

AGENDA

**Regular Meeting of the Bedford City Council
Tuesday, March 13, 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.
- Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to a confidential business prospect.

REGULAR SESSION 6:30 P.M.

CALL TO ORDER/GENERAL COMMENTS

INVOCATION (Reverend Ted McIlvain, Martin Methodist 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

PERSONS TO BE HEARD

1. The following individuals have requested to speak to the Council tonight under Persons to be Heard.
 - a) Amy Sabol, 2209 Pine Thicket Lane, Bedford, TX – Requested to speak to the Council regarding a single family rental ordinance.

- b) William Ledbetter, 3006 Bramble Oaks Court, Bedford TX – Requested to speak to the Council regarding the March 17, 2012 Community Garden pavilion groundbreaking.

APPROVAL OF THE MINUTES

2. Consider approval of the following City Council minutes:
a) February 28, 2012 regular meeting

OLD BUSINESS

3. 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 28, 2012 Council Meeting)
4. 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. (Tabled at the February 28, 2012 Council Meeting)

NEW BUSINESS

5. Public hearing and consider an ordinance to rezone a portion of property known as Lots 1B and 2A1 Harwood Village Shopping Center Addition, Suite A from Heavy Commercial to Heavy Commercial/Specific Use Permit/Church. The property is generally located south of Harwood Road and west of Brown Trail. (Z-216)
6. Public hearing and consider an ordinance to rezone a portion of property known as Lot 1A, Block C, Jefferson Glenn Addition from Planned Unit Development to Amended Planned Unit Development/ Motorcycle and Motor Scooter Sales and Service. The property is generally located west of State Highway 121 and south of Bedford Road. (Z-217)
7. Consider a resolution accepting the purchase of naming rights for the Small Conference Room in the Bedford Public Library by Sarah Sisson in the amount of \$15,000.
8. Consider a resolution ordering the Special Election of the City of Bedford, Texas to be held on Saturday, May 12, 2012 for the purpose of electing Place 3 and Place 4 to the Bedford City Council.
9. 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
 - ✓ Library Board- Councilman Brown
 - ✓ Parks & Recreation Board- Councilman Griffin
 - ✓ Senior Citizen Advisory Board- Councilman Savage
 - ✓ Teen Court Advisory Board- Councilman Griffin
10. Council member reports
11. City Manager report

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

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

ADJOURNMENT

CERTIFICATION

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

Michael Wells, City Secretary

Date Notice Removed

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



Council Agenda Background

<u>PRESENTER:</u> Mirenda McQuagge-Walden, Managing Director of Community Services Christine Wetzel, Managing Director of ThomasArts	<u>DATE:</u> 03/13/12
Work Session	
<u>ITEM:</u> Presentation of concepts for Bedford Open for Business Campaign. City Manager Review: _____	
<u>DISCUSSION:</u> 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 is very similar to the City of Grapevine’s, using a punch card that would be entered into monthly drawings, and the other concept is a sweepstakes.	
<u>ATTACHMENTS:</u> N/A	



Council Agenda Background

PRESENTER: See below

DATE: 03/13/12

Persons to be Heard

ITEM:

- a) Amy Sabol, 2209 Pine Thicket Lane, Bedford, TX – Requested to speak to the Council regarding a single family rental ordinance.
- b) William Ledbetter, 3006 Bramble Oaks Court, Bedford, TX – Requested to speak to the Council regarding the March 17, 2012 Community Garden pavilion groundbreaking.

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

Letters of Request

Jakubik, Megan

From: Wells, Michael
Sent: Thursday, February 23, 2012 12:04 PM
To: Jakubik, Megan
Subject: FW: Persons to be Heard

From: Amy Sabol
Sent: Thursday, February 23, 2012 11:51 AM
To: Wells, Michael
Subject: Re: Persons to be Heard

Michael, go ahead and put me on the Agenda. Thanks for your help. Amy

From: "Wells, Michael"
To: Amy Sabol
Sent: Thursday, February 23, 2012 10:13 AM
Subject: RE: Persons to be Heard

Good morning again,

Shortly after my first e-mail to you this morning, Mr. Novelli contacted the City regarding being put on an upcoming agenda. If he is unavailable to speak on March 13, would you want to speak on that date or do you want to wait until he is available so you are both on the same agenda? Please let me know when you get the opportunity.

Sincerely,

Michael Wells

City Secretary, City of Bedford
2000 Forest Ridge Drive
Bedford, TX 76021
Phone: 817.952.2104
Fax: 817.952.2103



From: Amy Sabol
Sent: Thursday, February 23, 2012 9:47 AM
To: Wells, Michael
Subject: Re: Persons to be Heard

Thanks Michael.

Mr. Novelli travels for business extensively. He will be unavailable on the 13th. I will check with him and get back to you concerning speaking to the council.

We are proposing the need for a single family rental ordinance comparable to North Richland Hills and Hurst. We are wanting our council to take the issue and do something about it. We are telling the city's elected leaders there is a need and we are hoping they will take the initiative and propose a workable ordinance. If we need to be put on the Agenda given my previous comments then yes we will be on the Agenda.

From: "Wells, Michael"
To: Amy Sabol
Sent: Thursday, February 23, 2012 9:01 AM
Subject: RE: Persons to be Heard

Good morning Ms. Sabol,

We can certainly put Mr. Novelli under Persons to be Heard at the next Council meeting on March 13. He would just need to send me an e-mail requesting to be put on the agenda regarding the subject you have mentioned. And, just for clarification, are you requesting to be put on that agenda as well?

Sincerely,

Michael Wells

City Secretary, City of Bedford
2000 Forest Ridge Drive
Bedford, TX 76021
Phone: 817.952.2104
Fax: 817.952.2103



From: Amy Sabol
Sent: Thursday, February 23, 2012 7:53 AM
To: Wells, Michael
Subject: Persons to be Heard

Michael,

I know I have missed the deadline to ask for permission to speak to council on February 28th. My neighbor, John Novelli at 2208 Pine Thicket Lane, would like to address the council. It is concerning the issue of needing a single family rental ordinance. Please advise me if my request is not possible.

Thanks for your help.

Amy Sabol
2209 Pine Thicket Lane
Bedford, TX 76021

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Jakubik, Megan

From: Wells, Michael
Sent: Monday, March 05, 2012 8:21 AM
To: [REDACTED]
Cc: Jakubik, Megan
Subject: RE: Person to be heard request

From: William Ledbetter
Sent: Monday, March 05, 2012 7:11 AM
To: Wells, Michael
Subject: Person to be heard request

Michael,

Mirenda said to contact you with my request to speak at the 3/13 council meeting. I'd like a couple of minutes to invite the council to the Community Garden pavilion groundbreaking on 3/17.

Sincerely,

William Ledbetter



Council Agenda Background

PRESENTER: Michael Wells, City Secretary

DATE: 03/13/12

Minutes

ITEM:

Consider approval of the following City Council minutes:

- a) February 28, 2012 regular meeting

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

Minutes of February 28, 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 5:30 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 28th 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
Cathy Cunningham	City Attorney
Michael Wells	City Secretary
Cliff Blackwell	Administrative Services Director
Roger Gibson	Police Chief
John Kubala	Public Works Director
Mirenda McQuagge-Walden	Managing Director of Community Services
Bill Syblon	Development Director
James Tindell	Fire Chief

CALL TO ORDER

Mayor Story called the Work Session to order at 5:30 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: 5, 7 as a tabled item, 10, 11, 13, 14, 15, 16, 17 and 18 naming Tom Jacobsen as Vice Chair of the Cultural Commission.

- **Presentation of concepts for Bedford Open for Business Campaign.**

The presentation was postponed to the March 13, 2012 Council meeting.

Mayor Story adjourned the Work Session at 6:13 p.m.

EXECUTIVE SESSION:

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

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

Council convened into Executive Session pursuant to the Texas Government Code pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 2A, Bedford-Arlington Road Ltd. Sub. at 6:13 p.m.

Council reconvened from Executive Session at approximately 6:28 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 6:32 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Story called the meeting to order.

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

Mayor Story gave tonight's invocation.

PLEDGE OF ALLEGIANCE

Emily Piper of Girl Scout Troop 1333 lead tonight's Pledge of Allegiance.

OPEN FORUM

Randy Scott, 301 South Sherman Street, Richardson – Mr. Scott requested to speak on Item #9. He works for Quine and Associates, which is the property management company for Cimarron Plaza. He wanted to appeal to the Council in regards to the Sign Ordinance. He recently made application to place six banner signs along the freeway frontage road. Tenants at the Plaza have been suffering since construction on the highway began. He has received comments from tenants that business is down between 30% and 50%. Banner signs will let people know they are still open. They have had one new lease in the last year and a half since construction began.

Mr. Scott presented a transparency showing the signs, which have metal frames made up of two inch pipe. The sign itself starts two feet off the ground and is eight feet tall and two feet wide. He stated that six signs would be placed at a time, with two having lease information on it. For chain stores, the signs would incorporate their corporate colors. He stated that these signs would bring attention to the shopping center and tenants who are struggling, as well as help remove the signs that are accumulating along the frontage road.

Council discussed this issue with Mr. Scott and staff, including the classification of this type of sign. Council was of the consensus to add these signs as an additional stipulation under the "Open For Business" sign classification in the Sign Ordinance. Council directed staff to conduct research to determine a maximum height and square footage for these signs and bring the Sign Ordinance back at the next Council meeting.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilman Champney, seconded by Councilman Turner, to approve the following items by consent: 5, 7 which is a tabled item, 10, 11, 13, 14, 15, 16, 17 and 18.

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

COUNCIL RECOGNITION

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

Mayor Story read a proclamation declaring February 18, 2012 as National AMBUCS Service Day. Ralph Thompson and Greg Rusk of Mid-Cities AMBUCS were on hand to accept the proclamation. Councilman Turner stated that the Mid-Cities chapter is one of the most active in the national organization, especially in their activities with disabled children. They have also established a program that has given out \$150,000 in scholarships to potential therapists of which there is a shortage in the area.

2. Proclamation declaring March 12, 2012 as Girl Scout Day.

Mayor Story read a proclamation declaring March 12, 2012 as Girl Scout Day. Emily Piper of Girl Scout Troop 1333, Makenzie Johnson of Girl Scout Troop 1430 and Kara Jakubik, future Girl Scout, were on hand to accept the proclamation.

3. Proclamation declaring March 2012 as Women Veterans Month.

Mayor Story read a proclamation declaring March 2012 as Women Veterans Month. Michelle Rosales-Kneubuhl of Grace After Fire was on hand to accept the proclamation. Ms. Rosales-Kneubuhl stated that she is a veteran of the Marines for 13 years as well as a Marine spouse. She mentioned that there will be a Women Veterans; Summit on March 3 in Dallas.

4. Employee Service Recognition

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

Ryan Deyo, Fire Department – 5 years of service
Stephen Selvidge, Police Department – 10 years of service
Biff Schuessler, Police Department – 30 years of service
Don Henderson, Community Services – 30 years of service

APPROVAL OF THE MINUTES

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

This item was approved by consent.

OLD BUSINESS

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

Robert Hinkle of NTE gave a presentation regarding the S.H. 183 expansion. He stated that a big milestone was reached in January when they acquired 100% of the possession and use of all 399 parcels needed for the project. Recent activity includes work being done at the 121/183 split; the construction of columns at Bedford Road, Forest Ridge Drive and Central Drive; the continued construction on the Murphy Drive and Westpark Way bridges; and utility relocation. Looking ahead, the westbound Bedford Road off-ramp will be closed starting in early March and will be down for 9 to 12 months. There will be some nightly closures on Bedford Road in early and mid-March. Also, beams will be set at Central Drive. Construction in the east segment during the second quarter will include more activity at the 121/183 split and westbound Airport Freeway between Central Drive and Bedford Road. Finally, work will begin on the westbound frontage road at Brown Trail. Construction in the west segment during the second quarter will include the I-35/820 interchange, Beach Street, Denton Highway 377, Holiday Lane and the 820/121/183 interchange. Mr. Hinkle reported that since the beginning of construction, there have been approximately 1,000 individual lane and ramp closures, most of which are done in off-peak hours and at night to minimize the impact on traffic.

Based on questions from Council, Mr. Hinkle stated that in regards to accidents that may occur on the managed lanes, NTE meets on a periodic basis with a traffic management team composed of personnel from fire departments, police departments and EMS across the corridor in order to address those types of issues. He further indicated that the overall project is on time and on budget.

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)

The applicant for this rezoning ordinance requested that this item be tabled until the March 13, 2012 Council meeting. This item was tabled by consent.

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)

This item was discussed during the Work Session.

Development Director Bill Syblon first introduced Jacquelyn Reyff, the new Planning Manager.

Mr. Syblon stated that this item was a follow-up from the February 14 Council meeting. At that meeting, Council requested that the applicant bring back revised materials. The revised materials submitted by the applicant include detailed notes specifying the type of games and their locations in conjunction with the Amusement Center designation; detailed drawings of the bar area on the exterior of the building; additional notes on the material and color of existing and proposed structures, including the roll-up bar; specific indications that the outside seating have no cover; and specific notes that no neon signage will be shown in the outside seating area.

Council discussed the site plan in regards to outside fencing. The site plan indicated that it would be either wrought iron or wooden posts with a metal fence. The applicant, Sam Dalton, stated that the difference in costs between the two materials was negligible. Council further discussed Note #3 on the site plan which spoke to additional speakers being added to the existing sound system but left the maximum decibel level blank. Mr. Syblon explained that the City does have a Noise Ordinance but it does not specify a decibel level. In the past, Code Enforcement and the Police Department have worked with businesses in regards to noise complaints.

Council was of the consensus to approve this item with the stipulations that Note #3 on the site plan indicate that it is in accordance with the City's Noise Ordinance and that the outside fencing be made of black wrought iron.

Motioned by Councilman Griffin, seconded by Councilman Champney, to approve 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 to include the additional provisions of changing the note section on the site plan to modify Note 3 to say "Additional speakers will be added to existing sound system in accordance with the City's Noise Ordinance" and the second item would be to have the outside perimeter fencing in black wrought iron.

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

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.

This item was discussed during Open Forum.

Motioned by Councilman Fisher, seconded by Councilman Turner, to table this item to the next Council meeting.

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

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.

This item was approved by consent.

11. Consider a resolution accepting the report from the independent auditor and the audited financial statements for the fiscal year ending September 30, 2011.

This item was approved by consent.

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.

Administrative Services Director Cliff Blackwell presented information regarding this resolution. In June of 2009, the City solicited bids for meter reading services and there was only one respondent, US M&T. The three year contract began on October 1, 2009 at a cost of \$0.90 per meter which equates to an annual cost of \$162,000 or a total value over the life of the contract of \$486,000. In July 2011, the City was contacted by US M&T about amending the contract to increase the rate in order to meet their current cost levels. After discussions between staff and the City Attorney, it was felt that it was in the best interest of the City to go out for bids on meter reading services. On February 9, 2012, two bids were opened, one from US M&T and the other from AMS Utiliserv. AMS Utiliserv was the low bidder at \$385,214 over a three year term, or \$0.705 per meter. US M&T's bid was \$699,356 over a three year term, or \$1.28 per meter.

At the January 10, 2012 Council Work Session, Council asked staff to look at the possibility of bringing meter reading in-house. The current meter reading service has one supervisor and three meter readers. If brought in-house, an existing staff member would be utilized as the supervisor and three meter readers would be hired. The projected first year cost would be \$189,245, of which \$121,345 is for personnel costs (including benefits); \$16,600 is for the cost of supplies, maintenance and sundries; and \$51,900 for capital expenses, including the purchase of three small pick-up trucks with accessories. Each subsequent year, the costs would be \$138,000 since there would be no cost for capital. If the capital cost is amortized over a three year term, the cost per meter would be \$0.85; without the capital cost, it would be \$0.75 per meter. Staff considered using existing City vehicles, including Police Department sedans that would otherwise be auctioned off. However, due to fuel costs and the lack of storage capacity with the sedans, staff believes that trucks would be more suitable.

Staff checked the references of AMS Utiliserv and there were no complaints from their clients. Included in their bid is a rate of \$2.69 for accurately read meters. Mr. Blackwell explained that after a meter is read, the information is downloaded into City software, which measures it against the average consumption. If it exceeds an allowable ceiling, it is reported on a forced reading report. A portion of these rereads is then given to the contractor. The other component is customer-initiated rereads; in these instances, City staff performs these rereads so the \$2.69 would not be applicable. As an example, in September, there were 1,748 City-initiated rereads and 49 customer-initiated rereads. Of those 49

customer-initiated rereads, two resulted in an adjustment, one upwards and one downwards. Approximately 3% of rereads in a given month are customer-initiated. The rest are City controlled and are based on the computer program. The parameters on the program can be changed so that fewer rereads are reported.

Mr. Blackwell explained that when the bid was originally posted, it did include a performance bond. AMS Utiliserv questioned whether or not they would be disqualified if they did not have a performance bond. After speaking with staff in other cities and the City Attorney, an addendum to the bid was added that did not make the performance bond mandatory. After further discussion with AMS Utiliserv, they indicated they are open to amending the contract language to include provisions, such as a penalty clause to address Council's concerns over not having a performance bond in place.

Jan Peters of AMS Utiliserv stated that the company has revenue of \$100M for meter reading, repair and billing, and location services. It is a service business with thin margins and a blanket bond of three years would tie up too much capital. The company services approximately 150 municipalities. They are open to amending the contract language to include an orderly transition if the Company is fired. He mentioned that the percentage of rereads in the bid documents seemed high and that the usual rate is less than 1%. He explained that the readers get paid a piece rate for the reads they perform and do not get paid if they make a mistake. The difference in pricing with the rereads is that while the original reads follow an orderly route, rereads are all over the map.

Council discussed the necessity of a performance bond, changing the parameters on the computer programming so that there are fewer City-initiated rereads, automated meter reading, and adding stipulations to the contract language such as a severance or penalty provision as well as a termination clause. Council was of the consensus to approve the ordinance with the stipulation that an exit clause that is acceptable to the City Manager be negotiated within 30 days or the ordinance will be brought back to Council. Further, Council directed staff to look at performing a cost-benefit analysis on automated meter reading and upgrading the City's software.

Motioned by Councilman Champney, seconded by Councilman Turner, to approve 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 subject to an exit clause agreeable to the City Manager as stipulated subject to the approval of the City Manager within the next 30 days or it will be brought back to Council.

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

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.

This item was approved by consent.

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

This item was approved by consent.

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.

This item was approved by consent.

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.

This item was approved by consent.

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.

This item was approved by consent.

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

This item was approved by consent. Tom Jacobsen was named the Vice-Chairperson.

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

✓ **Animal Control Board- Councilman Griffin**

Councilman Griffin reported that the Board continues to work towards combining with the Animal Shelter Advisory Board. This should be presented to Council in March for review.

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

No report was given.

✓ **Beautification Commission- Councilman Turner**

Councilman Turner reported that 72 of 77 plots have been leased at the community garden. Chunk Your Junk Day is scheduled for Saturday, March 24 from 8:00 a.m. to 11 a.m. at the Meadowpark ball fields. Citizens can go to the City's website to get specifics on what items they can bring. The Crud Cruiser is scheduled for Saturday, April 21 from 9:00 a.m. to 11:00 a.m., also at the Meadowpark ball fields.

✓ **Community Affairs Commission- Councilman Fisher**

Councilman Fisher reminded citizens about the Energy Smart Fair which will be held on April 14 at the Library. It is a sold-out show with speakers and vendors informing people on how to be energy smart.

✓ **Cultural Commission- Councilman Champney**

Councilman Champney reported that the Commission met the previous night. They continue to move forward with the planning process and will be visiting sites identified by the Commission members to explore possibilities that may be appropriate for Bedford. These include the Levitt Pavilion in Arlington and a culture center in Dallas. There was also discussion on how the Cultural District abuts and works with the new Central Bedford Development Plan. He mentioned that Alicia McGlinchey is doing an excellent job as Chairperson.

✓ **Investment Committee- Councilman Savage**

Councilman Savage reported that there is not a lot of movement financially. The City does have a large block of funds available and are looking into some CDs that show movement in the right direction. There has been very little change in overall earnings and interest rates are still poor.

✓ **Library Board- Councilman Brown**

No report was given.

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

Councilman Griffin reported that the Board will meet this week and are finalizing their proposal for a dog park to bring to Council.

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

No report was given.

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

Councilman Griffin reported that the Board will be meeting this week and are working on finalizing the details for the Teen Court Banquet.

20. Council member reports

Councilman Brown commended the City employees who manned the City booth at the HEB Chamber Expo.

21. City Manager report

City Manager Beverly Griffith invited citizens to attend a public open house on Tuesday, March 20 from 7:00 p.m. to 9:00 p.m. at the Library regarding the Central Bedford Development Zone Plan.

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

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

ADJOURNMENT

Mayor Story adjourned the meeting at 8:41 p.m.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary



Council Agenda Background

PRESENTER: William Syblon, Development Director
Kim Kyongnam, U-Haul (Isis Bridal)

DATE: 03/13/12

Council Mission Area: Foster economic growth.

ITEM:

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 28, 2012 Council Meeting.)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

This property is zoned for retail business and currently is being used as such. The applicant is proposing to add a U-Haul dealership to this site. This use requires a Specific Use Permit for retail services with outside storage.

The U-Haul dealership will not occupy dedicated building space, but will be an accessory use to the existing principal retail use.

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 following condition: the applicant meets the landscaping requirement as indicated on the site plan.

This item was tabled at the February 14, 2012 Council Meeting to allow the applicant time to revise the site plan. Specific revisions requested by the City Council include the following:

1. Indicate the number of parking spaces required, provided, and dedicated to storage of rental trucks and equipment.
2. Provide a note indicating the facilities of the existing business will be common use with the new proposed use. No administrative office will be dedicated for the new use.
3. Provide a note indicating no repair or maintenance will be effected on the vehicles, with the exception of normal vehicle maintenance (tire change, light changes, etc)
4. Indicate the maximum number of trucks expected to be located on the site. Show areas that are dedicated to the storage of vehicles and trailers.
5. Indicate where the required and excess parking spaces are located. Also, where spaces are dedicated to the storage use.
6. Show where the landscaping is proposed. Indicate where trees are being replaced. Provide a detailed landscape plan showing where and what is planned. (Landscape calculations do not include the recently acquired right-of-way by TXDOT).
7. Indicate the location of any proposed signage.

The applicant requested to table this application to the March 13, 2012 City Council meeting to allow time to scale the site plan, and clearly indicate the items that were requested.

Signage is not approved along with the specific use consideration. Any new signage may only be permitted at this location after a permit is applied for and reviewed by staff.

All the requested revisions have been addressed. The landscaping meets or exceeds the zoning requirements; however, the tables indicating square footage on the site plan are incorrect. Revised materials will be provided to Council prior to approval of this item.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance to rezone property known as Lot Tract 3A, Block 15, Stonegate Addition from Light Commercial to Heavy Commercial/Specific Use Permit/Rental Services with Outside Storage. (Z-214)

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance
January 26, 2012 Planning & Zoning Minutes
Zoning Change Application
Zoning Map of Referenced Property
8 1/2 x 11 drawings

ORDINANCE NO. 12-

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, SPECIFICALLY FOR THE OPERATION OF A U-HAUL DEALERSHIP; 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-214)

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 Tract 3A, Block 15, Stonegate Addition from Light Commercial to Heavy Commercial/Specific Use Permit/Rental Services with Outside Storage, for the allowance of a U-Haul Dealership to operate. The property is generally located south of State Highway 183 and east of Brown Trail.

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 Tract 3A, Block 15, Stonegate Addition located in the City of Bedford, Tarrant County, Texas, shall be shown as Heavy Commercial/Specific Use Permit/Rental Services with Outside Storage (for the use and operation of a U-Haul Enterprise) 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: The applicant meets the landscaping requirement as indicated on the site plan.

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 Heavy Commercial/Specific Use Permit/Rental Services with Outside Storage (for the use and operation of a U-Haul Dealership).

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

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

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

ORDINANCE NO. 12-

PRESENTED AND PASSED this 13th day of March 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.**

**City of Bedford
Change of Zoning Application**

P&Z MTG, 1/26/12

Z-214

Received 1/5/12

Applicant Name (Print): Kyongnam Kim (*Signature): Kyongnam Kim

Address: 404 Airport Fwy Bedford, Tx 76022

Telephone number: 972-255-8550 Fax number: _____

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

From: L To: H/SUP/RENTAL SERVICES w/ OUTSIDE STORAGE

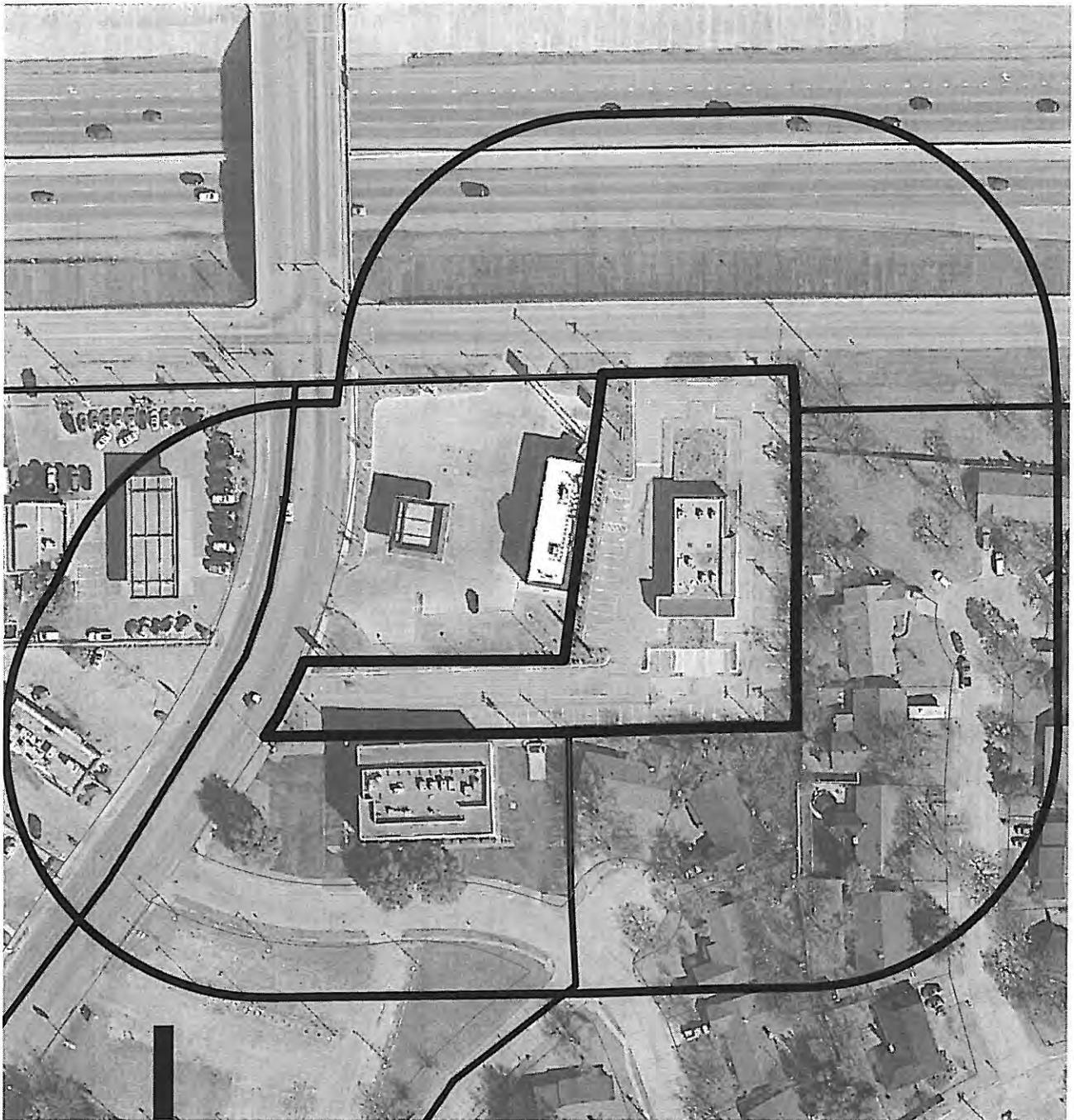
as provided in the City of Bedford Zoning Ordinance. I hereby certify that there are no existing dwellings or other buildings located on the property which would not conform to the construction standards, of the zoning classification being proposed, except as provided in Section 2.3, Nonconforming Lots,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

Legal Description: Lots 3A Block 15 Addition Stone gate
Tract _____ Abstract _____ Survey _____ to the City of Bedford, Texas.
Street Address 404 Airport Fwy Bedford, TX 76022

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)

Owner(if not applicant): (*Signature)	Developer: (*Signature) <u>CHARLES SIMONS</u>
(Print name) <u>Kyongnam Kim</u>	(Print name) <u>972/322-3006</u>
(Company name) <u>UHAUL</u>	(Company name)
(Street Address, City, State & Zip Code) <u>404 Airport Fwy Bedford, TX 76022</u>	(Street Address, City, State & Zip Code,)
(Telephone number) (FAX number)	(Telephone number) (FAX number)
Land Planner/Engineer: (*Signature)	Surveyor: (*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 "→".) Kyongnam Kim 4



Hearing Date: 01-26-12 Z-214

Address:
404 Airport Freeway
Bedford, TX 76022

Legal Description:
Lot 3A, Block 15, Stonegate Addition-Bedford

City of Bedford, Texas



-  Parcel Boundary
-  Subject Parcel and Buffer

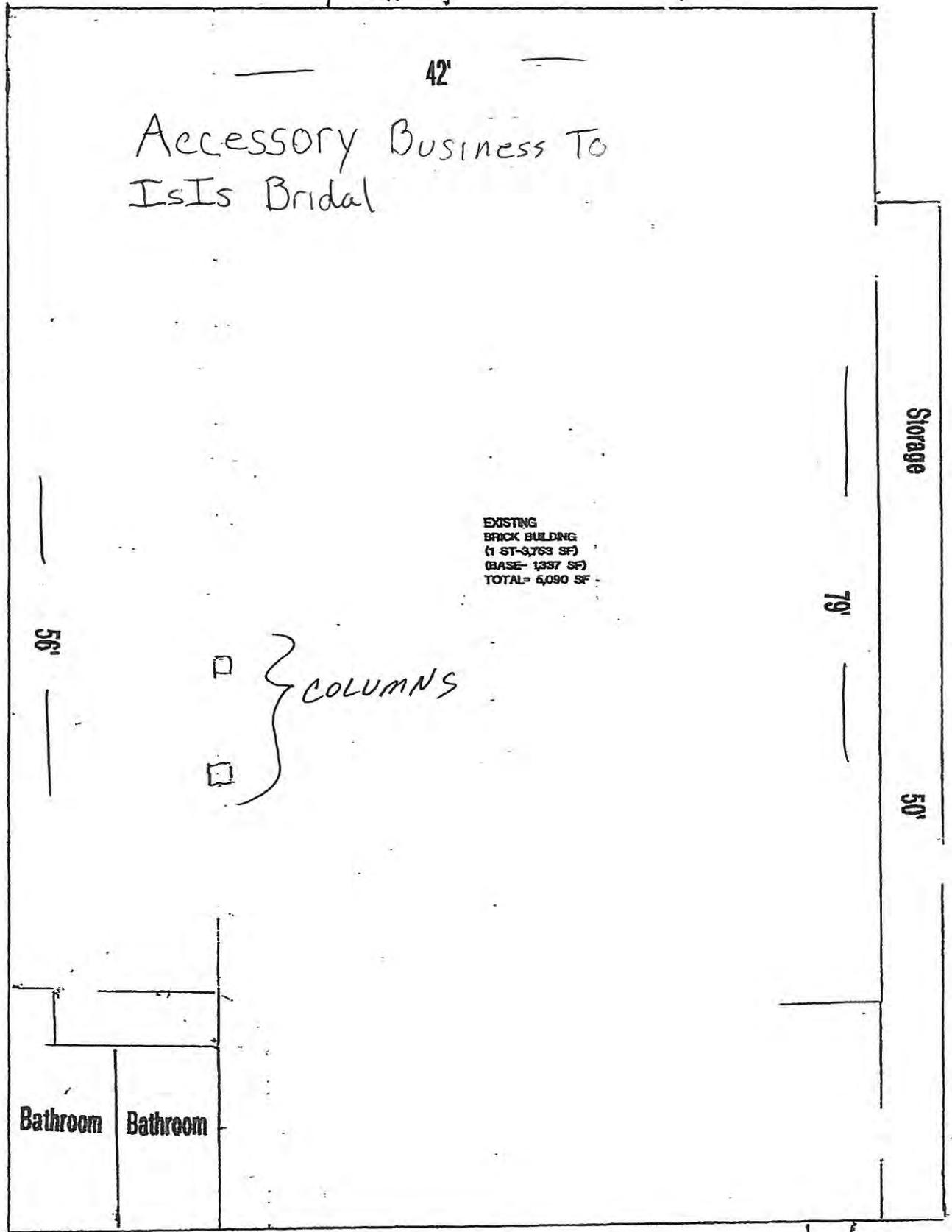
DISCLAIMER
The City of Bedford makes no representation or warranty as to the accuracy of this map and its information or to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further agrees to not hold the 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.

UHAUL

P&Z MTG, 1/26/12

Z-214

Received 1/5/12



UHAUL FLOOR PLAN

ISIS A-Z BRIDAL FORMAL/ U-HAUL DEALERSHIP

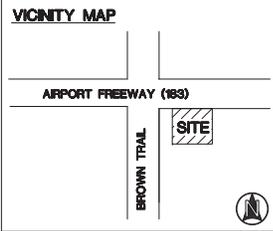
404 AIRPORT FREEWAY, BEDFORD, TEXAS 76052



PREPARED BY
BEAR DESIGN-BUILD
2000 VILLA CROSS DR. #112, DALLAS, TX 75234
TEL: 480-288-7038

PROPERTY OWNER
KYONG-HAM KIM
3800 BLOCK 52, 8424 FARMING TX 76098
TEL: 972-525-0202

TENANT
ISIS A-Z BRIDAL FORMAL
404 AIRPORT FREEWAY, BEDFORD, TX 76052
TEL: 972-507-8800



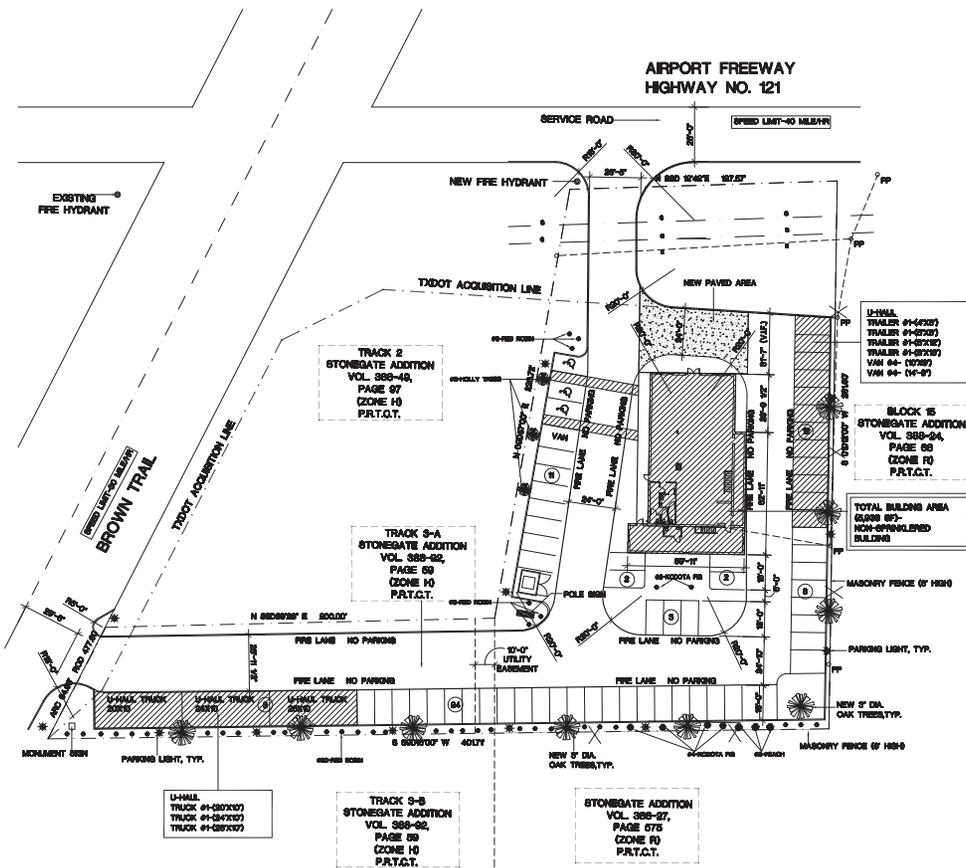
CODE ANALYSIS

1. BUILDING- 6,938 SF					
SUITE #	USE	SF.	PARKING REQ'D	PARKING PROV'D	
--	ISIS A-Z BRIDAL FORMAL	GENERAL MERCHANDISE	5,938	24 (0.250)	50
--	U-HAUL	--	--	--	15
SUB-TOTAL		5,938	24		65

SITE: 41362 SF (1.087 ACRES)
GROSS BUILDING AREA: 5,938 SF
IMPERVIOUS AREA: 41,424 SF
TOTAL PARKING REQ'D FOR RETAIL: 24 STALLS
TOTAL PARKING PROVIDED FOR RETAIL: 50 STALLS
TOTAL ADDITIONAL PARKING PROVIDED FOR U-HAUL: 15 STALLS
TOTAL HANDICAPPED PARKING REQ'D: 3 STALLS
TOTAL HANDICAPPED PARKING PROV'D: 3 STALLS INCLUDING #1-VAN ACCESSIBLE

LANDSCAPE SUMMARY

- LANDSCAPE AREA: 20% OF SITE REQ'D= 41362 SQ FT= 1412 SF
 - LANDSCAPE PROVIDED- EXISTING (1122 SF) - (1,150 SF SHORT)-ADD #4- DIA. OAK TREES- EXISTING EXTRA #1 PROV'D
- EXISTING TREES PROVIDED= RED ROBIN FOTINA (#2) + HOLLY TREES (#3) + PEACH (#5)- KADOTA F16 (#6)
TOTAL 1,150 SF LANDSCAPE SHORT- NEW TREES SHALL BE PROVIDED: #1 MIN. 3" DIA. OAK TREES (#1- 3" DIA. TREE= 200 SF)



NOTICE: FACILITIES OF THE EXISTING BUSINESS WILL BE COMMON USE WITH THE NEW PROPOSED USE. NO ADMINISTRATIVE OFFICE WILL BE DESIGNATED FOR THE NEW USE. NO REPAIR OR MAINTENANCE WILL BE APPROVED ON THE VEHICLES WITH THE EXCEPTION OF NORMAL VEHICLE MAINTENANCE (TIRE CHANGES, LIGHT CHANGES, ETC.)

01 SITE PLAN

1"=30'

APPROVED SEAL

APPROVED SEAL
NO. 0000000000, J. JOHN S. WIL, PE 00000

#	DATE	REVISION
--	05/01/20	SAP DOCUMENT
--	--	--

ISIS A-Z
BRIDAL FORMAL
/ U-HAUL
DEALERSHIP
BEDFORD, TX

SITE PLAN

SP-1
2/2020-19
JOB NO. 0187



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. (Tabled at the February 28, 2012 Council Meeting.)

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. This item was tabled at the February 14 and February 28 Council meetings to make further amendments and additions to the 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. Two sign types have been added to this section. Those sign types include a horizontal banner and a sidewalk vertical banner. A maximum area and height have been included for both. Signs will be 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 Bedford, Texas deems it necessary, in order to provide for the health, safety, and general welfare of the residents of the City of Bedford, to establish the provisions of this ordinance regarding the regulation of signs as authorized by the State of Texas; and,

WHEREAS, the City Council of Bedford, Texas has established regulations for signs, in *Chapter 6, Advertising, Article III-Signs, of the Code of Ordinances*, 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 Bedford, Texas 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 13th day of March, 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

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.

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.](#)

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.

Sidewalk Vertical Banner: [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 to a horizontal support at the top and the bottom of the banner, securing it to the rod. This banner is not considered as being a swooper flag.](#)

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.](#)

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.](#)

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.

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.
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.
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. A sidewalk vertical banner may be used. The sidewalk vertical banner, including frame, shall not exceed twenty-six (26) inches in width and ten (10) feet in total height.
3. At his/her discretion, the building official may defer such approval to the Buildings and Standards Commission.
4. 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.

Section 6-71. PERMANENT SIGNS

PERMANENT SIGNS					
TYPE OF SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT & CLEARANCE	NUMBER OF SIGNS	REQUIREMENTS**
Primary Wall Sign (Attached)	Non-residential* “S”, “L”, “H” & “I”	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.
Secondary Wall Sign (Attached)	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
Freestanding Freeway Pole	Non-residential “S”, “L”, “H” & “I” (in “HC” must be within 25’ of frontage road)	200-300 s.f. each side	50-65 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
Freestanding Freeway Pylon	Non-residential* “S”, “L”, “H” & “I” (in “HC” must be within 25’ of frontage road)	200-300 s.f. per tenant <u>per parcel</u> not to exceed the maximum height & clearance regulation	50-65 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.;
Freestanding Non-Freeway Pole	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
Freestanding Non-Freeway Pylon	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.;

PERMANENT SIGNS

TYPE OF SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT & CLEARANCE	NUMBER OF SIGNS	REQUIREMENTS**
Message Board	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
Freestanding Monument	Non-residential* “S”, “L”, “H”, & “T”	75 sq. ft.	7 feet	1 (either pole or monument) per street frontage, 2 max	Lighting allowed
Canopy (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
Mural	Non-residential* “S”, “L”, “H” & “T”	Not applicable	Not applicable	Not applicable	No name, logo, text or slogan. Murals are considered <u>Art</u> , not advertising
Enclosed Frame/Changeable Copy	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
Multifamily Entry Monument	Multifamily: all MD & MF	75 s.f.	7 ft.	1 per “main” entrance	Lighting allowed
Subdivision Entry Monument	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

TEMPORARY SIGNS						
TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
Portable	Yes	Non-residential* “S”, “L”, “H” & “T”	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
Horizontal Banner	Yes	Non-residential* “S”, “L”, “H” & “T”	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
Vertical Banner	Yes, per each change out	Non-residential* “S”, “L”, “H” & “T”	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
New Business “Coming Soon”	Yes	Non-residential* “S”, “L”, “H” & “T”	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
New Business “Now Open”	Yes	Non-residential* “S”, “L”, “H” & “T”	50 s.f.	Highest point of roof, Attached to building	30 days from C.O.	Must be affixed to store front
Pennants	Yes	MF & Non-residential* “S”, “L”, “H” & “T”	Not applicable	Highest point of roof	During event	Only during approved Special Events or Grand Openings

TEMPORARY SIGNS

TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAX HEIGHT & CLEARANCE	TIME LIMIT	REQUIREMENTS**
Balloons 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
Inflatable objects	Yes	MF & Non-residential* “S”, “L”, “H” & “I”	Not applicable	25 ft.	During event	Only during approved Special Events or Grand Openings
Window	No	Non-residential* “S”, “L”, “H” & “I”	25% of window area	Not applicable	Not applicable	Enclosed frame/changeable copy signs encouraged
Vehicle	No	Not applicable	Not applicable	Not applicable	Not applicable	See Section 6-70
Weekend Builders Advertising	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
Open House Advertising	Yes	All	4 s.f.	3 ft	Signs can be displayed one hour before and removed within an hour after the “Open House.”	Open houses can be Saturday and Sunday ONLY. A maximum of 5 signs in addition to 1 on premise sign allowed Signs must say, “Open House” with a directional arrow and the company name, logo, and/or home address. Permit sticker must be attached to the signs.
Rent or Lease	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”.

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

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.

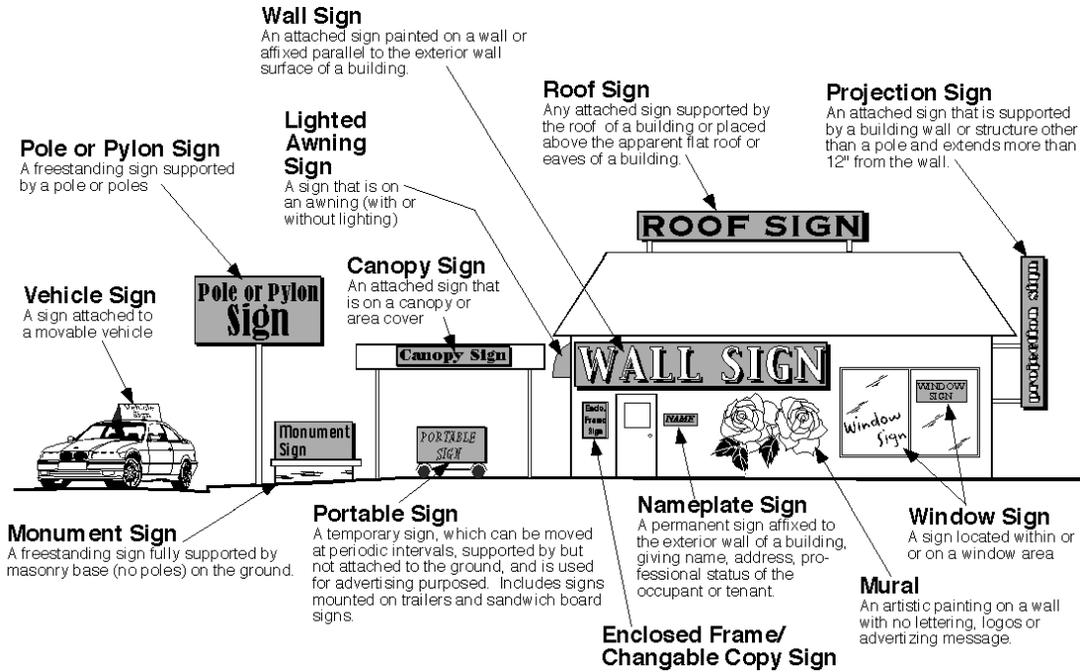
- (a) Traffic control signs erected by the City or state.
- (b) Directional signs less than four square feet (4 s.f.) in area and less than three feet (3') in height.
- (c) Menu board signs for drive-thru lanes at restaurants.
- (d) Gasoline pricing signs less than fifteen square feet (15 s.f.)
- (e) 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

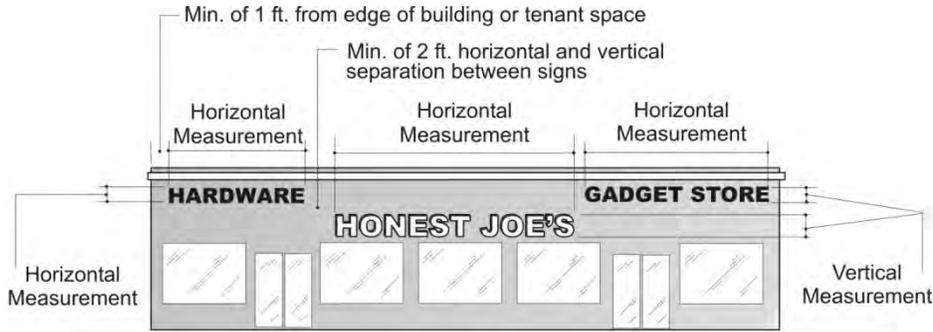
- (a) Off-Premises advertising sign (billboard), except as otherwise permitted.
- (b) Roof signs, however, signs are allowed on building towers or other architectural features of the building.
- (c) Projecting signs (signs projecting more than 12" from the wall to which it is attached).
- (d) Search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

Sign Types Graphic

Sign Graphics

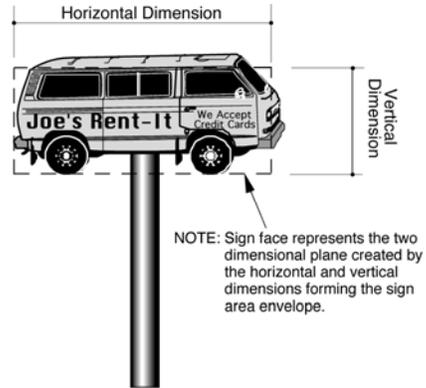
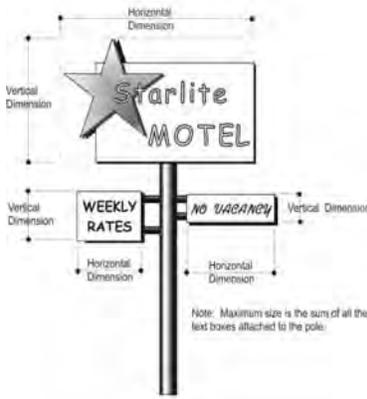
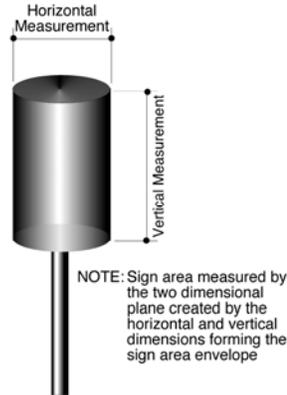
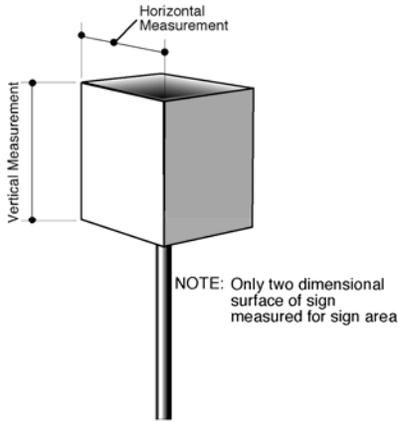


Wall Sign Example

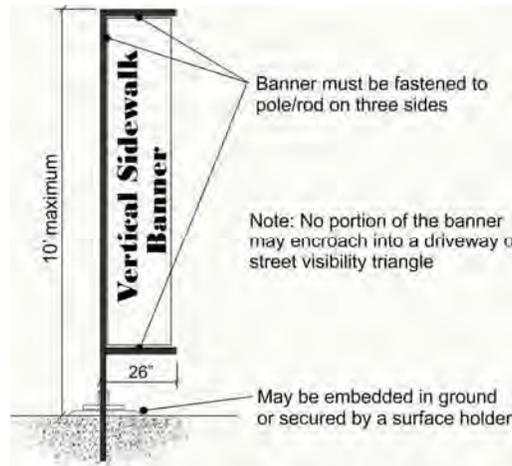


NOTE: Two sq.ft. of sign area for each one linear foot of store front or tenant front

Pole Sign Measurement Examples



Sidewalk Vertical Banner





Council Agenda Background

PRESENTER: William Syblon, Development Director
Pastor Luis Perez of Break Free Church

DATE: 03/13/12

Council Mission Area: Foster economic growth.

ITEM:

Public hearing and consider an ordinance to rezone a portion of property known as Lots 1B and 2A1 Harwood Village Shopping Center Addition, Suite A from Heavy Commercial to Heavy Commercial/Specific Use Permit/Church. The property is generally located south of Harwood Road and west of Brown Trail. (Z-216)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The applicant is proposing to occupy a 1,800 square foot lease space in an existing shopping center for the operation of a religious institution, (a church). The church will utilize parking as provided by the shopping center under its original approved site plan. The parking demands of the church will be during hours where the majority of other users are not in operation. There are no exterior changes being made to the existing structure.

The Planning and Zoning Commission recommended approval of this item at their February 23, 2012 meeting, by a vote of 5-0-0.

Revised material was received satisfying conditions of the Planning and Zoning Commission. There were no other outstanding issues identified relative to the City of Bedford Zoning Ordinance.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance to rezone a portion of property known as Lots 1B and 2A1 Harwood Village Shopping Center Addition, Suite A from Heavy Commercial to Heavy Commercial/Specific Use Permit/Church. (Z-216)

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance
February 23, 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 LOTS 1B AND 2A1 HARWOOD VILLAGE SHOPPING CENTER ADDITION, SUITE A FROM HEAVY COMMERCIAL TO HEAVY COMMERCIAL/SPECIFIC USE PERMIT/CHURCH, SPECIFICALLY FOR THE OPERATION OF BREAK FREE CHURCH; 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-216)

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 Lots 1B and 2A1 Harwood Village Shopping Center Addition, Suite A from Heavy Commercial to Heavy Commercial/Specific Use Permit/Church. The property is generally located south of Harwood Road and west of Brown Trail.

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 Lots 1B and 2A1 Harwood Village Shopping Center Addition, Suite A located in the City of Bedford, Tarrant County, Texas, shall be shown Heavy Commercial/Specific Use Permit/Church (for the use and operation of Break Fee Church) 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 from and after the final passage of this ordinance the land described herein shall be subject to the regulations and uses of to Heavy Commercial/Specific Use Permit/Church (for the use and operation of Break Free Church),

SECTION 4. That this ordinance shall be cumulative of all provisions of other ordinances of the City of Bedford, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting revisions of such ordinances are hereby repealed.

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

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

ORDINANCE NO. 12-

PRESENTED AND PASSED this 13th day of March 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 FEBRUARY 23, 2012**

DRAFT

INVOCATION

Commissioner Reese gave tonight's invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

1. **Consider approval of the following Planning and Zoning Commission meeting minutes:**
 - a) **January 26, 2012.**

Motion: Commissioner Henning made a motion to approve the meeting minutes of January 26, 2012, correct as written.

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

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

PUBLIC HEARING

2. **Zoning Case Z-216, public hearing and consider a request of Luis Perez for Break Free Church to rezone a portion of property known as Lots 1B and 2A1 Harwood Village Shopping Center Addition, Suite A from Heavy Commercial to Heavy Commercial/Specific Use Permit/Church. The property is generally located south of Harwood Road and west of Brown Trail.**

Acting Chairman Stroope recognized Consultant City Planner Dan Boutwell who reviewed Zoning Case Z-216.

Acting Chairman Stroope recognized Luis Perez, 901 Lee Drive, Bedford, Texas who was there to represent this application.

Acting Chairman Stroope opened the public hearing at 7:08 p.m. and there being no one to speak, closed the public hearing at 7:08 p.m.

The Commission discussed the application.

Motion: Commissioner Smeltzer made a motion to approve Zoning Case Z-216.

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

Motion approved 5-0-0. Acting Chairman Stroope declared the motion approved.

City of Bedford Change of Zoning Application

Applicant Name (Print): Luis F. Perez (*Signature): [Signature]

Address: 508 Harwood Rd. Suite A, Bedford, TX 76021

Telephone number: 682-667-7025 Fax number: 972-291-0726

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

From: H

To: H/SUP/CHURCH

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 13 Block 2A Addition HARWOOD VILLAGE SHOPPING CENTER
Tract _____ Abstract _____ Survey _____ to the City of Bedford, Texas.
Street Address 508 HARWOOD RD, SUITE A

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)

Owner (if not applicant): (*Signature) [Signature]
(Print name) VICTOR LE
(Company name) S LAKES LLC
(Street Address, City, State & Zip Code) 508-A HARWOOD RD TX 76021
(Telephone number) 817-754-0022 (FAX number)

Developer: (*Signature) _____
(Print name) _____
(Company name) _____
(Street Address, City, State & Zip Code,) _____
(Telephone number) _____ (FAX number)

Land Planner/Engineer: (*Signature) _____
(Print Name) _____
(Company Name) _____
(Street Address, City, State & Zip Code,) _____
(Telephone number) _____ (FAX number)

Surveyor: (*Signature) _____
(Print Name) _____
(Company Name) _____
(Street Address, City, State & Zip Code,) _____
(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 "⇨".)



BreakFree Church was founded by Pastor Luis & Michelle Pérez

We currently have 17 members (not including children 11yrs old or younger)

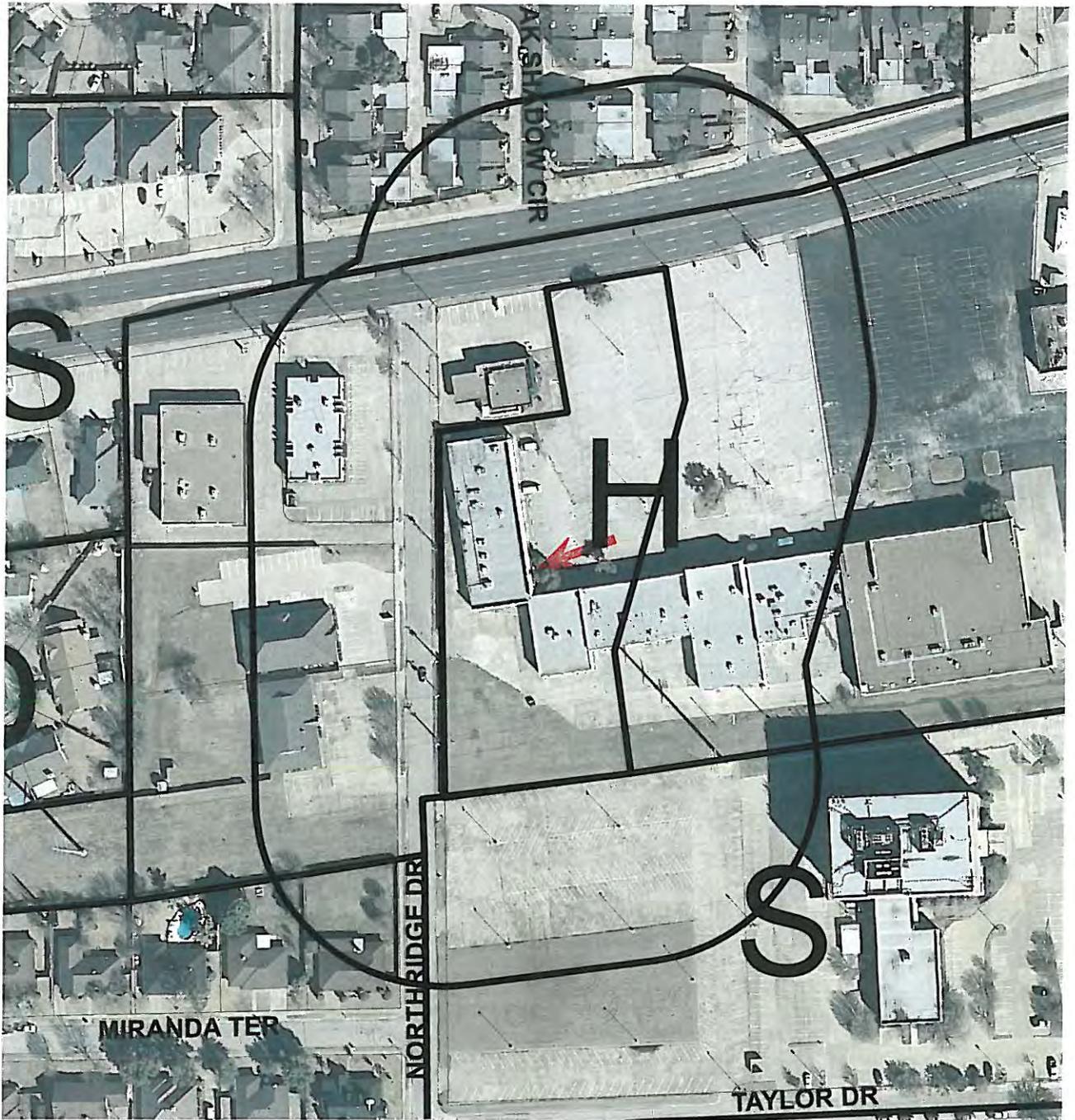
Our weekly meeting schedule includes the following:

Sunday Worship	Sunday 11am
Children School	Sunday 11am
Staff Meeting	Tuesday 7:30pm
Bible Study	Wednesday 7:30pm
Youth Fellowship	Friday 7:30pm
Worship Rehearsal	Saturday 4:00pm

Zoning Request: Z-216 H/SUP/CHURCH

Lease space "A" : 1800SQFT.

Point of Contact: Pastor Luis Perez 682-667-7025 / pastor@break-freechurch.com



City of Bedford, Texas

Hearing 2-23-12 Z-216

Address: 508 HARWOOD ROAD, STE. A
 Addition: SHADY OAKS EAST ADDITION
 Bedford, TX 76021

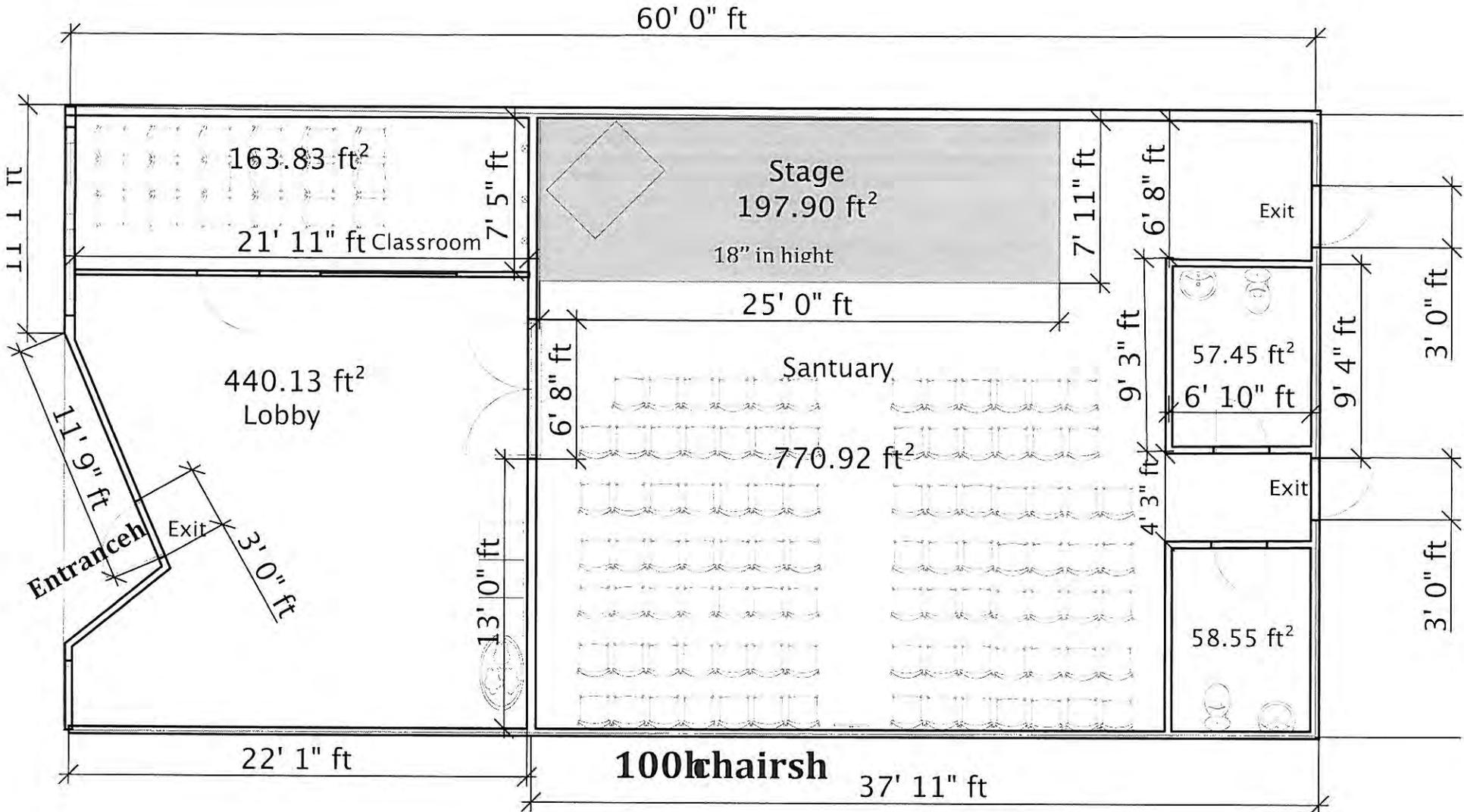
Lots: 1B and 2A1



-  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.

FLOOR PLAN



P&Z MTG, 2/23/12
 Z-216
 Revised Material
 Received 2/21/12

Proposed Property
 508-A Hardwood Rd
 Bedford, TX 76021

BreakFree Church
 901 Lee Drive
 Bedford, TX 76022
 Tel: (682) 667-7025



Square footage is approximate. Parking spaces : 195

P&Z MTG, 2/23/12
Z-216
Received 2/7/12

Proposed Property 508-A Hardwood Rd Bedford, TX 76021	BreakFree Church 901 Lee Drive Bedford, TX 76022 Tel: (682) 667-7025
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Council Agenda Background

PRESENTER: William Syblon, Development Director
Brian Trennepohl for Three Cousins Cycles

DATE: 03/13/12

Council Mission Area: Foster economic growth.

ITEM:

Public hearing and consider an ordinance to rezone a portion of Lot 1A, Block C, Jefferson Glenn Addition from Planned Unit Development to Amended Planned Unit Development/ Motorcycle and Motor Scooter Sales and Service. The property is generally located west of State Highway 121 and south of Bedford Road. (Z-217)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The applicant is proposing to modify an existing 878 square foot car wash facility, which is ancillary to the principal use as a convenience/gas station. The car wash is currently not in operation, and the applicant wishes to convert it into a retail motorcycle shop for retail parts, general repair, maintenance, and restoration. The applicant will not expand the existing structure. The applicant proposes to provide motorcycle parking, and add landscaping in the vicinity of the area dedicated to this new use.

The Planning and Zoning Commission recommended approval of this item at their February 23, 2012 meeting by a vote of 4-1-0 with the conditions: the site plan have the following two changes:

- The second item under site data to read “new proposed lease line”.
- Under landscaping: describe the proposed landscaping in the area dedicated to this new use.

Revised material was received satisfying conditions of the Planning and Zoning Commission. There were no other outstanding issues identified relative to the City of Bedford Zoning Ordinance.

Signage is not approved along with the specific use consideration. Any new signage may only be permitted at this location after a permit is applied for and reviewed by staff.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance to rezone a portion of Lot 1A, Block C, Jefferson Glenn Addition from Planned Unit Development to Amended Planned Unit Development/ Motorcycle and Motor Scooter Sales and Service. (Z-217)

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance
February 23, 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 1A, BLOCK C, JEFFERSON GLENN ADDITION FROM PLANNED UNIT DEVELOPMENT TO AMENDED PLANNED UNIT DEVELOPMENT/ MOTORCYCLE AND MOTOR SCOOTER SALES AND SERVICE, SPECIFICALLY FOR THE OPERATION OF THREE COUSINS CYCLES; 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-217)

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 1A, Block C, Jefferson Glenn Addition from Planned Unit Development to Amended Planned Unit Development/ Motorcycle and Motor Scooter Sales and Service for the allowance of a Three Cousins Cycles to operate. The property is generally located west of State Highway 121 and south of Bedford 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 Lot 1A, Block C, Jefferson Glenn Addition 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 from and after the final passage of this ordinance the land described herein shall be subject to the regulations and uses to Amended Planned Unit Development/Motorcycle and Motor Scooter Sales and Service, (for the use and operation of Three Cousins Cycles).

SECTION 4. That this ordinance shall be cumulative of all provisions of other ordinances of the City of Bedford, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting revisions of such ordinances are hereby repealed.

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

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

PRESENTED AND PASSED this 13th day of March 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

ORDINANCE NO. 12-

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

PLANNING AND ZONING COMMISSION
MEETING MINUTES OF FEBRUARY 23, 2012

DRAFT

- 
3. **Zoning Case Z-217, public hearing and consider a request of Brian Trennepohl for Three Cousins Cycles to rezone a portion of Lot 1A, Block C, Jefferson Glenn Addition from Planned Unit Development to Amended Planned Unit Development/ Motorcycle and Motor Scooter Sales and Service. The property is generally located west of State Highway 121 and south of Bedford Road.**

Acting Chairman Stroope recognized Consultant City Planner Dan Boutwell who reviewed Zoning Case Z-217.

Acting Chairman Stroope recognized Brian Trennebohl, 7201 Yolanda Drive, Fort Worth, Texas who was there to represent this application.

Acting Chairman Stroope opened the public hearing at 7:16 p.m. and there being no one to speak, closed the public hearing at 7:16 p.m.

The Commission discussed the application.

Motion: Commissioner Smeltzer made a motion to approve Zoning Case Z-215 with the stipulations: The Site Plan have the following two changes made:

- The second item under site data to read "new proposed lease line".
- Under landscaping: describe the proposed landscaping in the area dedicated to this new use.

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

Ayes: Commissioners Reese, Smeltzer, Henning, Acting Chairman Stroope

Nays: Commissioner Sinisi

Abstentions: None

Motion approved 4-1-0. Acting Chairman Stroope declared the motion approved.

4. **Zoning Case Z-218, public hearing and consider a request of Pasang Lama for Party Sansar to rezone a portion of Lot 2, Block A-R, Monterrey Village Shopping Center Addition, Suite C from Heavy Commercial to Heavy Commercial/Specific Use Permit/Banquet and Meeting Facilities. The property is generally located north of Pipeline Road and east of Forest Ridge Drive.**

Acting Chairman Stroope recognized Consultant City Planner Dan Boutwell who reviewed Zoning Case Z-218.

Acting Chairman Stroope recognized Pasang Lama, 1501 E. Pipeline Road, Bedford, Texas who was there to represent this application.

Acting Chairman Stroope opened the public hearing at 7:41 p.m. and recognized the following people who were there to speak in opposition to this application:

**City of Bedford
Change of Zoning Application**

P&Z MTG, 2/23/12

Z-217

Received 2/7/12

Applicant Name (Print): BRIAN TRENNERPOLH (*Signature): [Signature]

Address: 7201 YOLANDA DRIVE, FORT WORTH 76112

Telephone number: 817-710-6234 Fax number: N/A

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

From: _____ To: MOTORCYCLE & MOTOR SCOOTER SALES & SERVICE

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 1A Block C Addition JEFFERSON GLEN
Tract _____ Abstract _____ Survey _____ to the City of Bedford, Texas.
Street Address 2001 MURPHY DRIVE

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)

Owner (if not applicant): (*Signature)	Developer: (*Signature)
(Print name) <u>ABID H MAJIK</u>	(Print name)
(Company name) <u>AA ADAM'S INC</u> <u>QUICKWAY FOODS</u>	(Company name)
(Street Address, City, State & Zip Code) <u>6751 E LANCASTER FORT WORTH</u>	(Street Address, City, State & Zip Code,)
(Telephone number) <u>817 4570058</u> (FAX number) <u>817 4570068</u>	(Telephone number) (FAX number)
Land Planner/Engineer: (*Signature)	Surveyor: (*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 "⇒".)



City of Bedford, Texas

Hearing Date: 2-23-12 Z-217
Address: 2001 Murphy Drive
Addition: JEFFERSON GLEN
Bedford, TX 76021

BLOCK: C, LOT: 1A



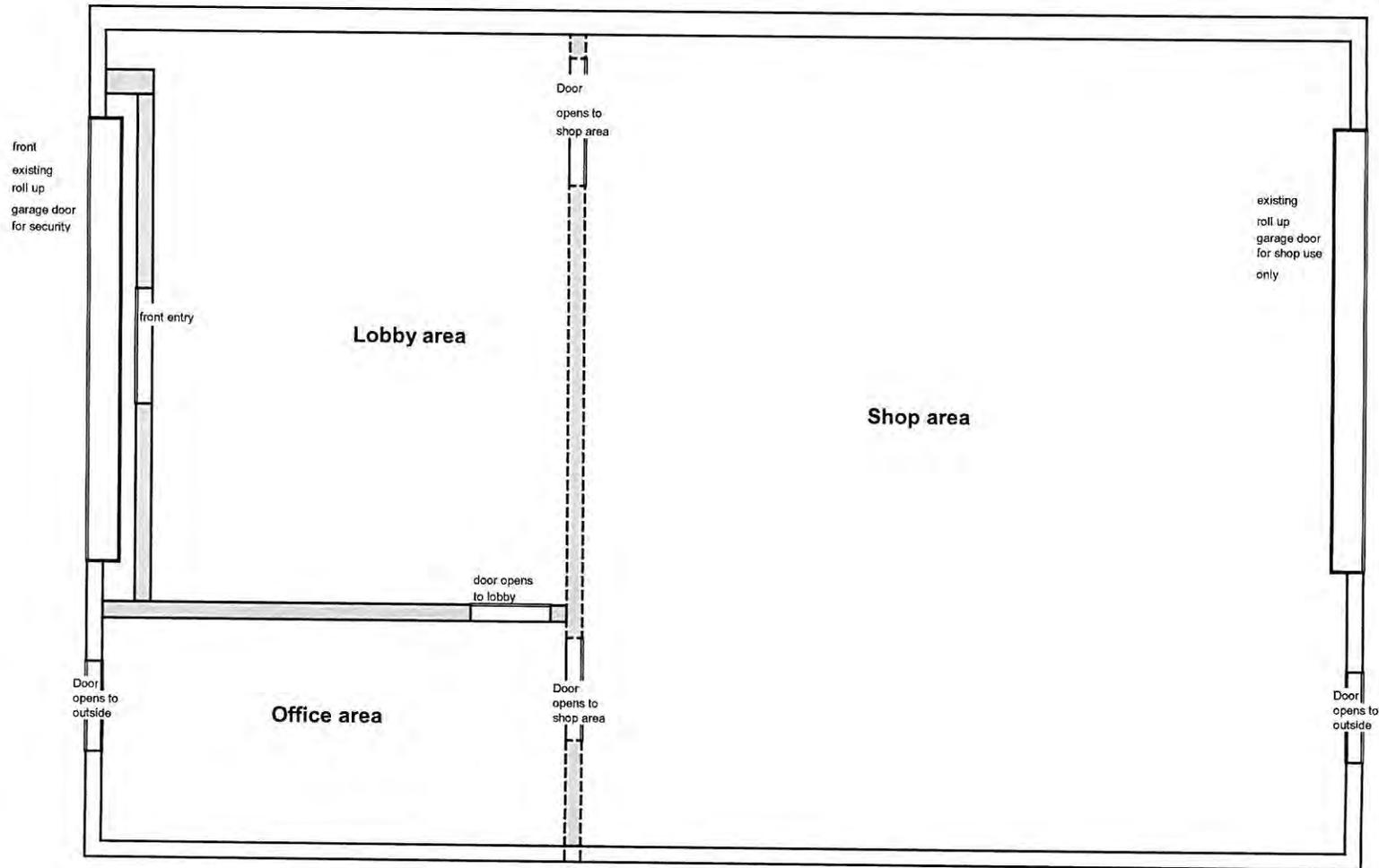
-  Parcel Boundary
-  Subject Parcel and Buffer

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.

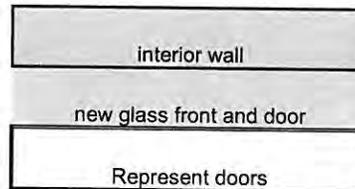
P&Z MTG, 2/23/12

Z-217

Received 2/7/12



Lobby area	15.50 X 14.50	224.75 sq. ft.
Shop area	23.00 X 24.00	552.00 sq. ft.
office area	7.00 X 14.50	101.50 sq. ft.

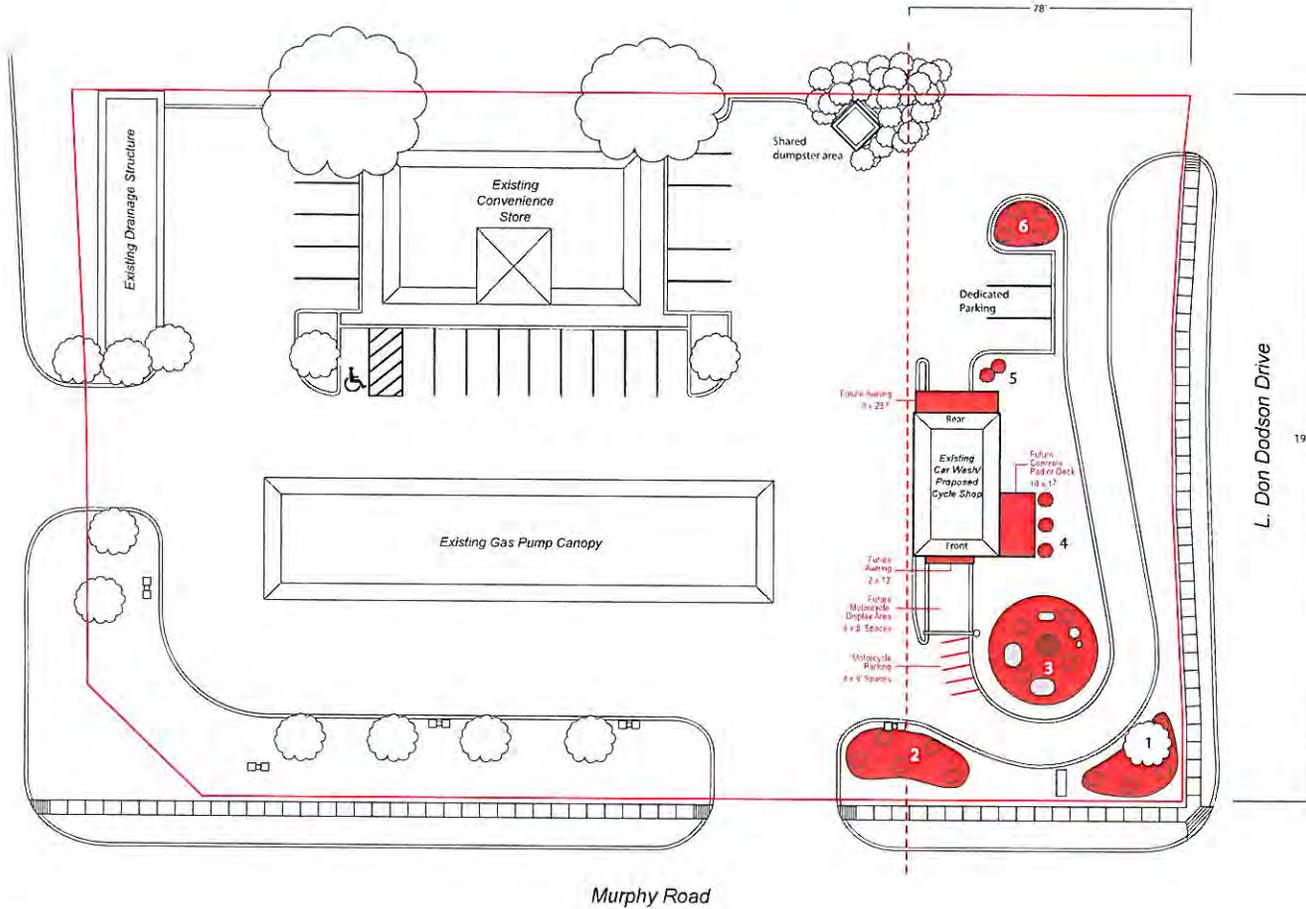


Floor plan
Three Cousins Cycles
2001 Murphy Drive
Bedford, Texas 76021

interior	878.25 sq.ft.
exterior	980 sq.ft.

SITE PLAN

3 Cousins Cycles
 2005 Murphy Road
 Bedford, Texas 76021



Site Data:

Red highlight within this site plan represents new additions to original site plan for gas station

Vertical Dash Line in Red represents proposed new proposed lease line for 2005 Murphy

Proposed new lease area would be approximately 78' X 195.5' = 14,955.75 sq ft = 343.3 acres

Overall height of the existing structure is 18'

Future proposed awnings for Front (max 2' x 12') and Rear (max 8' x 3.3') of building are illustrated

Future proposed concrete pad or deck on side of building for clients and employees is illustrated - 10' x 17'

Future proposed showroom area in front of building is illustrated

4 (four) Proposed motorcycle parking spots (4' x 8') are illustrated

3 (three) dedicated parking spots (9' x 16') near rear of building

Additional shared parking with 2001 Murphy

Shared dumpster facility with 2001 Murphy

Shared restroom facilities with 2001 Murphy

Proposed Landscaping:

- New proposed landscaping is shown in Red
- Create planter area near existing tree (1) with 4 Burford Holly bushes and mulch with shovel cut edges
- Create planter area with 5 Burford Holly bushes with mulch and shovel cut edges near front entrance / exit (2)
- Create planter area around and within existing roads shown in grey with 4 Burford Holly bushes surrounding a Crepe Myrtle with mulch and shovel cut edges (3)
- Add 3 Burford Holly bushes along the edge of future proposed concrete slab / deck (4)
- Add 2 Burford Holly bushes near back of building (5)
- Create planter area at rear of property near entrance / exit with Burford Holly bushes (6)

Exterior Paint / Color:

Existing colors include a grey standing seam roof, white walls and a grey border (matching the roof) 6"-1' high running along the bottom of the entire structure (documents showing these colors and paint scheme have been provided)

Proposing adding a red and black stripe (each color 6" high for a total of 1' high) running along the top of the walls directly under the roof line around the entire structure (documents showing this proposed change have been provided along with existing colors and paint scheme)

Signage:

Approximately a 4'x8' (24sq ft) sign will be added to the front and both sides of the building. No sign will be on the rear of the building.

The signage and location is clearly depicted on documents provided.

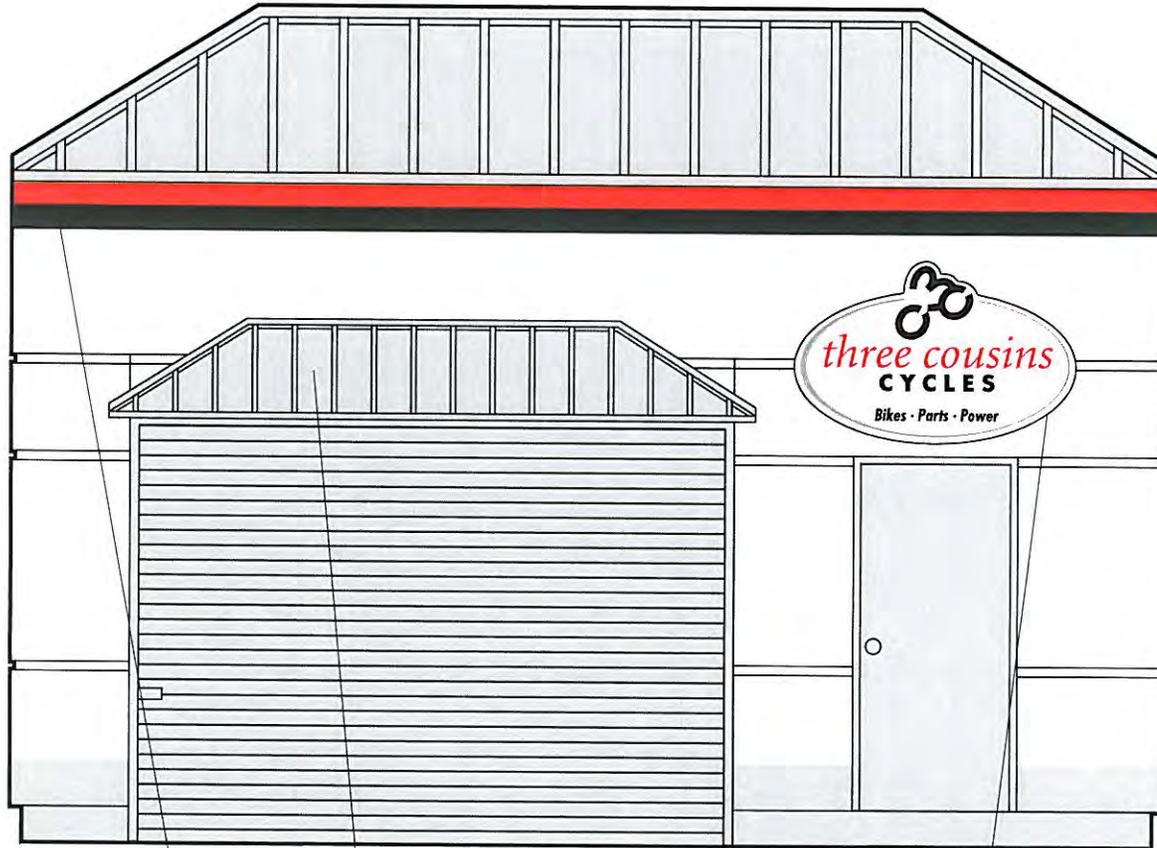
CITY COUNCIL MTG
 3/13/12
 Rec'd 2/27/12
 Z-217



P&Z MTG, 2/23/12
Z-217
Revised Material
Received 2/21/12

EXISTING

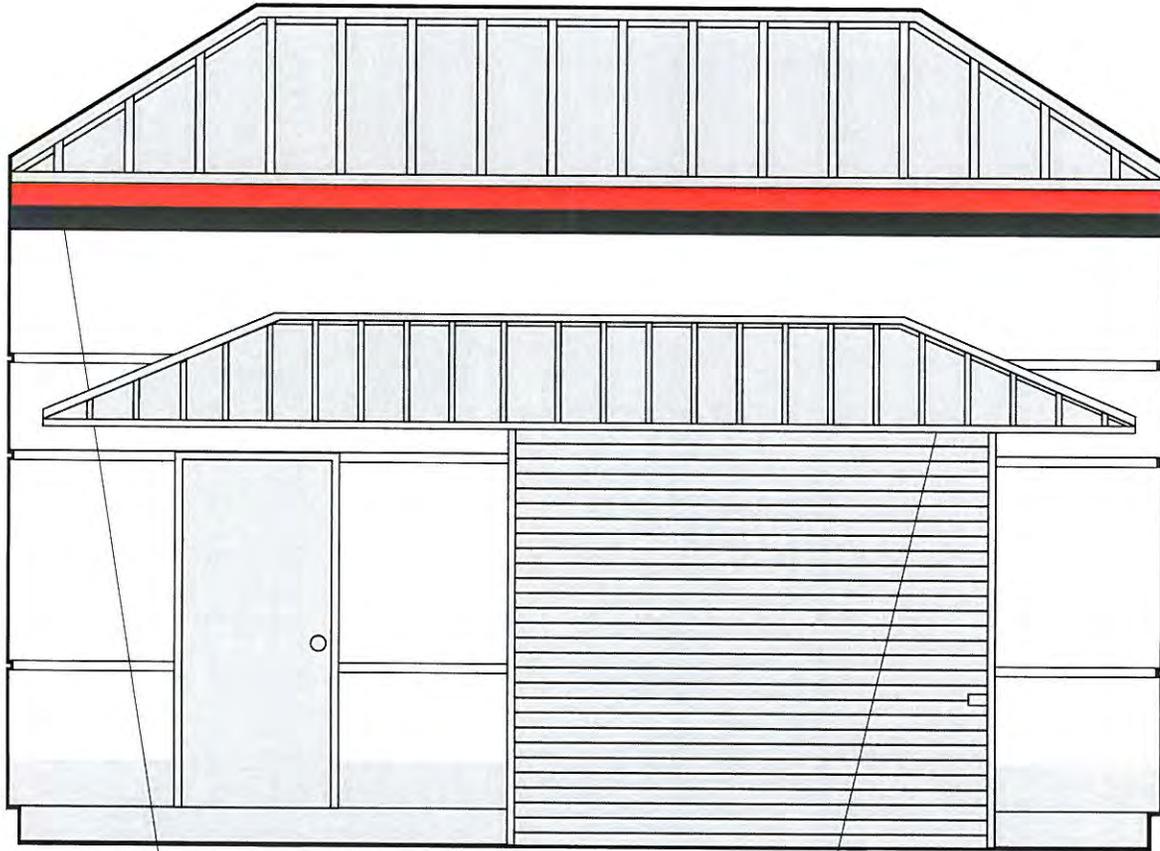
P&Z MTG, 2/23/12
Z-217
Revised Material
Received 2/21/12



Front side

Red and Black stripe to be added - all other paint and colors are existing
Shown with a proposed future awning
Shown with proposed new signage - under 24sq ft, approx 3.8'x5.7'
All other paint colors and paint schemes are existing - Grey and White

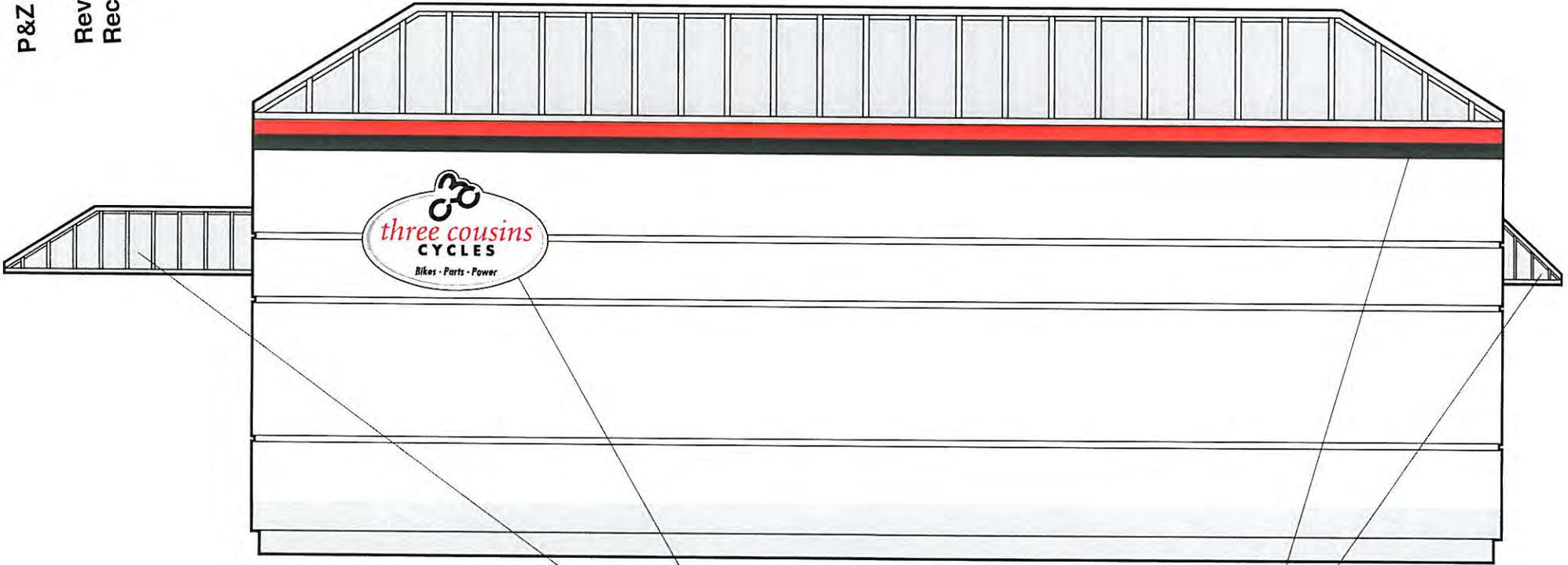
P&Z MTG, 2/23/12
Z-217
Revised Material
Received 2/21/12



Back service side

Red and Black stripe to be added - all other paint and colors are existing
Shown with proposed future awning
All other paint colors and paint schemes are existing - Grey and White

P&Z MTG, 2/23/12
Z-217
Revised Material
Received 2/21/12



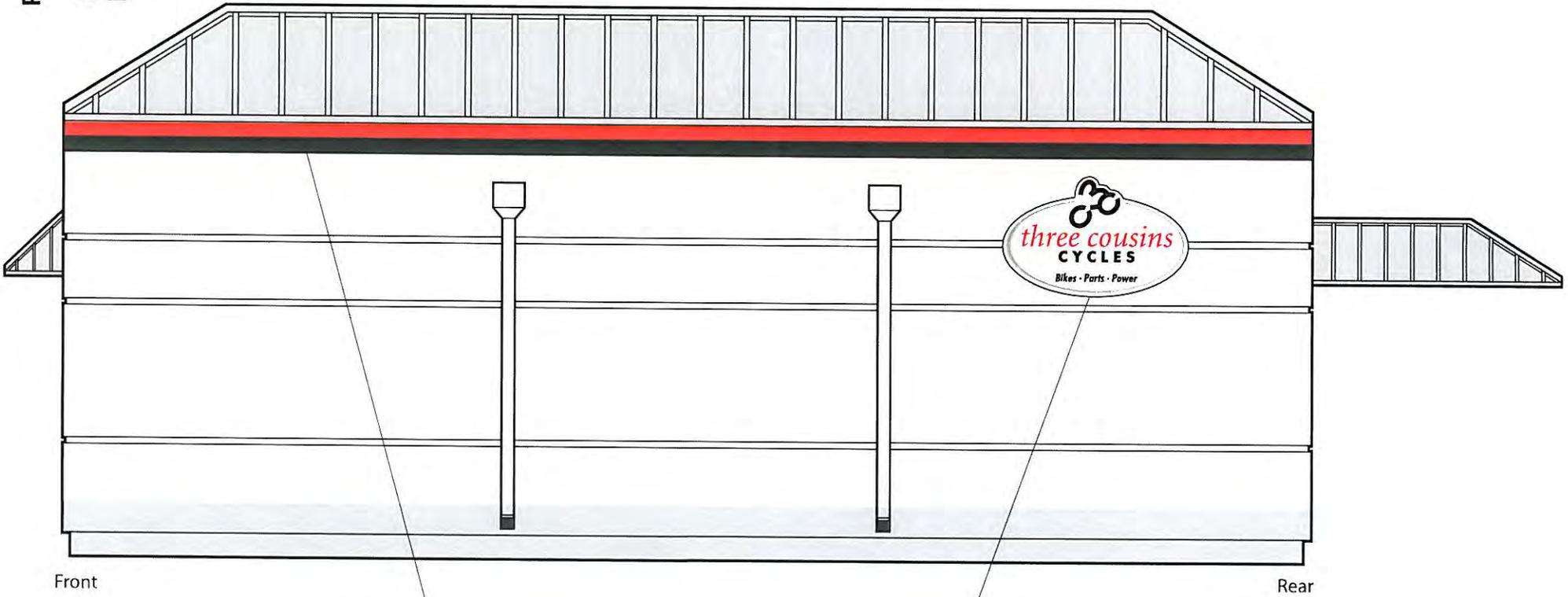
Rear

Front

Convience Store side

Red and Black stripe to be added - all other paint and colors are existing
Shown with proposed new signage - under 24sq ft, approx 3.8'x5.7'
Shown with proposed future awnings on front and rear of building
All other paint colors and paint schemes are existing - Grey and White

P&Z MTG, 2/23/12
Z-217
Revised Material
Received 2/21/12



L. Don Dodson Drive side

Red and Black strip to be added - all other paint and colors are existing
Shown with proposed new signage - under 24sq ft, approx 3.8'x5.7'
Shown with proposed future awnings on front and rear of building
All other paint colors and paint schemes are existing - Grey and White



Council Agenda Background

PRESENTER: Maria Redburn, Library Manager

DATE: 03/13/12

Council Mission Area: Encourage citizen involvement.

ITEM:

Consider a resolution accepting the purchase of naming rights for the Small Conference Room in the Bedford Public Library by Sarah Sisson in the amount of \$15,000.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

On July 14, 2009, the City Council approved a resolution that adopted the “Policy for Naming/Renaming or Dedicating City Facilities and Property.” This policy provided a formal process for the City Council to evaluate proposals for the naming, renaming or dedicating of City facilities and property. On August 11, 2009, the City Council accepted the Bedford Public Library Foundation’s proposed naming rights and sponsorship packages and authorized the Bedford Public Library Foundation to solicit donations for the new Library on behalf of the City of Bedford.

Sarah Sisson has lived in Bedford for over 30 years. As long-time Bedford resident, Sarah wanted to give back to the community by purchasing the Naming Rights to the Small Conference Room. Sarah Sisson has been active volunteer in the Bedford Public Library. She serves as a board member of the Bedford Library Foundation and is an active member of the Bedford Library Friends. Per the “Policy for Naming/Renaming or Dedicating City Facilities and Property,” the City Council must evaluate and approve any naming rights of City facilities and properties.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution accepting the purchase of naming rights for the Small Conference Room located in the Bedford Public Library by Sarah Sisson in the amount of \$15,000.

FISCAL IMPACT:

\$15,000 dollars used to reimburse the Reserve Fund.

ATTACHMENTS:

Resolution
Approved Naming Rights Opportunities
Policy for Naming/Renaming or Dedicating City
Facilities and Property
Sarah Sisson Statement

RESOLUTION NO. 12-

A RESOLUTION ACCEPTING THE PURCHASE OF NAMING RIGHTS FOR THE SMALL CONFERENCE ROOM IN THE BEDFORD PUBLIC LIBRARY BY SARAH SISSON IN THE AMOUNT OF \$15,000.

WHEREAS, the City Council of Bedford, Texas approved the "Policy for Naming/Renaming or Dedicating City Facilities and Property" on July 14, 2009; and,

WHEREAS, the City Council of Bedford, Texas accepted the Bedford Public Library Foundation's proposed naming rights and sponsorship packages and authorized the Bedford Public Library Foundation to solicit donations for the new Library on behalf of the City of Bedford on August 11, 2009; and,

WHEREAS, the increase in construction costs since the voters approved the bonds for the new Library in 2001 necessitated additional funding.

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

SECTION 1. That the City Council of the City of Bedford, Texas does accept the purchase of the naming rights for the Small Conference Room located in the Bedford Public Library by Sarah Sisson in the amount of \$15,000.

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

PASSED AND APPROVED this 13th day of March, 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

Exhibit A

APPROVED NAMING RIGHTS OPPORTUNITIES

Type	Number	Amount	Length of Time
Meeting Room (2200 sq. ft.)	1	\$55,000	Lifetime
Computer Lab (739 sq. ft.)	1	\$18,500	Lifetime
Children's Story Time (1106 sq. ft.)	1	\$27,500	Lifetime
Discovery Room (349 sq. ft.)	1	\$9,000	10 years
Toddler Zone (128 sq. ft.)	1	\$6,500	10 years
Reading room (435 sq. ft.)	1	\$11,000	Lifetime
Conference Room (1035 sq. ft.)	1	\$26,000	Lifetime
Small Conference (298 sq. ft.)	1	\$15,000	Lifetime
Study Room (2 person) (65 - 91 sq. ft.)	4	\$3,000	10 years
Study Room (4 person) (103 sq. ft.)	2	\$5,000	10 years
Teen Room (1400 sq. ft.)	1	\$35,000	Lifetime
Computer Areas	4	\$5,000	10 years
Book	5,000	\$20	Life of the book
Bookshelf Range	91 ranges @ \$50/unit	\$300 - 700	5 years
New Books	1	\$10,000	7 years
DVD Collection	1	\$7,500	7 years
Fiction	1	\$5,000	7 years
Large Print Books	1	\$5,000	7 years
Picture Books	1	\$2,500	7 years
Beginning Readers	1	\$2,500	7 years
High Interest Collection	1	\$1,000	7 years
High Interest Collection	1	\$1,000	7 years
High Interest Collection	1	\$1,000	7 years
High Interest Collection	1	\$1,000	7 years
High Interest Collection	1	\$1,000	7 years
Kid's High Interest Collection	1	\$1,000	7 years
Kid's High Interest Collection	1	\$1,000	7 years
Kid's High Interest Collection	1	\$1,000	7 years
Kid's High Interest Collection	1	\$1,000	7 years
Kid's High Interest Collection	1	\$1,000	7 years
Kid's High Interest Collection	1	\$1,000	7 years
Computers	65	\$500	Life of the computer
Tiles	100	\$100	Life of the tile
Bricks	1,000	\$50	Life of the brick

City of Bedford
Policy for Naming/Renaming or Dedicating
City Facilities and Property

I. Purpose

To provide a formal process for the City Council of the City of Bedford (the “City Council”) to evaluate proposals for the naming/renaming or dedicating of city facilities and property such as streets, buildings, rooms, gardens, parks or features within or outside a building (“City Facility”). It is the intent of the City of Bedford (the “City”) to review all requests for naming/renaming or dedicating, evaluate each request in accordance with the following guidelines, and provide recommendations to City Council concerning the naming of a City Facility

II. Process

To request a name for a City Facility, an Applicant should submit a written request to the City Council through the City Manager’s office. An Applicant may obtain a copy of the Naming Guidelines from the Library Administration located at 1805 L. Don Dodson Drive, Bedford, TX 76021, the Parks Administration located at 2140 L. Don Dodson Drive, Bedford, TX 76021, or the City Secretary’s Office at 2000 Forest Ridge Drive, Bedford, TX 76021. The application should clearly state the name of the requesting person, entity or organization along with the name, address and phone number of a contact person, and the exact name being requested for a City Facility. The request must include all information as stated in the Naming Guidelines below and verified by City staff. Upon receipt of all information, the City staff will review the application and request any clarification as needed.

III. Guidelines for Naming/Renaming or Dedicating a City Facility

- A. Proposed names for a City Facility may include one of the following:
1. An adjacent street to a new or current City Facility;
 2. Predominant physical features (such as lakes, rivers, creeks, etc.) in or adjacent to a new or current City Facility;
 3. The subdivision in which a new or current City Facility is located;
 4. A significant historic feature or event that would warrant having a new or current City Facility bear the name;
 5. A person, entity or organization that has made exceptional contributions to the City of Bedford. Exceptional contributions that would warrant having a new or current City Facility bear the name including, but not limited to:

- a) Donating or contributing a significant amount of funding for the construction, reconstruction, renovation, or furnishing of a new or current City Facility.
 - b) Providing direct and significant volunteer services benefiting the public as a local or community leader.
- B. Persons currently holding a local elected office or serving on a Board or Commission may not be considered for having his or her name be considered for naming or a new or current City Facility.
- C. The City Council reserves the right to deny an application for Naming/Renaming or Dedicating a City Facility from any person, business or organization. The consideration by the City Council will not be based on race, age, color, religion, sex, ancestry, national origin, disability, or place of birth but on what the City Council and or City staff determines in its sole discretion to be in the best interest for the City.

IV. Procedures for Naming/Renaming or Dedicating a City Facility

- A. A person, entity or organizations shall submit a written nomination for the naming of a new or current City Facility, along with any information deemed necessary to support the justification for such request, to the City Manager's Office located at 2000 Forest Ridge Drive, Bedford, TX 76021. The nomination shall include, but not be limited to:
- 1. Reasons for the proposed name or dedication of a new or current City Facility;
 - 2. Evidence of community support for the proposed name or dedication of a new or current City Facility;
 - 3. Petitions, if submitted, must state the intent and include printed names, signatures, addresses, zip codes and telephone numbers of each signer as proof of residency supporting the naming or dedication of a new or current City Facility.
- B. The City Manager, or his/her designee, shall:
- 1. Review the nomination in accordance with Section III of the guidelines;
 - 2. Research, review and study the supporting documentation; and
 - 3. Forward recommendation to the City Council for review.

Statement from Sarah Sisson

As a Bedford, TX resident for over 30 years I felt that as a member of the community I wanted to step up and do more with the city. After running for city council I chose to stick around and made some of the best, outstanding friends I have ever had. Over the past year I have gotten to know so many people that accept me just for being myself. These folks see that I care so much for our town and also helped me develop my place in the array. All of my life I have respected people that make donations to institutions that are dear to them. I gladly give to the Library with all of my heart knowing that I am bonded with other folks that care for Bedford and can mentor me through the years to come.



Council Agenda Background

PRESENTER: Michael Wells, City Secretary

DATE: 03/13/12

Council Mission Area: Encourage citizen involvement.

ITEM:

Consider a resolution ordering the Special Election of the City of Bedford, Texas to be held on Saturday, May 12, 2012 for the purpose of electing Place 3 and Place 4 to the Bedford City Council.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

On Friday, March 2, Council members Champney and Griffin filed to run for Mayor in the May 12, 2012 Regular Election. Pursuant to Section 2.01 of the City's Charter, because they have filed to run for another City office, they have automatically resigned their current places on the Council. Therefore, it is necessary to order a Special Election to elect persons for their unexpired terms. The term for Place 3 expires in May of 2013 and the term for Place 4 expires in May of 2014. Please note that Article XVI, Section 17 of the State of Texas Constitution states that, even though they have resigned, they shall continue to perform their duties in office until their successors are elected and qualified.

As with the Regular Election, staff is recommending that this Election be held jointly and administered by the Tarrant County Election's Administration. Citizens will be able to vote early for both Elections at any Tarrant County polling location and there will be no additional costs to the City.

Filing for the Special Election will begin at 8:00 a.m. on Thursday, March 15 and run through 5:00 p.m. on Wednesday, April 11.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution ordering the Special Election of the City of Bedford, Texas to be held on Saturday, May 12, 2012 for the purpose of electing Place 3 and Place 4 to the Bedford City Council.

FISCAL IMPACT:

As there are no additional costs for the Special Election, the total estimated cost for the Regular and Special Elections is \$10,000. This item was budgeted and approved in the FY 2011-2012 budget.

ATTACHMENTS:

Resolution
Section 2.01 of the City Charter
Article XVI, Section 17 of the Texas Constitution

RESOLUTION NO. 12-

A RESOLUTION CALLING FOR THE SPECIAL ELECTION OF CITY OFFICERS FOR THE CITY OF BEDFORD, TEXAS FOR MAY 12, 2012; AUTHORIZING A JOINT CONTRACT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH TARRANT COUNTY; AND ESTABLISHING THE DATES AND TIMES FOR EARLY VOTING FOR SUCH ELECTION.

WHEREAS, the Special Election for the City Council of the City of Bedford, Texas as set forth by the Charter and by the Texas Election Code is required to be held on May 12, 2012, at which time the voters will elect persons to fill the offices of City Council Place 3 and Place 4; and,

WHEREAS, the City Council of Bedford, Texas desires to conduct joint elections pursuant to the provisions of the Texas Election Code, and as established in a joint election agreement and contract for election services with the Tarrant County Election Administrator.

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

SECTION 1. That unless one or more of the entities qualify under provisions of the Texas Election Code to cancel their election, the City of Bedford shall hold a joint election, per the aforesaid joint election agreement and contract for election services on Saturday, May 12, 2012 for the purposes of electing members of the Bedford City Council.

SECTION 2. That the Special Election is hereby called to elect persons to fill the offices of two (2) Bedford City Council Members for Place 3 and Place 4 to serve until May 2013 and May 2014 respectively, or until their successors are duly elected and qualified. Such election shall be held at the Pat May Center, 1849-B Central Drive, Bedford, Texas, between the hours of 7:00 a.m. and 7:00 p.m. on Saturday, May 12, 2012.

SECTION 3. That qualified persons may file for a place on the ballot by filing an application in the Office of the City Secretary during regular business hours from 8:00 a.m. to 5:00 p.m. each weekday, beginning 8:00 a.m. on Thursday, March 15, 2012 and continuing until 5:00 p.m. on Wednesday, April 11, 2012.

SECTION 4. That Steve Raborn, Tarrant County Elections Administrator, 2700 Premier Street, Fort Worth, Texas, 76111 is hereby appointed as Early Voting Clerk and Michael Wells, City of Bedford City Secretary, 2000 Forest Ridge Drive, Bedford, Texas, 76021, shall serve as the Deputy Early Voting Clerk. Applications for ballot by mail must be received by mail no later than the close of business on Friday, May 4, 2012. (Mailing Address: P.O. Box 961011, Fort Worth, Texas, 76161-0011; Attn: Steve Raborn, Early Voting Clerk).

SECTION 5. That early voting by personal appearance shall be conducted at the County's Main Early Voting polling location: 2700 Premier Street, Fort Worth, Texas, 76111. Branch offices for early voting by personal appearance shall be established as outlined in the election agreement with Tarrant County. The branch early voting location to be located within the City of Bedford is the Bedford Public Library, 2424 Forest Ridge Drive.

Early voting by personal appearance will begin on Monday, April 30, 2012 and will end on Tuesday, May 8, 2012. Hours designated for early voting by personal appearance shall be as set forth below:

April 30 – May 4	Monday – Friday	8:00 a.m. – 5:00 p.m.
May 5	Saturday	7:00 a.m. – 7:00 p.m.
May 6	Sunday	11:00 a.m. – 4:00 p.m.
May 7 – May 8	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board shall be appointed and designated in accordance with the provisions of the election agreement with the Tarrant County Elections Administrator.

SECTION 6. That all resident qualified electors of the City shall be permitted to vote at said election, and on the day of the election, such electors shall vote at the polling place designated for the election precinct in which they reside. This election shall be held and conducted in accordance with the aforesaid election agreement, election laws of the Texas Election Code, the Federal Voting Rights Act of

RESOLUTION NO. 12-

1965, as amended, the Charter of the City of Bedford, and as may be required by law. All election materials and proceedings shall be printed in both English and Spanish.

SECTION 7. That combined ballots may be utilized containing all of the offices and propositions to be voted on at each polling place, provided that no voter shall be given a ballot or permitted to vote for any office or proposition on which the voter is ineligible to vote. The County's voting equipment will be utilized for this election.

SECTION 8. That the Election Judge and officers for each polling place and the Early Voting Ballot Board shall be appointed in accordance with the provisions of the election agreement for the conducting of the election on the aforesaid election date with Tarrant County.

SECTION 9. That the Mayor is authorized to execute the aforesaid election agreement for and on behalf of the City.

SECTION 10. That the expenses of the joint election shall be borne as outlined in the election agreement with Tarrant County.

PASSED AND APPROVED this 13th day of March 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

Sec. 2.01. - Number, selection, term.

The council shall consist of seven (7) members, a mayor and six (6) council members, elected from the city at large, in the manner provided in Article VII, for a term of three (3) years, or until their successors have been elected and take office, as provided in section 2.05. Any person who is serving in the capacity of an official in an elected office in the City of Bedford shall automatically resign that office upon filing to become a candidate for election to another City office. Each member of the council, including the mayor, is limited to be elected for four (4) consecutive full terms. Any elected official who is elected for four (4) consecutive full terms will be eligible to run for office after sitting out one full term of office. The official may not hold any compensated appointive City office or employment with the City while holding office; and may not hold any compensated appointive City office or employment with the City until one (1) year after vacating the office.

(Elect. of 6-24-69; Char. Amendment of 1-15-77; Ord. No. 2400, § 1, 8-26-97; Char. Amendment of 5-10-08)

Sec. 17. OFFICERS TO SERVE UNTIL SUCCESSORS QUALIFIED.
All officers within this State shall continue to perform the duties of their offices until their successors shall be duly qualified.