

AGENDA

**Regular Meeting of the Bedford City Council
Tuesday, January 22, 2013
Bedford City Hall Building A
2000 Forest Ridge Drive
Bedford, Texas 76021**

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

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

WORK SESSION

- Review and discuss items on the regular agenda and consider placing items for approval by consent.
- Council briefing on meeting with TxDOT on the Highway 183 expansion.
- Presentation of two design styles for a masonry sign at the Old Bedford School.

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:

- Section 551.071, consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter re: Allied Waste Contract.

REGULAR SESSION 6:30 P.M.

CALL TO ORDER/GENERAL COMMENTS

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

PLEDGE OF ALLEGIANCE

OPEN FORUM

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

CONSIDER APPROVAL OF ITEMS BY CONSENT

COUNCIL RECOGNITION

1. Employee service recognition.

APPROVAL OF THE MINUTES

2. Consider approval of the following City Council minutes:
 - a) January 8, 2013 regular meeting
 - b) January 12, 2013 work session

PERSONS TO BE HEARD

3. The following individual has requested to speak to the Council tonight under Persons to be Heard.
 - a) Doug Deere, 2008 Memphis Drive, Bedford, Texas 76021 – Requested to speak to the Council regarding lowering the speed limit to 20 MPH or installing speed bumps on Memphis Drive.

NEW BUSINESS

4. Public hearing and consider an ordinance extending Article IV Chapter 82, “Offenses and Miscellaneous Law Enforcement Regulations,” of the Code of Ordinances of the City of Bedford, Texas, relating to curfews; making it cumulative; providing for penalties; providing a severability clause; and declaring an effective date.
5. Public hearing and consider a resolution authorizing the City Manager to pursue grant funding from the Tarrant County Community Development Block Grant (CDBG) 39th Year Program for the water line improvements on Savannah Way from Pipeline Road northerly to Charleston Drive.
6. Consider a resolution to approve Amendment No. One to the Meadowpark Lease Agreement with the Hurst-Eules-Bedford Independent School District.
7. Consider a resolution authorizing the Parks & Recreation Advisory Board to expend \$25,000 from the Park Donation Fund and proceed with fundraising efforts for a Dog Park at Meadowpark.
8. Consider a resolution authorizing the City Manager to enter into a contract with BuyBoard Cooperative Purchasing Network for the purchase of one replacement ambulance, being a 2013 Ford F550 Type I Modular Ambulance, in the amount of \$199,596.
9. A resolution appointing the chairperson and vice-chairperson of the Cultural Commission.
10. A resolution appointing a member to the Beautification Commission.
11. Report on most recent meeting of the following Boards and Commissions:
 - ✓ Animal Shelter Advisory Board - Councilmember Olsen
 - ✓ Beautification Commission – Councilmember Turner
 - ✓ Community Affairs Commission - Councilmember Boyter
 - ✓ Cultural Commission - Councilmember Nolan
 - ✓ Library Board – Councilmember Brown
 - ✓ Parks & Recreation Board - Councilmember Davisson
 - ✓ Senior Citizen Advisory Board - Councilmember Turner
 - ✓ Teen Court Advisory Board - Councilmember Olsen
12. Council member reports
13. City Manager/Staff Reports

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, January 18, 2013 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

PRESENTER: Beverly Griffith, City Manager
David Miller, Deputy City Manager

DATE: 01/22/13

Work Session

ITEM:

Council briefing on meeting with TxDOT on the Highway 183 expansion.

City Manager Review: _____

DISCUSSION:

City staff will brief the City Council regarding a meeting held with TxDOT on January 16.

ATTACHMENTS:

Project Tracker Documents

NORTH TARRANT EXPRESS

MASTER DEVELOPMENT PLAN

PROJECT TRACKER

TEXAS DEPARTMENT OF TRANSPORTATION

Work with others to provide safe and reliable transportation solutions for Texas.

OVERVIEW

The North Tarrant Express (NTE) Master Development Plan (MDP) is a 10-year agreement between TxDOT and NTE Mobility Partners (NTEMP) to identify proposed improvements to portions of Interstate 35W (I-35W), State Highways (SH) 121 and 183 and I-820 in northern and eastern Tarrant County. The plan lays out current and future needs and solutions for general purpose lanes and managed toll lanes, which will keep traffic moving at 50 mph. The \$2.5 million agreement also will identify funding methods for the proposed improvements. If necessary, TxDOT has an option to extend the agreement for an additional five years.



IH-35W / IH-820 Interchange*

*Conceptual presentation of ultimate interchange. Subject to change

PROJECT HISTORY/TIMELINE

- Texas Transportation Commission authorizes request for CDA proposals: March 2006
- CDA conditionally awarded to NTEMP: January 29, 2009
- CDA executed: June 23, 2009
- Initial work started: July 7, 2009
- Approval to begin detailed work: December 4, 2009
- Ready for development letter and initial submittal for segments 3A and 3B received on May 17 and May 19, 2010, respectively
- Master Development Plan approved: December 10, 2010
- A public hearing for the environmental review and approval of Segments 3B and 3C was held in December. FHWA issued a finding of no significant impact on March 21, 2012

PROGRESS

- The Federal Highway Administration issued a Finding of No Significant Impact (FONSI) on the environmental assessment for proposed construction on Segment 3A on August 24, 2012. Segments 3B and 3C were environmentally cleared on March 21, 2012
- The U.S. Department of Transportation announced April 24 that TxDOT has entered the final stage in the process for a \$415 million Transportation and Infrastructure Finance and Innovation Act (TIFA) loan to help construct Segment 3A.
- The Texas Transportation Commission in June 2012 authorized the executive director to enter into a Facility Agreement with NTEMP for Segments 3A and 3B.
- NTEMP and TxDOT completed a facility implementation plan (FIP) for 3A /3B on July 6, 2011. The plan outlined efforts to lead to a 3A/3B facility agreement after environmental approvals.
- TxDOT will prepare a shadow developer bid and a reference case bid using traditional methods to ensure the department receives reasonable value for the submittal's estimated costs
- A 3A and 3B facility agreement must be approved by the Legislative Budget Board and a determination of legal sufficiency must be received from the office of the Attorney General. In addition, a financial public hearing will be held before final approvals.

- A 3A and 3B facility agreement is expected to be agreed upon by late 2012
- Legislative authority has been granted to continue work toward a facility agreement through August 2015.

PROJECT FACTS

Length and estimated construction costs, and operations and maintenance (O&M) costs for concession duration*:

- Segment 2E (SH 183 from SH 121 to SH 161): 4.5 miles, \$662 million construction, \$530 million O&M
- Segment 3A (I-35W from north of I-30 to north of I-820): 6.5 miles, \$1.01 billion construction, \$504 million O&M
- Segment 3B (I-35W from north of I-820 to US 81/287): 3.6 miles, \$124 million construction, \$341 million O&M
- Segment 3C (I-35W from US 81/287 to SH 170): 5.0 miles, \$648 million construction, \$544 million O&M
- Segment 4 (I-820 from SH 183 to Randol Mill Road): 3.7 miles, \$461 million construction, \$346 million O&M

Total cost: \$3.1 billion construction, \$2.3 billion operations and maintenance (Master Development Plan estimates, interim configurations)

Preliminary construction start - completion dates

- Segment 2E: 2016 - 2020; Pending future funding
- Segment 3A: 2012 - 2017 (May 2010 submission estimate)
- Segment 3B: 2012 - 2017 (May 2010 submission estimate)
- Segment 3C: 2016 - 2020; Pending future funding
- Segment 4: 2021 - 2025; Pending future funding

(*Construction costs include Project studies, project and contract administration, right of way, design, construction, toll and other major systems, and financing. Construction cost estimates are for interim configurations only.)

COMPREHENSIVE DEVELOPMENT AGREEMENT (CDA)

- NTEMP Partners: Cintra U.S., Meridiam Infrastructure Finance, Dallas Police and Fire Pension System
- North Texas Tollway Authority to provide toll collection services, TxTag, TollTag and EasyPass electronic transponders will work on this project

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NORTH TARRANT EXPRESS (NTE)

PROJECT TRACKER

TEXAS DEPARTMENT OF TRANSPORTATION

Work with others to provide safe and reliable transportation solutions for Texas.



November 2012: Expansion at SH 121/183 split

OVERVIEW

The North Tarrant Express (NTE) will rebuild several of Tarrant County's most congested highways by 2015. Construction started in late 2010. The project is being designed and built concurrently by NTE Mobility Partners (NTEMP), shaving several years from the project schedule. When complete, the project will provide eight to 10 lanes on Interstate 820 (I-820) and State Highways (SH) 121 and 183. The project will improve mobility by almost doubling the existing road capacity with a combination of general purpose lanes and continuous frontage roads, along with managed toll lanes that will use dynamic pricing to keep traffic moving at 50 mph. As the first comprehensive development agreement (CDA) project signed in North Texas, the project will leverage a \$573 million TxDOT investment into a \$2.5 billion project that reaches from north Fort Worth to near DFW Airport.

PROJECT HISTORY/TIMELINE

- Texas Transportation Commission authorizes request for CDA proposals: March 2006
- CDA executed: June 23, 2009
- Financing obtained: December 17, 2009
- Approval to begin detailed work: December 31, 2009

PROGRESS

- Design is substantially complete and construction is 33 percent complete as of October
- Partial demolition of Brown Trail bridge
- Partial demolition of IH 820 over Beach St.
- Several lane openings including:
 - The newly paved eastbound IH 820 frontage road between Rufe Snow Drive and Holiday Lane
 - The new eastbound SH 121/183 frontage road at Precinct Line Road
 - The new westbound off-ramp from SH 183 to Murphy Drive/Westpark Way

- The new eastbound on-ramp to SH 183 at Murphy Drive/Westpark Way

- Decks poured for the new Hurstview bridge
- Sound walls continue to be placed along Plainview Drive
- Completed new eastbound SH 121/183 frontage road between Bedford Road and Central Drive

PROJECT FACTS

LENGTH:

- Segment 1 (I-820 from I-35W to Northeast interchange): 6.4 miles
- Segment 2W (Northeast interchange to Industrial Blvd.): 6.9 miles

MANAGED LANES (EACH DIRECTION)

- Segment 1: Two surface-level lanes in median
- Segment 2: Two westbound lanes and two eastbound lanes (third lane by 2030)
- Estimated initial travel cost: 15 cents per mile (low traffic), 53 cents per mile (peak hour)

RIGHT-OF-WAY (ROW) AND UTILITIES

- Almost 400 parcels identified, all parcels purchased for and held in the name of the State of Texas. All parcels have been closed by deed or award of payment.
- Utility relocations are 42 percent complete

CONSTRUCTION DATES

- Construction started: November 22, 2010
- Anticipated substantial completion date: Mid-2015

COMPREHENSIVE DEVELOPMENT AGREEMENT (CDA)

Concession CDA – TxDOT owns the project; NTEMP to build, finance, operate and maintain project

Term: 52 years (started in 2009)

Construction: \$2.05 billion (\$573 million TxDOT/public funds; \$426 million NTEMP equity; \$400 million private activity bonds (PABs); \$650 million federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loan)

Operations and Maintenance: \$444 million (2009 dollars)

- Estimated annual routine maintenance costs (FY 2009) assumed by developer: \$1.18 million
- NTEMP Partners: Cintra U.S., Meridiam Infrastructure Finance, Dallas Police and Fire Pension System
- North Texas Tollway Authority to provide toll collection services; TxTAG, TollTag and EasyPass electronic transponders will work on this project

INTERSTATE 35W

PROJECT TRACKER

TEXAS DEPARTMENT OF TRANSPORTATION

Work with others to provide safe and reliable transportation solutions for Texas.

OVERVIEW

The Interstate 35W improvement project spans 10 miles in Fort Worth and includes a section that is currently ranked as the state's most congested roadway. Plans to reduce the congestion by doubling capacity include interim projects to reconstruct the existing lanes and add two managed toll lanes in each direction. The project will be built in segments. The NTE Mobility Partners Segments 3, LLC (NTEMP3) will construct Segment 3A, which runs from I-30 to north of I-820 including the I-35W/I-820 interchange. The Texas Department of Transportation (TxDOT) will construct Segment 3B, which runs from north of I-820 to north of US 81/287. I-35W carries 144,000 vehicles daily near downtown Fort Worth and approximately 11 percent of the vehicles are trucks.



Interstate 35W Corridor

TxDOT photo archive

PROJECT HISTORY/TIMELINE

- Texas Transportation Commission authorizes request for CDA proposals: March 2006
- CDA conditionally awarded to NTEMP: January 29, 2009
- Ready for development letter and initial submittal for Segments 3A and 3B received on May 17 and May 19, 2010, respectively
- Master Development Plan approved: December 10, 2010
- A public hearing for the environmental review and approval of Segment 3B was held in December 2011. FHWA issued a finding of no significant impact on March 21, 2012. Segment 3A was issued a finding of no significant impact on August 24, 2012.

PROGRESS

- NTEMP3 and TxDOT completed a Facility Implementation Plan (FIP) for 3A/3B on July 6, 2011.
- The U.S. Department of Transportation announced on April 24, 2012 that TxDOT has entered the final stage in the process for a \$537 million Transportation and Infrastructure Finance and Innovation Act (TIFIA) loan to help construct Segment 3A.
- The Texas Transportation Commission in June 2012 authorized the executive director to enter into a Facility Agreement with NTEMP3 for Segments 3A and 3B.
- A draft 3A facility agreement between TxDOT and NTEMP3 was agreed upon in October 2012 and TxDOT awarded a contract for 3B to Lane Construction in September 2012.
- A financial public hearing to provide information and receive public comments regarding the draft facility agreement for Segment 3A was held on October 11, 2012.
- The draft facility agreement was sent to the Legislative Budget Board and the office of the Attorney General in November 2012. The Attorney General is expected to rule on a determination of legal sufficiency in late January or early February. The facility agreement is expected to be signed in early 2013.
- NTEMP3 is expected to finalize project financing for 3A by summer 2013.

PROJECT FACTS

Developer

- Segment 3A: NTE Mobility Partners Segments 3, LLC (NTEMP3)

- Segment 3B: Texas Department of Transportation (TxDOT) and Lane Construction Corporation, Contractor

Length:

- Segment 3A (I-35W from north of I-30 to north of I-820 including the I-35W/I-820 interchange) 6.5 miles
- Segment 3B (I-35W from north of I-820 to north of US 81/287) 3.6 miles

Cost:

- Segment 3A: \$1.4 billion
- Segment 3B: \$244 million

(Costs include design/construction, right of way, utilities, tolling/ITS and financing)

Funding

- Segment 3A: \$537 million federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loan; \$445.6 million developer equity; \$237 million Private Activity Bonds (PABs); \$130 million provided by MPO; \$44.5 million interest income
- Segment 3B: \$135 million Proposition 14; \$109 million Proposition 12

Right-of-Way

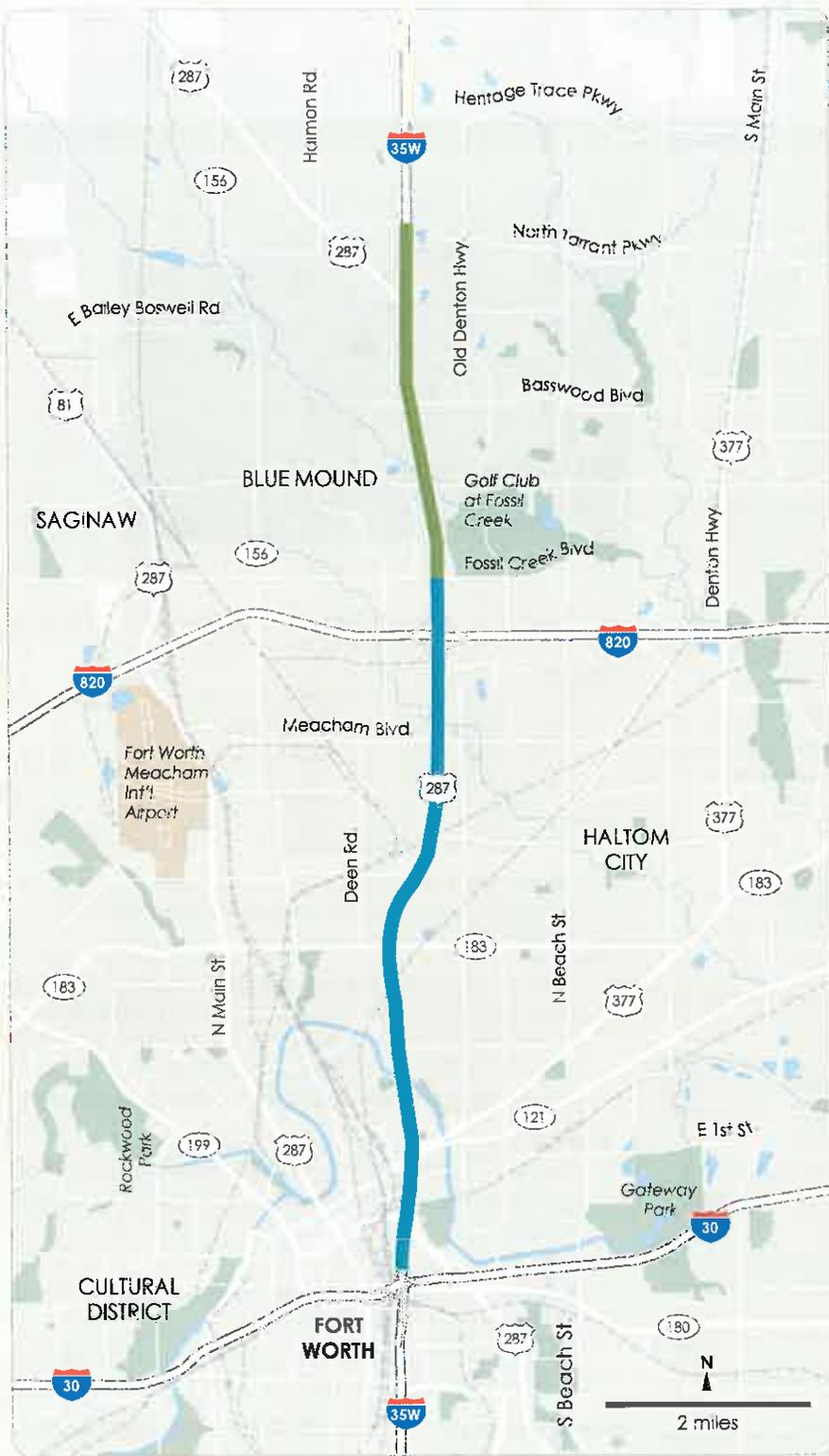
- Segment 3A: Early right-of-way (ROW) acquisition is underway
- Segment 3B: Acquisition complete and utility coordination is beginning

Construction Dates:

- Segment 3A: Construction start - summer 2013, anticipated substantial completion - 2018
- Segment 3B: Construction start - spring 2013, anticipated substantial completion - late 2017

COMPREHENSIVE DEVELOPMENT AGREEMENT (CDA)

- Segment 3A: Concession CDA -- TxDOT owns the project; NTEMP3 to build, finance, operate and maintain project
- Segment 3B: TxDOT owns the project and will design, build and finance; NTEMP3 to operate and maintain following construction
- NTEMP3 Partners: Cintra U.S., Mendiam Infrastructure Finance, Dallas Police and Fire Pension System
- North Texas Tollway Authority to provide toll collection services, TxTag, TollTag and EasyPass electronic transponders will work on this project



NOTE: Highlighted areas are not to scale



SEG* Roadway and Limits

3A I-35W from north of I-30 to north of I-820

Existing lanes (Each dir.)	2 - 3
Frontage lanes (Each dir.) ^{▲▲}	2

Interim Configuration

General purpose lanes (Each dir.)	2 - 3
Managed lanes (toll) (Each dir.)	2
Frontage lanes (Each dir.) ^{▲▲}	2

Configuration as proposed in Regional Mobility 2030 Plan**

Managed lanes (toll) (Each dir.) ^{▲▲▲}	4
General purpose lanes (Each dir.)	2
Frontage lanes (Each dir.) ^{▲▲}	2

SEG* Roadway and Limits

3B I-35W from north of I-820 to north of US 81/287

Existing lanes (Each dir.)	2
Frontage lanes (Each dir.)	2

Interim Configuration

General purpose lanes (Each dir.)	2
Managed lanes (toll) (Each dir.)	2
Frontage lanes (Each dir.)	2

Configuration as proposed in Regional Mobility 2030 Plan**

General purpose lanes (Each dir.) ^{▲▲▲}	4
Managed lanes (toll) (Each dir.)	2 - 3
Frontage lanes (Each dir.)	2

* Segments identified by number do not denote priority or sequence.

** All segments will include one-way frontage roads at identified locations and connections to all existing and proposed improvements.

▲▲ Potential detour of additional general purpose lanes.

▲▲ Discontinuous.

TxDOT graphic

INTERSTATE 35W CONTACTS

DFW STRATEGIC PROJECTS OFFICE



Texas Department of Transportation
 2501 SW Loop 820
 Fort Worth, TX 76133
 (817) 370-6744

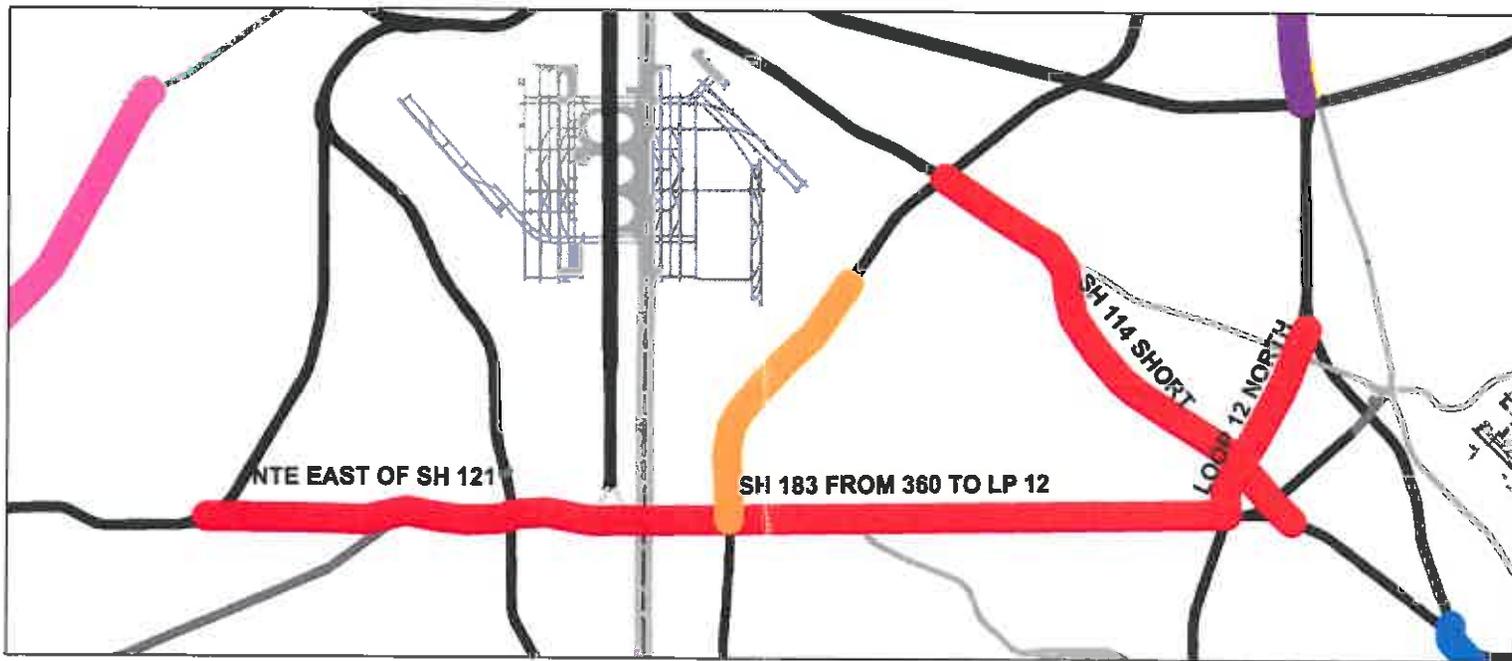


Robert Hinkle
 Director of Corporate Affairs
 North Tarrant Express Mobility Partners
 9001 Airport Freeway
 North Richland Hills, TX 76081
 817-710-0500

Tony Hartzel
 TxDOT DFW Strategic Projects
 Public Information
 4777 East Highway 80
 Mesquite, TX 75150
 214-320-4481

Dallas County

- Advance Concession Project consisting of SH 183 in Irving, Loop 12 North, SH 114 “Short,” North Tarrant Express east of SH 121
- Anticipate receiving \approx \$560M from TxDOT for this project





Council Agenda Background

<u>PRESENTER:</u>	Mirenda McQuagge-Walden, Managing Director of Community Services Wendy Hartnett, Special Events Manager	<u>DATE:</u> 01/22/13
Work Session		
<u>ITEM:</u> Presentation of two design styles for a masonry sign at the Old Bedford School. City Manager Review: _____		
<u>DISCUSSION:</u> In the FY 2012/13 budget, \$22,494 was included to fund a masonry sign for the Old Bedford School. Staff will present two options for the sign.		
<u>ATTACHMENTS:</u> N/A		



Council Agenda Background

PRESENTER: Beverly Griffith, City Manager

DATE: 01/22/13

Council Recognition

ITEM:

Employee Service Recognition

City Manager Review: _____

DISCUSSION:

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

Michael Kratky	25 years	Police Department
Anthony Wynn	30 years	Public Services

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER: Michael Wells, City Secretary

DATE: 01/22/13

Minutes

ITEM:

Consider approval of the following City Council minutes:

- a) January 8, 2013 regular meeting
- b) January 12, 2013 work session

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

January 8, 2013 regular meeting
January 12, 2013 work session

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 8th day of January, 2013 with the following members present:

Jim Griffin
Michael Boyter
Chris Brown
Jim Davisson
Patricia Nolan
Sherri Olsen
Roy W. Turner

Mayor
Council Members

constituting a quorum.

Staff present included:

Beverly Griffith
David Miller
Stan Lowry
Michael Wells
Kelli Agan
Roger Gibson
Eric Griffin
Les Hawkins
Tom Hoover
John Kubala
Mirenda McQuagge-Walden
Jacquelyn Reyff
Bill Syblon

City Manager
Deputy City Manager
City Attorney
City Secretary
Technical Services Manager
Police Chief
Deputy Police Chief
Deputy Police Chief
Deputy Director of Public Works
Public Works Director
Managing Director of Community Services
Planning Manager
Development Director

WORK SESSION

Mayor Griffin called the Work Session to order at 5:30 p.m.

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

Council discussed placing the following items on consent: 2, 7 and 8.

- **Presentation by Robert Hinkle and Lara Kohl, NTE, regarding the S.H. 183 expansion.**

Lara Kohl of NTE presented an update on the S.H. 183 expansion. She stated that the project is on track to be complete by June of 2015. The project covers 13.5 miles starting at I35W, across six cities and ending at the 121/183 interchange. The project involves 117 companies and employs 1,200 people. \$596M has been spent and 44.6% of the construction has been completed as of the end of December. A big portion of the work has been utility relocation, which has been a struggle since the utility owners are mainly responsible for moving them. In 2012, there was an average of 260 lane closures a month. They are preparing to open the new eastbound frontage road from Bedford Road to Forest Ridge Drive. They have opened the new westbound main lanes between Central Drive and Bedford Road. They demolished half of the Brown Trail Bridge a month ago and have moved traffic over to the new portion of the bridge. They are nearing completion and are ahead of schedule on the new Hurstview Bridge. She discussed the reconfiguration of the eastbound 183 and northbound 121 exits. She displayed pictures

showing the progress made at Brown Trail and Bedford Road. She also gave an update on activity on the west segment of the project.

Ms. Kohl gave information on the "Beat the Traffic" application that can be downloaded free off their website and which can be used not only for the corridor but state-wide. She also gave information on the project's website, the twice-a-week email alerts, their Facebook and Twitter pages, their telephone hotline and their information center in North Richland Hills.

In response to a question from Council, Ms. Kohl stated that there are two different types of signs. The first are small, rectangular business driveway signs and the variable message signs that indicate lane or ramp closures. In response to a question from Council, Police Chief Roger Gibson stated that the Department is pleased with NTE's response to their needs. Their biggest problem is getting to major accidents due to the traffic. Ms. Kohl stated that the pylons east of the 121/183 split are going to be for ramps that will cross over the main lanes and to the managed lanes.

Managing Director of Community Services Mirenda McQuagge-Walden introduced Rebecca Asher who is the new Marketing Specialist. Ms. Asher has several years experience in marketing including at the Star-Telegram. Deputy City Manager David Miller introduced Tom Hoover who is the new Deputy Director of Public Works and will be taking over for Public Works Director John Kubala when he retires next Tuesday. Mr. Hoover has worked as the public works director in Keller and Lake Dallas and has his own engineering firm.

Mayor Griffin adjourned the Work Session at 5:55 p.m.

EXECUTIVE SESSION

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

- a) Section 551.071, consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter re: Allied Waste Contract.**
- b) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block A, Lot 1A, Bedford Plaza Addition.**
- c) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block, Lot 2 Stonegate Shopping Center Addition, Block, Lot D Shady Oaks East Addition, and Bedford Forum Addition.**

Council convened into Executive Session pursuant to Texas Government Code Section 51.071, consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter re: Allied Waste Contract, Section 551.087, deliberation regarding economic development negotiations relative to Block A, Lot 1A, Bedford Plaza Addition and Section 551.087, deliberation regarding economic development negotiations relative to Block, Lot 2 Stonegate Shopping Center Addition, Block, Lot D Shady Oaks East Addition, and Bedford Forum Addition at approximately 5:59 p.m.

Council reconvened from Executive Session at 6:37 p.m. Council did not finish the Executive Session and will convene again at the end of the meeting.

Council convened into Executive Session at 8:17 p.m.

Council reconvened from Executive Session at 8:50 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 6:42 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION (Pastor Dan Mendoza, Oasis Community Worship Center)

Pastor Dan Mendoza of Oasis Community Worship Center gave tonight's invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

OPEN FORUM

Nobody chose to speak under tonight's Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilmember Turner, seconded by Councilmember Brown, to approve the following items by consent: 2, 7 and 8 and 9 with the change in the seventh year of the performance amount to \$1.65M.

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

COUNCIL RECOGNITION

1. Announcement of Holiday Decorating Contest Winners.

Managing Director of Community Services Mirinda McQuagge-Walden announced the winners of the Holiday Decorating Contest. Nine homes participated in the contest this year and a lot of positive feedback was received from people who submitted their ballots. The first component of the contest was the general vote ballot:

3rd Place: 2513 Barr Drive – the Svitak family
2nd Place: 2321 Caldwell Drive – the McMillan Family
1st Place – 2900 Magnolia Court – Mr. Berger

The second component was the Council favorite:

3rd Place – 1700 Berwickshire Court -
2nd Place – 2713 Cedar Springs Court– Jay and Tammy Hoyer
1st Place – Magnolia Court – Mr. Berger

The Glenbrook HOA was the overwhelming favorite. They were represented by Gene Luck, chair of their Christmas Committee. 81 homes from the HOA participated.

APPROVAL OF THE MINUTES

2. Consider approval of the following City Council minutes: a) December 11, 2012 regular meeting

This item was approved by consent.

PERSONS TO BE HEARD

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

- a) **Doug Deere, 2008 Memphis Drive, Bedford, Texas 76021 – Requested to speak to the Council regarding lowering the speed limit to 20 MPH or installing speed bumps on Memphis Drive.**

Mr. Deere did not attend tonight's meeting.

NEW BUSINESS

- 4. Public hearing and consider an ordinance to rezone the property known as Tract 1, Abstract 1537, Garrett Teeter Survey, 3901 Central Drive, Bedford, Texas from Planned Unit Development (PUD), Medium-Density Single-Family Attached District (MD-4) to Planned Unit Development (PUD), Medium-Density Residential – Single-Family Detached District (MD-3). The property is generally located south of Cheek Sparger Road and west of Central Drive. (Z-226)**

Planning Manager Jacquelyn Reyff presented information regarding this ordinance. This item was published in the December 11 edition of the Star-Telegram. The property is currently zoned as PUD MD-4, which was approved in 2006 and platted; however, it was never filed with Tarrant County and nothing was ever built. This item is to downsize the zoning to PUD MD-3. The property has seen numerous proposals over the years. There is a 100-year flood plain towards the north and west sides of the property, including a 40-foot drainage easement. Under the proposed rezoning, the density would go from 8.43 units per acre down to 4.95 units per acre. The number of houses would drop from 68 to 40. The maximum lot area is going from 3,000 square feet to 5,000 square feet. The minimum lot area is going from 2,500 square feet to 4,000 square feet. The minimum unit size is going from 1,500 square feet to 1,600 square feet. The front yard setback would go from 10 feet to 22 feet. They are proposing 10 feet side yards with eight feet on one side and two feet on the other. There are specific design standards for MD3. It allows for minimum flooring area of not less than 1,250 square feet while the applicant is proposing 1,600 square feet. Parking would be two spaces per unit for a total of 80 spaces. Ingress and egress would be along Central Drive. The streets would be public. In discussions with engineering, the applicant and Public Works, it was decided not to include a six foot screening fence as a barrier between the neighborhoods due to possible effects on the flood plain. The proposed lot coverage meets the requirements of the Zoning Ordinance. In regards to landscaping, 40 trees would be provided, one for each lot in the front yard along with additional trees over what was initially presented to the Planning and Zoning Commission. Existing trees on the site would have to be removed so the applicant would not receive credits towards reduced landscaping. The sidewalks would be five feet wide and made of concrete with a broom finish. The visibility triangles meet the standards except for "Street C". The applicant is requesting variances to include: the visibility for "Street C" to be 15 feet by 15 feet; two foot side yard maintenance easements; a 31 foot right of way with a 9.5 foot utility easement adjacent to right of way on each side street; and to not include the six-foot masonry wall. At the time of platting, drainage and engineering would have to meet City ordinances. The Comprehensive Plan shows this area to be residential so this proposal is not in conflict with the Plan. The Planning and Zoning Commission approved this item at their December 13, 2012 meeting by a vote of 5-0-0 with the addition that trees be added to cul-de-sac north of the property, which the applicant has done on the Landscape Plan. Stipulations included in the ordinance are: a minimum floor area of not less than 1,600 square feet; a minimum lot size of not smaller than 4,000 square feet; and that the bylaws of the homeowner's association be provided to the City before the issuance of permits.

In answer to questions from Council, Ms. Reyff stated that the two parking spaces are in the driveway. In regards to the reduced visibility triangle on "Street C", Ms. Reyff stated that this is something the applicant can ask for under a PUD. In working with the applicant and the Fire Marshal, it was decided this was the best solution based on the design. If the visibility triangle was increased, it would reduce the lot size. Eddie Eckart of Goodwin and Marshall, the engineer for the project, stated that the reduction only shows up when you get internal to the subdivision. For visibility, two right-hand turn lanes were added.

Mayor Griffin opened the public hearing at approximately 7:02 p.m.

Tony Comparin, 3842 Brookside Drive – Mr. Comparin expressed concerns if they raise the property with fill dirt, that water would get higher and create more runoff. This might cause flooding which would devalue homes including his. He asked how high they would be putting the fill dirt. He understood that trees would have to be taken down; however, he requested that if possible trees could be put out by the curb. He also requested that whatever fencing that is eventually put up around the development be made uniform.

Bill Reily 3805 Edgewater Drive – Mr. Reily expressed his concerns that smaller lots and smaller homes would reduce the resale and value of the area he lives in.

Mayor Griffin closed the public hearing at 7:10 p.m.

Mr. Eckart stated that they did a flood study, which is currently under review by the City's consulting engineer Dick Perkins. They did check the finished elevations of the neighbors to make sure they are out of the flood plain and they are. He stated that the development would not be impacting the flood plain any more or less than any of the properties around them. They will be making some slight improvements to the channel on their side of the creek to make the water flow through as quickly as possible and they are not increasing the flood plain on anybody's property. He stated that the flood study is not approved at this standpoint. They would have to bring in fill dirt, which would kill off trees so they have to come down. He did measure their land plan versus where trees currently are and it looks like they will be able to leave a buffer in between Cheek Sparger and where the homes are. They have not done a tree survey but they will do everything they can do to save trees outside of the development's limits and the fill area. In regards to the screening requirements, they felt it was not a great value for specific screening on the south and west boundary lines based on the channels that are there. All the present homes currently have privacy fences and the development is 100 feet away from the Brookwood Hills property.

In response to questions from Council, Mr. Eckart stated that there are trees being planted outside of the floodplain. The projected price point for the homes is in excess of \$300,000. In regards to the maintenance of the channel, there is a 40-foot drainage easement that is currently maintained by the City. In regards to the reason behind the two-foot and eight-foot side yards, Mr. Eckart explained that in discussions with the Fire Marshal they cannot have eaves that hang over into other people's property. The ten foot would be maintained and usable by the eight-foot owner so it still acts like zero lot line along with a fire wall. Architecturally, it allows for eaves on that side of the house. They also did not want to go with five-foot side yards due to the size of air conditioning units. In regards to fencing, he stated that a uniform fence would not add value to the property or their neighbors and allows the homeowners to choose the type of fencing they want. There will be a wrought iron screening fence along Cheek Sparger but not along the west or south property lines. There was discussion that language could be placed in the HOA bylaws regulating the type of materials and colors of the fence while the height of the fences would be regulated by the Fence Ordinance. Mr. Eckart. stated that in meeting with the City of Colleyville, they indicated that they would not need additional right of way for the roundabout. Regarding the size of the houses, he stated that they wanted to give people the flexibility to buy a smaller home and that the minimum size is 500 feet over standard zoning. They would be raising the property between two and three feet. In regards to visibility with the roundabout, the median will stay so traffic cannot make left turns. The walking trail along Cheek Sparger will remain and there are three entrances and exits to the property. There was discussion that if something happens with engineering, drainage or permitting and the PUD has to be amended, that it would have to come back to Council for approval.

Motioned by Councilmember Turner, seconded by Councilmember Davisson, to approve an ordinance to rezone the property known as Tract 1, Abstract 1537, Garrett Teeter Survey, 3901 Central Drive, Bedford, Texas from Planned Unit Development (PUD), Medium-Density Single-Family Attached District (MD-4) to Planned Unit Development (PUD), Medium-Density Residential – Single-Family Detached District (MD-3) with the additions to the bylaws homeowner's association as discussed.. The property is generally located south of Cheek Sparger Road and west of Central Drive

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

5. Public hearing and consider an ordinance to rezone a portion of the property known as Lot 3, Block 1, Parkwood Village Addition, located at 217 Harwood Road, Suite 222, Bedford, Texas, specifically for the operation of a Children's Day Care Center (Brighter Horizons Academy) from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit/Children's Day Care Centers. The property is generally located north of Harwood Road and west of Brown Trail. (Z-232)

Ms. Reyff presented information regarding this ordinance. This item was published in the December 19 edition of Star-Telegram. It is to operate a day care center at the location. The landscaping is from a previous development and does not have to be brought into compliance with the Zoning Ordinance if shown deficient per Section 5.6.J. The parking remains from a previous development and is in compliance as proposed per Section 5.2.A (3) of the Zoning Ordinance. The applicant is proposing a play area behind the lease space, which is currently fenced off by chain-link fence. Play areas cannot be located within 50 feet of residents and this area would be 55 feet from the nearest property to the north. The hours of operation would be 5:00 a.m. to 11:00 p.m. The center would accommodate children from four months to 13 years and have a pre-school curriculum for children three and four years old. They would have a staff of 10 people. The Comprehensive Plan shows the property to be commercial so the proposed use will not be in conflict. The item was approved by the Planning and Zoning Commission at their December 13, 2012 meeting by a vote of 5-0-0.

In answer to questions from Council, Ms. Reyff stated that the play area is a hard surface and that it is surrounded by the chain-link fence with bollards abutting the parking area.

Mayor Griffin opened the public hearing at 7:40 p.m.

Nobody chose to speak at tonight's public hearing.

Mayor Griffin closed the public hearing at 7:40 p.m.

Motioned by Councilmember Boyter, seconded by Councilmember Davisson, to approve an ordinance to rezone a portion of the property known as Lot 3, Block 1, Parkwood Village Addition, located at 217 Harwood Road, Suite 222, Bedford, Texas, specifically for the operation of a Children's Day Care Center (Brighter Horizons Academy) from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit/Children's Day Care Centers. The property is generally located north of Harwood Road and west of Brown Trail. (Z-232)

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

6. Consider an ordinance amending Chapter 18 – Animals of the City of Bedford Code of Ordinances by repealing it in its entirety and replacing it with a new Chapter 18 – Animals; providing a penalty clause; providing a severability clause; and declaring an effective date.

Deputy Police Chief Les Hawkins presented information regarding this ordinance. He stated that a vast majority of changes to the ordinance were the relocation of several sections for it to flow smoother and it was updated to be more current with State law. Some items were added to definitions and all were moved to the front of the ordinance for easy reference. The Animal Control Board was combined into the Animal Shelter Advisory Board with the addition of two members and the number of meetings was increased to six a year. The section on fierce and dangerous animals was patterned off of State law in regards to investigations. It would now be a requirement that an animal be spayed/neutered and receive a rabies vaccination prior to adoption unless they pay a refundable deposit on top of the adoption fee. A local vet has offered to do low cost spay/neuter and rabies vaccination. Adoption costs would go up but be comparable to surrounding cities.

In answer to questions from Council, Deputy Chief Hawkins stated that adequate shelter deals with the section of the ordinance regarding the care and treatment of animals and is intended for animals that are kept outside on a continuous basis. There was discussion on the definition of "enclosure" and chickens being allowed per the ordinance. In regards to the 30 day timeframe to register a fierce or dangerous animal, Deputy Chief Hawkins stated that it was based on State law; the ordinance could be

more restrictive but there is a requirement for the owners to make improvements to their fencing. In order to have the animal back, the owner has to agree to certain requirements about securing the animal. There was discussion regarding acreage being defined as open ground; how Animal Control responds to animal attacks; and concerns over punishing animals for the actions of their owners. City Attorney Stan Lowry advised that clarifying what is meant by "enclosure" to mean something other than the yard or property itself in order to alleviate the concerns of Council. Deputy Chief Hawkins explained to Council that another change to the ordinance added after it was sent to Council initially was clarifying that the representative from an animal welfare organization on the Animal Shelter Advisory Board is not required to be a resident of the City.

Motioned by Councilmember Olsen, seconded by Councilmember Nolan, to approve an ordinance amending Chapter 18 – Animals of the City of Bedford Code of Ordinances by repealing it in its entirety and replacing it with a new Chapter 18 – Animals; providing a penalty clause; providing a severability clause; and declaring an effective date with the agreed amendment to add the definition of enclosure of the definitions.

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

7. Consider a resolution authorizing the City Manager to enter into the second year of a three year contract with B&B Wrecker Services, Inc. to provide towing for City initiated tows.

This item was approved by consent.

8. Consider a resolution authorizing the City Manager to renew a lease agreement with ONSTAGE relative to the Trinity Arts Theater located within the Bedford Boys Ranch Park.

This item was approved by consent.

9. Consider a resolution of the City Council of the City of Bedford, Texas approving an amendment to the Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code and the City's Economic Development Incentive Policy and Program, with Pappas Restaurants Inc.

This item was approved by consent with the amendment.

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

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

Councilmember Olsen reported that the first meeting of the newly combined Board will be tomorrow.

- ✓ **Beautification Commission – Councilmember Turner**

Councilmember Turner reported that the Commission had an unusual December meeting. They are working on revamping the beautification along Harwood Road. .

- ✓ **Community Affairs Commission - Councilmember Boyter**

Councilmember Boyter stated he was looking forward to the new members joining the Commission. They are working towards an outreach meeting that encompasses residents and businesses. They are continuing their efforts on Shop Bedford First and Bedford Open for Business.

- ✓ **Cultural Commission - Councilmember Nolan**

Councilmember Nolan reported that the Commission is in the process of putting together a "state of the union" address to the Council to be presented within the next month or so.

- ✓ **Library Board – Councilmember Brown**

No report was given.

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

Councilmember Davisson reported that the dog park was approved at the last meeting by HEB ISD and that the Board is moving forward with that project.

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

Councilmember Turner reported that the next meeting of the Board is January 21.

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

Councilmember Olsen reported that the Board met last Thursday and they are getting ready for all of the things they need to do this spring. They elected officers and appointed subcommittees. The scholarship subcommittee will meet this Thursday. The next meeting of the Board is scheduled for February.

11. Council member reports

Councilmember Nolan invited everybody to the Bedford Library Foundation's Mardi Gras event on February 9. There will be celebrity waiters and the entertainment will be from "Old Blue Eyes".

12. City Manager/Staff Reports

City Manager Beverly Griffith reported that on Friday, January 11, the Old Bedford School will be holding a classic movie night with "The Good, the Bad and the Ugly." On Saturday, January 19 at 7:00 p.m., the Old Bedford School will be hosting a murder mystery dinner.

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

Item #9 was discussed in Executive Session and approved as amended during the Regular Session.

ADJOURNMENT

Mayor Griffin adjourned the meeting at 8:53 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 8:30 a.m. at the Law Enforcement Center, 2121 L. Don Dodson, Bedford, Texas, on the 12th day of January, 2013 with the following members present:

Jim Griffin	Mayor
Michael Boyter	Council Members
Chris Brown	
Jim Davisson	
Sherri Olsen	
Patricia Nolan	
Roy W. Turner	

constituting a quorum.

Staff present included:

Beverly Griffith	City Manager
David Miller	Deputy City Manager
Michael Wells	City Secretary
Tom Hoover	Deputy Director of Public Works
John Kubala	Director of Public Works
Mirenda McQuagge-Walden	Managing Director of Community Services
Bill Syblon	Development Director

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the Work Session to order at 8:33 a.m.

WORK SESSION 8:30 a.m.

- **Council strategic planning session to include discussion regarding the Council's visions, goals and related topics.**

CIP Planning

City Manager Beverly Griffith requested direction from Council on some Bedford 2005 projects that the City has not yet moved forward on.

Dora Street: This project is the complete reconstruction of the street from Phyllis Street to Pipeline Road. The design has already been completed by Baird, Hampton and Brown and the opinion of probable cost is \$1.4M. The problems with the street include the piling of the material under the center of the street causing the crown to be higher than the curb and cracks. The original recommendation for cost was \$1.77M so there is a savings of approximately \$200,000. The financial impact to issuing bonds would be a third of a penny or less on the tax rate for a 20-year bond. The construction would be concrete and all curbs, gutters and driveways would be

replaced. This type of construction with a good sub-grade preparation should last approximately 50 years, as opposed to 10-15 years with asphalt. In regards to the cost difference between concrete and asphalt, asphalt has a lot more maintenance issues. The reason it is elevated above other projects is that it was part of a bond package approved by the voters and the condition of the sub-grade and street itself. There are two inspectors on staff to look after contractors. There was general discussion on Bedford 2000 and the initial 4B projects from the 1990's.

Bedford Trails Extension: This project is in the amount of \$295,000. A majority of it is to take the trail from Meadow Park to the Boys Ranch, with any remaining funds for trails at Monterrey Park and Carousel Park. Due to ADA requirements, there is only one path. The City would have to get a waiver from Oncor as it is on their easement. In regards to lights on the trail, they are not allowed by Oncor. Water fountains are allowed by Oncor and a landscape plan would need to be submitted to them. There was discussion on the configuration of the trail. The trail is part of the Parks Master Plan.

Animal Control Building Expansion: This project was to increase the size of the building by 1,200 square feet to allow for lab expansion, adoption rooms and additional storage as well as an outdoor covered kennel space. The recommended was \$239,450. There was discussion on a joint facility with surrounding cities. There is not room to expand the facility with the current footprint. The biggest issue is with kennels filling up and having to get animals out through fostering, animal rescue groups or euthanasia. There was further discussion on joint options and marketing possibilities.

There was discussion on other Bedford 2005 projects. Council was of the consensus for staff to explore opportunities for joint operations with other cities to include the courts, animal control and dispatch.

Sulfur Branch: There is a need for channel improvements from Highway 183 to Bedford Road, bridge crossings at Circle Lane and Briar Drive and erosion control at Brook Hollow Park. The original bonds were not enough for channel improvements as they did not include money to acquire easements. Staff will bring projects to Council as needs arise. Council was of the consensus for staff to look at the impact on the storm water rate if the projects were done all at once and if they were done over five years.

Northwest Pressure Plane: This project is in the amount of \$2.5M. There is an area in the northwest portion of the City that experiences low pressure during the summer months due to being at a higher elevation. This would be corrected through a combination of water line improvements and a booster pump station. The design has been completed by Kimley-Horn. This project affects 1,400 houses and 4,000 people. After improvements, the psi would increase to about 50. There was discussion on state requirements for psi and whether 49psi was good enough.

FM 157 Water and Sewer Line Improvements: This project would be from Harwood Road to Bedford Road. There are no water or sewer lines south of Burger Box until the existing development at Goodwill. This has made that property difficult to develop. There are approximately 20 vacant parcels of land. FM157 is in Euless; when it was expanded, the City declined to move utilities as it did not want the expansion. It is unknown until the design is done whether there is a need for additional easements.

Automated Meter Reading: The City currently contracts for this service. An initial cost benefit analysis showed that the project would not pay for itself. Staff asked Council if they were interested in the numbers being run again. A new system would be fully automated in that we there would not be meter readings. There would be the possibility of day-to-day or hour-by-

hour analysis. Customer service would be improved and revenues would go up as readings would be timelier and accurate. The biggest cost is for the meters themselves. There was discussion on phasing in the project and doing it as a bond. The estimated cost is \$5M. Council was of the consensus for staff to look at this project.

Boys Ranch Master Plan: The design of the first phase was completed. Construction would include all of the channel improvements, to reshape and dredge the lakes, completion of the trail around the lake, a new fishing pier and other amenities. There would be ledge stone around the edge of the lake and more extensive landscaping at each bridge. The opinion of probable cost for the construction of phase one is \$3.2M. All four phases would be \$15.8M. There was discussion on maintenance, the design of the other phases as well as selling the other phases to the rest of the community.

Council was of the consensus to move forward on the following projects:

- Dora Street in the amount of \$1.4M in general obligation bonds - approximately \$0.37 on the tax rate
- Bedford Linear Trail Expansion in the amount of \$295,000 in general obligation bonds – approximately \$0.08 on the tax rate
- Northwest Pressure Plane in the amount of \$2.55M – approximately 2%-3% increase in storm water rates
- FM157 improvements in the amount of \$275,000
- Boys Ranch Phase One in the amount of \$3.54M – Council was of the consensus fund this project through a bond election.

Council was of the consensus to hold off on any action regarding the Animal Control building expansion.

Boards and Commissions

Council agreed to hold a joint meeting with the Planning and Zoning Commission on January 24. They further agreed on holding joint meetings with other Boards and Commissions to welcome them and discuss the Council's vision and direction as well to see how they operate. There was discussion on having a separate meeting with the Cultural Commission and not having one with the Teen Court Advisory Board due to their membership from other cities. There was discussion on the role of the Council liaison to the Boards and Commissions to include acting as a conduit between the Board/Commission and the Council, as a stabilizer and as an encourager.

Code Enforcement

Deputy City Manager David Miller stated that Council had approved \$85,000 in the last budget for Code Enforcement in order to increase their coverage on the streets and their ability to provide stronger customer service. It has come out recently that the company that handles apartment inspections for the City will no longer be handling those inspections. Mr. Miller stated that the \$17,000 budgeted for those inspections combined with the \$85,000 to hire an additional officer, whose responsibility would be apartment inspections, with the remaining part of their time providing additional coverage on the streets; and hiring a clerical staff person to channel code complaints from the enforcement hotline, the website and phone calls to the appropriate officer. They would be further responsible for following up with the complainant within two business days on the fact their complaint was received and what actions are being taken to resolve the issue. Once action is taken, they would further contact the complainant. In addition, staff has come across interactive software that works off of any smart device to create a City app. The app would give the GPS coordinates of the code complaint and forward it to Code Enforcement. It has the ability to categorize complaints and send out mass emails when the issue is resolved. It

comes at virtually no cost and it would be swapped out with WebQA. There is also software that would allow for field reporting and for staff to pull up reports to see if a person is a habitual offender. Discussion on funding for this software would come at a future date during discussions on other software updates. The cost to hire the additional personnel is \$87,000; the additional \$15,000 would be put into a fund for cleanups. There was discussion on the need for the additional clerical position; the disposition of court fees for code violations; performance measures; prompting for Code Enforcement follow-up; funds from citations; the redesign of permit forms; property rights; City medians; at what point citations are issued; prioritizing Code Enforcement including health and safety and trash pickup; and educating the public.

Councilmember Davisson left at 12:52 p.m.

Council was of the consensus with adding performance measures as part of the new Code Enforcement staff and software.

Status of Projects

There was discussion on the 183 Overlay District. In regards to the Central Bedford Development Zone, Ms. Griffin handed out the draft of the final report and asked for comments from Council by January 28. Council requested that the draft also be given to the Stakeholder Committee. A draft of the Food Truck Ordinance was handed out to Council for their comments.

Managing Director of Community Services Mirenda McQuagge-Walden updated Council on the status of the dog park. The School District approved an amendment to the Meadow Park lease for the dog park and trails. They are working with Oncor on agreements to allow for both the current trails and any future trails. She stated that the Parks and Recreation Board is interested in getting the site nailed down.

Council was of the consensus to send a letter to Representative Kenny Marchant on keeping municipal bonds tax exempt. Information was sent to State Representative Jonathan Stickland regarding changes to the TABC to allow restaurants to get a beer-only license without the City having to have an election.

There was discussion on the Fence ordinance and amendments to Masonry Wall ordinance. It was stated that a temporary fence has been put up in the gaps in the wall around the StoneCourt HOA. The amendments to the Masonry Wall ordinance will be going to the Planning and Zoning Commission.

Research projects for staff include the following: cost analysis on the automated meter reading; combining services with other cities; additional marketing opportunities for the Animal Shelter; performance measures for Code Enforcement staff and software; and examining the benefits of doing Sulfur Branch all at once or spreading it out. Council requested that the Marketing Specialist make a presentation to Council in six to eight months.

ADJOURNMENT

Mayor Griffin adjourned the meeting at 1:21 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary



Council Agenda Background

PRESENTER: See below

DATE: 01/22/13

Persons to be Heard

ITEM:

- a) Doug Deere, 2008 Memphis Drive, Bedford, Texas 76021 – Requested to speak to the Council regarding lowering the speed limit to 20 MPH or installing speed bumps on Memphis Drive.

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

Letter of Request

From: Doug Deere [REDACTED]
Sent: Tuesday, December 18, 2012 11:37 AM
To: Wells, Michael
Cc: Doug Deere
Subject: Request to address city council....

Mr. Wells, I would like to address the city council on January 8th, if possible. I would like to talk to them about the possibility of getting 20 MPH street signs, or speed bumps, put on Memphis Drive. We have many young children playing on our sidewalks, etc, and the cars choose their own speed when they come down the street. It is a major thoroughfare during school times, as well.

Thank you,

Doug Deere
2008 Memphis Drive
Bedford, TX

From: [Doug Deere](#)
To: [Wells, Michael](#)
Cc: [Doug Deere](#)
Subject: Request to reschedule...
Date: Tuesday, January 08, 2013 10:41:26 AM

Mr. Wells, I would like to move my request to be heard by the city council to the next available meeting? Is this possible?

Thanks, Doug



Council Agenda Background

PRESENTER: Roger Gibson, Police Chief

DATE: 01/22/13

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

ITEM:

Public hearing and consider an ordinance extending Article IV Chapter 82, "Offenses and Miscellaneous Law Enforcement Regulations," of the Code of Ordinances of the City of Bedford, Texas, relating to curfews; making it cumulative; providing for penalties; providing a severability clause; and declaring an effective date.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

In 1994, City Council unanimously passed an ordinance establishing a curfew for juveniles. In 2008, the City Council amended the ordinance to include a daytime/school time curfew for juveniles.

Juvenile curfew ordinances are common amongst most cities in North Texas and across the United States. The establishment of a curfew provides safety for our youth and reduces the probability of unsupervised juveniles becoming involved in criminal activity during late night, early morning and school time hours.

In accordance with Section 370.002 of the Local Government Code adopted by the 74th Legislature, the juvenile curfew ordinance shall be reviewed every three years to determine if the ordinance needs to be abolished, continued or modified.

RECOMMENDATION:

Staff recommends the following motion:

Approval of the ordinance extending Article IV Chapter 82, "Offenses and Miscellaneous Law Enforcement Regulations," of the Code of Ordinances of the City of Bedford, Texas, relating to curfews; making it cumulative; providing for penalties; providing a severability clause; and declaring an effective date.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance

ORDINANCE NO. 13-

AN ORDINANCE EXTENDING ARTICLE IV OF CHAPTER 82, "OFFENSES AND MISCELLANEOUS LAW ENFORCEMENT REGULATIONS," OF THE CODE OF ORDINANCES OF THE CITY OF BEDFORD, TEXAS, RELATING TO CURFEWS; MAKING IT CUMULATIVE; PROVIDING FOR PENALTIES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of Bedford, Texas, determined that persons under the age of 17 are particularly susceptible by their lack of maturity and experience to participate in unlawful and gang-related activities and to be victims of older perpetrators of crime; and,

WHEREAS, the City Council of Bedford, Texas, determined that the City of Bedford has an obligation to provide for the protection of minors from each other and from other persons, for the enforcement of parental control over and responsibility for children, for the protection of the general public, and for the reduction of the incidence of juvenile criminal activities; and,

WHEREAS, the City Council of Bedford, Texas, determined a curfew for those under the age of 17 will be in the interest of the public health, safety, and general welfare and will help to attain the foregoing objectives and to diminish the undesirable impact of such conduct on the citizens of the City of Bedford.

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

SECTION 1. That Chapter 82 of the Code of Ordinances Section 82-101-82-105, shall read in its entirety as follows:

(A) Definitions. In this section:

(1) CURFEW HOURS means:

- (a) 11:00 P.M. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 A.M. of the following day; and
- (b) 12:01 A.M. until 6:00 A.M. on any Saturday or Sunday.
- (c) While school is in session, a minor commits an offense if the minor remains, walks, runs, idles, wanders, strolls, or aimlessly drives or rides about in or about a public place between 9:00 a.m. and 2:30 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday.

(2) EMERGENCY means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

(3) ESTABLISHMENT means any privately-owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

(4) GUARDIAN means:

- (a) a person, who under court order, is the guardian of the person of a minor; or
- (b) a public or private agency with whom a minor has been placed by a court.

(5) MINOR means any person under 17 years of age.

ORDINANCE NO. 13-

- (6) **OPERATOR** means an individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.
- (7) **PARENT** means a person who is:
- (a) a natural parent, adoptive parent, or step-parent of another person; or
 - (b) at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.
- (8) **PUBLIC PLACE** means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities and shops.
- (9) **REMAIN** means to:
- (a) linger or stay; or
 - (b) fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.
- (10) **SERIOUS BODILY INJURY** means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss of impairment of the function of any bodily member or organ.
- (B) **Offenses.**
- (1) A minor commits an offense if he remains in any public place or on the premises of any establishment within the City during curfew hours.
 - (2) A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control, allows the minor to remain in any public place or on the premises of any establishment within the City during curfew hours.
 - (3) The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours.
- (C) **Defenses.**
- (1) No citation shall be issued under Subsection (B) if the minor was:
 - (a) accompanied by the minor's parent or guardian;
 - (b) on an errand at the direction of the minor's parent or guardian, without any detour or stop;
 - (c) in a motor vehicle involved in interstate travel;
 - (d) engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
 - (e) involved in an emergency;

ORDINANCE NO. 13-

- (f) on the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence, except that this defense does not apply to a violation of the curfew hours described in Subsection (A)(1)(c) of this section;
 - (g) attending an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Bedford, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Bedford, a civic organization, or another similar entity that takes responsibility for the minor;
 - (h) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
 - (i) married or had been married or had disabilities of minority removed in accordance with Chapter 31 of the Texas Family Code.
- (2) No citation shall be issued under subsection (A)(1)(c) if:
- (a) the school the minor attends is not in session;
 - (b) the minor is a high school graduate or has an equivalent certification;
 - (c) the minor is on an excused absence from the minor's school;
 - (d) the minor attends private school;
 - (e) the minor is homeschooled;
 - (f) the minor is on lunch break from a school that permits an open campus lunch;
 - (g) the minor is off campus on a work study program.
- (3) No citation shall be issued under Subsection (B)(3) if the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.
- (D) Enforcement.
- (1) Before taking any enforcement action under this section, a police officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in Subsection (C) is present.
 - (2) A police officer shall not issue a citation to or arrest a parent or guardian of a minor for a violation of Subsection (B)(2) of this section relating to the curfew hours described in Subsection(A)(1)(c), unless the parent or guardian has, within the same calendar year, received at least two prior written warnings from a police officer for a violation of Subsection (B)(2) relating to the curfew hours described in Subsection (A)(1)(c). In calculating the number of warnings received by a parent or guardian in a

ORDINANCE NO. 13-

calendar year, all warnings issued to the parent or guardian will be counted, regardless of whether the warnings relate to the same minor.

- (3) A police officer shall not issue a citation to or arrest an owner, operator, or employee of an establishment for a violation of Subsection (B)(3) of this section relating to curfew hours described in Subsection (A)(1)(3), unless the establishment has, within the same calendar year, received at least two prior written warnings from a police officer for a violation of Subsection (B)(3) relating to the curfew hours described in Subsection (A)(1)(c). In calculating the number of warnings received by an establishment in a calendar year, all warnings issued to any owner, operator, or employee of the establishment will be counted, regardless of whether the warnings relate to the same minor.

(E) Penalties.

- (1) A person who violates a provision of this chapter is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed \$500.00.
- (2) When required by Section 51.08 of the Texas Family Code, as amended, the municipal court shall waive original jurisdiction over a minor who violates Subsection (B)(1) of this section and shall refer the minor to juvenile court.

SECTION 2. That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Bedford, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby required.

SECTION 3. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reasons held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. That this ordinance shall become effective from and after its passage, approval and publication.

SECTION 5. That in accordance with Section 370.002 of the Local Government Code, the terms of this Ordinance shall be in full force and effect until January 22, 2016.

SECTION 6. That the City Manager is ordered to comply with Section 370.002 of the Local Government Code by bringing this same matter to the attention of the City Council prior to January 22, 2016, to determine whether or not the Ordinance is continued in force beyond that date.

PRESENTED AND PASSED this 22nd day of January 2013, by a vote of _ ayes, _ nays, and _ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ORDINANCE NO. 13-

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



Council Agenda Background

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

DATE: 01/22/13

Council Mission Area: Protect the vitality of neighborhoods.

ITEM:

Public hearing and consider a resolution authorizing the City Manager to pursue grant funding from the Tarrant County Community Development Block Grant (CDBG) 39th Year Program for the water line improvements on Savannah Way from Pipeline Road northerly to Charleston Drive.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

The Tarrant County Community Development Block Grant (CDBG) Program allows cities to pursue project funding for public improvements, rehabilitation of property, economic development activities, etc., in selected target areas. It is proposed to replace 1,200 feet of the existing 6" water line with 8" water line. The existing water line is over 40 years old and has experienced above normal breaks and interruptions of service. The estimated cost of the improvements is \$115,750 including the design fee. The final amount of funding will depend upon Tarrant County's CDBG allocation to Bedford. The City is contributing the cost of the engineering design for the CDBG project. The design will be performed by J. Richard Perkins, P.E., Consultant City Engineer. Funding for the design will come from the Public Works Engineering Division budget.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to pursue grant funding from the Tarrant County Community Development Block Grant (CDBG) 39th Year Program for 39th Year Program for the water line improvements on Savannah Way from Pipeline Road northerly to Charleston Drive

FISCAL IMPACT:

CDBG Funds - \$108,750
Public Works Engineering Division Funds - \$7,000

ATTACHMENTS:

Resolution
Location Map

RESOLUTION NO. 13-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURSUE GRANT FUNDING FROM THE TARRANT COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT 39TH YEAR PROGRAM FOR THE WATER LINE IMPROVEMENTS ON SAVANNAH WAY FROM PIPELINE ROAD NORTHERLY TO CHARLESTON DRIVE.

WHEREAS, the City Council of Bedford, Texas desires to pursue grant funding from the Community Development Block Grant program for the water line improvements; and,

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

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

SECTION 1. That the City Council does hereby authorize the City Manager to pursue grant funding from the Tarrant County Community Development Block Grant (CDBG) 39th Year Program for the water line improvements on Savannah Way from Pipeline Road northerly to Charleston Drive

PASSED AND APPROVED this 22nd day of January, 2013, by a vote of ___ayes, ___nays, and ___abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

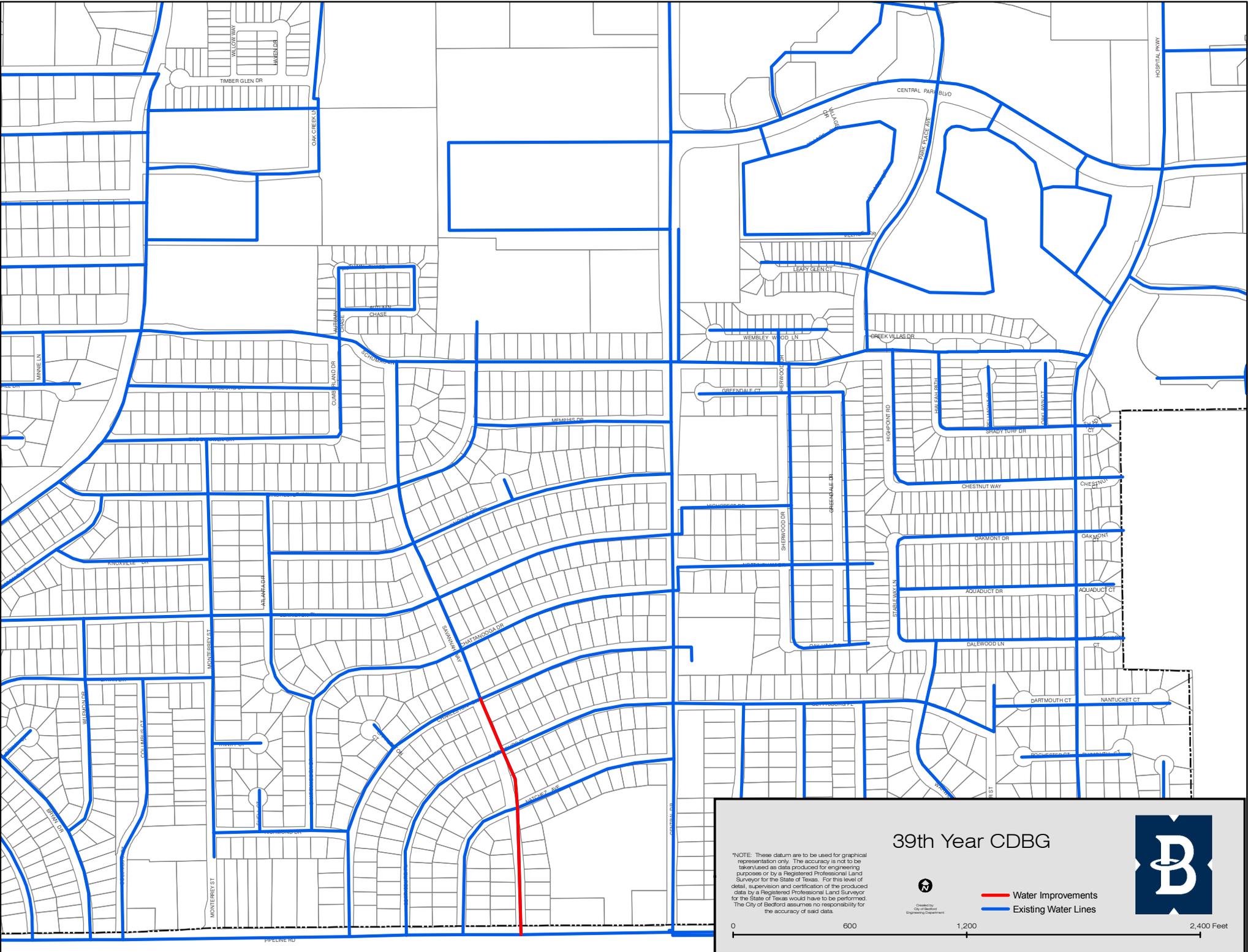
Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry City Attorney



39th Year CDBG

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

Created by: City of Bedford Engineering Department

— Water Improvements
— Existing Water Lines

0 600 1,200 2,400 Feet



Council Agenda Background

<p>PRESENTER: Mirenda McQuagge-Walden, Managing Director of Community Services Jeannette Cook, Chair Parks & Recreation Advisory Board DATE: 01/22/13 Lisa McMillan, Vice-Chair Parks & Recreation Advisory Board</p>	
<p>Council Mission Area: Be responsive to the needs of the community.</p>	
<p>ITEM:</p> <p>Consider a resolution to approve Amendment No. One to the Meadowpark Lease Agreement with the Hurst-Euless-Bedford Independent School District.</p> <p>City Attorney Review: Yes</p> <p>City Manager Review: _____</p>	
<p>DISCUSSION:</p> <p>On June 26, 2012, representatives from the Parks & Recreation Advisory Board presented to the Council their proposed plan for a dog park at the Meadowpark property. At that time, it was explained that the current lease agreement with the Hurst-Euless-Bedford Independent School District (ISD) only allowed the following specific uses:</p> <ul style="list-style-type: none">• two soccer fields• two softball diamonds• a parking area• tree farm <p>Council directed staff to negotiate with the ISD to amend the existing lease agreement to allow the use of a dog park.</p> <p>On Tuesday, December 11, 2012, the ISD considered and approved Amendment #1 to the Meadowpark Lease Agreement. The amendment changes Section 4. Use of Premises to allow for the addition of trails and a dog park. There are no other changes to the existing lease.</p>	
<p>RECOMMENDATION:</p> <p>Staff recommends the following motion:</p> <p>Approval of a resolution to approve Amendment No. One to the Meadowpark Lease Agreement with the Hurst-Euless-Bedford Independent School District.</p>	
<p>FISCAL IMPACT:</p> <p>N/A</p>	<p>ATTACHMENTS:</p> <p>Resolution Amendment No. One Meadowpark Lease Agreement</p>

RESOLUTION NO. 13-

A RESOLUTION TO APPROVE AMENDMENT NO. ONE TO THE MEADOWPARK LEASE AGREEMENT WITH THE HURST-EULESS-BEDFORD INDEPENDENT SCHOOL DISTRICT.

WHEREAS, the City Council of Bedford, Texas wishes to add trails and a dog park to allowed uses of Meadowpark Lease Agreement; and,

WHEREAS, on December 11, 2012, the Hurst-Euleless-Bedford Independent School District approved adding trails and a dog park to the Agreement.

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

SECTION 1. That the City Council does hereby authorize the City Manager to execute Amendment No. One to the Meadowpark Lease Agreement.

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

PASSED AND APPROVED this 22nd day of January 2013, by a vote of ayes, nays and abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

AMENDMENT NO. ONE

The Amendment attached to and made a part of the License Agreement ("Agreement") and dated December 11, 1990, by and between the Hurst-Eules-Bedford Independent School District (HEB ISD), a political subdivision of the State of Texas and the City of Bedford (City) a municipal corporation of the State of Texas.

In case of any inconsistencies between the terms and conditions contained in the Agreement and the terms and conditions contained herein, the terms and conditions contained herein shall control. Excepts as set forth below, all provisions of the Agreement remain unchanged and in full force and effect.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. Section 4. Use of Premises of the Agreement is hereby deleted in its entirety and replaced with the following language:

Use of Premises. The premises shall be used for two soccer fields, two softball diamonds, a parking area, a tree farm, trails, and a dog park. These are the improvements which have been approved by HEB ISD for the premises.

IN WITNESS WHEREOF, the parties have caused the Amendment to be executed on the _____ day of _____, 2012.

HEB ISD: HURST-EULESS-INDEPENDENT
SCHOOL DISTRICT

CITY: CITY OF BEDFORD

BY: _____

BY: _____

Title: _____

Title: _____

Date: _____

Date: _____

STATE OF TEXAS
COUNTY OF TARRANT

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

LICENSE AGREEMENT

THIS LICENSE AGREEMENT is made and entered into by and between the BOARD OF TRUSTEES of the HURST-EULESS-BEDFORD INDEPENDENT SCHOOL DISTRICT, a political subdivision of the State of Texas and a legally constituted Independent School District within Tarrant County, Texas, hereinafter called "HEBISD", and the CITY OF BEDFORD, a municipal corporation of the State of Texas, within Tarrant County, Texas, hereinafter called "CITY".

RECITALS

WHEREAS, on May 3, 1983, the parties entered into an agreement for the limited use of HEBISD land by the CITY; and

WHEREAS, the parties desire to amend the agreement.

NOW THEREFORE, in consideration of the mutual covenants herein expressed, the parties agree as follows:

1. Description. HEBISD grants to CITY a license for the use of a tract of land containing approximately 13.7 acres out of the L.J. Teeter Survey in the City of Bedford, Tarrant County, Texas, and being more particularly described as follows:

All that certain tract or parcel of land out of the L.J. Teeter Survey, A-1517, Bedford, Tarrant County, Texas, and being part of a 40 acre tract conveyed to Hurst-Eules-Bedford Independent School District as recorded in Volume 4819, Page 183, a 1.6 acre tract conveyed by Marvin Fox to Texas Power and Light Company in Volume 2867, Page 271, and a 17.483 acre tract conveyed to Hurst-Eules-Bedford Independent School District in Volume 4821, Page 410, Deed Records, Tarrant County, Texas, and being further described as follows;

BEGINNING at a point in west right-of-way line of Wildwood Drive 500.0 feet North of the Southeast corner of said 40 acre tract as referenced above;

THENCE North along the West right-of-way line of Wildwood Drive approximately 1330 feet to the Northeast corner of above referenced 17.483 acre tract;

THENCE West along the North line of said 17.483 acre tract 450.0 feet;

THENCE South parallel to the West right-of-way line of said Wildwood Drive approximately 1330 feet to a point;

THENCE East 450.0 feet to the place of beginning and containing approximately 13.7 acres of land.

2. Term of License. This Agreement shall continue until it is terminated by either party upon giving written notice to the other party six (6) months in advance of its intention to terminate this License Agreement.

3. Fee. The fee for this use is the sum of ONE DOLLAR (\$1.00) per year, payable on the 3rd day of May each year during the term of this Agreement.

4. Use of Premises. The premises shall be used for two soccer fields, two softball diamonds, a parking area, and a tree farm. These are the improvements which have been approved by HEBISD for the use of the premises.

5. Preparation of Premises. CITY shall, at its own cost and expense, perform all work and furnish all materials necessary to complete the premises for the proposed use. In this connection, CITY shall separate the premises from the larger tract of 40 acres by a perimeter fence constructed by CITY of four-strand barbed wire.

6. Maintenance and Repair. CITY shall, at its sole expense, maintain and repair the premises. In addition, at CITY'S sole expense, CITY shall cultivate and level the land on the property and shall have the authority to plant trees on the property as it sees fit, for the purpose of establishing a tree farm for CITY trees. Further, CITY shall maintain and care for the

trees and may remove the trees it plants at any time during the term of this agreement. The trees planted by CITY on HEBISD'S land and remaining at the termination of this agreement shall become the property of HEBISD.

7. Additional Improvements. prior to making any additional improvements to the premises other than the improvements described on Exhibit "A", CITY shall obtain the written approval of HEBISD.

8. CITY'S Default. If this CITY fails, for any reason, to perform any provision of this License Agreement, this Agreement may be terminated by HEBISD if the default continues for a period of ten (10) days after HEBISD notifies CITY of the default and its intention to declare this Agreement terminated. HEBISD reserves unto itself all remedies necessary to enforce the provisions of this paragraph.

9. Termination. In the event HEBISD terminates this Agreement under either paragraph 2 or 8, HEBISD shall have the right to resume possession of the premises and CITY agrees to peacefully vacate the premises. Should this Agreement be terminated pursuant to paragraph 2, CITY shall have a period of six (6) months to remove only the improvements erected on the premises which are specified by HEBISD to be removed. Should this Agreement be terminated pursuant to paragraph 8, CITY shall have a period of ninety (90) days after this Agreement is terminated to remove only the improvements which are specified by HEBISD to be removed and which were erected on the premises prior to the end of ninety (90) days.

10. Entry upon Premises. HEBISD shall have the right to enter the premises at all reasonable times for the purposes of inspection and viewing of the premises.

11. Indemnity. CITY agrees to indemnify, save and hold harmless and defend HEBISD against any and all costs, attorney's

fees incurred by HEBISD, liability, claims, demands and lawsuits for damages of any and every kind and for injury to or death of any person or persons and for damage to or loss of property arising out of or attributable, directly or indirectly, to the operation or use of the premises by CITY. It is the intention of CITY that this indemnity shall apply whether or not the costs, liability, claims, demands or lawsuits arise from the negligence, gross negligence, or contractual negligence of HEBISD.

12. Insurance. CITY agrees to keep in force, at its expense, during the term of this Agreement, public liability insurance in companies acceptable to HEBISD for property damages in the amount of \$100,000.00 and for bodily injury or death in the amount of \$100,000.00 for each person insured, or a maximum \$300,000.00 per occurrence. The public liability insurance shall cover both HEBISD and CITY against any and all claims, accidents, damages, liability and expenses in connection with personal injuries or damage to property arising from or out of the intended use of the premises used by CITY. CITY agrees to furnish to HEBISD a certificate of insurance evidencing this public liability insurance coverage.

13. Parties Bound. This agreement shall be binding upon the successors and assigns of both parties in like manner as upon the original parties.

EXECUTED THIS THE 11th day of December, 1990.

HEBISD: HURST-EULESS-BEDFORD
INDEPENDENT SCHOOL DISTRICT

CITY: CITY OF BEDFORD

BY: Lennijo Blair
LENNIJO BLAIR, PRESIDENT

BY: L. Don Dodson
L. DON DODSON, MAYOR

ATTEST:

ATTEST:

Joe Waller
JOE WALLER, SECRETARY

Beth A. Davis
BETH A. DAVIS, SECRETARY



Council Agenda Background

<p>PRESENTER: Mirenda McQuagge-Walden, Managing Director of Community Services Jeannette Cook, Chair Parks & Recreation Advisory Board Lisa McMillan, Vice-Chair Parks & Recreation Advisory Board</p>		<p>DATE: 01/22/13</p>
<p>Council Mission Area: Be responsive to the needs of the community.</p>		
<p>ITEM:</p> <p>Consider a resolution authorizing the Parks & Recreation Advisory Board to expend \$25,000 from the Park Donation Fund and proceed with fundraising efforts for a Dog Park at Meadowpark.</p> <p>City Attorney Review: Yes</p> <p>City Manager Review: _____</p>		
<p>DISCUSSION:</p> <p>On June 26, 2012, representatives from the Parks & Recreation Advisory Board presented to the Council their proposed plan for a dog park at the Meadowpark property. The proposed plan outlined the Park Board's commitment to fund the \$25,000 for Phase I via a combination of fundraising efforts and the Park Donation Fund. The Park Donation Fund currently has a balance of approximately \$61,172. In the FY 2012/13 budget \$25,000 was included in the Park Donation Fund budget for a dog park.</p> <p>Both the Hurst-Euless-Bedford Independent School District and Oncor Electric Delivery have reviewed and approved the proposed dog park configuration at Meadowpark. Upon approval from City Council to proceed at the Meadowpark location, the next steps for the Park Board and staff will be to amend the ordinance(s) necessary to allow off leash use at the park as well as develop official rules for the property that will be brought back to Council for final approval.</p>		
<p>RECOMMENDATION:</p> <p>Staff recommends the following motion:</p> <p>Approval of a resolution authorizing the Parks & Recreation Advisory Board to expend \$25,000 from the Park Donation Fund and proceed with fundraising efforts for a Dog Park at Meadowpark.</p>		
<p>FISCAL IMPACT:</p> <p>\$25,000 from the Park Donation Fund</p>	<p>ATTACHMENTS:</p> <p>Resolution Copy of the June 26, 2012 proposed dog park powerpoint Dog Park Configuration Oncor Email</p>	

RESOLUTION NO. 13-

A RESOLUTION AUTHORIZING THE PARKS & RECREATION ADVISORY BOARD TO EXPEND \$25,000 FROM THE PARK DONATION FUND AND PROCEED WITH FUNDRAISING EFFORTS FOR A DOG PARK AT MEADOWPARK.

WHEREAS, the City Council of Bedford, Texas wishes to offer a dog park as an amenity; and,

WHEREAS, the Bedford Parks & Recreation Advisory Board recommend the Meadowpark site as the best location for a dog park.

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

SECTION 1. That the City Council does hereby authorize the Parks & Recreation Advisory Board to expend \$25,000 from the Park Donation Fund for a dog park at Meadowpark.

SECTION 1. That the City Council does hereby authorize the Parks & Recreation Advisory Board to proceed with fundraising for a dog park at Meadowpark.

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

PASSED AND APPROVED this 22nd day of January 2013, by a vote of ayes, nays and abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



City of Bedford
Parks and Recreation Board

Implementation Plan

Bedford Bark Park

at Meadowpark

Why A Dog Park?

- A Dog Park has been on the Parks Board Master Plan future projects list for several years.
- Many parks are used now for off-leash exercise and residents have expressed their concerns to the Parks Board.
- Dog parks are being established in surrounding cities and many Bedford residents want the same amenities here.
- In the 2010 Park Master Plan Survey respondents were asked which program(s) they would be interested in participating – Fitness Classes & Dog Park were the most popular choices.
- In a survey conducted by the Board in FY 2011/12, 96.7% of respondents indicated there is a need for a dog park in Bedford.
- Local veterinarians and pet stores are supportive and could be good resources for sponsorship funds.

Recommended Site

- Existing parkland at Meadowpark
- Existing parking available and sufficient
- Has added amenities with playground and ball fields adjacent
- Requires minimal site development – flat, semi-fenced, grass, parking
- Within walking distance to neighborhoods
- Is a destination for those using Bedford Trail



Proposed Bedford Bark Park Location at Meadowpark

Recommended Meadowpark Area



Area between baseball and soccer fields and behind playground

Access to parking and Bedford Trails





Small Dog Area



Large Dog Area

Basic Needs for a Dog Park

- One acre or more (Meadowpark site is approximately 3 acres)
- Fenced – 6 feet high
- Separate large/small dog areas
- Double-gated entry for each area
- Shade, water, seating
- Garbage cans, pet waste bags
- Rules sign
- Parking
- Lighting (optional)
- Off-leash ordinance

Phase I - Start-Up Items Needed

- Fencing & Gates – Some fencing in place; additional to be added – Est. Cost \$11,000
- Optimal fencing would include concrete base to prevent dig outs - Est. Cost \$5,300
- Cement pad area for double gated entrances to dog park (separate for large and small dogs) – Est. Cost \$700



Phase I - Basic Dog Park Amenities

- Pet Stations:
Includes Waste
Bags and
Receptacle –
Est. Cost \$1,100
- Water Fountains:
For humans and
dogs –
Est. Cost \$6,000



Estimated Phase I Start Up Costs for Dog Park

Component	Cost
Fence	11,000
Cement fence border	5,300
2 Cement pads	700
2 Pet stations	1,100
2 Water fountains	6,000
Basic Signage	900
Total	\$25,000

Phase II - Additional Dog Park Amenities

- Benches and Tables –
Est. Cost \$2,000
- Shade Structures –
Est. Cost \$15,000
- Park Lighting –
Est. Cost \$10,000
- Sidewalks from parking to dog park entrance –
Est. Cost \$5,400

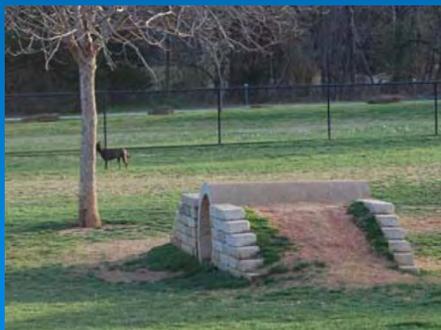


Estimated Costs Phase II Additional Amenities

Component	Cost
Sidewalk from parking lot	5,400
2 Benches	1,000
2 Tables	1,000
2 Shade structures	15,000
Lighting	10,000
Total	\$32,400

Other Amenities To Be Added As Funds Allow

- Rules/Sponsor Signage
- Name/Directional Signs
- Trash Receptacles
- Wash Down Stations
- Play Activity Areas
- Leash Holders
- Trees/Landscaping



Expected Maintenance

➤ Grass Care

- Mow Weekly
- Overseed in Winter
- Organic Fertilizer



➤ Ongoing Maintenance

- Empty Trash Receptacles
- Refill Waste Bags
- Pick Up Trash

➤ Aerate Turf

- Monthly During Growing Season
- Deep Tine Aerify 1 Or 2 Times Yearly

➤ Periodic Repairs

- Water Stations
- Fill Dig Outs/Holes
- Fence/Gate Repairs

Estimated Annual Maintenance Costs:

Approx. \$5,000 in Additional Hard Costs

Up to \$10,000 Overall for Dog Park (Includes some already being done)

Policy Items To Consider

- Coordinate amendments to Meadowpark Lease with HEB ISD
- Amendments to Leash Law
- Development of Dog Park Rules and Regulations
- Consideration of Funding Sources – Public and Private
- Approval of Sponsorship/Donation Program for Dog Park

Start-Up Funding Plan

- Fund Basic Start-Up Costs – Est. \$25,000
 - Fencing/Gates with cement border
 - Cement pads
 - 2 Pet Stations (1 per area)
 - 2 Water Fountains (1 per area)
 - Basic Signage

 - Budget for Annual Maintenance – Est. \$5,000 in additional costs
- 

Source of Funds

- \$25,000 Phase I – Initial Start Up Capital Costs Funded by Corporate Sponsorships and Charter Community Supporters (with any deficiencies covered by Parks Donation Fund monies)
- \$32,400 Phase II – Additional Amenities To Be Added as Funds Become Available (from sponsorships, community supporters and Parks Donation Fund)
- Est. \$5,000 in additional Annual Maintenance Costs Funded in the City General Fund Budget

Sponsorship Plan

- Corporate Sponsorships
 - Fund a “Piece of the Park”
 - Naming Rights
- Charter Community Sponsors/Supportors:
 - Various Levels of Support for Citizens to Choose From
- Other Sustaining Fundraising Activities:
 - Establish “Friends” Group
 - Hold 5k Events, Sell Honorary Bricks, etc.

Corporate Sponsorship

- Fund a “Piece of the Park”; plaque on each unit to indicate name of company that sponsored it:
 - Pet Station - \$1,000
 - Bench - \$1,500
 - Picnic Table - \$2,000
 - Water Fountain - \$3,500
 - Shade Structure - \$10,000
- Naming Rights (funds to sustain maintenance of park):
 - Park Name (ie. DogCo Bark Park in Bedford) – \$50,000 for 10 years, name on all signage, materials, website
 - Large/Small Dog Area (ie. MyVet Large Dog Area) – \$10,000 for 5 years, with large naming sign on fence of area

Charter Community Sponsorships

- Charter Community Supporters who provide funds during initial 2 year funding drive will be recognized by level of support on a “Supporter Wall” in the park and on website sponsor page:
 - Dogs Best Friend (\$1000+)
 - Big Barker (\$500-\$999)
 - Fido Favorite (\$200-\$499)
 - Puppy Pal (\$50-\$199)

Sustaining Fundraising

- Establish a “Friends of Dog Park” Group to provide recommendations on Dog Park operations and continue fundraising efforts through various events
- Hold annual 5k event for people and their dogs starting and ending at Dog Park
- Sell engraved bricks/pavers to be placed at Park entrance honoring family or pets

Proposed Timeline for Action

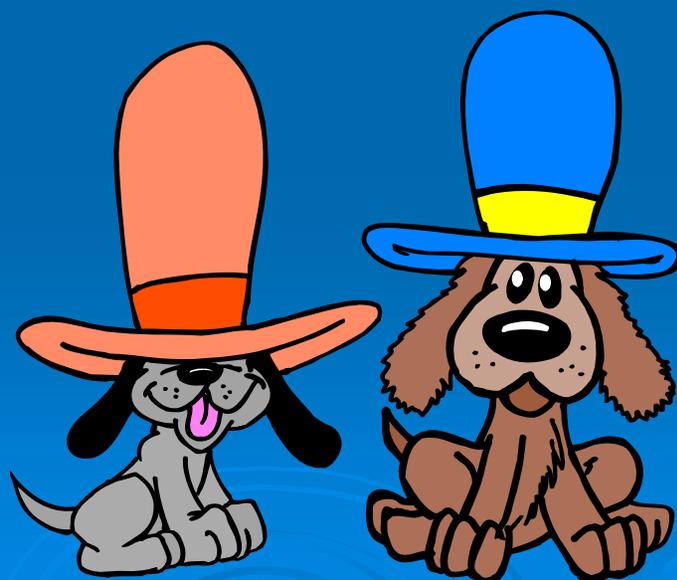
- June 26 - Present Implementation Plan to City Council for Approval
- July – Prepare marketing materials and sponsorship packets; begin fundraising efforts
- July & August – Staff/Parks Board to draft amendments to leash law and park lease with HEB ISD, and draft dog park rules and regulations
- September – Funding included in FY13 City Budget

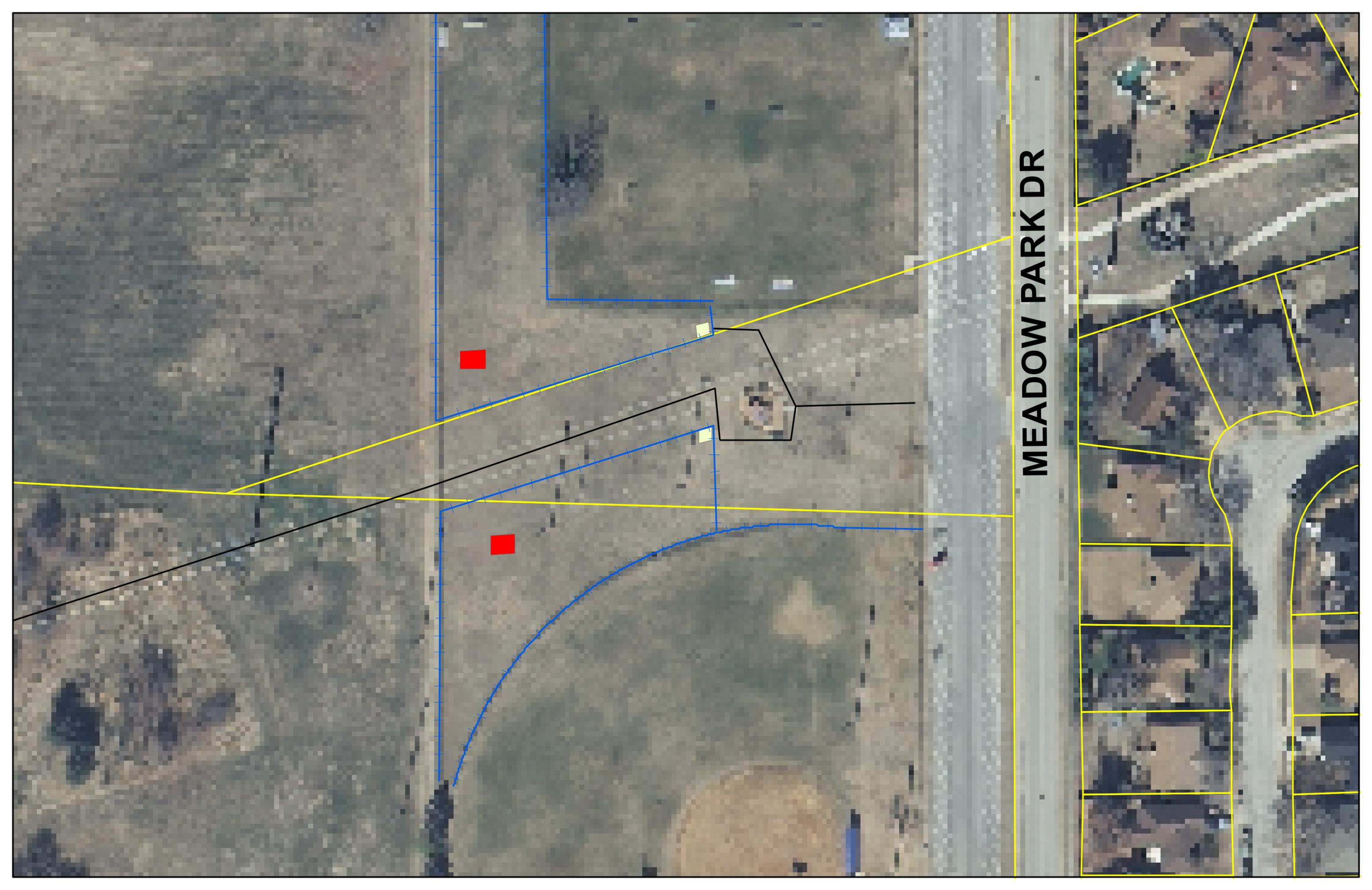
Actions Needed by Council

- Approve Implementation Plan for Establishment of Bedford Bark Park, including proposed Funding and Sponsorship Plan
- Authorize Parks Board to begin fundraising efforts
- Authorize Staff and Parks Board to move forward with preparation and implementation of Policy Items (any changes to lease, modifications to ordinances, drafting of dog park rules, etc.)



Bedford Bark Park at Meadowpark





MEADOW PARK DR

Mcquagge, Mirenda

From: Roark, Ron [Ronald.Roark@oncor.com]
Sent: Tuesday, January 15, 2013 1:20 PM
To: Mcquagge, Mirenda
Subject: Dogpark

Good afternoon Mirenda,

The fence location and the proposed dog park configuration from the exhibit you have provided should not be a problem for Oncor Electric Delivery to access and maintain our transmission line at this location.

If you have any questions, please give me a call.

Ron Roark

Oncor Electric Delivery Company

Sr. Right of Way Agent

817-215-6237 (W) 817-676-5863 ©

115 W. 7th Street, Suite 505

Fort Worth, Texas 76087

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Council Agenda Background

PRESENTER: James Tindell, Fire Chief

DATE: 01/22/13

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

ITEM:

Consider a resolution authorizing the City Manager to enter into a contract with BuyBoard Cooperative Purchasing Network for the purchase of one replacement ambulance, being a 2013 Ford F550 Type I Modular Ambulance, in the amount of \$199,596.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The Fire Department is in need of replacing its oldest ambulance, a 2001 Type I Freightliner Ambulance, which is currently in reserve. This older vehicle has exceeded our 5/5 plan. Emergency Ambulances are used 5 years and remounted on a new chassis and used another 5 years and then replaced. Based on the City of Bedford decision tree for vehicle replacement this Freightliner Ambulance has reached 134 points which exceeds the recommended 100 points for replacement. The new ambulance will be move into primary service and one of the existing primary units will become the reserve unit.

The Fire Department had originally requested \$188,600 for the replacement ambulance. It has been determined that the ambulance stretcher on the old ambulance needs to be replacement due extended service life. The new ambulance will be equipped with and new ambulance stretcher which increased the final pricing.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a contract with BuyBoard Cooperative Purchasing Network for the purchase of one replacement ambulance, being a 2013 Ford F550 Type I Modular Ambulance, in the amount of \$199,596.

FISCAL IMPACT:

Purchase price for one 2013 Ford F550 Type I Modular replacement ambulance totals \$199,596. This will be the total cost to purchase the vehicle. Funding has been allocated from General Fund Vehicle Replacement in the FY 2012-2013 budget.

ATTACHMENTS:

Resolution

RESOLUTION NO. 13-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BUYBOARD COOPERATIVE PURCHASING NETWORK FOR THE PURCHASE OF ONE REPLACEMENT AMBULANCE, BEING A 2013 FORD F550 TYPE I MODULAR AMBULANCE, IN THE AMOUNT OF \$199,596.

WHEREAS, the City Council of Bedford, Texas determines the necessity to purchase one Type I Modular replacement Ambulance; and,

WHEREAS, the City Council of Bedford, Texas recognizes that the previous Type I Ambulance, being a 2001 Freightliner Type I Ambulance has reached its serviceable life and is in need of replacement.

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

SECTION 1. That the City Council does hereby authorize the City Manager to enter into a contract with BuyBoard Cooperative Purchasing Network for the purchase of one 2013 Ford F550 TYPE I Modular Ambulance in the amount of \$199,596.

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

PASSED AND APPROVED this 22nd day of January 2013, by a vote of _ ayes, _ nays, and _ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



Council Agenda Background

PRESENTER: Michael Wells, City Secretary

DATE: 01/22/13

Council Mission Area: Encourage citizen involvement.

ITEM:

A resolution appointing the chairperson and vice-chairperson of the Cultural Commission.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

Section 2-236 of the ordinance creating the Cultural Commission states that the Council is to appoint the chairperson and vice-chairperson of the Commission, and that those officers are to serve for a term of one year each. The terms of both offices are currently expired and Council will need to make an appointment to fill those offices.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution appointing the chairperson and vice-chairperson of the Cultural Commission.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution

RESOLUTION NO. 13-

A RESOLUTION APPOINTING THE CHAIRPERSON AND VICE-CHAIRPERSON OF THE CULTURAL COMMISSION.

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

WHEREAS, the selected persons shall serve for a term of one-year.

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

SECTION 1. That the City Council appoints _____ as Chairperson of the Cultural Commission.

SECTION 2. That the City Council appoints _____ as Vice-Chairperson of the Cultural Commission.

SECTION 3. That the persons named above shall serve one-year terms.

PASSED AND APPROVED this 22nd day of January, by a vote of ___ayes, ___nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



Council Agenda Background

PRESENTER: Michael Wells, City Secretary

DATE: 01/22/13

Council Mission Area: Encourage citizen involvement.

ITEM:

A resolution appointing a member to the Beautification Commission.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The City Secretary's Office received an application from James "Bucky" Geer to serve on the Beautification Commission. Mr. Geer recently finished a two-year term on the Parks and Recreation Board. There are currently six openings on the Beautification Commission.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution appointing a member to the Beautification Commission.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution

RESOLUTION NO. 13-

A RESOLUTION APPOINTING A MEMBER TO THE BEAUTIFICATION COMMISSION.

WHEREAS, the City Council of Bedford, Texas desires to fill an opening on the Beautification Commission.

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

SECTION 1. That James "Bucky" Geer is appointed to Place 3 on the Beautification Commission with a term expiring in December of 2014.

PASSED AND APPROVED this 22nd day of January 2013, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney