to expand the existing outside covered patio to 1,344 sq. ft., add an uncovered outside patio area of 1,511 sq. ft. to the south of the building, and add an indoor amusement area for coin operated machines.

This item was tabled at the February 14, 2012 meeting at the request of the City Council to allow the applicant time to provide an amended site plan to clearly indicate the following additional information:

- Provide a note on the site plan that details what is planned for the amusement center, stipulating the types of games proposed.
- Provide a detail drawing of the bar area located on the exterior, including its dimensions.
- Provide an elevation view showing what the bar looks like when it is open and when it is closed
- Provide an indication of material and colors of the structure, including the roll-up screen/door securing the bar.
- Indicate a covered or an uncovered outside seating area—not optional.
- Indicate no neon signage to be shown on the exterior of the building.

The Planning and Zoning Commission recommended approval of this item at their January 26, 2012 meeting by a vote of 7-0-0 with the stipulation: Contingent upon Staff Comment 5, "Because of the expanded area 'under cover,' the restaurant and covered patio will need to be sprinkled for fire protection, unless other remedies may be coordinated with the Fire Marshal.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of an ordinance to rezone a portion of property known as Lot 2A, Block 1, Harwood Retail Joint Venture Addition, Ste. 110 from Light Commercial/Specific Use Permit/Outside Seating to Light Commercial/Specific Use Permit/Outside Seating/Indoor Amusement Center. (Z-215)

**FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

Ordinance  
January 26, 2012 Planning & Zoning Minutes  
Zoning Change Application  
Zoning Map of Referenced Property  
8 ½ x 11 drawings

**ORDINANCE NO. 12-**

**AN ORDINANCE TO REZONE A PORTION OF PROPERTY KNOWN AS LOT 2A, BLOCK 1, HARWOOD RETAIL JOINT VENTURE ADDITION, STE. 110 FROM LIGHT COMMERCIAL/SPECIFIC USE PERMIT/OUTSIDE SEATING TO LIGHT COMMERCIAL/SPECIFIC USE PERMIT/OUTSIDE SEATING/INDOOR AMUSEMENT CENTER, SPECIFICALLY FOR THE OPERATION OF PAPA G'S SPORTS BAR AND GRILL; DECLARING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EFFECTIVE DATE. (Z-215)**

**WHEREAS, it is deemed expedient and for the benefit of the City of Bedford, Texas, that the Comprehensive Zoning Ordinance be amended to rezone a portion of property known as Lot 2A, Block 1, Harwood Retail Joint Venture Addition, Ste. 110 from Light Commercial/Specific Use Permit/Outside Seating to Light Commercial/Specific Use Permit/Outside Seating/Indoor Amusement Center. The property is generally located east of State Highway 121 and north of Harwood Road.**

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

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

**a portion of property known as Lot 2A, Block 1, Harwood Retail Joint Venture Addition, Ste. 110 located in the City of Bedford, Tarrant County, Texas, shall be shown as approved by this ordinance.**

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

**SECTION 3. That approval of this specific use permit is subject to the following stipulation: Contingent upon Staff Comment 5, because of the expanded area "under cover," the restaurant and covered patio will need to be sprinkled for fire protection, unless other remedies may be coordinated with the Fire Marshal.**

**SECTION 4. That from and after the final passage of this ordinance the land described herein shall be subject to the regulations and uses of Light Commercial/Specific Use Permit/Outside Seating/Indoor Amusement Center for the use and operation of Papa G's Sports Bar and Grill.**

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

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

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

**ORDINANCE NO. 12-**

**PRESENTED AND PASSED** this 28th day of February 2012 by a vote of \_\_\_ ayes, \_\_\_ nays and \_\_\_ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

\_\_\_\_\_  
**Jim Story, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Michael Wells, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Stan Lowry, City Attorney**

PLANNING AND ZONING COMMISSION  
MEETING MINUTES OF JANUARY 26, 2012

DRAFT

Chairman Davisson declared the motion approved.

**PUBLIC HEARING**

3. **Zoning Case Z-214, public hearing and consider a request of Kim Kyongnam for U-Haul to rezone property known as Tract 3A, Block 15, Stonegate Addition from Light Commercial to Heavy Commercial/Specific Use Permit/Rental Services with Outside Storage. The property is generally located south of State Highway 183 and east of Brown Trail.**

Chairman Davisson recognized Consultant City Planner Dan Boutwell who reviewed Zoning Case Z-214.

Chairman Davisson recognized Charles Simmons, 404 Airport Freeway, Bedford, Texas who was there to represent this application.

Chairman Davisson opened the public hearing at 7:14 p.m. and recognized Ed Bowen, 3017 Alta Mesa Boulevard, Fort Worth, Texas who spoke in favor of this application.

Chairman Davisson stated an e-mail was received January 25 2012 from Pat Borkowski opposing this application.

Chairman Davisson closed the public hearing at 7:17 p.m.

The Commission discussed the application.

Motion: Commissioner Reese made a motion to approve Zoning Case Z-214 with the stipulation: The landscaping be included as indicated on the site plan.

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

Ayes: Commissioners Reese, Carlson, Smeltzer, Vice Chairman Stroope  
Chairman Davisson

Nays: Commissioners Sinisi, Henning

Abstentions: None

Motion approved 5-2-0. Chairman Davisson declared the motion approved.

4. **Zoning Case Z-215, public hearing and consider a request of Sam Dalton for Papa G's Sports Bar and Grill to rezone a portion of property known as Lot 2A, Block 1, Harwood Retail Joint Venture Addition, Ste. 110 from Light Commercial/Specific Use Permit/Outside Seating to Light Commercial/Specific Use Permit/Outside Seating/Indoor Amusement Center. The property is generally located east of State Highway 121 and north of Harwood Road.**



**PLANNING AND ZONING COMMISSION  
MEETING MINUTES OF JANUARY 26, 2012**

**DRAFT**

Chairman Davisson recognized Consultant City Planner Dan Boutwell who reviewed Zoning Case Z-215.

Chairman Davisson recognized Sam Dalton, 2900 Highway, 121, Suite 110, Bedford, Texas who was there to represent this application.

Chairman Davisson opened the public hearing at 7:34 p.m. and there being no one to speak, closed the public hearing at 7:41 p.m.

The Commission discussed the application.

Motion: Commissioner Reese made a motion to approve Zoning Case Z-215 with the stipulation: Contingent upon Staff Comment 5, "Because of the expanded area 'under cover', the restaurant and covered patio will need to be sprinkled for fire protection, unless other remedies may be coordinated with the Fire Marshal."

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

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

**ADJOURNMENT**

Chairman Davisson adjourned the Planning and Zoning meeting at 7:42 p.m.

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**Chairman Davisson  
Planning and Zoning Commission**

**ATTEST:**

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**Yolanda Alonso, Planning and Zoning Secretary**

# City of Bedford Change of Zoning Application

Applicant Name (Print): PAPA GI'S SPORTS BAR GRILL (\*Signature): [Signature] PRESIDENT  
SAM DALTON

Address: 2900 HIGHWAY 121 SUITE 110

Telephone number: 214-502-6058 Fax number: 214-330-5254

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

From: L/SUP/OUTSIDE SEATING To: L/SUP/OUTSIDE SEATING / AMUSEMENT CENTER

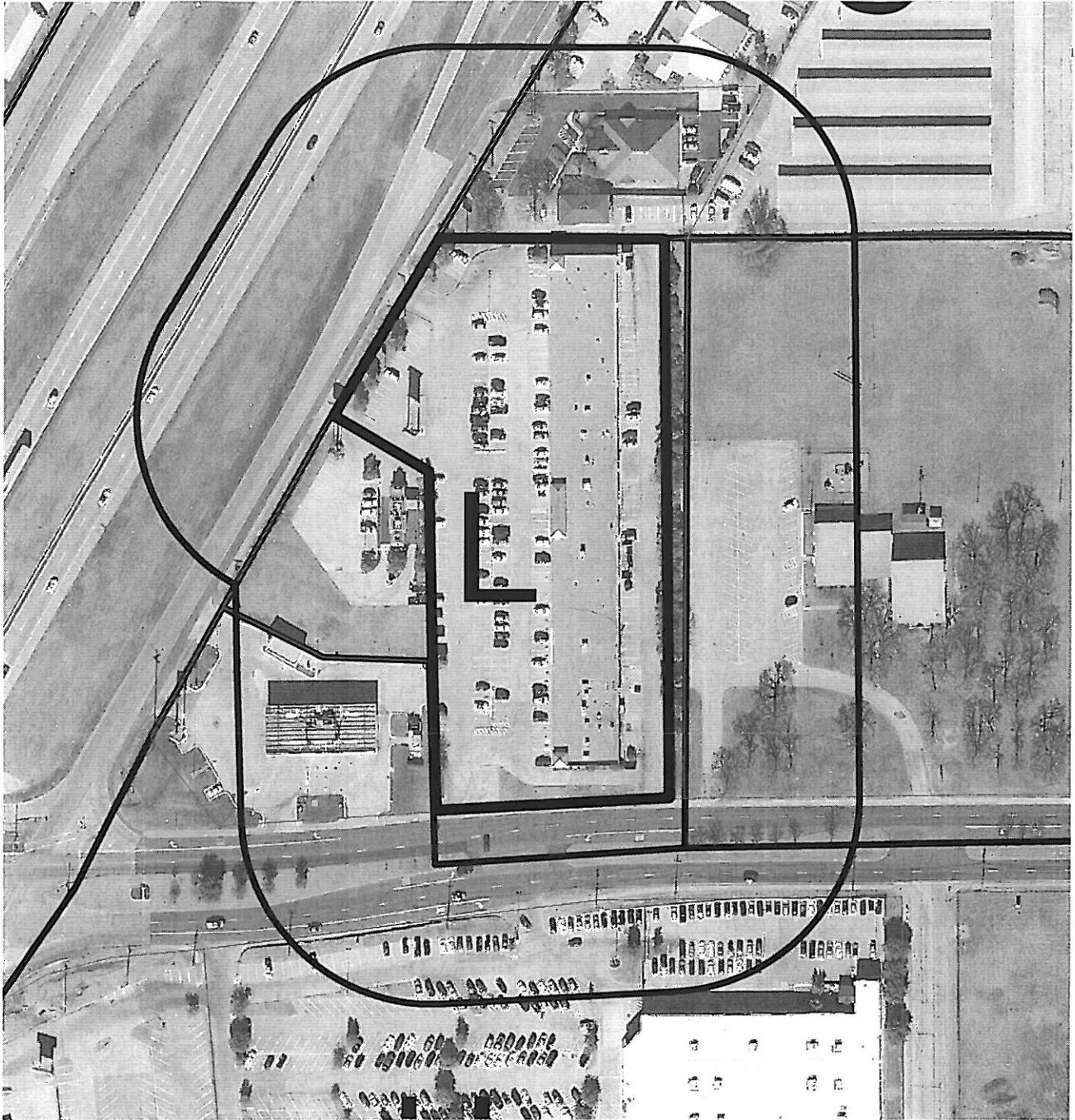
as provided in the City of Bedford Zoning Ordinance. I hereby certify that there are no existing dwellings or other buildings located on the property which would not conform to the construction standards, of the zoning classification being proposed, except as provided in Section 2.3, Nonconforming Lots,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

Legal Description: Lot 2 Block 1 Addition HARWOOD RETAIL JOINT VENTURE ADDITION  
Tract \_\_\_\_\_ Abstract \_\_\_\_\_ Survey \_\_\_\_\_ to the City of Bedford, Texas.  
Street Address 2900 HIGHWAY 121 SUITE 110

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

<b>Owner(if not applicant):</b> (*Signature)	<b>Developer:</b> (*Signature)
(Print name)	(Print name)
(Company name)	(Company name)
(Street Address, City, State & Zip Code)	(Street Address, City, State & Zip Code,)
(Telephone number) (FAX number)	(Telephone number) (FAX number)
<b>Land Planner/Engineer:</b> (*Signature)	<b>Surveyor:</b> (*Signature)
(Print Name)	(Print Name)
(Company Name)	(Company Name)
(Street Address, City, State & Zip Code,)	(Street Address, City, State & Zip Code)
(Telephone number) (FAX number)	(Telephone number) (FAX number)

\*Signatures certify that all information provided is true and correct.  
(Please indicate sole contact for the City purposes with an arrow "⇒".) 4



Hearing Date: 1-26-12      Z-215

City of Bedford, Texas

Address:  
2900 State Highway 121  
Bedford, TX 76021

Legal Description:  
Lot 2A, Block 1  
Harwood Retail Joint Venture Addition, Ste. 110

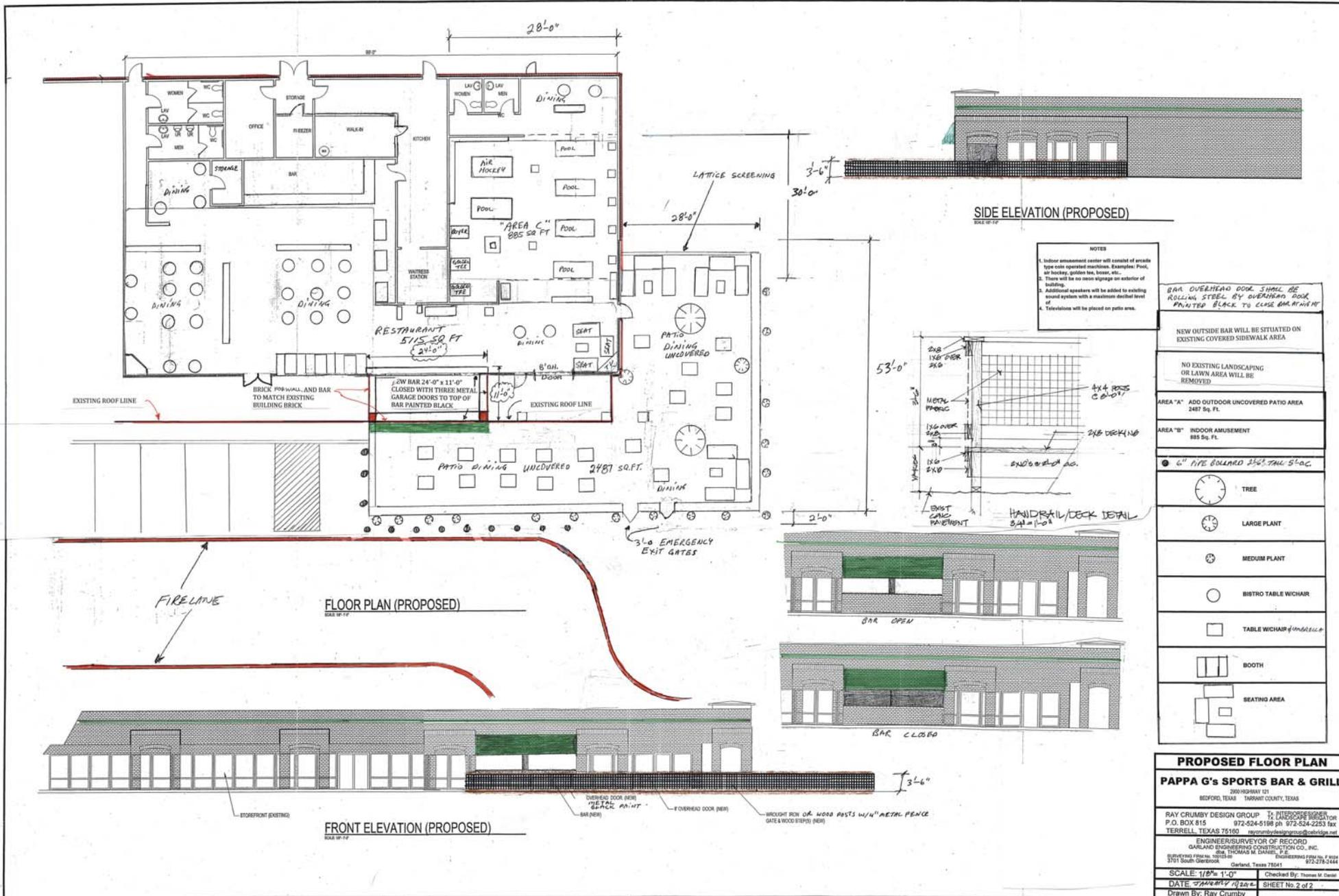


 Parcel Boundary  
 Subject Parcel  
and Buffer

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







**SIDE ELEVATION (PROPOSED)**  
SCALE: 1/8" = 1'-0"

**FLOOR PLAN (PROPOSED)**  
SCALE: 1/8" = 1'-0"

**FRONT ELEVATION (PROPOSED)**  
SCALE: 1/8" = 1'-0"

**NOTES**

- Indoor amusement center will consist of arcade type coin operated machines. Examples: Pool, air hockey, golden tee, laser, etc.
- There will be no neon signage on exterior of building.
- Additional speakers will be added to existing sound system with a maximum decibel level of 110.
- Televisions will be placed on patio area.

**BAR OVERHEAD DOOR SHALL BE ROLLING STEEL BY OVERHEAD DOOR PAINTED BLACK TO MATCH EXISTING**

**NEW OUTSIDE BAR WILL BE SITUATED ON EXISTING COVERED SIDEWALK AREA**

**NO EXISTING LANDSCAPING OR LAWN AREA WILL BE REMOVED**

**AREA "A" ADD OUTDOOR UNCOVERED PATIO AREA 2487 Sq. Ft.**

**AREA "B" INDOOR AMUSEMENT 885 Sq. Ft.**

**6" NITE BOLLARD 24" TALL 5' OC.**

**TREE**

**LARGE PLANT**

**MEDIUM PLANT**

**BISTRO TABLE W/CHAIR**

**TABLE W/CHAIR (AMUSEMENT)**

**BOOTH**

**SEATING AREA**

**PROPOSED FLOOR PLAN**

**PAPPA G's SPORTS BAR & GRILL**

2000 RED HAY ST. BEDFORD, TEXAS 76010 TARRANT COUNTY, TEXAS

RAY CRUMBY DESIGN GROUP INC. P.O. BOX 815 TERRELL, TEXAS 75160  
 972-524-5198 ph 972-524-2253 fax  
 ray@raycrumbydesign.com ray@raycrumbydesign.com

ENGINEER/SURVEYOR OF RECORD  
 GARLAND ENGINEERING CONSULTANTS, P.C., INC.  
 3701 South Gessner Rd. Garland, Texas 75041  
 972-278-2444

SCALE: 1/8" = 1'-0" Checked By: Thomas M. Daniel  
 DATE: JANUARY 20, 2014 SHEET No. 2 of 2  
 Drawn By: Ray Crumby

NEW CANVAS AWNING  
GREEN COLOR TO  
COMPLIMENT EXISTING GREEN  
BUILDING ACCENTS



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NEW CANVAS AWNING  
GREEN COLOR TO  
COMPLIMENT EXISTING GREEN  
BUILDING ACCENTS



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# Council Agenda Background

**PRESENTER:** Dan Boutwell, MPRG  
William Syblon, Development Director

**DATE:** 02/28/12

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

**ITEM:**

Consider an ordinance amending Chapter 6 of the City of Bedford Code of Ordinances, "Advertising;" Article III-Signs, Section 6-67 "Definitions," Section 6-69 "General Regulations," Section 6-70 "Special Sign Types," Section 6-71 "Permanent Signs," Section 6-72 "Temporary Signs," Section 6-74 "Prohibited Signs;" providing for an 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:** N/A

**City Manager Review:** \_\_\_\_\_

**DISCUSSION:**

On November 5, 2011, Council held a Work Session to discuss potential amendments to the City of Bedford's Sign Ordinance. The result of that meeting revealed several Council requested changes to the Ordinance. A follow up Work Session held on January 24, 2012, further clarified the desired amendments to the sign ordinance. The following is a summary of the more significant proposed changes:

1. Freeway Pole Signs (Pg. 12) – Increase maximum height from 50 ft. to 65 ft., and maximum size from 200 square feet to 300 square feet.
2. Freeway Pylon Signs (Pg. 12) – Increase maximum height from 50 ft. to 65 ft., and maximum size per tenant from 200 square feet to 300 square feet.
3. Mural (Pg. 3) – Provided a definition for Mural.
4. Political Signs (Pg. 11) – Language added deferring authority to the Texas Local Government Code, and prohibiting political signs on City-owned property.
5. US/Texas/Patriotic Flags (Pg. 16) – Ordinance has been further clarified that these items have no restrictions.
6. New Commercial Building Signs on 183/121/157 (Pg. 17) – This item has been removed from the ordinance.
7. "Still in Business" Signs (Pg. 11) – Language added to allow these types of signs during construction caused by public police authority when access or visibility of the business is substantially hampered. A maximum area and height have also been added. Signs approved through the Building Official's office.
8. Definition of "Parcel" (Pg. 4) has been added to facilitate the allowance of off premise signage where a unified grouping of tenants exists located on multiple and separate platted lots, but function under a single management system.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of an ordinance amending Chapter 6 of the City of Bedford Code of Ordinances, "Advertising;" Article III-Signs, Section 6-67 "Definitions," Section 6-69 "General Regulations," Section 6-70 "Special Sign Types," Section 6-71 "Permanent Signs," Section 6-72 "Temporary Signs," Section 6-74 "Prohibited Signs;" providing for an 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  
Red-line Exhibit A

## ORDINANCE NO. 12-

**AN ORDINANCE AMENDING CHAPTER 6 OF THE CITY OF BEDFORD CODE OF ORDINANCES, "ADVERTISING," ARTICLE III-SIGNS, SECTION 6-67 "DEFINITIONS," SECTION 6-69 "GENERAL REGULATIONS," SECTION 6-70 "SPECIAL SIGN TYPES," SECTION 6-71 "PERMANENT SIGNS," SECTION 6-72 "TEMPORARY SIGNS," SECTION 7-74 "PROHIBITED SIGNS," PROVIDING FOR AN 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; and,

**WHEREAS**, the City Council of the City of Bedford 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 has established regulations for signs, in *Chapter 6, Advertising, Article III-Signs, of the Code of Ordinances*, as amended; and,

**WHEREAS**, the City Council of Bedford, Texas has determined that revisions are necessary to these sign regulations and has noticed, according to the requirements of public meetings by State Law, the proposed amendments; and,

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

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

### **Section 1**

*Chapter 6, Advertising, Article III-Signs, of the Code of Ordinances*, being the sign regulations of the City of Bedford be amended in accordance with the attached Exhibit A –Sign Regulations.

### **Section 2**

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 3**

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 4**

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

**ORDINANCE NO. 12-**

**PRESENTED AND PASSED on this 28th day of February, 2012, by a vote of \_\_ ayes, \_\_ nays and \_\_ abstentions at a regular meeting of the City Council of the City of Bedford, Texas.**

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Jim Story, Mayor

ATTEST:

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Michael Wells, City Secretary

APPROVED AS TO FORM:

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Stan Lowry, City Attorney

**Exhibit “A”**  
**City of Bedford Codes**  
**Chapter 6 - Advertising**

**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**

Abandoned sign: 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.

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).

Balloon: A non-porous, flexible inflated device using inert gas as advertising matter.

Banner Sign: 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.

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.

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

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.

Business Sign: 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.

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.

Changeable Copy Sign: A sign that is utilized year round, but the copy is changed periodically, advertising different specials associated with retail sales. This does not include a portable sign that may have changeable copy but is not permanently placed or located at a specific site. However, it does include the following signs:

Message Board Sign: Any sign or portion of a sign that uses changing lights to form a non-pictorial message in text format wherein the sequence of messages and rate of change is electronically programmed and can be modified by electronic process.

Electronic Graphic Display Sign: 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 or by means of fade, repixelization, or dissolve modes.

Video Display Sign: 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.

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

Construction Sign: A temporary sign identifying individuals or companies involved in the design, construction, wrecking, or improvements of the premises where work is under construction.

Decorative Flag: A flag or banner that contains no name, initials, or similar items, used to attract attention. Colored flags only.

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.

Development Sign: A temporary on-site sign providing identification on information pertaining to residential or commercial development to include the builder, property owner, architect, contractor, engineer, or mortgage and project name.

Directional sign: Any sign, other than a highway marker or any sign erected and maintained by public authority, which is erected for the purpose of directing persons to a place, structure or activity not located on the same premises as the sign.

Directory sign: 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.

Enclosed Frame/Changeable Copy Sign: See Changeable Copy Sign

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 piece of cloth or fabric usually rectangular in shape, of distinctive color and design, used as a symbol, a standard or signal to attract attention. Exemptions to this are patriotic flags, i.e. U.S., State, and City flags.

Flashing Sign: 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.

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.

Freestanding Sign: A sign not attached to a building. A freestanding sign may be either a pole (pylon) sign or a monument sign.

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

Hawkers: A person holding a sign or in costume to advertise a business or encouraging stopping or buying products at a location.

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

Illegal Signs: The Building Official or his designated representatives 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.

Illuminated Sign: 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.

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.

Incidental Sign: Small sign, less than two (2) square feet in surface area, of a non-commercial nature, intended primarily for the convenience of the public. Included are signs designating restrooms, address numbers, hours of operation, entrances to buildings, directions, help wanted, public telephones and so forth. Also included in this group of signs are those designated to guide or direct pedestrians or vehicular traffic to an area or place on the premises of a business building by means of a directory designating names and addresses only.

Lighted Sign: See Illuminated 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: All signs and support structures, together with all 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. No sign will be allowed to become frayed, discolored or torn.

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

Message Board Sign: a sign composed of a matrix of individual bulbs or lights which are capable of displaying lights in a running or continuous fashion so as to provide transient pictures or information.

Monument Sign: A permanent ground sign generally constructed out of brick, stone, or cast concrete foundation across the entire base of the structure not to exceed seven (7) feet in height, measured from the finished grade to the top of the 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.

Movable Sign: See Portable Sign.

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

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Off-Premise Sign: 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.

On-Premise Sign: 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.

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 utilize 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.

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Pennant: A wind device usually made of a lightweight plastic, fabric or other material whether or not containing a message of any kind, usually triangular in shape and attached to a single cord.

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

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

Portable (or moveable) Sign: Those signs that are not firmly attached to the ground, a building, or other structure, and those that can be easily moved or carried about and reused numerous times at different locations.

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

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

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

Reader-board Sign: 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.

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

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

Sandwich Board or Sidewalk Sign: A moveable sign, typically an “A” frame, not secured or attached to the ground or surface which it is located.

Secondary Signage Wall: 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.

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, light or insignia, affixed directly or indirectly to or upon any building, window, door or outdoor structure, calling attention to any object, product, service, place, or activity.

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 Box: The rectangle used to calculate the sign area.

Still in Business Sign: 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.

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Swooper Flag: A banner type 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 on one side, permitting the unattached side to move freely in the wind.

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Temporary Sign: 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.

Vehicular Sign: 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.

Vertical Banner: Any sign of a lightweight fabric or similar material that is mounted to a pole in a vertical fashion secured at top and bottom of banner.

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, which ever 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).

Wall Sign: 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.

Window Sign: A sign attached to, placed upon or painted on the window or door of a building which is intended for public viewing from the exterior of such building.

## Section 6-68. ADMINISTRATION & ENFORCEMENT

- (a) Building Official: The provisions of this article shall be administered and enforced by the building official and such representatives as he may designate. All other officers and employees of the city shall assist and cooperate with the building official in administering and enforcing the provisions of this article.
- (b) Permits required. No sign shall be erected, re-erected, constructed, attached, altered, painted on, or maintained, 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
  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) Exemptions from Requirement for Permit: A permit shall not be required for erection of any of the following signs; provided, however, such signs shall otherwise comply with all other applicable provisions of the sign code:
1. In all zoning districts, with the exception of residential and multi-family districts, for a sign not exceeding eight (8) square feet in area, which advertises the sale, rental or lease of the premise shall be exempt. The sign shall be removed upon the completion of the sale or lease of the premises.
  2. Nameplates not exceeding one (1) square foot in area.
  3. Construction signs, not exceeding a total of sixteen (16) square feet in area, denoting the architect, engineer or contractor, and placed upon the premises under construction. Said construction signs shall not be placed on the premises prior to construction and shall be immediately removed upon completion of construction.
  4. Occupational signs, not exceeding two (2) square feet in area, denoting only the name and profession of an occupant in a commercial building or public institutional building. There shall not be erected more than one occupational sign per person.
  5. Standard maintenance, painting, repainting or cleaning of an advertising structure or message thereon for an ongoing entity for which no structural changes are required. Painting, repainting or cleaning of an existing advertising structure or message for a new business is not included in this exception. Lighted signs are not included in this exception except for theater marquees and similar signs that are specifically designed for the use of replaceable copy.
  6. Political signs as defined in Section 6-67.
  7. Signs that are permitted through the Zoning Board of Adjustment for Special Events outside sales and storage of merchandise.
  8. Non-illuminated commercial directional signs not exceeding four (4) square feet in area or three (3) feet in height, provided that such directional signs do not contain advertising and are not used as such.
  9. "Now hiring" signs. Employment ads are exempt.
  10. Flags, emblems and insignia of any governmental body and decorative displays for holidays or public demonstrations which do not promote or identify any person or the goods and services supplied by a person.

11. Window signs as defined in Section 6-67.

- (f) *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.
- (g) *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.
- (h) *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.
- (i) *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.
- (j) *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 reinspected at the discretion of the building official.
- (k) *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 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 \$10.00 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.
- (l) *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.
- (m) *Sign Removal:* The owner of any property upon which any of the following signs are located shall immediately remove the sign upon notice from the Building Official:
  - 1. Any illegal, non-conforming sign.
  - 2. Any legal, non-conforming sign which has been substantially destroyed or dismantled for any purpose other than maintenance operations or for changing letters, symbols or other matters on the sign. The sign shall be deemed to be substantially destroyed or dismantled if the cost of repairing the sign is more than 60% of the cost of erecting a new sign of the same type at the same location.

3. Repair of or removal of dilapidated or deteriorated signs. Upon determination by the Building Official that a sign is in a dilapidated or deteriorated condition, the Building Official 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, then the owner of the property on which said sign is erected and the owner of the sign shall immediately remove the sign.
  4. 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 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:** 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 or number of signs; 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 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

### Section 6-69. GENERAL REGULATIONS

- (a) Existing Signs: 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.
- (b) 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.
- (c) 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 of Section 31 (5.7) of the Bedford Zoning Ordinance. Any sign projecting into the visibility triangle shall have a clearance of at least ten feet above the centerline grades of the intersecting streets.
- (d) 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 of Section 31 (5.7) of the Bedford Zoning Ordinance. Any sign projecting into the visibility triangle shall have a clearance of at east ten feet above the centerline grades of the intersecting streets.
- (e) 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 (hawker) carry a temporary sign adjacent to or in a public right-of-way.
- (f) Pedestrian hazard: All signs or other advertising structures, which are erected at any point where pedestrians might be endangered, shall have a smooth surface and no nails, tacks or wires shall be permitted to protrude therefrom.
- (g) Lighting restrictions: Illuminated signs shall be erected in such a manner as not to interfere with traffic or pose other health or safety hazards.
- (h) 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.
- (i) 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.
- (j) 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.
- (k) 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,
  - 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.

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

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## Section 6-70. SPECIAL SIGN TYPES

(a) Message Board Signs: are subject to the same size and location restrictions as other signs regulated by this article. In addition, a message board sign is subject to the following restrictions:

1. Any change of pictures or information on the message board sign shall not produce the illusion of moving objects, expanding or contracting shapes, rotation or any similar effect of animation.
2. Any change of pictures or information on the message board sign shall not change more often than once each three seconds for those portions of the sign, which convey time or temperature, or once each three (3) seconds for all other portions of a sign.
3. Message board signs shall only be allowed to be placed in areas zoned "S", "L", "H" or "I" with frontage along the rights-of-way of arterial and collector roadways shown on the Thoroughfare Plan.
4. All applications for message board signs must be accompanied with a certificate of approval of such sign from the state department of transportation in accordance with state law.
  - a. The determination of a health or safety hazard caused by a lighted sign or a message board sign shall be made by the traffic coordinator for the city and shall be controlling.
  - b. Any electrical wiring required for a sign to be lighted shall meet the electrical code of the city as determined by the building official or a designated representative.
  - c. No lighted sign or message board sign shall have a luminance of greater than 300 foot-candles, nor shall any such sign have a luminance greater than 200 foot-candles for any portion of the sign within a circle two feet in diameter. The restriction of luminance in this section shall be determined from any other premises or from any public right-of-way.

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

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

(d) Portable or moveable signs: Determination by the building official or his designated representative as to whether any sign is portable or moveable shall be controlling. It is expressly provided that such signs are prohibited in any residential zoning district or within any right-of-way or city easement within the city. The following additional provisions shall apply to portable or moveable signs:

1. Only one such sign for each tenant on a multi-use lot or per business on a single use lot shall be permitted for display at one time.
2. Signs on a multi-tenant lot shall be separated by a minimum of two-hundred and fifty (250) feet.
3. Any such sign shall be permitted on premises only. No such sign shall exceed a total area of 50 square feet.
4. No such sign shall be lighted. Any such sign may be displayed a maximum of 120 days per calendar year; with a maximum time period of 30 days, and a minimum interval period of 30 days.
5. Written permission from the property owner or management regarding the number of days allocated for "lot" is required.
6. Any such sign must be located in the required street yard as provided by the setback regulations of the zoning district in which it is placed; and may not be located in any designated parking space.

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~~7. Signs shall consist of white letters on black background or black letters on white backgrounds. No florescent colors shall be used for the background or the letters of any sign.~~

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~~8. Flags, streamers, or pennants shall not be permitted on a portable/moveable sign.~~

(e) ~~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. Sign attached to or upon any vehicle shall be prohibited where any such vehicle is allowed to remain parked in the same location, or in the same vicinity, a period of time in excess of three business days. Specifically, where the intent is apparent to be one of using the vehicle and signs for purposes of advertising an establishment, service or product. Government vehicles and vehicles operating under a city franchise shall be excluded from this provision.
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.

(f) Grand Opening. Grand opening events may utilize inflatable objects, pennants, 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.

(g) "Still in Business" signs: Temporary signage necessary for operation of a business 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. Shall not exceed 35 square feet in area or 5 feet in height.
2. At his/her discretion, the building official may defer such approval to the Buildings and Standards Commission.
3. Is exempt from permit fee.

~~(g)~~(h) Political Signs:

1. Political signs shall be subject to Section 216.903 of the Local Government Code.
2. 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 an 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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**Section 6-71. PERMANENT SIGNS**

<b>PERMANENT SIGNS</b>					
<b>TYPE OF SIGN</b>	<b>DISTRICTS PERMITTED</b>	<b>MAXIMUM AREA</b>	<b>MAXIMUM HEIGHT &amp; CLEARANCE</b>	<b>NUMBER OF SIGNS</b>	<b>REQUIREMENTS**</b>
<b>Primary Wall Sign (Attached)</b>	Non-residential* "S", "L", "H" & "I"	Two square feet of sign area for each foot of store front width.	Top of parapet wall or roof eave height.  Maximum height of any 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 minimum of two feet. Also see Setback Bonus.
<b>Secondary Wall Sign (Attached)</b>	Non-residential* "S", "L", "H" & "I"	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 a minimum of two feet.  No sign permitted to face a residential property
<b>Freestanding Freeway Pole</b>	Non-residential "S", "L", "H" & "I" (in "HC" must be within 25' of frontage road)	<del>200-300</del> s.f. each side	<del>50-65</del> ft. max height with 10 ft. minimum ground clearance	1 freestanding (either pole or monument) sign per street frontage	Not allowed in or projecting into public R.O.W., Secondary sign may only be 50% of height & area of Primary sign
<b>Freestanding Freeway Pylon</b>	Non-residential* "S", "L", "H" & "I" (in "HC" must be within 25' of frontage road)	<del>200-300</del> s.f. per tenant <u>per parcel</u> not to exceed the maximum height & clearance regulation	<del>50-65</del> ft. max height with 20 ft. width with 3 ft minimum ground clearance	1 freestanding pylon sign per street frontage <u>per platted lot or lot of record</u>	<u>Includes tenants/businesses located on a parcel as defined in Section 6-67</u>  Not allowed in or projecting into public R.O.W.;
<b>Freestanding Non-Freeway Pole</b>	Non-residential "S", "L", "H" & "I" (except Cheek Sparger Overlay dist)	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 or projecting into public R.O.W., Secondary sign may only be 50% of the area of the Primary sign
<b>Freestanding Non-Freeway Pylon</b>	Non-residential* "S", "L", "H" & "I" (except Cheek Sparger Overlay dist)	100 s.f. per tenant <u>per parcel</u> not to exceed the maximum height & clearance regulation	25 ft. max height with 20 ft max width with 3 ft. minimum ground clearance	1 freestanding pylon sign per street frontage, <u>per platted lot or lot of record</u>	<u>Includes tenants/businesses located on a parcel as defined in Section 6-67</u>  Not allowed in or projecting into public R.O.W.;

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## PERMANENT SIGNS

TYPE OF SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT & CLEARANCE	NUMBER OF SIGNS	REQUIREMENTS**
<b>Message Board</b>	Non-residential* “S”, “L”, “H” & “T”, with 183, 121 or 157 frontage	Same as pole sign regulations	Same as pole sign regulations	Same as pole sign regulations	See Section 6-70
<b>Freestanding Monument</b>	Non-residential* “S”, “L”, “H”, & “T”	75 sq. ft.	7 feet	1 (either pole or monument) per street frontage, 2 max	Lighting allowed
<b>Canopy</b> (covering gas pumps, drive thru lanes or parking areas)	Non-residential* “S”, “L”, “H” & “T”	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
<b>Mural</b>	Non-residential* “S”, “L”, “H” & “T”	Not applicable	Not applicable	Not applicable	No name, logo, text or slogan. Murals are considered <i>Art</i> , not advertising
<b>Enclosed Frame/Changeable Copy</b>	Non-residential* “S”, “L”, “H” & “T”	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
<b>Multifamily Entry Monument</b>	Multifamily: all MD & MF	75 s.f.	7 ft.	1 per “main” entrance	Lighting allowed
<b>Subdivision Entry Monument</b>	All Residentially zoned districts	75 s.f. each	7 ft.	1 pair per “main” entrance	Lighting allowed

\* Non-residential uses that are permitted in residentially zoned districts.

\*\*All signs are subject to setback regulations as set forth in Section 6-69 (b).

**Section 6-72. TEMPORARY SIGNS**

<b>TEMPORARY SIGNS</b>						
<b>TYPE OF SIGN</b>	<b>PERMIT REQ.</b>	<b>DISTRICTS PERMITTED</b>	<b>MAXIMUM AREA</b>	<b>MAX HEIGHT &amp; CLEARANCE</b>	<b>TIME LIMIT</b>	<b>REQUIREMENTS**</b>
<b>Portable</b>	Yes	Non-residential* "S", "L", "H" & "I"	50 s.f.	6 ft.	120 days per calendar year, 30 days period maximum, 30 day interval period	1 per tenant or per business on single lot, Separation between other portable signs of 250 ft. On-premises only, No lighting
<b>Horizontal Banner</b>	Yes	Non-residential* "S", "L", "H" & "I"	50 s.f.	Highest point of roof, Attached to building	60 days per calendar year, in a minimum of 10 day increments	Only one allowed, No lighting, not used with Portable sign
<b>Vertical Banner</b>	Yes, per each change out	Non-residential* "S", "L", "H" & "I"	35 s.f. freeway frontage, 12 s.f. for non-freeway	35 ft. max., 6 ft. min. to bottom of vertical banner	Not applicable	50 ft. min. spacing, 100 ft. min. street frontage, 25' min. to side prop. Line
<b>New Business "Coming Soon"</b>	Yes	Non-residential* "S", "L", "H" & "I"	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 building, No lighting
<b>New Business "Now Open"</b>	Yes	Non-residential* "S", "L", "H" & "I"	50 s.f.	Highest point of roof, Attached to building	30 days from C.O.	Must be affixed to store front
<b>Pennants</b>	Yes	MF & Non-residential* "S", "L", "H" & "I"	Not applicable	Highest point of roof	During event	Only during approved Special Events or Grand Openings

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## TEMPORARY SIGNS

TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
<b>Balloons</b> over 24” diameter	Yes	MF & Non-residential* “S”, “L”, “H” & “I”	Not applicable	50 ft.	During event	Only during approved Special Events or Grand Openings
<b>Inflatable objects</b>	Yes	MF & Non-residential* “S”, “L”, “H” & “I”	Not applicable	25 ft.	During event	Only during approved Special Events or Grand Openings
<b>Window</b>	No	Non-residential* “S”, “L”, “H” & “I”	25% of window area	Not applicable	Not applicable	Enclosed frame/changeable copy signs encouraged
<b>Vehicle</b>	No	Not applicable	Not applicable	Not applicable	Not applicable	See Section 6-70
<b>Weekend Builders Advertising</b>	Yes	All	6 s.f.	3 ft.	12 noon Friday till 12 noon Monday, except holidays	25 max., 3 ft. from curb, 200 ft. or 1 block apart, 40 ft. min. from intersection, No lighting
<b>Open House Advertising</b>	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 and the company name, logo, and/or home address. Permit sticker must be attached to the signs.
<b>Rent or Lease</b>	No	Residential and 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. Signs must say, “For Rent” or “For Lease”.

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## TEMPORARY SIGNS

TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
Political	Yes, but no fee See Section 6-70 (i)	All See Section 6-70 (i)	32 s.f. See Section 6-70 (i)	10 ft. See Section 6-70 (i)	30 days See Section 6-70 (i)	On private property, not on R.O.W., No lighting. Removed 24 hr. after election or runoff. See Section 6-70 (i).
Church, charity & civic, On-Premises	Yes, but no fee	All	50 s.f.	15 ft.	10 days prior to event & during event, 30 days max.	On private property, not on R.O.W., No lighting, Removed 24 hr. after event
Church, charity/civic, Off-Premises	Yes, but no fee	All	12 s.f.	3 ft.	10 days prior event & during event, 30 days max.	On private property, not on R.O.W., No lighting, Removed 24 hr. after event
US, Texas or Patriotic Flag	No	MF & Non-residential* "S", "L", "H" & "I"	100 s.f.	35 ft.	Not applicable	1 per flag type, No spacing requirements
Decorative Flag (color only, Logo allowed, no text allowed)	No	MF	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
Real Estate Land Sale	Yes	All	100 s.f.	15 ft.	Remove prior to development	1 acre min., 2 sign max., 1 sign per frontage, No lighting
Residential Construction	Yes	all Residential Districts, MD & MF	100 s.f.	15 ft.	Till project 80% complete	1 sign per major existing street frontage, 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
"Still in Business" Sign	See Section 6-70 (g)	See Section 6-70 (g)	See Section 6-70 (g)	See Section 6-70 (g)	See Section 6-70 (g)	See Section 6-70 (g)
Commercial Complex Sale or Lease Free-Standing	Yes	Non-residential* "S", "L", "H" & "I"	50 s.f.	6 ft.	Complex sold or leased	1 sign, No lighting

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## TEMPORARY SIGNS

TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
Com. Unit(s) Sale or Lease Wall Sign	Yes	Non-residential* "S", "L", "H" & "I"	50 s.f.	Highest point of roof	Unit sold or leased	1 sign per unit, No lighting
New Commercial Building	Yes	Non-residential* "S", "L", "H" & "I"	100 s.f.	15 ft.	Till 80% complete	1 sign per major ex. street frontage, Lighting allowed
New Com. Building on 183, 121 or 157	Yes	Non-residential* "S", "L", "H" & "I"	1 s.f. per l.f. of street frontage up to 600 s.f.	50 ft.	1 year	1 sign per complex or development

\* Non-residential uses that are permitted in residentially zoned districts.

\*\*All signs are subject to setback regulations as set forth in Section 6-69 (b).

### Section 6-73. EXEMPTED SIGNS

The following types of signs are exempted from the sign regulations. These signs are not required to submit a sign application, are not required to be permitted and not required to pay a permit or review fee.

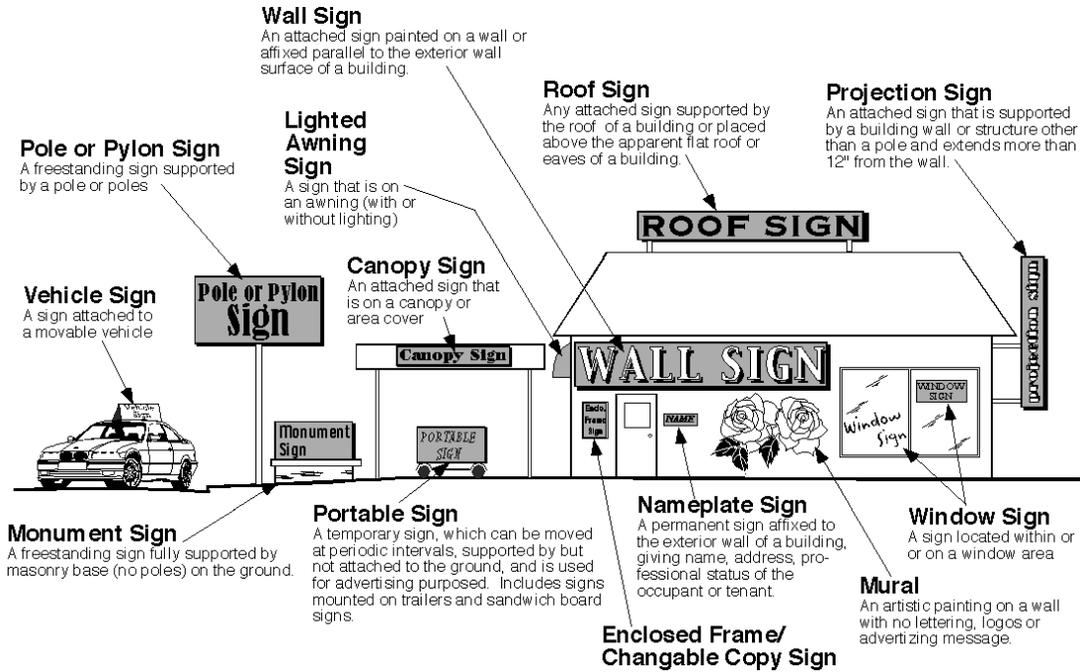
- (a) Traffic control signs erected by the City or state.
- (b) Directional signs less than four square feet (4 s.f.) in area and less than three feet (3') in height.
- (c) Menu board signs for drive-thru lanes at restaurants.
- (d) Gasoline pricing signs less than fifteen square feet (15 s.f.)
- (e) US, Texas or Patriotic Flags
- (f) Window signs as defined in Section 6-67
- (g) Signs that are allowed by approval of the Zoning Board of Adjustment for Special Events or for outside sales and storage of merchandise.
- (h) Balloons less than 24 inches in diameter

### Section 6-74. PROHIBITED SIGNS

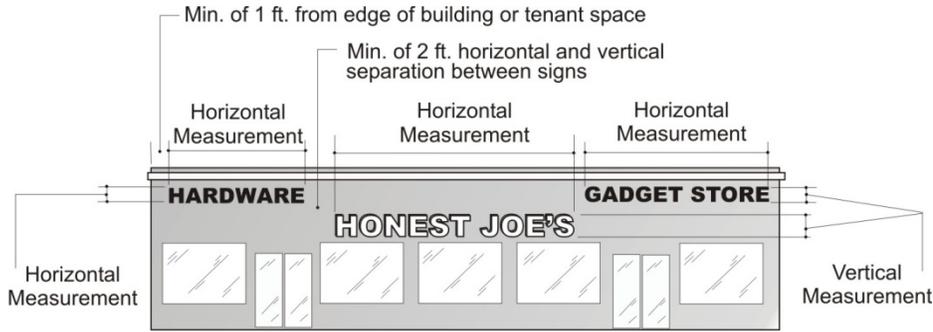
- (a) Off-Premises advertising sign (billboard), except as otherwise permitted.
- (b) Roof signs, however, signs are allowed on building towers or other architectural features of the building.
- (c) Projecting signs (signs projecting more than 12" from the wall to which it is attached).
- (d) Search lights or flashing lights (other than Message Board signs).
- (e) Signs on utility poles
- (f) Swooper flags

# Sign Types Graphic

## Sign Graphics

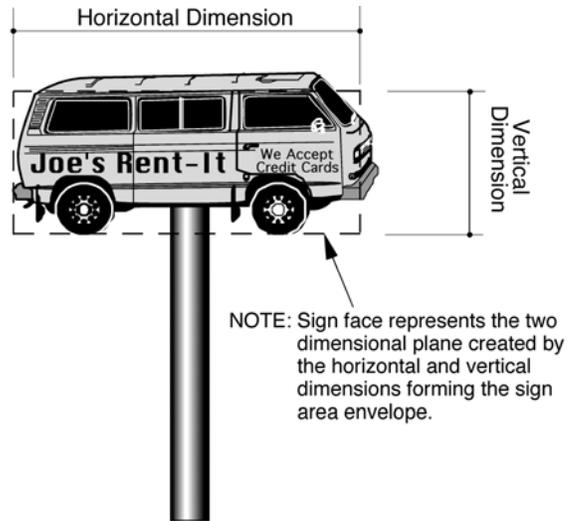
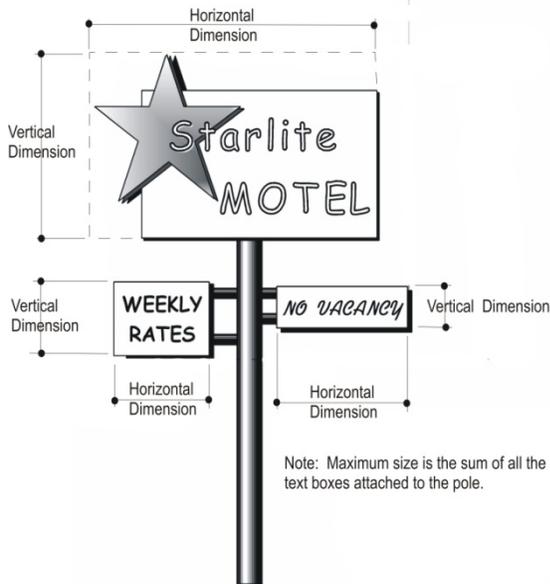
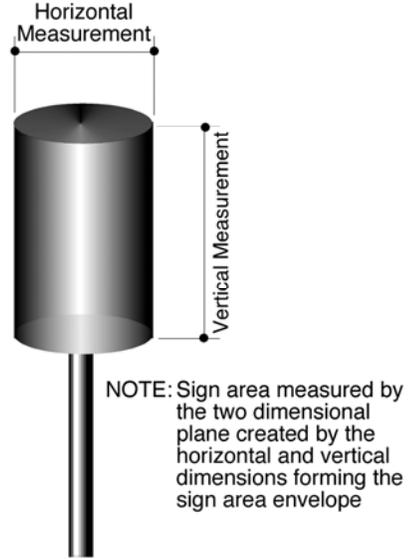
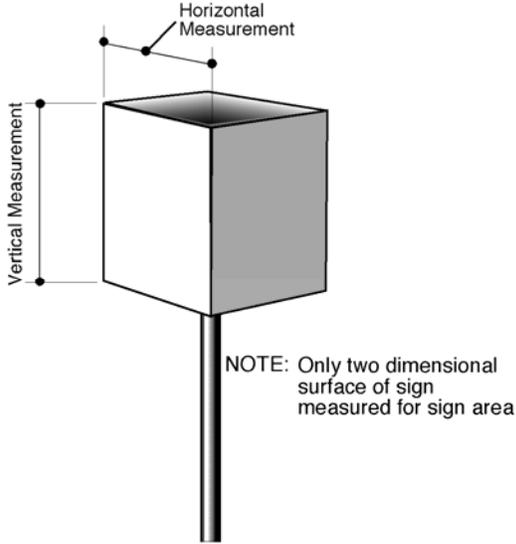


## Wall Sign Example



NOTE: Two sq.ft. of sign area for each one linear foot of store front or tenant front

# Pole Sign Measurement Examples





# Council Agenda Background

**PRESENTER:** David Miller, Deputy City Manager

**DATE:** 02/28/12

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

**ITEM:**

Consider a resolution agreeing to meet all match contribution requirements for the expenditures under the Tarrant County Home Investment Partnerships Program for Program Year 2012.

**City Attorney Review:** Yes

**City Manager Review:** \_\_\_\_\_

**DISCUSSION:**

This is a program through the Tarrant County CDBG office to provide funding for home rehabilitation projects. The goals of this initiative are very similar to the Community Powered Revitalization (CPR) program that the City coordinates with 6Stones Mission Network.

The City is requesting \$50,000 from the Tarrant County Home Investment Partnerships Program, which requires a 30% match from the City. This contribution can be provided through direct funds and in-kind contributions. Staff proposes to fund the match component through the funding previously authorized by the Council for the CPR Program and in-kind contributions, such as an employee work day.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of a resolution agreeing to meet all match contribution requirements for the expenditures under the Tarrant County Home Investment Partnerships Program for Program Year 2012.

**FISCAL IMPACT:**

\$15,000, which can be contributed through direct funds and in-kind contributions.

**ATTACHMENTS:**

Resolution  
HOME Grant Application

**RESOLUTION 12-**

**A RESOLUTION AGREEING TO MEET ALL MATCH CONTRIBUTION REQUIREMENTS FOR THE EXPENDITURES UNDER THE TARRANT COUNTY HOME INVESTMENT PARTNERSHIPS PROGRAM FOR PROGRAM YEAR 2012.**

**WHEREAS, the HOME Program was created by the National Affordable Housing Act of 1990 (NAHA) and is intended to provide decent affordable housing to lower-income households; expand the capacity of nonprofit housing providers; strengthen the ability of state and local government to provide housing; and, leverage private-sector participation; and,**

**WHEREAS, Tarrant County is a Participating Jurisdiction under the HOME Investment Partnerships Program in accordance with §92.105; and,**

**WHEREAS, the City of Bedford is a member of the Tarrant County Urban County Community Development/HOME Consortium and is eligible to participate in the HOME program; and,**

**WHEREAS, the City of Bedford has requested \$50,000 in HOME funding to be expended on HOME eligible activities within the City's jurisdiction and has agreed to provide a 30% matching contribution for all HOME funds expended within the City of Bedford, in accordance with §92.218; §92.219; and §92.220.**

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

**SECTION 1. That the City Council does hereby agree to commit \$15,000 in match contributions to affordable housing for all activities undertaken in the City through the HOME program.**

**PASSED AND APPROVED this 28th day of February, 2012, by a vote of \_\_\_ ayes, \_\_\_ nays and \_\_\_ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.**

\_\_\_\_\_  
**Jim Story, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Michael Wells, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Stan Lowry, City Attorney**

**TARRANT COUNTY  
COMMUNITY DEVELOPMENT  
HOME INVESTMENT PARTNERSHIP  
PY 2012**

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**AFFORDABLE HOUSING**



**APPLICATION PACKET**

**Available HOME funding:  
\$680,000.**

# HOME INVESTMENT PARTNERSHIP GRANT

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## Program Year 2012

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### IMPORTANT NOTES

#### Return Application to:

Tarrant County Community Development Division

Attention: Patricia Ward (HOME application)

1509B S. University Drive, Suite 276

Fort Worth, Texas 76107

#### **HOME Application due February 29, 2012**

#### Overview and Eligible Activities

The Department of Housing and Urban Development (HUD) appropriates funds to entitlement communities through the HOME Investment Partnership Block Grant (HOME) program. *These funds are targeted to benefit low to moderate income persons.* Funds are to be used for the development of safe and descent housing by providing:

- Homeowner rehabilitation.

#### Match Requirement

The Department of Housing and Urban Development (HUD) **requires matching funds on all HOME expenditures. Each applicant is required to provide at least 30%\* match for activities undertaken in that city.** Match can be generated in many ways and must be approved by County staff prior to a commitment of funds. A letter by the city stating commitment amount is required with the submittal of this application.

For more detailed information, please contact Patricia Ward or Brian Cramer at Tarrant County Community Development Division (817) 850-7940. Additional information can also be found on the Internet at [www.hud.gov](http://www.hud.gov).

\* *Per HOME regulation, CFR 24 92.218; the contributions must total not less than 25 percent of the funds. Tarrant County requests 30% match to allow for additional in-kind match.*



# HOME Investment Partnership Grant - PY 2012 Project Information Form

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1. Applicant City Name: **Bedford**
2. Type of Project(s) desired:
  - Homeowner rehabilitation
3. Project Address (Street name with block number if applicable [e.g., 5000 Block of Main St., Name of City] )  
 City Limits of Bedford, TX  
 Zip Code: **76021 & 76022**
4. Amount of HOME funds requested – Maximum \$200,000: **\$50,000**
5. Required Match Amount (at least 30% of #4 requested amounts above): **\$15,000**
6. Applicant Contact Person(s):  
 Name - **David Miller**  
 Phone – **817-952-2106**  
 Email - **dmiller@bedfordtx.gov**

7. Date of Submittal:

8. **Attachments: (NEW)**  
 We require a signed resolution or the date of the council meeting in which a resolution may be signed and forwarded to our office when available. The resolution must confirm the source and amount of non-federal match amount available by the city in order to participate in this program.

<b>Confirmation of Program</b>	
Date of Council meeting	<b>2/28/2012</b>
Supporting records of meeting – resolution	<input type="checkbox"/> Check here if you have attached a signed resolution confirming the match amount that will be dedicated to this program.

*A sample of a resolution follows. You may use or modify this sample to your city needs.*



# Council Agenda Background

<b><u>PRESENTER:</u></b> Clifford Blackwell, CGFO, Director of Admin Services Chris Pruitt, Patillo, Brown & Hill, LLP		<b><u>DATE:</u></b>
<b>Council Mission Area:</b> Demonstrate excellent customer service in an efficient manner.		
<b><u>ITEM:</u></b> Consider a resolution accepting the report from the independent auditor and the audited financial statements for the fiscal year ending September 30, 2011.  <b>City Attorney Review:</b> No  <b>City Manager Review:</b> _____		
<b><u>DISCUSSION:</u></b> Chris Pruitt, partner with the accounting firm of Pattillo, Brown & Hill, L.L.P., will present the independent auditor’s report and answer any questions regarding the audited financial statements.  Mr. Pruitt presented the detailed audit report to the Audit Committee at their meeting on February 7, 2012. Due to the expenditure of Federal grant funds that exceeded \$500,000, a single audit was conducted to ensure proper management and use of such funds.  Pattillo, Brown & Hill, L.L.P. is in its final year of a four-year term.		
<b><u>RECOMMENDATION:</u></b> Staff and the Audit Committee recommend the following motion:  Approval of a resolution accepting the report from the independent auditor and the audited financial statements for the fiscal year ended September 30, 2011 as presented.		
<b><u>FISCAL IMPACT:</u></b>  N/A	<b><u>ATTACHMENTS:</u></b> Resolution Comprehensive Annual Financial Report (available for review in the City Secretary’s office)	

RESOLUTION NO. 12-

**A RESOLUTION ACCEPTING THE REPORT FROM THE INDEPENDENT AUDITOR AND THE AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2011; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS, the City has completed the annual audit of the City's financial records for the fiscal year ended September 30, 2011; and,**

**WHEREAS, the City Council of Bedford, Texas has received the report from the City's independent audit firm, Pattillo, Brown & Hill, L.L.P; and,**

**WHEREAS, the Audit Committee of the City of Bedford has reviewed and voted to accept the report as written.**

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

**SECTION 1. That the City Council does hereby accept the report of the independent auditor and the audited financial statements for the fiscal year ending September 30, 2011 as presented.**

**SECTION 2. That this resolution shall take effect from and after the date of its passage.**

**PASSED AND APPROVED this 28th day of February 2012, by a vote of \_\_\_ ayes, \_\_\_ nays and \_\_\_ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.**

\_\_\_\_\_  
**Jim Story, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Michael Wells, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Stan Lowry, City Attorney**



# Council Agenda Background

**PRESENTER:** Clifford Blackwell, CGFO, Director of Administrative Services

**DATE:** 02/28/12

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

**ITEM:**

Consider a resolution authorizing the City Manager to enter into a contract with AMS Utiliserv for City water meter reading services in the amount of \$0.705 per meter for routine meter reading and \$2.69 per meter for redundant, accurate meter reading.

**City Attorney Review:** No

**City Manager Review:** \_\_\_\_\_

**DISCUSSION:**

The City’s water meter reading contract is set to expire by October 1, 2012; however, the current meter reading provider (Mountain States Pipe & Supply Co. dba U.S. Metering & Technology) (US M&T) contacted the City last summer in hopes of negotiating a rate increase. The City currently pays a rate of \$0.90 per meter, but US M&T wanted to raise the rate to approximately \$1.18 per meter to recoup the deficiencies of their operational costs.

After considering their proposal, City staff thought it would be in the best interest of the City to bid out the water meter reading services. Therefore, notices were published in the newspaper on both, January 25 and February 1, 2012. Two bids were received from AMS Utiliserv and US M&T.

AMS Utiliserv was the low bidder with a quote totaling \$385,214.37 (\$128,397 annually) based on a three year term and US M&T presented a bid for \$699,356.16 based on the same term. In addition, AMS Utiliserv has submitted a separate charge of \$2.69 per meter for the meters read for a second time within a given month for accuracy. The total amount related to this charge is contingent upon the number of meters “re-read” in a given month. Attached is an estimate of what the total cost would be annually, and over the term, if AMS Utiliserv performed an average of 1,202 accurate re-reads per month, in addition to the routine meter reading services. The annual cost would be \$167,182, which is \$4,923 more than current cost totals. This average number of re-reads is based solely on the calculated average between the hottest (August) and coldest (February) months of the year. City staff has control over the number of re-reads given to the contractor.

Since the last council meeting, there was also some discussion regarding the possibility of bringing meter reading services in-house. Staff has looked at the possibility of hiring three meter readers commiserate within the City’s pay plan for positions of equal stature. Total cost, including one-time capital purchases, would be approximately \$190,000 for the first year and \$138,000 each year thereafter. Currently, the City has one staff member from Public Works who conducts meter repairs and water connection services. Should the City desire to bring meter reading services in-house, this staff member would act as the meter reading supervisor, thus bringing the total staffing to four, equal to the total number of contract personnel currently being utilized.

After reviewing the bids, and checking references, City staff has met with AMS Utiliserv to further discuss their qualifications and are comfortable in their ability to perform the services as specified.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a contract AMS Utiliserv for City

water meter reading services in the amount of \$0.705 per meter for routine meter reading and \$2.69 per meter for redundant, accurate meter reading.

**FISCAL IMPACT:**

Based on 15,177 meters in the system and average 1,202 monthly re-reads: \$167,182 annually (*approx. \$5,000 more than current annual totals*)

**ATTACHMENTS:**

Resolution  
Bid Tabulation  
Cost Comparison  
Contract

RESOLUTION NO. 12-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AMS UTILISERV FOR CITY WATER METER READING SERVICES IN THE AMOUNT OF \$0.705 PER METER FOR ROUTINE METER READING AND \$2.69 PER METER FOR REDUNDANT, ACCURATE METER READING.

WHEREAS, the City Council of Bedford, Texas determines the need for water meter reading services.

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

SECTION 1. That the City Council does hereby authorize the City Manager to enter into a contract with AMS Utiliserv for water meter reading at a cost of \$0.705 per meter for routine reads and \$2.69 per meter for correct re-reads.

SECTION 2. That this resolution shall take effect from and after the date of its passage.

PASSED AND APPROVED this 28th day of February 2012, by a vote of \_\_\_ ayes, \_\_\_ nays and \_\_\_ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

\_\_\_\_\_  
Jim Story, Mayor

ATTEST:

\_\_\_\_\_  
Michael Wells, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Stan Lowry, City Attorney





Total Meters in the City: 15,177

1,665 Aug-11 month re-read totals

738 Feb-10 month re-read totals

1,202 Average monthly re-reads

Current Annual Cost:	\$ 162,259
Current 3 year Cost:	\$ 486,777

### Mountain States Pipe & Supply Company

Bid Rate: \$ 1.28 /meter
Reread Rate: \$ - /meter

Monthly \$ 19,427
-------------------

Annual \$ 233,119
3 Years \$ 699,356

### AMS Utiliserv

Bid Rate: \$ 0.705 /meter
Reread Rate: \$ 2.69 /meter

Monthly \$ 10,700
Amended Monthly \$ 3,232

Annual \$ 128,397
Annual \$ 167,182
3 Years \$ 385,192

3 Years with Re-reads \$ 501,546

**CITY OF BEDFORD  
REQUEST FOR BIDS**

**The City of Bedford is soliciting sealed bids for Meter Reading Services.**

**Designate on the front, lower, left hand corner of your response envelope, the following:**

**Bid Reference Number: 12-0001**

**Subject: Water Meter Reading Services**

**Bid Closing Time: 10:00 am, February 9, 2012**

**For convenience at bid opening, enter quote on this cover page and include in sealed response envelope (Do Not place quoted prices on the outside of the envelope).**

**Total Cost: \$ 385,214.37 (3 year total)\***

*\* Please refer to Pricing Notes in **Section 1 Authority to Quote** of this proposal for additional details.*

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Obstructed meters - do qualify for \$2.69/rate.

Lead person will verify - reread totals → Guite will have to sign off → then we will be billed for the reread - accurate reads \$2.69/qualify

Erroneously read meters - \$5 fee -

{ Total # of reads  
 " # of rereads  
 " " " erroneous reads }

Turnover ratio - depends - on contract → 1 FTE in 2 years in Louisville

Lake Charles → 7 FTE's → turnover 3 per year but have gas meter readers in area - pool from which extra resources

**PROPOSAL FOR THE PROVISIONING OF  
WATER METER READING SERVICES  
TO  
THE CITY OF BEDFORD**



**BID REFERENCE NUMBER: 12-0001**

**FEBRUARY 9, 2012**

Josh Cowx  
Director of Field Services

2212 Arlington Downs Rd., Suite 102  
Arlington, TX 76011

Ph: 817-913-4037  
Fax: 817-633-1164  
[josh.cowx@amsutiliserv.com](mailto:josh.cowx@amsutiliserv.com)

# 1 AUTHORITY TO QUOTE

## AUTHORITY TO QUOTE

I agree to meet the stated minimum requirements as set forth in these specifications and any documents attached for the total prices listed below.

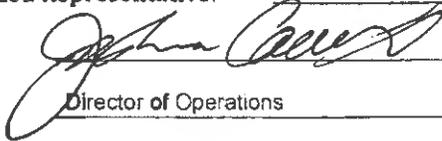
Price per Meter: \$ 0.705 (per meter)

Other: REREADS \$ 2.69 (per meter)

Total for all Meters \$ 385,214.37 (based \$128,404.79 / year with total annual meter quantity of 182,124 meters totaling 546,372 meters over 3 years)

Bidder/Company Name: AMS Utiliserv

Authorized Representative: Josh Cowx

Signed:  \_\_\_\_\_

Title: Director of Operations

Address: 2212 Arlington Downs Road, Suite 102

City, State & Zip: Arlington, Texas, 76011

Date: February 9, 2012

Telephone: (817)913-4037

Fax Number: (888)317-3802

**Est. Delivery Time**

After Receipt of Order: 6 week preference, but will accomidate 4 week turnaroud if necessary.

Standard Industrial Classification Code (SIC): 561990

Warranty: (Please Describe): AMS Utiliserv will comply with all SLA (Service Level Agreement) requirements as expressed in the RFP documentation.

**Pricing Notes:**

- RFP response does not include and/or consider the performance bond requirement. If awarded, AMS Utiliserv Inc. will not be in a position to provide the 100% performance bond as noted within the RFP.
- Rates as proposed are based on AMS Utiliserv Inc. utilizing the City's existing facility and meter reading system/PC for daily work distribution/data transfer requirements (as per City's response to associated question).
- "Per Meter" rates are based on per read attempt.
- "Reread (billable)" rate is only to be applicable if AMS Utiliserv's original meter reading in question is verified in the field as being correct.
- Applicable taxes not included.

## **2 BONDS, INSURANCE AND INDEMNITY**

### **2.1 Bonds**

AMS Utiliserv has included a Bid Bond, as per the Bond requirements outlined in the RFP documentation.

### **2.2 Insurance**

AMS Utiliserv understands and will comply with all Insurance requirements as outlined in the RFP documentation.

#### **2.2.1 Insurance Requirement Affidavit**

Please refer to Appendix A for AMS Utiliserv's completed Insurance Requirement Affidavit Form.

#### **2.2.2 Workers Compensation Insurance**

AMS Utiliserv accepts the definitions as indicated in the RFP documentation and will comply with all applicable provisions as required by the Texas Workers' Compensation Commission Rule 28 §110.110.

### **2.3 Indemnity**

AMS Utiliserv agrees to defend, indemnify, and hold the City and all of its officers, agent, employees, and elected officials whole and harmless against any and all claims for damages, costs, and expenses of persons or property that may arise out of or be occasioned by, or from any negligent act, or omission of the successful Bidder, or any agents, servant, or employee of the successful Bidder in the execution of performance of this agreement, without regard to whether such persons are under the direction of City agents or employees.

**3 ITEM A**

**Item A: ALL BIDDERS**

I Hereby certify that our principal place of business is in the State of Texas.

YES  X  NO    

**Item B: NON-RESIDENT BIDDERS**

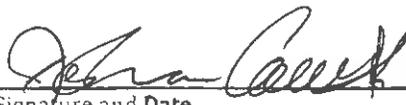
YES      NO    

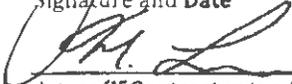
Non-resident vendors in \_\_\_\_\_ (State), our principal place of business, are required to bid \_\_\_\_\_ % lower than resident bidders by State Law. A copy of the statute is attached.

Non-resident vendors in \_\_\_\_\_ (State), our principal place of business, are not required to underbid resident bidders.

**AFFIDAVIT AGAINST PROHIBITED ACTS**

I HEREBY AFFIRM THAT I AM AWARE OF THE PROVISIONS OF THE Texas Penal Code Sec. 36.02, 36.08, 36/09, and 36.10, dealing with Bribery and Gifts to Public Servants. I further affirm that I will adhere to such rules and instruct and require all agents, employees, and subcontractors to do the same. I am aware that any violation of these rules subjects this agreement to one or more of the following: revocation, removal from bid lists, prohibiting future Contract/subcontract work revocation of permits and/or prosecution.

 (Josh Cowx - Director of Operations) February 9, 2012  
Signature and Date

 (Michael Lunau - Vice President, Field Services) February 9, 2012  
Attest (if Contractor is a Corporation) and Date

## 4 REFERENCES

### REFERENCES

Each Bidder is to provide a minimum of three (3) references in which the bidder has provided similar service.

1. Company Name: Beauregard Electric Coop  
Address: 1010 East First Street, DeRidder, LA 70634  
Contact Person: Kevin Reeves – Operations Manager  
Telephone: (337) 462-8339  
Product/Service Purchased by Reference: Meter Reading
  
2. Company Name: City of Lewisville TX  
Address: 151 W. Church Street, Lewisville, TX 75057  
Contact Person: Randy Scott - Internal Services Manager  
Telephone: (972) 219-3769  
Product/Service Purchased by reference: Meter Reading
  
3. Company Name: Highland Village TX  
Address: 948A Highland Village Rd, Highland Village, TX, 75077  
Contact Person: Scott Kriston - Deputy Director of Public Works  
Telephone: (972) 317-2989  
Product/Service Purchased by reference: Meter Reading

\*Please refer to Section 7.1 for additional information on AMS Utiliserv's experience.

## 5 METER READING SERVICES SPECIFICATIONS

### 5.1 Scope of Work

The contractor will be responsible for the supply of all material, equipment, supervision, and labor required for the complete performance of the work described below. This excludes those items explicitly identified in this document to be supplied by the City.

The contractor will provide necessary employees, transportation, uniforms, reading equipment/tools, supervision, and labor required to fully complete the reading of City water meters according to the schedule described below.

Each month, the contractor will be responsible for reading approximately 14,803 standard odometer type meters. These readings are divided into two (2) cycles as follows:

#### CYCLES

CYCLE	ROUTE NUMBERS	# OF METERS
I	1 – 23*	7,594
II	26 – 42*	7,583
TOTAL:		15,177

\*Currently, NO 24 & 25 ROUTE NUMBERS exists.

Vault meters (42) are read electronically. City will provide electronic devices for reading these meters. If electronics are inoperative, contractor will notify the City immediately and City employees will read the meter.

AMS Utiliserv understands, acknowledges and will comply with all requirements as outlined in the Scope of Work outlined within all the associated RFP documentation.\

Please refer to **Section 6** for details outlining AMS Utiliserv's Meter Reading Services.

### 5.2 Reading Schedule

In accordance with our current schedule, the City bills Cycle I on the 15th of each month and Cycle II on the 1st of each month. The contractor must submit all completed readings no later than 5:00 p.m. seven (7) working days prior to the billing date for each cycle. Weather conditions must not prevent the accomplishments of these services unless otherwise agreed to by the City. The contractor will complete and return all readings to the Director of Administrative Services or designee via modem on the scheduled day. In the event a billing day falls on a weekend or holiday, the contractor must submit the reading and rereads seven (7) working days prior to the last working day before the weekend or holiday.

The following is a detailed description of the City of Bedfords current reading schedule. The City expects that the contractor follow this schedule +/- two days unless a "written request to modify the reading schedule" is approved by the

Director of Administrative Services. Considerations will be made for the holiday's outlined in the contract documents.

Month,20XX

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4 Cycle II Route 26, 27, 28	5
6	7 Cycle II Route 29, 30, 31	8 Cycle II Route 32, 33, 34	9 Cycle II Route 35, 36,37	10 Cycle II Route 38, 39, 40	11 Cycle II Route 41, 42	12
13	14	15	16 Cycle II Route 1, 2, 3	17 Cycle II Route 4, 5, 6	18 Cycle II Route 7, 8, 9	19
20	21 Cycle II Route 10, 11, 12	22 Cycle II Route 13, 14, 15	23 Cycle II Route 16, 17, 18	24 Cycle II Route 19, 20, 21	25 Cycle II Route 22, 23	26
27	28	29	30	31		

AMS Utiliserv understands and will comply with the Reading Schedule requirements as detailed in the RFP documentation.

### 5.3 Work Hours

City business hours are 8:00 am to 5:00 PM Monday through Friday, with the following holidays taking exception:

New Years Day	January 1
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Thanksgiving Friday	day following Thanksgiving
Christmas Eve	December 24
Christmas Day	December 25

*Note: Any holiday falling on a weekend will be observed the day preceding or following the holiday. Contact the City of Bedford representative for specific dates.*

When a holiday falls on Monday, Tuesday, or Wednesday, readings will begin on the prior Friday to allow for completion by the following Wednesday. When a holiday falls on a Wednesday, readings will be adjusted to finish by Tuesday. Contractor is responsible for adjusting reading schedule to maintain accordance with this contract.

AMS Utiliserv understands and will comply with the Work Hours requirements as outlined in the RFP documentation.

### 5.4 ReReads

Contractor will be responsible for providing at no cost rereads on any and all suspected erroneously read meters. If the following conditions exist:

- Previous read more than current read;
- Current reading too high/low - which indicated possible broken meter
- Or water leak; and/or
- Zero consumption,

The contractor will be responsible for ensuring the initial readings correct.

In addition to standard reading and records, the contractor will be required to enter appropriate codes into the hand held reading devices for needed repairs. These repair/work orders will be forwarded to the City Public Works Department and include:

- Stopped/stuck meters;
- Broken glass;
- Unable to locate meter, etc.

The City Public Works Department will be responsible for making necessary repairs prior to the next reading.

The contractor will be responsible for replacing missing or broken lids of meter boxes.

AMS Utiliserv understands and will comply with the ReReads requirements as detailed in the RFP documentation.

### 5.5 City Initiated ReReads

Once the contractor submits the readings for billing, the Director of Administrative Services or designee will review and establish a reread list. This list will be based on reading that either greatly exceed or are well below the normal consumption for the customer. This list will be forwarded to the contractor two (2) working days after the contractor submits the original reading. The contractor will have two (2) working days to complete and return the City initiated rereads. In the event the contractor conducts a reread and determines the original read to be accurate, a separate pay item on the "Bid Sheet" exists to identify compensation for this service. If the reading was erroneously read, the contractor will be subject to the penalties identified in the "Quality of Work" section. The contractor will receive no more than 110 City initiated rereads monthly.

AMS Utiliserv understands and will comply with the City Initiated ReReads requirements as outlined in the RFP documentation.

### **5.6 Quality of Work**

An error rate of no more than two (2) per thousand reads must be upheld. The City will assess a penalty of \$5.00 per reading error when errors exceed this limit. Skips requiring City personnel to read are considered misreads, unless City personnel are unable to obtain a reading. The City will allow a one (1) month grace period for the contractor to gain familiarity with the reading requirements.

AMS Utiliserv understands and will comply with the Quality of Work requirements as detailed in the RFP documentation.

Please refer to **Section 6.3 Total Quality Service** for addition details pertaining to quality of work.

### **5.7 Data Transfer Plan**

The contractor will engage in cooperative effort with the City to upload and download data remotely as summarized by the Data Transfer Plan described below. The contractor will provide the necessary computer hardware to enable downloading and uploading data from the handhelds to the Utility Billing Office. Currently the transfer is accomplished via a "thumb drive" physically delivered to the Utility Billing Office.

AMS Utiliserv understands and will comply with the Data Transfer Plan requirements as outlined in the RFP documentation.

### **5.8 Additional Equipment**

Upon initiation of this contract, the City will provide to the contractor four (4) Northrup-Grumman hand held versa-term recorders, charge links, and necessary software package to run the program remotely. The City will be responsible for routine maintenance and repair caused by regular use. The contractor will be responsible for any damage to equipment caused by misuse or neglect.

AMS Utiliserv understands and will comply with the Additional Equipment requirements as detailed in the RFP documentation.

Please refer to **Section 6.12 PPE** (Personal Protective Equipment) for addition information regarding equipment.

### **5.9 Training**

The City will provide a representative to accompany the contractor on each route after the execution of this contract, at no expense to the contractor. After this initial training, the contractor will provide training for employees. Including familiarity with City routes and reading procedures.

AMS Utiliserv understands and will comply with the Training requirements as outlined in the RFP documentation.

Please see **Section 6.11 Training** for additional details on training.

### **5.10 Supervision**

The contractor will provide active, full time supervision of all personnel. Responsibilities include, but are not limited to:

- Arranging for work assignments;
- Follow up monitoring of meter readers in the field;
- Scheduling;

Monitoring reader activity from reports; and  
Follow up/resolution of customer requests within two (2) days.

Problems encountered in the field resulting in schedule delays must be coordinated with the City representative.

AMS Utiliserv Understands and will comply with the Supervision requirements as detailed in the RFP documentation.

Please refer to **Section 6.10 Field Supervisors** for additional information on supervision.

### ***5.11 Employee Identification***

The contractor must provide and enforce the use of uniforms and identification badges to personnel assigned to this contract. Uniform design is subject to approval by the City. The contractor is responsible for cleaning of uniforms.

The contractor is responsible for:

- Ensuring employees maintain a neat and clean appearance while
- Providing services;
- Providing and enforcing the use of name badges;
- Collecting name badges of terminated employees immediately; and
- Checking employees' proof of valid drivers' license every six months.

AMS Utiliserv understands and will comply with the Employee Identification requirements as outlined in the RFP documentation.

Please refer to **Section 6.13 Meter Reader Uniforms** for additional information on employee identification.

### ***5.12 Meter Reading Vehicles***

The contractor will be responsible for ensuring meter-reading vehicles are clearly identified "meter reader".

AMS Utiliserv understands and will comply with the Meter Reading Vehicles requirements as detailed in the RFP documentation.

Please refer to **Section 6.14 Transportation** for addition details on meter reading vehicles.

### ***5.13 Employee Safety***

The contractor must provide and enforce the use of appropriate safety equipment. This includes the use of safety belts in moving vehicles, reflective vest while reading, and compliance with all City of Bedford safety regulations. At a minimum, the contractor must conduct employee safety meetings monthly.

AMS Utiliserv understands and will comply with the Employee Safety requirements as outlined in the RFP documentation.

Please refer to **Section 6.8 Health & Safety** for additional information on employee safety.

### ***5.14 Substance Abuse***

Possession of, consumption or and/or reporting for work under the influence of alcohol, controlled substances and/or dangerous drugs will not be tolerated. Enforcement of this policy is the contractor's responsibility.

AMS Utiliserv understands and will comply with the Substance Abuse requirements as detailed in the RFP documentation.

Please refer to **Section 6.9 Field Personnel** for additional details on substance abuse policies.

### ***5.15 Criminal History Check***

Prior to each employee commencing work, the contractor must do a Criminal History Check (CHC) and forward the reports to the City representative. The contractor must provide employees who will not cause jeopardize the public trust; therefore, the City reserves the right to reject any contractor employee and request a replacement.

AMS Utiliserv understands and will comply with the Criminal History Check requirements as outlined in the RFP documentation.

Please refer to **Section 6.9 Field Personnel** for additional information on criminal history checks.

### ***5.16 Customer Relations***

The contractor is responsible for ensuring employees conduct themselves in a courteous and professional manner when dealing with residents and customers of the City of Bedford.

AMS Utiliserv understands and will comply with the Customer Relations requirements as detailed in the RFP documentation.

Please refer to **Section 6.6 Customer Service Training** for addition details on customer relations.

### ***5.17 Term of the Agreement***

This contract for meter reading services will be for a period of thirty six (36) months.

AMS Utiliserv understands, acknowledges and will comply with the Term of the Agreement requirements as outlined in the RFP documentation.

### ***5.18 Vendor Compliance with State Law***

The 1985 Session of Texas Legislature passed House Bill 620 relative to the award of Contracts to non-resident bidders. This law provided for non-resident bidders to bid projects for construction, improvements, supplies or services in Texas. To be awarded these Contracts, non-resident bidder must bid an amount lower than the lowest Texas resident bidder by the same amount that a Texas resident bidder would be required to underbid a non-resident bidder to obtain a comparable Contract in the State of the non-resident's principal place of business.

NOTE: A non-resident bidder is a Contractor whose corporate office or principal place of business is located outside of the State of Texas.

AMS Utiliserv understands and will comply with the Vendor Compliance with State Law requirements as detailed in the RFP documentation.

## 6 METER READING SERVICE OVERVIEW

AMS Utiliserv is a leading supplier of outsourced meter reading services, providing the knowledge, experience and technology to fully manage the complete meter reading process. With our extensive experience in designing meter reading systems, route optimization, and the management of all aspects of field operations, we have helped utilities of all sizes to enhance efficiencies, reduce unsuccessful read percentages, improve data integrity, and increase revenue while reducing their overall associated operating costs.

Traditionally, meter reading is viewed as a “feet-on-the-street” operation, with little technology advancement. However, as demonstrated by the advanced services currently deployed within the field, AMS Utiliserv is constantly seeking and developing tools to bring efficiencies to the task at hand. By staying ahead of the curve, AMS Utiliserv personnel, from our executives to our individual field representatives, are knowledgeable and experienced in providing state-of-the-art solutions, and therefore, AMS Utiliserv is a strategic partner for innovative services even outside of traditional meter reading.

Within our meter reading offering, AMS Utiliserv provides a number of value-add services, including:

### 6.1 *Route Optimization*

AMS Utiliserv’s basic meter reading services include route analysis and optimization in an effort to create the most efficient read order for your data collection requirements. This process ensures that day to day workloads achieve maximum efficiencies for all meter reading cycles, creating greater efficiency of operation and reduced read to bill windows, thus improving your utility’s cash flow.

### 6.2 *Customized Consumption Diversion Programs*

As your services provider, we will work closely with your organization to identify and implement a customized consumption diversion program that addresses your specific requirements. Our field representatives are trained to take note of each service entrance when reading to check for potential diversion. Working with utility staff, we will set up a program which reports, verifies and resolves these illegal, unsafe conditions thus reducing the associated bad debt ratio while enhancing your overall cash flow. This service is included at no additional cost, demonstrating our commitment to providing value-added services that deliver tangible business benefits to our clients. However, it is our experience that utilities which benefit the most from these programs are those that have established incentive programs, rewarding the field representatives for “confirmed” diversions.

### 6.3 *Total Quality Service*

AMS Utiliserv understands that proper processes must be in place to ensure the delivery of quality service to our clients. By constantly customizing, evaluating, and improving upon our offerings, we ensure that clients remain satisfied with AMS Utiliserv. Processes are undertaken to ensure proper attention is given to each and every AMS Utiliserv client, regardless of their size and/or the overall scope of work required. Our commitment to quality service means we look beyond the basic contractual arrangement with our

## 6.8 Health & Safety

AMS Utiliserv holds a stringent commitment to health and safety at all levels of the organization and is resolutely pursuing not only a path to a “zero incident” rate through improved lagging indicators (frequency and severity rates), but also implementing and managing a health and safety program (the leading indicators) that involves all stakeholders. In particular, we have:

- A health and safety policy statement is in place, committing all employees to be responsible for health and safety.
- Active Joint Health and Safety Committees throughout our service territories, committing members to maintain and improve health and safety through strengthened worker / management relationships. Each committee meets once per quarter.
- In-Field Service Audits, performed at least twice per year prompting, if deficiencies are observed, immediate appropriate corrective action.
- Our early and safe return to work program to ensure prompt incident reporting and safe return to work.
- Our blue card system facilitates hazard identification, assessment, reporting and control.
- Active health and safety programs such as the production of monthly health and safety bulletins and payroll inserts, keep employees aware of safe work practices.
- Emphasis is placed on proper use and care of Personal Protective Equipment. AMS Utiliserv complies with federal, state, and regulatory standards for all PPE on the job.
- Annual hazardous materials, slips and falls, and dog training provided to all workers.

Each field representative is provided with a written Environmental Health and Safety Manual, Field Service Manual, and Policy and Procedure Manual. AMS Utiliserv provides information and training to its employees concerning workplace safety and health issues. This information and training is provided through regular internal communication channels such as Manager-Employee meetings, the reviewing of safety videos, memos, e-mails, Health and Safety Bulletins or other written communications, and on-site practice. AMS Utiliserv’s commitment to its employees’ safety training is an on-going process. The training program addresses issues such as safety/health hazards, safe-working practices and procedures that are required to minimize or eliminate hazards. In addition, our Safety Director monitors and ensures compliance with all safety policies upheld by the company and our clients.

AMS Utiliserv places the health and safety of all of our employees as a top priority. We encourage our employees to be proactive about safety issues and report any circumstances which they feel could be a potential hazard to themselves or others. We believe that the continuing dedication to our Health and Safety policies and procedures will aid us in attaining a zero incident rate company-wide.

In addition to the policies and practices above, AMS Utiliserv has recently implemented the use of the TapRoot system for managing health and safety related incidents. Jillian Ricciardi, part of AMS Utiliserv's Administration / Health & Safety Department, is TapRoot certified, including certification in TapRoot software, through the successful completion of the TapRoot Incident and Investigation & Root Cause Analysis Course.

## 6.9 Field Personnel

Our mandate when choosing field representatives is to hire from the local service area of the utility. When resources are required, an advertisement is placed in the local paper, resumes are collected, and

policies will not be issued their daily work until they have rectified the situation. All field representatives must adhere to the requirements as specified within our Personal Protective Equipment policy.

## ***6.14 Transportation***

With the exception of our installations related services, from both a safety and cost perspective, typically our mass of our field representatives are required to supply their own vehicles for the delivery of meter reading services. As part of our vehicle policy, company or privately owned, it is imperative that all work related vehicles are well maintained, easily recognizable and presentable to the general public.

## ***6.15 Employee Performance Evaluations***

A key ingredient in maintaining our high standards of service for our client are our scheduled employee performance evaluations. This evaluation allows our field representatives an opportunity to review their own performance, in conjunction with management reviews and service delivery statistics. Our Management Team will then compare their assessment with the employee's self assessment allowing us to quickly identify any skill deficiencies and develop associated training plans. AMS Utiliserv is committed to providing the required resources and support to ensure assigned duties are performed accurately and safety.

### **6.15.1 Meter Reader Incentives**

Using information compiled through our on-site management reports/audits, we are able to quickly analyze the statistics necessary to introduce incentive programs for our staff. We typically monitor a variety of information including statistics for "Can't Read" percentages, thus allowing us to promote a team approach where each field representatives is measured against his peers and company standards. In addition to meter reading accuracy, customer complaints, attendance, etc., one of our primary measures is that our safety. This program is designed to reward field representatives' excellence.

### **6.15.2 In-Field Service Audit Program**

The objective of the In-Field Service Audit Program is to audit the performance of our field representatives to ensure that our clients are provided with the highest level of service standards in the utility industry.

The In-Field Service Audit Program is utilized as a fundamental management tool with the objective of measuring the level of service provided by AMS Utiliserv field representatives. Through regular on-site inspections, the program will identify both strengths and weaknesses within our existing structure and recommend changes to enhance our services.

AMS Utiliserv takes great care in defining staff objectives that are attainable, measurable, meaningful, understandable, mutually acceptable, and cost effective.

### **6.15.3 Performance Management**

AMS Utiliserv makes extensive use of data management reports along with our on-site audits to more effectively manage all aspects of our field services. These systems not only facilitate the tracking of our

employee productivity, but also provide invaluable statistics which are used for our internal analysis and decision support. Upon the completion of daily assignments, pertinent statistics are summarized and reports are generated and routed to the appropriate management personnel for review.

Our reports/audits are utilized by AMS Utiliserv management personnel to assess performance and implement action plans as required. Action plans may include employee performance review update meetings, additional training, triggering of an in-field service audit, and/or disciplinary action. These systems allow us to set parameters at a route level to maintain the schedule and service level agreements between the client and AMS Utiliserv (e.g. read error percentages, Can't-Read percentages, historical "Can't Read" percentages, current, previous and average route times, etc.).

AMS Utiliserv traditionally monitors such performance indicators as hours worked, number of meters read by read type and can't read reasons/percentages. However, we will work closely with the utility to determine the most appropriate performance indicators for the respective service areas.

## 7 CORPORATE OVERVIEW

Since our start in 1995 as a small supplier of meter reading services to an electric utility company, AMS Utiliserv has continued a path of growth within the utility outsourcing market. We attribute this success to the quality of services and the ability to assist clients in meeting their customer service and financial objectives. Through partnerships with some of the best materials and software suppliers to the industry, and with access to a well-trained team of professionals, AMS Utiliserv ensures the delivery of quality services and the best options for long-term utility goals and commitments.

AMS Utiliserv currently employs approximately 80 field representatives who provide comprehensive outsourced field services to 12 utilities across the southern United States. Our various service offerings include:

- Meter Reading
- Dis-/Re-Connection Services
- Meter Painting
- In-Field Collections
- Site Surveys
- Notice Deliveries
- Meter Change-Outs

In April of 2010, AMS Utiliserv joined the Olameter family of companies, adding to the infrastructure and executive support of our service offerings. AMS Utiliserv now has access to over 1000 further industry resources; collectively these companies serve approximately 180 clients and can also offer the following additional services:

### ***Meter Reading & Field Services***

Olameter is a leading supplier of outsourced meter reading services. Using our extensive experience in meter reading system design, route optimization and the management of all aspects of field operations, we have helped utilities of all sizes enhance efficiencies, reduce unsuccessful read percentages, improve data integrity, and increase revenue.

Olameter's Meter Reading services go beyond the traditional. Features included in our service are:

- Route evaluation and optimization
- Extensive training and testing of all Field Service Representatives (FSRs)
- Implementation of a customized diversion program (for theft detection)
- FSRs educated to provide end-use customers with pamphlets and advice on subjects like safety, conservation, and even metering technology
- (optional) ucData services for reporting, file conversions, and/or joint utility reads

An optional Digital Camera service is also available to help reduce costs by eliminating check reads.

Olameter's Field Services are aimed at providing read accuracy and reducing back-office costs and securing end-user payment. Olameter's highly-trained FSRs can provide the following as stand-alone services or in any number of combinations:

- Disconnects and/or reconnects
- Notice delivery
- Bill collections
- Move-in/-out orders
- Meter installations and/or removals
- Installation and/or removal of load-limiting devices

### ***Smart Meter / AMI Deployment***

Olameter has performed, and is continuing to dedicate resources to, extensive AMI research and development. With comprehensive experience designing and implementing AMI projects across North America, Olameter is well positioned to assist any utility in meeting all AMI requirements with minimal back-office impact. Our component-based solution serves to customize services for each utility, meeting their individual goals completely. We take great pride in being a cutting edge service provider and are continually looking for innovative ways of making the transition to Smart Meters a seamless one for our valued clients. Olameter can assist with engineering, procurement, installation, meter maintenance & servicing, communication, data collection and integration, and meter asset leasing.

### ***Mass Meter Installations***

Using our in-house metering expertise and our highly-trained field staff, Olameter is well positioned to perform residential and commercial meter change-outs, and large-scale installation projects for meters of all types. Having completed well over one million meter installations, Olameter has a thorough understanding of regulatory standards, including metering requirements, labor codes and safety standards that would be applicable to every installation project. The cornerstones of Olameter's installation approach are safety, quality, flexibility, and efficiency.

In addition to standard installation services for manual or AMI meters, our value-add options include a appointment coordination, Workforce Management systems, and a Quality Assurance Audit program.

### ***AMI System Monitoring & Integration Platform (inView)***

Olameter understands the importance of open access to data and reporting functions to fully make use of the extensive data available through AMI (Smart Meter) systems. Through extensive consultation with North American utilities, Olameter has developed *inView*, a solution that allows utilities to monitor and manage AMI system networks within a convenient, secure web-portal. *inView* is an AMI vendor-agnostic solution that provides a comprehensive set of features complementary to AMI systems and their own head-end software. Key features such as AMI network status dashboard, in-depth operational reports, event notification, use of satellite mapping for network monitoring of meter communication traffic and network health indicators allow utilities to monitor, analyze, and resolve AMI network issues. *inView*'s integration capabilities with WFM, Billing and MDM/R applications allow clients to utilize a single solution to manage their AMI system networks.

### ***Consumer Web-Presentation***

To further increase consumer awareness of energy consumption, Olameter has developed a Consumer Web-Presentation Solution that allows utility customers to analyze their own energy usage on an hourly,

daily and monthly basis. Custom built to meet the unique requirements of energy usage and rate information presentment, this system seamlessly integrates to utility systems, and includes utility access functionality for Customer Service support, TOU administration, cost structures, as well as notices & conservation tips that can be viewed by their customers.

### ***Workforce Management***

Olameter's *onService* Workforce Management Solution has been built to handle a variety of mobile service order requirements, focusing mainly on utility industry requirements, offering a suite of pre-developed service order templates capable of handling a full extent of utility field functions.

Leveraging extensive in-field and IT experience, Olameter built *onService* to allow for rapid, simple deployment, allowing clients to benefit from the technology when it is required without large-scale investment and long-term commitment in hardware, software and operating costs. Offered as a software license or a hosted monthly service, *onService* delivers cost-efficient management of field activities. A hosted *onService* offering includes all the necessary handheld devices, charging cradles, accessories, software, and dispatching and integration services for one low monthly fee.

Olameter's *onService* can be contracted to equip the utility's own field personnel, or can be used by our Field Service Representatives (FSRs) as a value-add to other in-field services, such as meter exchanges or collections. *onService* assists clients in optimizing business processes related to field data collection, reporting, and analysis.

Of particular interest is the integration between *onService* and Olameter's *inView* application, which will allow the monitoring of the AMI system and the simple creation and integration of work orders associated with any system issues requiring field investigation or action.

### ***Meter Data Management***

Leveraging best-in-breed technology, reliable architecture, and highly experienced professionals, Olameter delivers comprehensive advanced meter reading and energy services to the utility industry via meter data management, verification, estimation, and editing (VEE), and settlement services.

Olameter provides multi-vendor meter data management systems, with functionality for collecting and managing data from the complex metering devices, including large commercial and industrial clients, as well as delivering tools for analysis of key drivers, such as data integrity, reliability, and forecasting.

### ***Integration Consulting***

While Olameter has provided consultation on utility systems and business processes for over 18 years, most recently we have recognized the growing need of our customers for consulting support when preparing for and performing the integration of critical technology applications with their billing systems. Olameter's Integration Consulting Service consists of knowledgeable utility and retail billing resources who can provide insight on requirements and the impact to back-office processes and systems, as well as guide our clients through the integration process.

The main focus of this service is the integration with meter data management repositories and related systems. Through extensive consultation with system developers and related stakeholders, and through active participation on behalf of our clients, Olameter has gained unmatched experience that can assist

utilities in understanding the implications of the types and volumes of data imperative to an AMI system. Olameter assists utilities in the integration of internal systems in preparation for activation and testing with these systems, while providing process training to utility resources and facilitating the transition to full production.

### ***Billing/CIS and Back-Office Services***

Olameter offers an industry-leading billing solution on an application service provider (ASP) basis. In an effort to reduce utilities overall costs, Olameter has partnered with Harris Computer Systems to offer an outsourced solution that utilizes advanced processes and technology. As a comprehensive billing solution provider, Olameter can provide single- or multi-service support for electric gas, water, wastewater, and storm water services. Harris' flexible NorthStar billing solution also allows utilities to consolidate billing, use both bundled and unbundled rates, have access to interval meter and complex billing support, and track customer interaction with fully-integrated call, service, consumption and credit histories. We ensure that each utility has constant access to their data via our sophisticated data center capabilities and redundancies maintained both internally and via our partnerships.

As an ASP, Olameter will license and host the application on behalf of the utility, but can also offer operator and other back-office services, including:

- System Set-up
- Application Training
- EBT Processing
- Payment Processing
- Call Center (full scale or overflow)
- Collections Administration (Call Center, Payment Arrangements, Notices)
- Document Archiving and Maintenance
- Interface Consulting

### ***Call Center Services (Full Scale / Overflow)***

As an experienced utility service provider, Olameter has extensive knowledge and expertise in the provision of Call Center services in a variety of formats; full call center, project-specific enquiries, general overflow, collections administration, etc. With our dedicated staff of Call Center Representatives (CSRs) Olameter ensures all calls are handled professionally and questions are addressed efficiently and comprehensively. Olameter provides all of its US call center services from its' facility located in Michigan, and ensures that all customer data strictly remains within the US.

### ***Locate / Damage Prevention Services***

Olameter is a leading service provider of underground locate and damage prevention services. Working with utilities, customers and excavators Olameter's quality infrastructure protection services and asset management solutions successfully provide a comprehensive program to keep customers and construction personnel safe while maintaining uninterrupted services to customers and ensuring your infrastructure remains damage free.

Our Locate / Damage Prevention Services include:

- Underground Utility Locate Services
- Sub-Aqueous Locating (river and lake crossings utilizing electronic methods of locating)
- Leak Surveys (Gas, Water, RF)
- Pole Inspections/Audits
- Value Box Cleanouts
- Pedestal Rehab
- Line Inspection
- Infrared/Ultrasonic line audits
- Damage Claim Management

In order to further enhance our Damage Preventions Specialist's performance Olameter provides additional support in the form of:

- e-Dis: Electronic Damage Prevention System
- GIS Lat/Long on Photos
- GPS Mobile Tracking
- Damage Incentive Program
- Ticket Management System

#### ***Meter Asset Leasing***

Olameter is uniquely positioned to provide utilities with the only complete Asset Optimization Solution, designed to provide increased return on assets through strategic outsourcing of all meter management activities. Utilities seeking the greatest possible returns can now benefit significantly from our Meter Asset Leasing Program. Within our program, we will purchase, manage and maintain your complete meter asset inventory resulting in substantial savings to your utility. Olameter can offer a turn-key solution, encompassing meter supply, verifications, meter file management, meter reading and technology upgrades. Utilities can benefit from substantial cash infusions and improved asset optimization while redirecting their focus on their most important assets - their customers.

#### ***Olameter TelDig Solutions***

Olameter's TelDig Systems is a premier provider of utility asset management and damage prevention software solutions. TelDig develops, markets and supports software tools managing all aspects of utility infrastructure interventions, tailored to your organization's specific needs.

By connecting all involved parties, sharing and centralizing all asset data, TelDig builds strategic tools in asset management. Such tools cover the planning phases of repairs, extensions and maintenance work in the field, the damage prevention processes and damage investigations, excavator and claims management, billing, as well as system integration, application development and custom work.

TelDig's software products optimize time and money of resources involved with its centralized virtual access for all. Indeed, with electronic work orders, call center locate requests, as well as locate ticket dispatch and management, TelDig looks beyond damage prevention and puts it all together.

- ***TelDig One Call*** - TelDig OneCall is a state of the art call-before-you-dig call center software. It allows one call center operators to take calls, emails and faxes from contractors and homeowners,

use territory mapping, generate locate and freeform tickets, manage site plans and sketches and send them to the proper utility offices and members. TelDig OneCall will only send the minimum number of necessary tickets, optimizing locating costs to the members. Utility members, excavators and homeowners can benefit from TelDig OneCall's Web applications to manage the data, create locate tickets and follow the evolution of the locate status with TelDig 360. With efficient tools including a ticket validation system, a ticket search engine, a unique multimedia telecommunications module, GIS mapping and sketch editing, contractor management and much more, TelDig OneCall is the most reliable software of its kind.

- **TelDig Software Development**- TelDig's software programming expertise is yours for business process virtualization and automation. Let us provide you with a win-win proposal for your custom application development. TelDig's step-by-step application development project management ensures timely delivery of software solutions within budget. No surprises.
- **TelDig Mobile** - TelDig Mobile is a software allowing remote locators to work in the field or from a remote location without ever going to the office, simply by using a laptop computer. TelDig Mobile connects to TelDig Utility, enabling the paperless handling of locate requests from the one call center to the locator and sending status updates automatically. With TelDig Mobile, the locator downloads tickets, edits and processes them and then fills in the dig site, locator and damage report modules to upload completed tickets at the end of the day. TelDig Mobile manages sketches and possesses a unique drag-and-drop drawing tool with pre-formatted icons as well as GIS interfaces for viewing infrastructure details. TelDig Utility processes the uploaded tickets for automated billing purposes, among others. All is done with a web-based smart telecommunications module, saving the trip to the office.
- **TelDig FTP** - A cutting-edge product serving the damage prevention industry, TelDig FTP Messenger is an easy-to-use software aimed at low volume locate ticket utilities. It allows damage prevention call center members and contract locators to receive and manage tickets from several call centers using an FTP connection over the Internet or email and to automate the positive response feedback using the same communication links.
- **TelDig Nexus** - TelDig Nexus is all about controlling your costs and getting the job done in the field. It also centralizes and shares all infrastructure data with other systems, improving your claims settlement rate and vital decision making. It consists of a series of software modules providing virtual data access to all parties involved in repairs, damage investigations, claim settlement, maintenance, extensions of your network assets. It also provides software to contractors and excavators sending them detailed electronic work orders, automating billing while connecting to the relevant damage prevention call centers. TelDig Nexus facilitates claims management and provides software tools to field technicians, inspectors and supervisors. Greatly improving efficiency with its centralized paperless solution for all.
- **TelDig Utility** - TelDig Utility is a collection of software products for locate ticket receiving, dispatching and workforce management. It allows damage prevention one call members and contract locators to filter, clear, modify, assign manually and/or automatically and schedule locate tickets to locators. Locate ticket transmission can be local, remote or mobile, using several telecommunication media. It has the unique capability to receive sketches and maps, edit them if necessary and send them out with the locate ticket in a totally paperless process. The TelDig Utility Suite tailors to your deployment and ticket volume needs with its flexible open architecture and easy installation. With efficient tools including a ticket search engine, a sketch editor, a billing wizard, open GIS interfaces, damage and locator reports and much more, TelDig Utility Suite is the most reliable software of its kind.
- **TelDig Damage** - TelDig Damage is a series of software modules with a central database providing an electronic environment and virtual data access connecting claims agents or damage

investigators in the field with office staff processing the information for insurance companies, legal department, accounting, etc. TelDig Damage Mobile allows investigators to also upload locate tickets, attach files such as electronic sketches, photos and videos. It synchronizes with the server and updates over the web.

- **TelDig AMS** - TelDig AMS is a software environment providing capital expenditure management. TelDig AMS uses a status based methodology to track and follow up previously approved expenditures or AFEs (Authorization For Expenditure) with a series of reports detailing everything.
- **TelDig CSC** - TelDig CSC (Confined Space Certification) is a web application providing an online training environment with all the pertinent information ensuring your employees and contractors have the necessary know-how before accessing manholes and other confined spaces. Every year, deaths are reported from people entering confined spaces without using preventing measures or the proper equipment. Following these deaths some authorities are imposing certification of anyone entering confined spaces.

In addition to our various services, Olameter continues to invest heavily in the development of innovative solutions designed to ensure reliable, cost-effective offerings, not only for our clients but also for their end-use customers.

## 7.1 Experience

The following is a list of AMS Utiliserv's Meter Reading clients, provided to illustrate our extensive experience in the provision of Meter Reading services:

Client	Start	Scope
Calcasieu Parish Waterworks	July, 2008	Meter Reading (~1,600 water meters)
CenterPoint Energy	April, 2007	Meter Reading (~400,000 gas meters)
City of Lake Charles	June, 2008	Meter Reading (~28,000 water meters)
City of Lewisville	Feb, 2009	Meter Reading (~1,500 water meters)
City of Morgan City	Feb, 2010	Meter Reading (~18,000 wtr & elec meters)
City of Patterson	Feb, 2010	Meter Reading (~4,000 gas & water meters)
City of Thibodaux	Jan, 2010	Meter Reading (~4,000 gas & water meters)
Highland Village	June, 2009	Meter Reading (~5,000 water meters)
City of Malvern	Dec, 2009	Meter Reading (~6,000 water meters)
Town of Welsh	Oct, 2009	Meter Reading (~3,000 water meters)
Thibodaux Housing Authority	Mar, 2010	Meter Reading (~500 Electric/Water/Gas Meters)
Houston Housing Authority	July, 2010	Meter Reading (~4,000 Electric/Gas Meters)

The full Olameter family of companies services approximately 180 clients, over 75 of which contract our meter reading and/or related field services. Our meter reading client range from 1.3 million meters to less than 500 meters.

**APPENDIX A**

**CITY OF BEDFORD**

**INSURANCE REQUIREMENT AFFIDAVIT**

To Be Completed By Appropriate Insurance Agent/Broker

I, the undersigned Agent/Broker, certify that the insurance requirements contained in this bid document have been reviewed by me with the below-identified Vendor. If the below identified Vendor is awarded the agreement by the City of Bedford, I will be able to, within ten (10) days after being notified of such award, furnish a valid insurance certificate to the City meeting all of the requirements defined in this bid/proposal.

[Signature]                      Jeff Friedrich  
Agent (Signature)                      Agent (Print)

Name of Agent/Broker: Assurance Agency, Ltd.  
Address of Agent/Broker: 1750 E. Golf Road  
City/State/Zip: Schaumburg, IL 60173  
Agent/Broker Telephone #: (847) 463-7236  
Date: 2/6/12  
CONTRACTOR'S NAME: AMS Utiliserv Inc  
(Print or Type)

**NOTE TO AGENT/BROKER**

If this time requirement is not met, the City has the right to reject this bid/proposal and place the award with another. If you have any questions concerning these requirements, please contact the Director of Administrative Services for the City of Bedford at (817) 952-2174.



# Council Agenda Background

**PRESENTER:** Mirenda McQuagge-Walden, Managing Director of Community Services

**DATE:** 02/28/12

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

**ITEM:**

Consider a resolution suspending the March 6, 2012, effective date of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex”) requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with Atmos Cities Steering Committee (“ACSC”) and other cities in the Atmos Mid-Tex service area to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of cities’ rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and ACSC’s legal counsel.

**City Attorney Review:** N/A

**City Manager Review:** \_\_\_\_\_

**DISCUSSION:**

On January 31, 2012, Atmos Mid-Tex filed a Statement of Intent seeking to increase system-wide base rates (which exclude the cost of gas) by approximately \$49 million or 11.94%. However, the Company is requesting an increase of 13.6%, excluding gas costs, for its residential customers. Additionally, the application would change the way that rates are collected, by increasing the residential fixed-monthly (or customer) charge from \$7.50 to \$18.00 and decreasing the consumption charge from \$0.25 per 100 cubic feet (“ccf”) to \$0.07 per ccf.

The law provides that a rate request made by a gas utility cannot become effective until at least 35 days following the filing of the application to change rates. Atmos has proposed an effective date of March 6, 2012. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. If the City fails to take some action regarding the filing before the effective date, Atmos’ rate request is deemed administratively approved.

The purpose of the resolution is to extend the effective date of Atmos Mid-Tex’s proposed rate increase to give the City time to review the rate-filing package. The resolution suspends the March 6, 2012, effective date of the Company’s rate increase for the maximum period permitted by law to allow the City, working in conjunction with the other ACSC cities, to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy to pursue, including settlement and ultimately to approve reasonable rates.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of a Consider a resolution suspending the March 6, 2012, effective date of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex”) requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with Atmos Cities Steering Committee (“ACSC”) and other cities in the Atmos Mid-Tex service area to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of cities’ rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and ACSC’s legal counsel.

**FISCAL IMPACT:**

**N/A**

**ATTACHMENTS:**

**Resolution**

RESOLUTION NO. 12-

RESOLUTION OF THE CITY OF BEDFORD SUSPENDING THE MARCH 6, 2012, EFFECTIVE DATE OF ATMOS ENERGY CORP., MID-TEX DIVISION (“ATMOS MID-TEX”) REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND OTHER CITIES IN THE ATMOS MID-TEX SERVICE AREA TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES’ RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND ACSC’S LEGAL COUNSEL

WHEREAS, on or about January 31, 2012, Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), pursuant to Gas Utility Regulatory Act § 104.102 filed with the City of Bedford (“City”) a Statement of Intent to change gas rates in all municipalities exercising original jurisdiction within its Mid-Tex Division service area, effective March 6, 2012; and,

WHEREAS, the City is a regulatory authority under the Gas Utility Regulatory Act (“GURA”) and under Chapter 104, §104.001 et seq. of GURA has exclusive original jurisdiction over Atmos Mid-Tex’s rates, operations, and services within the City; and,

WHEREAS, in order to maximize the efficient use of resources and expertise, it is reasonable for the City to maintain its involvement in the Atmos Cities Steering Committee (“ACSC”) and to cooperate with the more than 150 similarly situated city members of ACSC and other city participants in conducting a review of the Company’s application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company and direct any necessary litigation; and,

WHEREAS, Atmos Mid-Tex proposed March 6, 2012, as the effective date for its requested increase in rates; and

WHEREAS, it is not possible for the City to complete its review of Atmos Mid-Tex’s filing by March 6, 2012; and,

WHEREAS, the City will need an adequate amount of time to review and evaluate Atmos Mid-Tex’s rate application to enable the City to adopt a final decision as a local regulatory authority with regard to Atmos Mid-Tex’s requested rate increase; and,

WHEREAS, the Gas Utility Regulatory Act § 104.107 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days; and,

WHEREAS, the Gas Utility Regulatory Act § 103.022 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility.

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

SECTION 1. That the March 6, 2012, effective date of the rate request submitted by Atmos Mid-Tex on January 31, 2012, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

SECTION 2. That the City is authorized to cooperate with ACSC and its member cities in the Mid-Tex service area and under the direction of the ACSC Executive Committee to hire and direct legal counsel and consultants, negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any

**RESOLUTION NO. 12-**

necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Railroad Commission.

**SECTION 3.** That the City's reasonable rate case expenses shall be reimbursed by Atmos.

**SECTION 4.** That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

**SECTION 5.** A copy of this Resolution shall be sent to Atmos, care of David Park, Vice President Rates & Regulatory Affairs, at Atmos Energy Corporation, Mid-Tex Division, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

**PASSED AND APPROVED** this 28th day of February 2012, by a vote of \_\_\_ ayes, \_\_\_ nays, and \_\_\_ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

\_\_\_\_\_  
**Jim Story, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Michael Wells, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Stan Lowry, City Attorney**



# Council Agenda Background

**PRESENTER:** John F. Kubala, P.E., Public Works Director

**DATE:** 02/28/12

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

**ITEM:**

Consider a resolution rejecting bids for the construction of the Simpson Terrace Water Well and Various Facilities.

**City Attorney Review:** Yes

**City Manager Review:** \_\_\_\_\_

**DISCUSSION:**

On January 31, 2012, bids were received for the construction of the Simpson Terrace Water Well and Various Facilities. The project consists of drilling a new water well at the existing Simpson Terrace elevated tank site, installation of new chemical feed equipment at the Simpson Terrace and Stonegate Well sites, installation of a supervisory control and data acquisition (SCADA) system in order to remotely operate both wells and the associated chemical feed systems. The last four items were not included in the \$1,300,000 in Certificates of Obligation that were sold last year. These funds were for the well only.

The new chemical feed equipment would allow the City to provide well water that is chemically compatible with the treated lake water the City receives from the Tarrant County Water Supply Project (TCWSP) operated by the Trinity River Authority. Currently, the water supplied from the Stonegate Well, even though it meets all health standards, presents taste and odor issues when it mixes with the treated lake water. The new system also provides for a safer environment since there will no longer be cylinders of chlorine gas at the well stations. The SCADA system would allow Public Works staff to remotely monitor and control both wells and the associated chemical feed equipment from the Service Center. This will become especially important when the new northwest pressure plane booster pump station goes into operation at the Simpson Terrace site.

The low bid was submitted by Red River Construction Co. in the amount of \$2,869,350. The Consultant Engineer's Opinion of Probable Cost was \$1,694,100. The Public Works Department and the Consultant are in the process of trying to determine the reasons for the increase in costs. The intention, at this point, is to break up the project into more manageable pieces. The schedule now is to rebid the well in March, award the contract in April with construction to start in May. It will take approximately eight months to drill and finish the well. This means the well should be completed in December. The remaining items will be bid after additional funding becomes available and should be completed at about the same time as the well is ready to be put into service.

**RECOMMENDATION:**

Staff recommends the following motion:

Approve a resolution rejecting bids for the construction of the Simpson Terrace Water Well and Various Facilities.

**FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

Resolution  
Bid Tabulation

**RESOLUTION NO. 12-**

**A RESOLUTION REJECTING BIDS FOR THE CONSTRUCTION OF THE SIMPSON TERRACE WATER WELL AND VARIOUS FACILITIES.**

**WHEREAS, the City Council of Bedford, Texas determines the necessity to reject bids for the construction of the Simpson Terrace Water Well and Various facilities; and,**

**WHEREAS, the City of Bedford has determined that the amount bid for this project exceeds the funds available.**

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

**SECTION 1. That the City Council does hereby reject all bids for the construction of the Simpson Terrace Water Well and Various Facilities.**

**PASSED AND APPROVED the 28th day of February 2012, by a vote of \_\_\_ ayes, \_\_\_ nays and \_\_\_ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.**

\_\_\_\_\_  
**Jim Story, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Michael Wells, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Stan Lowry, City Attorney**

**Bid/Project Name:** Construction of Simpson Terrace Water Well and Various Facility Operational Improvements

**Bid/Project Number:** WA-10-04  
**Bid Opening Date:** January 31, 2012  
**Bids Issued:** 22  
**Bids Rec'd:** 2  
**1st Addendum:** January 27, 2012



<b>Name of Bidder</b>	Red River Construction Co.	Alsay Incorporated
<b>Address</b>	2804 Capitol Street	6815 Gant Road
<b>City, State, Zip</b>	Wylie, Texas 75098	Houston, Texas 77066
<b>Telephone / Fax</b>	972-578-0127 / 972-578-1043	281-444-6960 / 281-444-7081
<b>Email</b>	dean.porter@redriverconstruction.com	joe.slavik@alsavinc.com
<b>Contact</b>	Dean Porter	Joe Slavik

Bid 1

Bid 2

**BID SCHEDULE**

#	Item	Qty	Unit	Unit Price	Extended Price	Unit Price	Extended Price
1	Bonds and insurance.	1	LS	\$43,000.00	\$43,000.00	\$100,000.00	\$100,000.00
2	Mobilization	1	LS	\$50,000.00	\$50,000.00	\$250,000.00	\$250,000.00
<b>1813 RELIANCE PKWY MASTER CONTROL CENTER</b>							
3	Furnish and install SCADA Master Control Station. Includes all hardware, electrical, software, "Cisco" switches, programming, startup, and training.	1	LS	\$110,000.00	\$110,000.00	\$125,000.00	\$125,000.00
<b>SIMPSON TERRACE WELL</b>							
4	Furnish and install labor and materials to drill a test well to determine the feasibility of establishing a new potable water well. Includes logging and test report.	1600	LF	\$61.00	\$97,600.00	\$225.00	\$360,000.00
5	Furnish labor and materials to drill, develop, and establish a new potable water well. Includes drilling, casing, packing, screen, well head, and disinfection.	1600	LF	\$600.00	\$960,000.00	\$500.00	\$800,000.00
6	Furnish and install 4160 VAC, 300 hp, 800 gpm well pump and motor, motor controller, column piping, pressure gauges (2), motor wiring, and air lines.	1	LS	\$400,000.00	\$400,000.00	\$255,000.00	\$255,000.00
7	Furnish labor and materials to install above ground well pad and piping. Includes installing new concrete pad, spool pieces, check valve, air relief, and flowmeter.	1	LS	\$30,000.00	\$30,000.00	\$65,000.00	\$65,000.00
8	Coordination with ONCOR Electric Delivery for providing a new 4160V pad mounted transformer and electrical service.	1	LS	\$4,100.00	\$4,100.00	\$10,800.00	\$10,800.00
9	Furnish and install labor and materials for new site electrical service. Includes concrete pad, conduit, wiring devices, switchgear, transformer, motor starter, lighting panels, mounting rack, and termination at new and existing devices.	1	LS	\$225,000.00	\$225,000.00	\$268,000.00	\$268,000.00
10	Furnish labor and materials to install a new remote terminal unit and connect all analog and digital signals from equipment and devices at this site. Includes antenna mounting and programming.	1	LS	\$60,000.00	\$60,000.00	\$66,000.00	\$66,000.00
11	Furnish and install discharge piping between the well discharge and the elevated water tower. Includes both 8" D.I., steel pipe, penetrating the EST access tube, piping supports, floor penetrations, and discharge above the tank high water line.	1	LS	\$80,000.00	\$80,000.00	\$78,000.00	\$78,000.00
12	Furnish and install 12" booster pump station suction piping from tank bowl to ground level. Includes sch 40 steel pipe, brackets, penetrations, 12" D.I. pipe, 12" gate valve.	1	LS	\$45,000.00	\$45,000.00	\$86,000.00	\$86,000.00
13	Disinfection of new piping and EST per ANSI/AWWAC 65.02 method 2.	1	LS	\$15,000.00	\$15,000.00	\$5,800.00	\$5,800.00
14	Perform thirty-six (36) hour field test including sampling and laboratory testing per TCEQ and AWWA requirements.	1	LS	\$6,000.00	\$6,000.00	\$24,000.00	\$24,000.00
15	Registration of the new potable water well with all appropriate regulatory agencies.	1	LS	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00



DELTATEK ENGINEERING  
 14114 DALLAS PARKWAY, SUITE 480  
 DALLAS, TEXAS 75254  
 469-374-6800  
 bn@deltatekeng.com

**Bid/Project Name:** Construction of Simpson Terrace Water Well and Various Facility Operational Improvements

**Bid/Project Number:** WA-10-04  
**Bid Opening Date:** January 31, 2012  
**Bids Issued:** 22  
**Bids Rec'd:** 2  
**1st Addendum:** January 27, 2012



<b>Name of Bidder</b>	Red River Construction Co.	Alsay Incorporated
<b>Address</b>	2804 Capitol Street	6615 Gant Road
<b>City, State, Zip</b>	Wylie, Texas 75098	Houston, Texas 77066
<b>Telephone / Fax</b>	972-578-0127 / 972-578-1043	281-444-6960 / 281-444-7081
<b>Email</b>	dean.porter@redriverconstruction.com	joe.slavik@alsayinc.com
<b>Contact</b>	Dean Porter	Joe Slavik

Bid 1

Bid 2

**BID SCHEDULE**

#	Item	Qty	Unit	Unit Price	Extended Price	Unit Price	Extended Price
16	Furnish and install chemical feed equipment at this site. Includes equipment slab, storage shelter, equipment, piping, sample and injection points in manholes as detailed on the drawings. First chemical fill shall be furnished by the contractor and shall be coordinated with the Owner.	1	LS	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00
17	Startup and training on new pump, motor, and starter by factory authorized representative.	2	DA	\$3,500.00	\$7,000.00	\$4,500.00	\$9,000.00
18	Provide a three (3) year service agreement on all chemical equipment. Includes routine maintenance, emergency repairs and consumables.	1	LS	\$42,000.00	\$42,000.00	\$47,500.00	\$47,500.00
19	Startup and training on new chemical equipment by factory authorized representative.	2	DA	\$1,800.00	\$3,600.00	\$1,900.00	\$3,800.00
20	Furnish and install labor and materials to install 6' chain link fence with barbed wire topper around the new well and chemical equipment site. Includes drive gate and paving modifications as shown on plans.	210	LF	\$35.00	\$7,350.00	\$40.00	\$8,400.00
21	Paint all new piping and touchup paint areas of the EST that are affected by the piping installation.	1	LS	\$12,900.00	\$12,900.00	\$11,300.00	\$11,300.00
22	Site restoration including leveling areas with topsoil and placing block sod on all disturbed areas.	1	LS	\$4,000.00	\$4,000.00	\$6,000.00	\$6,000.00
23	Temporary disconnection of the park yard lighting and reconnection after drilling and pump installation.	1	LS	\$1,200.00	\$1,200.00	\$1,300.00	\$1,300.00

**STONEGATE WELL AND BOOSTER PUMP STATION**

24	Furnish and install chemical feed equipment at this site. Includes equipment slab, storage shelter, equipment, piping, sample and injection points in manholes as detailed on the drawings. First chemical fill shall be furnished by the contractor and shall be coordinated with the Owner.	1	LS	\$250,000.00	\$250,000.00	\$273,000.00	\$273,000.00
25	Startup and training on new chemical equipment by factory authorized representative.	2	DA	\$1,800.00	\$3,600.00	\$1,900.00	\$3,800.00
26	Furnish and install labor and materials to install a new remote terminal unit and connect all analog and digital signals from equipment and devices at this site. Includes antenna mounting and programming.	1	LS	\$68,000.00	\$68,000.00	\$85,000.00	\$85,000.00

**CUMMINGS ELEVATED STORAGE TANK**

27	Furnish and install labor and materials to install a new remote terminal unit and connect all analog and digital signals from equipment and devices at this site. Includes antenna mounting and programming.	1	LS	\$30,000.00	\$30,000.00	\$35,000.00	\$35,000.00
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**FIRE STATION NO. 3 ELEVATED STORAGE TANK**

28	Furnish and install labor and materials to install a new remote terminal unit and connect all analog and digital signals from equipment and devices at this site. Includes antenna mounting and programming.	1	LS	\$30,000.00	\$30,000.00	\$35,000.00	\$35,000.00
29	Construction contingency to be used only with written approval of the Engineer and Owner.	1	LS	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00



**Bid/Project Name:** Construction of Simpson Terrace Water Well and Various Facility Operational Improvements

**Bid/Project Number:** WA-10-04  
**Bid Opening Date:** January 31, 2012  
**Bids Issued:** 22  
**Bids Rec'd:** 2  
**1st Addendum:** January 27, 2012



<b>Name of Bidder</b>	Red River Construction Co.	Alsay Incorporated
<b>Address</b>	2804 Capitol Street	6815 Gant Road
<b>City, State, Zip</b>	Wylie, Texas 75098	Houston, Texas 77066
<b>Telephone / Fax</b>	972-578-0127 / 972-578-1043	281-444-6960 / 281-444-7081
<b>Email</b>	dean.porter@redriverconstruction.com	joe.slavik@alsayinc.com
<b>Contact</b>	Dean Porter	Joe Slavik

Bid 1 Bid 2

**BID SCHEDULE**

#	Item	Qty	Unit	Unit Price	Extended Price	Unit Price	Extended Price
30	Furnish O&M manuals with standard operating procedure as detailed in the specifications.	1	LS	\$6,000.00	\$6,000.00	\$1,000.00	\$1,000.00
<b>TOTAL ALL BID ITEMS 1 - 30</b>					<b>\$2,869,350.00</b>		<b>\$3,292,500.00</b>

**ALTERNATE BID ITEM**

31	Furnish and install 4180 VAC, 300 hp, 800 gpm well pump and motor, motor controller, column piping, pressure gauges (2), motor wiring, and air lines.	1	LS	\$490,000.00	\$490,000.00	\$285,000.00	\$285,000.00
<b>TOTAL BASE BID PLUS ALTERNATE</b>					<b>\$3,359,350.00</b>		<b>\$3,557,500.00</b>

32	Drilling test hole more or less than specified 1800 VF.	1	VF	\$46.00		\$100.00	
33	Plugging test well if directed to do so by Engineer if test well indicates installation of a new well at this site is not feasible.	1	LS	\$90.00		\$30,000.00	
34	Drilling the permanent well more or less than specified 1800 VF.	1	VF	\$46.00		\$75.00	
35	Furnish & install more or less 16" casing pipe per vertical foot than specified.	1	VF	\$67.00		\$60.00	
36	Furnish & install more or less well screen per vertical foot than specified.	1	VF	\$161.00		\$130.00	
37	Furnish & install more or less well blank per vertical foot than specified.	1	VF	\$39.00		\$35.00	
38	Furnish & install more or less gravel pack per vertical foot than specified.	1	VF	\$21.00		\$25.00	
39	Furnish & install column pipe, cable and airline per vertical foot than specified.	1	VF	\$39.00		\$25.00	

<b>Notes:</b>	<b>Bid Bond Included</b> Acknowledged Addendum 1	<b>Bid Bond Included</b> Acknowledged Addendum 1
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**Low Bid Vendor:** Red River Construction Co.





**Construction of Simpson Terrace Water Well  
 & Various Operational Improvements  
 Project Number WA-10-04  
 City of Bedford, Texas**



**CITY OF  
 BEDFORD**  
 Discover the Center

Bid Opening: January 31, 2012 until 10:00 AM

*add date 1/27/12*

BIDDER	BASE BID (\$)	ALT BID (\$)	TOTAL BID (\$)	BID BOND (yes/no)
Alsay Inc	3,292,500.00		3,557,500.00	yes
Red River Const	2,469,350.00		3,359,350.00	yes

*addendum 1*

*yes*

---

*yes*



# Council Agenda Background

**PRESENTER:** John F. Kubala, P.E., Public Works Director      **DATE:** 02/28/12

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

**ITEM:**

Consider a resolution authorizing the City Manager to enter into a Contract with Viking Construction, Inc., in the amount of \$99,309.12, for the 2012 Microsurfacing Project.

**City Attorney Review:** Yes

**City Manager Review:** \_\_\_\_\_

**DISCUSSION:**

Staff proposes to utilize the existing Interlocal Agreement between the City of Bedford and the City of Eules to secure the 2012 Microsurfacing Contract. Viking Construction, Inc. has a contract with the City of Eules for Microsurfacing in the amount of \$2.84 per square yard. This is a significant savings from the price of \$3.80 per square yard in last year's contract.

The proposed areas to microsurface are Cummings Drive from Central to Crystal Springs and Simpson Terrace from Cummings Drive to Brown Trail. This involves Microsurfacing 34,968 square yards of asphalt pavement. The funds were included as a part of the Street Improvement Economic Development Corporation (SIEDC) FY 11-12 budget.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a Contract with Viking Construction, Inc., in the amount of \$99,309.12, for the 2012 Microsurfacing Project.

**FISCAL IMPACT:**

\$99,309.12 from the SIEDC FY 11-12 budget

**ATTACHMENTS:**

Resolution  
Location Map

RESOLUTION NO. 12-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VIKING CONSTRUCTION, INC., IN THE AMOUNT OF \$99,309.12, FOR THE 2012 MICROSURFACING PROJECT.

WHEREAS, the City Council of Bedford, Texas determines the necessity to improve the streets within the City of Bedford; and,

WHEREAS, the City of Bedford has determined that utilization of the existing Interlocal Agreement with the City of Euless for this contract is in the best interests of its citizens.

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

SECTION 1. That the City Council does hereby authorize the City Manager to enter into a contract with Viking Construction, Inc., in the amount of \$99,309.12, for the 2012 Microsurfacing Project.

SECTION 2. That funding will come from the Street Improvement Economic Development Corporation FY 11-12 budget.

PASSED AND APPROVED the 28th day of February 2012, by a vote of \_\_\_ ayes, \_\_\_ nays and \_\_\_ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

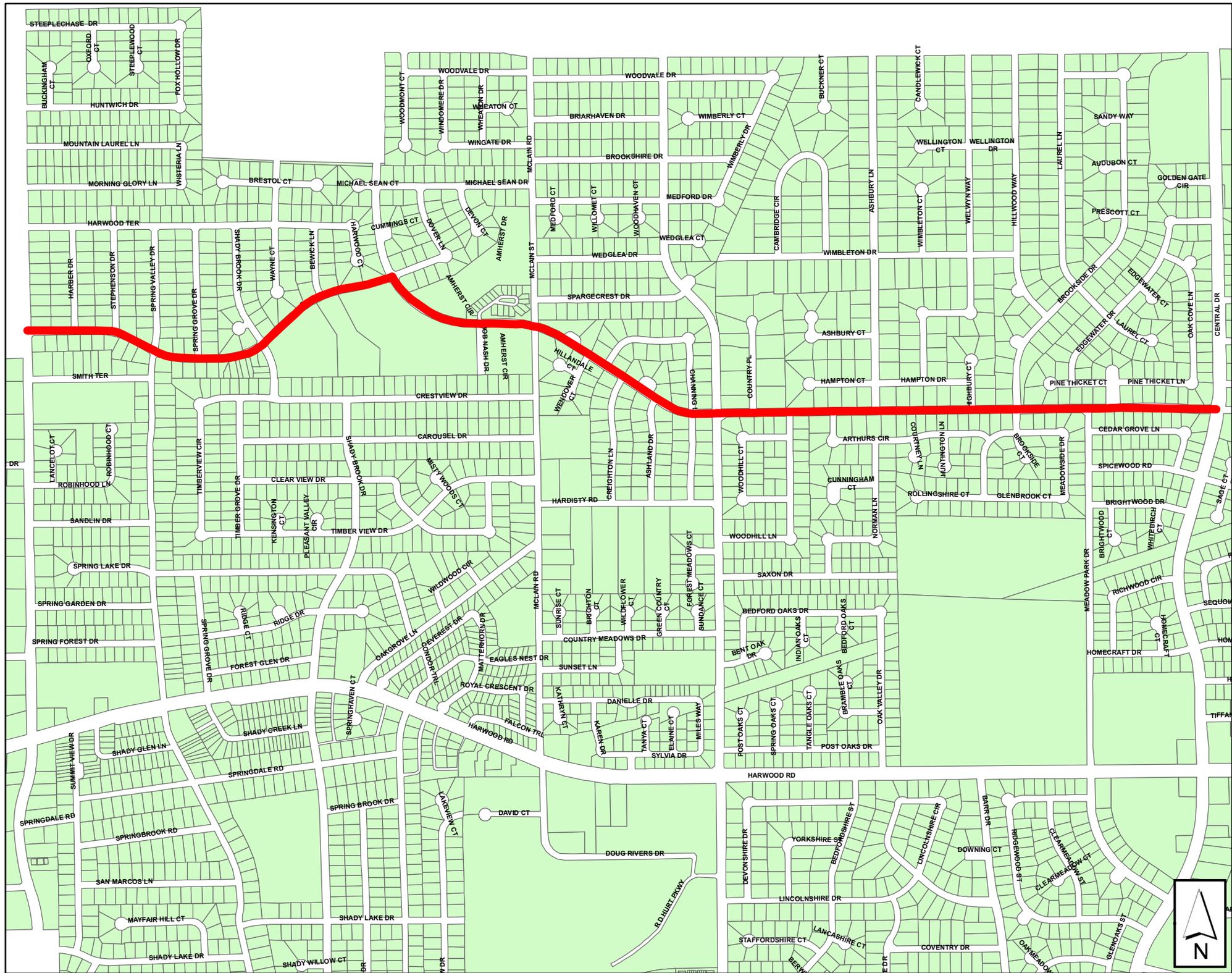
\_\_\_\_\_  
Jim Story, Mayor

ATTEST:

\_\_\_\_\_  
Michael Wells, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Stan Lowry, City Attorney





# Council Agenda Background

**PRESENTER:** James Tindell, Fire Chief

**DATE:** 02/28/12

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

**ITEM:**

Consider a resolution authorizing the City Manager to purchase rescue equipment and related components from Advanced Rescue Systems, for TNT Rescue Tool products, in the amount of \$22,465.

**City Attorney Review:** N/A

**City Manager Review:** \_\_\_\_\_

**DISCUSSION:**

The purchase and use of this rescue equipment is essential for the life and safety of the residents of Bedford and those people who travel through Bedford. Otherwise known as the “Jaws of Life,” this equipment will replace the current equipment that is 15 to 20 years old. Technology has advanced in the production of rescue equipment; it is designed to cut and pry the metals today’s vehicles are being built with. This new rescue equipment is lighter weight, cuts and pries with more force, and operates quicker, allowing more efficient rescue and faster treatment of people trapped.

The sole source vendor provides interoperability with the current tools in use at this time. Rescue tools cannot be used, mixed or substituted with other brands. The oldest current set of tools will be traded to the vendor for a reduction in cost.

Due to technology and maintenance costs, rescue tools have a life expectancy of 15 years. This purchase will complete the replacement plan. The new equipment will be scheduled for replacement in 15 years.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to purchase rescue equipment and related components from Advanced Rescue Systems, for TNT Rescue Tool products, in the amount of \$22,465.

**FISCAL IMPACT:**

\$22,465 from the Fire Department minor apparatus budget, which was approved as part of the FY2011/12 Budget.

**ATTACHMENTS:**

Resolution  
Sole Source Letter  
Quote

**RESOLUTION NO. 12-**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE RESCUE EQUIPMENT AND RELATED COMPONENTS FROM ADVANCED RESCUE SYSTEMS, FOR TNT RESCUE TOOL PRODUCTS, IN THE AMOUNT OF \$22,465.**

**WHEREAS, the City of Bedford, Texas, determines the need to purchase one set of rescue equipment; and,**

**WHEREAS, the City Council of Bedford, Texas recognizes that the rescue tools being replaced have reached their serviceable life and are in need of replacement.**

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

**SECTION 1. That the City Council hereby authorizes the City Manager to purchase rescue equipment and related components, from Advanced Rescue Systems, for TNT Rescue Tools, in the amount of \$22,465.**

**PASSED AND APPROVED this 28th day of February 2012, by a vote of \_\_\_ ayes, \_\_\_ nays, and \_\_\_ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.**

\_\_\_\_\_  
**Jim Story, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Michael Wells, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Stan Lowry, City Attorney**



January 27, 2012

City of Bedford  
C/O Bedford Fire Department  
2000 Forest Ridge Dr.  
Bedford, Texas 76021

To whom it may concern,

Thank you for your interest in TNT Rescue Systems, Inc. TNT sells its products through a dealer network, where each representative is contracted for a specific region.

In the State of Texas, Advanced Rescue Systems is the only contracted and authorized representative, dealer and service provider; thereby making Advanced Rescue Systems your sole source for TNT products, parts, service and warranty.

Advanced Rescue Systems is the only Factory Authorized Warranty Service Center for the Southern United States and will repair or provide loaner or replacement equipment within a 24 hour period from time of notification if needed.

Again, thank you for your interest in our products. We look forward to building a mutually beneficial relationship.

Sincerely,

A handwritten signature in black ink that reads "Tom Blanton". The signature is written in a cursive, flowing style.

Tom Blanton  
President

**TNT Rescue Systems, Inc.**  
2490 W. Oak St.  
Ashippun, WI 5003 USA  
Phone: 920-474-4101 Fax: 920-474-4477

Advanced Rescue Systems

3459 FM 36 South  
 Caddo Mills, TX 75135-6773  
 888-544-3640 or 903-527-3841

# Estimate

DATE	ESTIMATE #
1/27/2012	620

NAME / ADDRESS
City of Bedford 2000 Forest Ridge Dr. Bedford, Tx 76021

PROJECT

DESCRIPTION	QTY	COST	TOTAL
BT-6.5, 6.5 Simo Power unit	1	5,500.00	5,500.00
S-100-32-NEX, 32 Inch Spreader with NEXUS Coupler	1	5,450.00	5,450.00
SLC-29-NEX, 7-3/8 Inch C-Cutter with 269k cut force. Nexus Coupler.	1	4,795.00	4,795.00
TLS-50-NEX, 50 Inch Telescoping Ram with NEXUS Coupler	1	4,095.00	4,095.00
EXTH-30-S/NEX, 30 Foot Hose Standard TNT Coupler to NEXUS Coupler	2	870.00	1,740.00
Mounts for BT6.5, S-100-32, SLC-29, TLS-50.	1	500.00	500.00
Power Hawk Auto Crib, Set of Two.	2	750.00	1,500.00
Trade in allowance for used Equipment.	1	-1,500.00	-1,500.00
Freight Charges	1	385.00	385.00
This Quote is also extended to the City of Hurst Texas.			
Thank you for your business.		<b>TOTAL</b>	\$22,465.00



# Council Agenda Background

**PRESENTER:** David Miller, Deputy City Manager

**DATE:** 02/28/12

**Council Mission Area:** Foster economic growth - Improve vacant or underutilized commercial properties.

**ITEM:**

Consider a resolution to accept the bid of Jerman Enterprises, in the amount of \$22,652, for the purchase of the Brown Trail Well Site located at 3200 Brown Trail, Bedford, Texas.

**City Attorney Review:** Yes

**City Manager Review:** \_\_\_\_\_

**DISCUSSION:**

On July 12, 2011, the City Council approved resolution 11-82, which authorized staff to move forward with the sale of City-owned property. The properties were placed out to bid on January 26, 2012.

One bid was received for the Brown Trail Well Site located at 3200 Brown Trail. Jerman Enterprises has submitted a proposal in the amount of \$22,652 to purchase the property. The City will retain all gas and mineral rights to the property. There is an outdoor warning siren on the property that will remain after the sale. The City will maintain a Permanent Utility and Access Easement, the boundaries of which will be determined in conjunction with Mr. Jerman.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of a resolution to accept the bid of Jerman Enterprises, in the amount of \$22,652, for the purchase of the Brown Trail Well Site located at 3200 Brown Trail, Bedford, Texas.

**FISCAL IMPACT:**

\$22,652 in revenue for the General Fund

**ATTACHMENTS:**

Resolution  
Bid Proposal

RESOLUTION NO. 12-

A RESOLUTION TO ACCEPT THE BID OF JERMAN ENTERPRISES, IN THE AMOUNT OF \$22,652, FOR THE PURCHASE OF THE BROWN TRAIL WELL SITE LOCATED AT 3200 BROWN TRAIL, BEDFORD, TEXAS.

WHEREAS, the City Council of Bedford, Texas approved Resolution 11-82, which authorized the solicitation for sale of the property being a 0.473 acre tract of land in the Alexander Allen Survey, Abstract Number 11, in the City of Bedford, save and except the Brown Trail Right-of-Way, with the physical address being 3200 Brown Trail, Bedford, Texas; and,

WHEREAS, the property was placed out for bid on January 26, 2012; and,

WHEREAS, the only bidder was Jerman Enterprises, who submitted a bid in the amount of \$22,652.

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

SECTION 1. That the City Council does hereby accept the bid of Jerman Enterprises for the property being a 0.473 acre tract of land in the Alexander Allen Survey, Abstract Number 11, in the City of Bedford, save and except the Brown Trail Right-of-Way, with the physical address being 3200 Brown Trail, Bedford, Texas.

SECTION 2. That payment in the amount of \$22,652 be received from Jerman Enterprises in exchange for the property.

SECTION 3. That the City shall retain all oil, gas and mineral rights to the property.

SECTION 4. That the City shall maintain a Permanent Utility and Access Easement for the purpose of maintenance and access to the emergency alert siren, the exact boundaries to be determined by Jerman Enterprises and the City.

PASSED AND APPROVED this 28th day of February, 2012, by a vote of \_\_\_ ayes, \_\_\_ nays and \_\_\_ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

\_\_\_\_\_  
Jim Story, Mayor

ATTEST:

\_\_\_\_\_  
Michael Wells, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Stan Lowry, City Attorney

**Bid Proposal**

3300 Brown Trail, City of Bedford, Texas

FEB 6, 2012

PROPOSAL OF

JERMAN ENTERPRISES

a corporation organized and existing under the laws of the State of \_\_\_\_\_

JERMAN ENTERPRISES, a partnership consisting of

JOHN JERMAN III  
J.L. JERMAN II

\_\_\_\_\_, the business name of

\_\_\_\_\_, an individual

TO: David Miller  
Deputy City Manager  
City of Bedford  
2000 Forest Ridge Drive  
Bedford, Texas 76021

PROPOSAL FOR:

Being a 0.473 acre tract of land in the Alexander Allen Survey, Abstract Number 11, in the City of Bedford, save and except the Brown Trail Right-of-Way, with physical address being 3200 Brown Trail, Bedford, Texas.

**THE CITY WILL RETAIN ALL GAS AND MINERAL RIGHTS**

The undersigned bidder has carefully examined the Invitation for Bids, Instruction to Bidders, this Bid Proposal, the site of the property to be purchased and the marketability of such property, and hereby binds himself/herself upon formal acceptance of his/her proposal to execute the various legal instruments required to transfer to the City's property referenced above to bidder. The undersigned bidder proposes to purchase all of a 0.473 acre tract of land in the Alexander Allen Survey, Abstract Number 11, in the City of Bedford, save and except the Brown Trail Right-of-Way, with physical address being 3300 Brown Trail, Bedford, Texas, for the following amount of cash:

\$ 22,652.00

The undersigned expressly agrees that ten percent (10%) of the undersigned's bid is reasonable liquidated damages that may be retained by the City of Bedford in the event the apparent best bidder is selected but fails to close on the property in accordance with generally accepted reasonable closing procedures. The undersigned agrees that failure to close will result in damages to the City of Bedford and the damages are, and will continue to be, impracticable and furthermore difficult to determine.

Respectfully submitted,

JERMAN ENTERPRISES

By: J.L. JERMAN II

Title: MANAGER

Address: P.O. BOX 211806  
BEDFORD, TX 76095

Phone: 205-281-8665

CHECK ENCLOSED  
FOR \$2,500.00



# Council Agenda Background

**PRESENTER:** Beverly Griffith, City Manager

**DATE:** 02/28/12

**Council Mission Area:** Encourage citizen involvement.

**ITEM:**

Consider a resolution naming the Vice-Chairperson of the Cultural Commission.

**City Attorney Review:** N/A

**City Manager Review:** \_\_\_\_\_

**DISCUSSION:**

The ordinance that created the Cultural Commission stipulated that the Vice-Chairperson would be selected by the City Council. The selected person will serve the remainder of a one-year term.

The Council appointed Alicia McGlinchey to a one-year term as Chairperson at the October 25, 2011 Council Meeting. Her appointment created a vacancy in the Vice-Chairperson position. The Commission will make a recommendation at its February 27 meeting on a candidate to serve as Vice-Chairperson for the remainder of a one-year term. This will allow the simultaneous appointment of the Chairperson and Vice-Chairperson for a one-year term in October 2012.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of a resolution naming \_\_\_\_\_ as the Vice-Chairperson of the Cultural Commission.

**FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

Resolution

RESOLUTION NO. 12-

A RESOLUTION NAMING THE VICE-CHAIRPERSON OF THE CULTURAL COMMISSION.

WHEREAS, the Vice-Chairperson of the Cultural Commission is appointed by the City Council; and,

WHEREAS, the selected person shall serve the remainder of a one-year term, ending in October, 2012.

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

SECTION 1. That the City Council names \_\_\_\_\_ as Vice-Chairperson of the Cultural Commission.

SECTION 2. That the person named above shall serve until October, 2012.

PASSED AND APPROVED this 28th day of February 2012, by a vote of \_\_\_ ayes, \_\_\_ nays and \_\_\_ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

\_\_\_\_\_  
Jim Story, Mayor

ATTEST:

\_\_\_\_\_  
Michael Wells, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Stan Lowry, City Attorney