

A G E N D A

**Regular Meeting of the Bedford City Council
Tuesday, May 10, 2016
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>**

COUNCIL CHAMBER WORK SESSION

- Review and discuss items on the regular agenda and consider placing items for approval by consent.
- Presentation on Beautification Commission activities.

EXECUTIVE SESSION

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

- a) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1 Mobil Addition-Bedford.

REGULAR SESSION

CALL TO ORDER/GENERAL COMMENTS

INVOCATION (Pastor Robert White, Freedom Church)

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS/UPCOMING EVENTS

OPEN FORUM

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

CONSIDER APPROVAL OF ITEMS BY CONSENT

COUNCIL RECOGNITION

1. Presentation by Steve Chapman, HEB I.S.D. Superintendent.
2. Proclamation recognizing the Sketch-A-School Art Contest winners.
3. Proclamation recognizing the week of May 15 - 21, 2016 as Emergency Medical Services Week.
4. Proclamation recognizing the week of May 15 - 21, 2016 as National Police Week and May 15, 2016 as Peace Officers Memorial Day.

5. Proclamation recognizing the week of May 15 - 21, 2016 as National Public Works Week.
6. Proclamation recognizing May 20, 2016 as Lupus Awareness Day in the City of Bedford.
7. Recognition of Customer Service Assistant Janet O'Dell for the employee Exemplary Service Award.

APPROVAL OF THE MINUTES

8. Consider approval of the following City Council minutes:
 - a) April 26, 2016 regular session

NEW BUSINESS

9. Public hearing and consider an ordinance to rezone Lot 1, Block 1, Bedford Mobil Addition, located at 2100 Airport Freeway, Bedford, Texas from (H/MHC) Heavy Commercial/ Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/Master Highway Corridor Overlay District, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing Armstrong Development Properties to build a new 3,375 square foot retail facility with outdoor patio seating. The subject property is generally located south of Airport Freeway and east of Central Drive. (Z-288)
10. Public hearing and consider an ordinance to rezone Lot 24, Block 3, Oak Grove Estates Addition, located at 2800 Brasher Lane, Bedford, Texas from (I) Industrial to (R75) Residential 7,500, specific to Section 4.3., Residential 7,500, Single Family Residential Detached District of the City of Bedford Zoning Ordinance, allowing for Palisade Custom Homes, L.P. to construct a new single family residence. The subject property is generally located south of Harwood Road and east of Brasher Lane. (Z-289)
11. Public hearing and consider an ordinance to rezone Lot 3R1, Block 1 Super 8 Motel/121 Addition, located at 1900 Airport Freeway, Bedford, Texas from (H/S/MHC) Heavy Commercial/ Service Commercial/Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/ Master Highway Corridor Overlay District, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Randy Primrose to construct a new 5,950 square foot office building. The subject property is generally located south of Airport Freeway and west of Central Drive. (Z-290))
12. Public hearing and consider an ordinance to rezone Lot 3 & 4, J.R. Murphy Addition, located at 2509 & 2513 Woodson Drive, Bedford, Texas from (R-15,000) Single Family Detached Residential to (MD-3) Medium-Density Single Family Detached, specific to Section 4.7, MD-3 Medium-Density Single Family Detached District of the City of Bedford Zoning Ordinance, allowing for a new MD-3 Subdivision to be constructed. The subject property is generally located north of Bedford Road and west of Woodson Drive. (Z-291)
13. Public hearing and consider an ordinance to rezone Lot 1, Block 1, Harwood Village North Addition, located at 605 Harwood Road (2914 Brown Trail), Bedford, Texas from (H) Heavy Commercial to (H/SUP) Heavy Commercial/Specific Use Permit/Secondhand, Rummage and Used-Furniture Stores, specific to Section 3.2.C(7)o of the City of Bedford Zoning Ordinance, allowing for Lonestar Appliances to open a 1,868 square foot Used Appliance store within the retail center. The property is generally located north of Harwood Road and east of Brown Trail. (Z-292)
14. Public hearing and consider an ordinance to rezone Lot 2R, Block 4, Uptown Bus & Prof Center Addition, located at 813 Brown Trail, Suite #1, Bedford, Texas from (S) Service Commercial District to (S/SUP) Service Commercial/Specific Use Permit/Church, specific to Section 3.2.C(2)a of the City of Bedford Zoning Ordinance, allowing for The Faith Center to open a church approximately 1,100 square feet in area within the retail center. The property is generally located east of Uptown Boulevard, west of Brown Trail and south of Plaza Boulevard. (Z-293)

15. Public hearing and consider a resolution approving a site plan for a 5,760 square feet existing building to be used as a two tenant office building. The property is zoned (PUD) Planned Unit Development and located in the (MHC) Master Highway Corridor Overlay District of the City of Bedford Zoning Ordinance. The address is 3001 Airport Freeway and the legal description is Lot 1A, Block 1, Bedford Forum Addition. The property is generally located east of State Highway 121 and north of Airport Freeway. (S-065)
16. Consider an ordinance amending Chapter 90 "Peddlers and Solicitors" of the City of Bedford Code of Ordinances by deleting sections 90-1 through 90-39; adding new sections 90-1 through 90-28; deleting Chapter 6 "Advertising", Article II "Distribution of Handbills"; providing for purpose, definitions, regulation/restrictions for commercial and home solicitation and distribution of handbills; including a do not solicit list; providing for permits and suspension or revocation of permits, providing for a penalty clause; providing for a repealing clause; providing for a severability clause; and declaring an effective date.
17. Consider a resolution amending the City of Bedford Personnel Policies.
18. Consider a resolution authorizing the purchase a replacement 2016 Ford Police Interceptor Utility vehicle in the amount of \$40,423.92, to be purchased through Sam Pack's Five Star Ford utilizing the State contract.
19. Consider a resolution authorizing the City Manager to enter into a contract with Four B Paving Inc. in the amount of \$137,300 for the 2016 Crack Sealing at Various Locations Program.
20. Report on most recent meeting of the following Boards and Commissions:
 - ✓ Animal Shelter Advisory Board - Councilmember Fisher
 - ✓ Beautification Commission - Councilmember Turner
 - ✓ Community Affairs Commission - Councilmember Farco
 - ✓ Cultural Commission - Councilmember Champney
 - ✓ Library Advisory Board - Councilmember Farco
 - ✓ Parks and Recreation Board - Councilmember Sartor
 - ✓ Teen Court Advisory Board - Councilmember Gebhart
 - ✓ Senior Citizen Liaison - Councilmember Turner

21. Council member Reports

22. City Manager/Staff Reports

EXECUTIVE SESSION

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

- a) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1 Mobil Addition-Bedford.

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

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

ADJOURNMENT

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the outside window in a display cabinet at the City Hall of the City of Bedford, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: Friday, May 6, 2016 at 5:00 p.m., and remained so posted at least 72 hours before said meeting convened.

Michael Wells, City Secretary

Date Notice Removed

(Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in City functions and activities. Auxiliary aids and services or accommodations must be requested in writing to the City Secretary's Office a minimum of seventy-two hours (72) hours prior to the scheduled starting time of the posted meeting. Requests can be delivered in person or mailed to the City Secretary's Office at 2000 Forest Ridge Drive, Bedford, TX 76021, or emailed to mwells@bedfordtx.gov. Some requests may take longer due to the nature, extent and/or availability of such auxiliary aids, services or accommodations.)



Council Agenda Background

PRESENTER: Marty Geer, Beautification Commission
Chairperson

DATE: 05/10/16

Work Session

ITEM:

Presentation on Beautification Commission activities.

City Manager Review: _____

DISCUSSION:

The Beautification Commission sponsors several City-wide events, is active in promoting recycling throughout the City, and supporting the community garden.

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER: Jim Griffin, Mayor

DATE: 05/10/16

Council Recognition

ITEM:

Presentation by Steve Chapman, HEB I.S.D. Superintendent.

City Manager Review: _____

DISCUSSION:

Steve Chapman, HEB I.S.D. Superintendent will present information to Council.

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER: Jim Griffin, Mayor

DATE: 05/10/16

Council Recognition

ITEM:

Proclamation recognizing the Sketch-A-School Art Contest winners.

City Manager Review: _____

DISCUSSION:

Each year, every third grader in the Hurst-Euless-Bedford Independent School District (HEB ISD) participates in the Heritage Education program at the Old Bedford School. One component of the program is the Sketch-A-School Art Contest, which provides the students an opportunity to reflect upon their visit and draw a picture of their most memorable moment from visiting the Old Bedford School. This is the 20th year of the contest and more than 300 poster entries were judged by the Heritage Education Docents, with assistance from the staff at the Old Bedford School. From the entries, 1st, 2nd, 3rd, and 4th Places, Most Creative, and Honorable Mention were awarded by the docents. The award recipients will be at the meeting to be recognized.

ATTACHMENTS:

Proclamation



CITY OF
BEDFORD

Proclamation

WHEREAS, school children visit the Old Bedford School and are introduced to the Heritage Education Program in conjunction with their Social Studies curriculum to highlight the local community's history; and

WHEREAS, this event marks the 20th year of the Sketch-A-School Contest and more than 300 posters were entered by Hurst, Eules, and Bedford ISD third grade students; and

WHEREAS, each poster illustrated the students most memorable recollection of the visit to the Old Bedford School and the winning posters were chosen from the following third graders.

NOW, THEREFORE, let it be known that I, Jim Griffin, Mayor of the City of Bedford, and the City Council ask the citizens of Bedford to join us in recognizing the following Sketch-A-School Contest winners:

Mariem Abdel	1st Place	Hurst Hills Elementary
Olivia Hermus Elementary	2nd Place	Bedford Heights
Christina Martinez	3rd Place	Lakewood Elementary
Lucy Medlin	4th Place	Hurst Hills Elementary
John Thompson Elementary	Most Creative	Bedford Heights
Ryan Borg	Honorable Mention	Viridian Elementary

*In witness whereof, I have hereunto set my hand and
caused the seal of the City of Bedford to be affixed this
10th day of May, 2016.*

JIM GRIFFIN, MAYOR





Council Agenda Background

PRESENTER: Jim Griffin, Mayor

DATE: 05/10/16

Council Recognition

ITEM:

Proclamation recognizing the week of May 15-21, 2016 as Emergency Medical Services Week.

City Manager Review: _____

DISCUSSION:

Interim Fire Chief Bobby Sewell and Dr. Roy Yamada will be present to accept the proclamation.

ATTACHMENTS:

Proclamation



CITY OF
BEDFORD

Proclamation

WHEREAS, Emergency Medical Services is a vital public service in the City of Bedford; and

WHEREAS, firefighter-paramedics of the Bedford Fire Department are ready to provide life saving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, our emergency medical services system consists of firefighter-paramedics, physician medical director, EMS educators, EMS field training officers, administrators, 911 operators and first responders; and

WHEREAS, Bedford emergency personnel also care for the community by teaching citizens life saving skills and the actions to take before emergency response personnel arrive at the scene; and

WHEREAS, under the direction of medical director, Dr. Roy Yamada, the men and women of the Bedford Fire Department are highly dedicated and strive to provide the highest quality in lifesaving care for the citizens of Bedford.

NOW, THEREFORE, let it be known that I, Jim Griffin, Mayor of the City of Bedford, and the City Council do hereby proclaim the week of May 15-21, 2016, as:

Emergency Medical Services Week

With the theme, "Called to Care".

In witness whereof, I have hereunto set my hand and caused the seal of the City of Bedford to be affixed this 10th day of May, 2016.

JIM GRIFFIN, MAYOR





Council Agenda Background

PRESENTER: Jim Griffin, Mayor

DATE: 05/10/16

Council Recognition

ITEM:

Proclamation recognizing the week of May 15-21, 2016 as National Police Week and May 15, 2016 as Peace Officers Memorial Day.

City Manager Review: _____

DISCUSSION:

In 1962, President John F. Kennedy signed a proclamation to designate May 15 as Peace Officers Memorial Day and the week in which that date falls as Police Week.

Currently, tens of thousands of law enforcement officers from around the world converge in Washington, D.C., to participate in a number of planned events to honor those that have paid the ultimate sacrifice.

The Memorial Service began in 1982 as a gathering in Senate Park of approximately 120 survivors and supporters of law enforcement. Decades later, the event, more commonly known as “National Police Week,” has grown to a series of events, which attracts thousands of survivors and law enforcement officers to our nation’s capital each year.

Police Chief Jeff Gibson will be present to accept the proclamation.

ATTACHMENTS:

Proclamation



CITY OF
BEDFORD

Proclamation

WHEREAS, the Congress and President of the United States have designated May 15th as Peace Officers' Memorial Day, and the week in which May 15th falls as National Police Week; and

WHEREAS, the members of the Bedford Police Department play an essential role in safeguarding the rights and freedoms of Bedford and provide a vital public service; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of law enforcement personnel, and that members of the Bedford Police Department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression.

NOW, THEREFORE, let it be known that I, Jim Griffin, Mayor of the City of Bedford, and the City Council call upon all of our citizens and all civic and educational organizations to observe the week of May 15-21, 2016 as:

National Police Week

with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities, and in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens. I further call upon all citizens of Bedford to observe Sunday, May 15, 2016, as:

Peace Officers' Memorial Day

in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

*In witness whereof, I have hereunto set my hand and caused the seal of the City of Bedford to be affixed this
10th day of May, 2016.*

JIM GRIFFIN, MAYOR





Council Agenda Background

PRESENTER: Jim Griffin, Mayor

DATE: 05/10/16

Council Recognition

ITEM:

Proclamation recognizing the week of May 15 - 21, 2016 as National Public Works Week.

City Manager Review: _____

DISCUSSION:

Kenneth Overstreet, Public Works Director, will be present to accept the proclamation.

ATTACHMENTS:

Proclamation



CITY OF
BEDFORD

Proclamation

WHEREAS, public works services provided in our communities are an integral part of citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewer, streets, storm water, environmental, engineering and administration; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design and construction, are vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

NOW, THEREFORE, let it be known that I, Jim Griffin, Mayor of the City of Bedford, and the City Council do hereby proclaim May 15–21, 2016, as:

National Public Works Week

in the City of Bedford and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.

*In witness whereof, I have hereunto set my hand and caused the seal of the City of Bedford to be affixed this
10th day of May, 2016.*

JIM GRIFFIN, MAYOR





Council Agenda Background

PRESENTER: Jim Griffin, Mayor

DATE: 05/10/16

Council Recognition

ITEM:

Proclamation declaring May 20, 2016 as Lupus Awareness Day in the City of Bedford.

City Manager Review: _____

DISCUSSION:

Mayor Griffin will read a proclamation declaring May 20, 2016 as Lupus Awareness Day in the City of Bedford and encourages all citizens to support the cause of raising awareness of lupus by wearing purple on May 20, 2016.

ATTACHMENTS:

Proclamation



CITY OF
BEDFORD

Proclamation

***WHEREAS**, an estimated 1.5 million Americans suffer from Lupus, the chronic inflammatory, autoimmune disease that can affect various parts of the body, especially the skin, joints, blood and kidneys; and*

***WHEREAS**, Lupus can be difficult to diagnose because its symptoms are similar to those of many other illnesses, and major gaps exist in understanding the causes and consequences; and*

***WHEREAS**, the Lupus Foundation of America, Lone Star Chapter is part of a national force devoted to solving the cruel mystery of lupus while providing caring support to those who suffer from its brutal impact; and*

***WHEREAS**, the Chapter rallied the (name of city) community to wear the color purple and to further unify the support for those living with the disease; and*

***WHEREAS**, awareness is vital in raising funds for research for those affected by lupus; and it is our responsibility as a community to advocate on their behalf and to further encourage educational programs so everyone affected by lupus can have an improved quality of life;*

***NOW, THEREFORE**, I, Jim Griffin, Mayor of the City of Bedford, and the City Council do hereby proclaim May 20, 2016 as:*

Lupus Awareness Day

throughout the City of Bedford and urge all citizens to support the cause of raising awareness of lupus, so that we can have a world with NO lupus.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the seal of the City to be affixed this 10th day of May 2016.

JIM GRIFFIN, MAYOR





Council Agenda Background

PRESENTER: Jill McAdams, *SPHR*, Human Resources Director

DATE: 04/26/16

Council Recognition

ITEM:

Recognition of Customer Service Assistant Janet O'Dell for the employee Exemplary Service Award.

City Manager Review: _____

DISCUSSION:

The Employee Recognition Award Program was redeveloped in 2014 by the Emerging Leaders Program Class I participants as their capstone project. The Program includes a focus on the PRIDE (Passion, Respect, Innovation, Dependability, Ethics) core values. For the Exemplary Service Award nominees, actions must project a positive image of the City and must demonstrate at least four of the PRIDE values. Nominations are voted on by the most recent graduating Emerging Leaders Class participants.

Janet O'Dell is being recognized and honored for her actions/contributions to the City. She will receive a special art glass award and a \$200 VISA gift card. In addition, Janet and a guest will attend an annual luncheon in honor of all recipients.

Janet was nominated by the Human Resources Department (HR) for her continued service to the City of Bedford employees for a six month period of time. Janet previously worked in HR for 16 years. Last year, she resigned from her full-time HR position (for medical reasons) and transferred to the Senior Center in a part-time capacity. In August 2015, during the middle of a Human Resources Information Services (HRIS) conversion and open enrollment, the employee in HR who spearheaded both major projects went out for four months on Family Medical Leave. This was a significant disruption to the HR staff because the department had only two other employees, which included the Director and another employee who had been in their position less than six months. When the HR Director contacted Janet to see if she would be willing to work in HR to help fill the gap, Janet willingly accepted the assignment. She logged over 600 additional hours in HR during a very critical time period and continued to make herself available to assist in training the replacement staff after the former employee did not return to work. The time that Janet logged in HR included evenings and weekends.

In the nomination for Janet, it was noted the following pertaining to the PRIDE values:

- **Passion:** She demonstrated passion for the City, HR and every employee in her actions. She worked hard and always presented a positive demeanor. She not only did the job-she did the job well! When the HR staff was stressed out, she provided a calming and supportive attitude that helped us get through the days, nights and weekends of work.
- **Respect:** During the time that she worked in HR, she showed respect to all employees. This was a very busy and stressful time for HR and employees. Many employees came in with questions and concerns relating to their benefits and their paychecks, and this employee treated each one as if they were the most important person who came in that day.
- **Innovation:** Not having any exposure to the new payroll and HR system, and with no instructions or manual, this employee learned how to use the software and even came up with short cuts that continue to help the HR staff today.

- **Dependability:** This employee came in every day that we asked her to help. She stayed late every day requested and she worked every weekend that we asked her to work. Even on days that we did not ask her to help, she volunteered to come in and help us. She worked each day with a positive attitude, even on days when she did not feel well.
- **Ethics:** This employee checked and double checked her work for accuracy. She researched individual employee situations to ensure that every possible solution or outcome was thought of for each employee encounter she had in HR. It would have been easy for her to provide only one solution but she worked diligently to provide the best and most correct solution to every problem or situation.

ATTACHMENTS:

N/A



Council Agenda Background

PRESENTER: Michael Wells, City Secretary

DATE: 05/10/16

Minutes

ITEM:

Consider approval of the following City Council minutes:

- a) April 26, 2016 regular meeting

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

April 26, 2016 regular meeting

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 5:00 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 25th day of April, 2016 with the following members present:

Jim Griffin	Mayor
Ray Champney	Council Members
Steve Farco	
Roger Fisher	
Dave Gebhart	
Rusty Sartor	
Roy W. Turner	

constituting a quorum.

Staff present included:

Roger Gibson	City Manager
Kelli Agan	Assistant City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Don Henderson	Parks Superintendent
Meg Jakubik	Strategic Services Manager
Natalie Foster	Public Information Officer
Jeff Gibson	Police Chief
Jill McAdams	Human Resources Director
Kenny Overstreet	Public Works Director
Maria Redburn	Library Director
Bill Syblon	Development Director
Eric Valdez	Community Services Manager

COUNCIL CHAMBER WORK SESSION

Mayor Griffin called the Work Session to order at 5:00 p.m.

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

Council discussed placing the following items on consent: 5, 7, 9, 10, 11 and 12.

Public Works Director Kenney Overstreet presented information on Item #12, which is for the installation of two catch basins and piping at 1000 Simpson Terrace. He stated that the basins and piping would serve to pipe water to the drain in the water tower well and go into the drainage basins, which will flow through the existing 10" storm drain. This would prevent water flowing through the school yard, erosion and illicit drainage into the street. In response to questions from Council, Mr. Overstreet stated that temporary piping was in place throughout the project, which took a couple of years to complete; and that this project will be funded through bonds.

- **Presentation of Cultural Commission Annual Report and request funding for additional FY 15/16 programming.**

Tom Jacobson, Chairperson of the Cultural Commission, stated that the Commission has been very busy; that they are fully formed and have two painters, a jewelry artist, a vocalist and a fundraiser; that in 2013-2014 they formulated their objectives into four tracts and decided that the most important was to

implement changes to make Bedford an arts-friendly community; that they feel it is important to bring art and events to Bedford to successfully apply for a Cultural District designation; that the Strategic Plan has been formatted; that they are utilizing social media to communicate with the community and find artists; and that the support from the City and staff has been extremely helpful.

Mr. Jacobson stated that the 4th Annual ArtsFest was very successful and that moving the event from the fall to the spring has been helpful; that the ArtsFront Exhibit is an event they want to continue to do; that the problem with having Twilight Thursdays in the spring is cancelling because of rain; and that the Commission wants the Council to consider a "Summer Series," which will be an extension of Twilight Thursdays and another event that will help in forming a Cultural District.

Regarding the Commission's Strategic Plan Year 1 Objectives, Mr. Jacobson stated that they want to increase community awareness of the arts and use all of the cultural activities in Bedford; that music attracts people to art; that the Commission is still working on the nonprofit designation; that the support of staff is what makes the events successful and the Commission's Vision is to make Bedford an "Arts Destination;" and that they want to grow ArtsFest and to increase traffic at the StoreFront events. Mr. Jacobson further stated that they want to get more involvement from the HEB ISD and Tarrant County College; that they want to grow and expand ArtsFest and improve infrastructure through the Cultural District, including walkability and signage; and that a mobile stage will help attract larger groups once that is in place.

Mr. Jacobsen stated that the Commission has acquired Danny Wright, a world class pianist, to perform at the Old Bedford School on August 13. There will be a full return on their investment and expect to sell out. The Commission's request is for a summer music series, adding three additional concerts in the amount of \$25,000-\$30,000.

There was discussion regarding how helpful staff is in making events successful; concerns regarding Friday and Saturday night events taking revenue away from rentals at Old Bedford School; if money would be better used to promote the existing events and not spreading staff too thin; crowds not coming out; using Danny Wright as a test case; the Commission working with staff to ensure rentals are not affected; Danny Wright being from Fort Worth and having a following that will create the awareness; the visibility and the momentum that is wanted for all of the events in the City; local businesses being happy about the Cultural District; Bedford not competing with area events, but forming its own point of differentiation by building a sense of community; the proposed concerts not being free; staff overtime; Old Bedford School costs; whether the Cultural Commission members will assist during events; the expectation of the non-profit status of the Commission being completed this year; the portable stage being on a trailer, which opens with hydraulics, and can be set up in 30 minutes with two staff members, be used for all community events and includes basic sound equipment; a partnership with HEB ISD; and the Commission coming back to the Council with specific responses to questions raised.

Regarding the non-profit status of the Commission, it was stated by Council that the City could directly apply for the State designation and does not have to go through a non-profit organization and that the ArtsCouncil Northeast has agreed to support the City when a non-profit is needed for grant funding.

- **Presentation on recent Police Department activities.**

Police Chief Jeff Gibson presented a report on recent Police Department activities. Chief Gibson stated that the implementation of the Animal Control trailer has increased the adoption of animals; painted the image that the animals are cared for; that finding homes for them is important to the City; and that the trailer was very busy at events in 2015. The Code Compliance Division going under the umbrella of the Police Department increased the number of self-initiated calls for service, meaning the Code Compliance Officers are working and taking action to ensure that the City is clean and safe.

Moving forward in 2016, the Police Department plans to implement an organizational restructure, vision and mission statements, and a 5-year strategic plan. Chief Gibson stated that the vision statement, Policing Through Progressive Professionalism, complements the City's mission statement and provides a clear detailed plan to the employees and the community on how they are going to work together as a partnership and be successful.

Regarding the Department's organizational structure, Chief Gibson stated that all changes had no fiscal impact and the allotted position were reorganized to maximize effectiveness across the board. An administrative secretary position was created in the Professional Standards Division to reach out to social networks for multiple reasons, including recruiting and providing information to the community on a constant basis. Two patrol lieutenants were reclassified as an administrative lieutenant and an operations lieutenant in order to provide a buffer between front line supervisors and a deputy chief, resulting in a better checks and balances system. The operations lieutenant is responsible for the Traffic and Canine Divisions, the new commercial vehicle enforcement officer and all equipment needs.

Chief Gibson stated that the Police Department has eight goals, with eight objectives and four focus areas within each goal. The plan shows the community where the Police Department is going and the plans to get there.

- The first goal is a reduction of crime with the objective being to deterring criminal behavior through the utilization of technology, such as pole cameras.
- The second goal is customer satisfaction, with the objective being customer service initiatives such as strengthening a transparency philosophy.
- The third goal is career enhancement, with the objective being employee success.
- The fourth goal is employee retention, with the objective being an employee service plan. The implementation of rotations reduces employee stagnation, promotes employee growth, and enhances the morale and self-worth of employees.
- The fifth goal is innovative and progressive equipment with the the objective being researching for the future. The new operations lieutenant is responsible for ensuring that the life expectancy of equipment is not approaching and is being replaced, thus reducing unexpected costs.
- The sixth goal is advanced training, with the objective being enhanced employee knowledge. This includes training all personnel to be Mental Health Peace Officers (MHPO) and requiring all sworn personnel to obtain Advanced Law Enforcement Rapid Response Training (ALERT) Certification.
- The seventh goal is alternative funding, with the objective being exploring options. Staff will look for ways to find funding through grants and partnerships with other departments.
- The eighth goal is accreditation standard, with the objective being recognition programs including exploring national accreditation standards through the Commission on Accreditation for Law Enforcement Agencies (CALEA).

The Council thanked Chief Gibson and the Police Department for their efforts in keeping the community safe. There was discussion regarding the Repeat Victimization Unit (RVU), including the first step being intervention. Having staff that can intervene, follow-up and get individuals that are ill to in-patient care is critical to the success of the Unit. Law enforcement officers are not being taken off of the street and the Unit is specially designed to not affect staffing. There has been a decrease in the number of out-cries and improvement in getting the person to a medical facility before they can harm themselves.

Mayor Griffin adjourned the Work Session at 6:20 p.m.

EXECUTIVE SESSION

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

- a) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1D, Shops at Central Park.**
- b) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Bedford Commons.**
- c) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to "Project Orchard."**
- d) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1 Mobil Addition-Bedford.**
- e) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1R1 Harwood Hills Village Addition. **This item requested by Councilmember Fisher.**

Council convened into Executive Session pursuant to Texas Government Code Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1D, Shops at Central Park; Section 551.087, deliberation regarding economic development negotiations relative to Bedford Commons; Section 551.087, deliberation regarding economic development negotiations relative to "Project Orchard;" Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1 Mobil Addition-Bedford; and Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1R1 Harwood Hills Village Addition, at 6:23 p.m.

Council reconvened from Executive Session at 6:38 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

The Regular Session began at 6:46 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION (Very Reverend Ryan Reed, St. Vincent's Cathedral)

The Very Reverend Ryan Reed of St. Vincent's Cathedral gave the invocation.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS/UPCOMING EVENTS

Public Information Officer Natalie Foster reported that Vocal Trash will be playing at Twilight Thursday on the lawn of the Old Bedford School. The free concert begins at 7:00 p.m. and there will be beer, wine and food available for purchase. The Drug Take Back Event is on Saturday from 10:00 a.m. to 2:00 p.m. at the Law Enforcement Center. Officers will be accepting prescription drugs, animal medications and vitamin supplements but will not take any liquid medication, needles or surgical blades. The next business roundtable is scheduled for Thursday, May 12 at the Old Bedford School. Breakfast will be served at 7:30 a.m. with the meeting running from 8:00 a.m. to 9:00 a.m. Mayor Griffin and staff will present on topics such as street repairs, the economic outlook, future projects and more. There will be a 30 minute optional question and answer session after the presentations.

Ms. Foster presented an update on the Boys Ranch construction. Due to the rain and wet conditions, the hydro mulching, light pole and monument signs were not installed the previous week. The lake is 100 percent full and there are still plans to have the Texas Department of Parks and Wildlife stock the lake with forage fish the following month.

OPEN FORUM

Nobody chose to speak during Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilmember Champney, seconded by Councilmember Turner, to approve the following items by consent: 5, 7, 9, 10, 11 and 12.

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

COUNCIL RECOGNITION

1. Proclamation declaring the month of May 2016 as Motorcycle Safety Awareness Month in the City of Bedford.

Mayor Griffin read a proclamation declaring the month of May 2016 as Motorcycle Safety Awareness Month in the City of Bedford. Members of the Patriots Motorcycle Club were present to accept the proclamation.

2. Proclamation declaring May, June, July and August as Summer Reading Club Season.

Mayor Griffin read a proclamation declaring May, June, July and August as Summer Reading Club Season.

3. Employee Service Recognition

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

Curtis Crawford, Support Services - 5 years of service
Amanda Freeman, Police Department - 5 years of service
Tonya Smith, Police Departments - 20 years of service
Kirk Roberts, Police Departments - 30 years of service

4. Recognition of Customer Service Assistant Janet O'Dell for the employee Exemplary Service Award.

Ms. O'Dell was unable to attend the meeting. She will be presented the award at a future Council meeting.

APPROVAL OF THE MINUTES

**5. Consider approval of the following City Council minutes:
a) April 12, 2016 regular session**

This item was approved by consent.

NEW BUSINESS

6. Consider a resolution authorizing the City Manager to enter into a contract with Lantana Communications, Inc. to upgrade the existing Avaya IP Office Telephone System in the amount of \$81,070.94.

No discussion or action took place on this item.

7. Consider a resolution directing Oncor Electric Delivery Company, LLC to file certain information with the City of Bedford; setting a procedural schedule for the gathering and review of necessary information in connection therewith; and setting dates for the filing of the City's analysis of the company's filing and the company's rebuttal to such analysis.

This item was approved by consent.

8. Consider a resolution adopting the 2016 Parks and Recreation Master Plan.

Community Services Manager Eric Valdez presented information regarding the Parks and Recreation Master Plan. He stated the process to develop the Plan took over a year and included public meetings, a parks and recreation survey, and meetings with other boards and commissions. The Plan as presented includes accomplishments, renovations, needs assessments and opportunities for improvements. The Plan is a tool to guide the future development of the parks and recreation system. It does not provide a definite timeline and it can be changed at any time. Once the approval process is completed, it can be filed with the Texas Department of Parks and Wildlife in order for the City to take advantage of grants opportunities.

John Fain, the consultant on the project, stated that the Plan has been updated and he suggested sending it to Parks and Wildlife for their endorsement in order for the City to apply for federal and state grants. The previous Plan was used to leverage funds to develop Phase 1 of the Boys Ranch. Accomplishments from the 2010 Plan include Phase 1 of the Boys Ranch renovation, the Bark Park, roof replacement at the Boys Ranch Activity Center, and playground renovations at the Monterrey and Brookhollow parks. With the updated Plan, the City is looking at new goals and objectives for the next six years. The City is broken down into north, south and east districts, as needs are different throughout the City and it gives the opportunity to add new goals to the Plan. The more goals the City achieves, the better its standing with Parks and Wildlife. New action items for the north district include additional multipurpose trails, sports fields, basketball courts, picnic facilities, pavilions, tennis courts, interpretive trails, and volleyball courts. Most of these items can be or are part of Phase 2 of the Boys Ranch renovation. Action items for the east district include trails, creek improvements, land acquisition, sports fields, playgrounds, and basketball courts. Action items for the south district include trails, playgrounds, land acquisition, volleyball courts, picnic facilities, basketball courts, and a "sprayground." All of these items came out of the public meetings, the survey, and input received by the Parks and Recreation Board from citizens.

Mr. Fain discussed acquisition priorities or opportunities. He stated that he is not suggesting buying the listed pieces of property; however, if the opportunity presents itself and funds are available, the City should look at possibly acquiring properties as they would be great additions to the park system. Acquisition opportunities include: expanding Meadow Park to the west; designating the Old Bedford School site as park land; designating the open space north of L. Don Dodson, between Parkwood Drive and E.M. Bilger Boulevard, as park land; acquiring open space east of Central Drive, between Harwood Road and Meadow Park Circle; designating City-owned land on Bedford Road, west of Stonegate Elementary School, as park land; expanding Monterrey Park south to Pipeline Road; acquiring creek floodplain west of Schumac Lane between Forest Ridge Drive and Circle Lane; acquiring the creek corridor south of Bedford Road between Highway 121 and Reliance Parkway; expanding Stormie Jones Park to the north; and including the Bedford Community Garden in the park inventory. In regards to designating the Old Bedford School as park land, he stated that when land is designated as such, it puts restrictions on the land itself in that it cannot be sold without an election. Mr. Fain discussed trail linkages by tying the trails together within the City, as well as those in neighboring cities, thereby creating a nice network of trails. In some cases, the trails would be on the street, in flood plains, or through parks. He cited two corrections that needed to be made to the Plan: on page 12, there was a math error in Table 1-5 the income level of \$15,000 to \$24,999, which should read as 8.2 percent instead of 38.3 percent; and deleting the eighth goal on page 15 regarding construction of a dog park to meet City-wide demand.

There was discussion on the work done by the Parks and Recreation Board; setting a standard on both the Boys Ranch and on how the City wants its parks to look; and quality over quantity, including concerns with pocket parks and taking care of what the City has currently. In answer to questions from Council, Mr. Fain stated that the City sets the standard for the amount of park land it has, with the Plan having it at a certain number of acres per population, as well as suggesting there be a park within a half-mile radius of every home. In regards to the ability to get grants, Mr. Fain stated that the first thing Parks and Wildlife looks at is if the City has a master plan in place, followed by whether the City is meeting the goals it decided were most important, and the distribution of a variety of recreational opportunities. There was discussion on the importance of trail linkages, including endeavoring to link them up as soon as possible and installing proper signage and notifications; and that linked trails could be bike lanes or widened sidewalks, which are designated as a pedestrian trail system. There was further discussion on keeping the parks already in place in good condition in order to meet the demands of the citizens; pocket parks being havens for vandalism and illicit night time activities; using lane space on the City's roads for bicycle usage and there not current being a lot of space on the roads; that there were less than 300 respondents for the survey, whether it was statistically relevant, and if there is a real demand in the City for some of the items; and wetlands. Mr. Fain stated that the reason for the inclusion of pocket parks is that the City does not have large pieces of land left, and it has to look at smaller pieces in order to serve the residents; that if property is designated as wetlands by the State or Federal government, it becomes restrictive, but the term "wetland" in the Plan was meant in general terms and not as an Army Corps of Engineers controlled property; that there are usually not a lot of responses with these types of surveys but the Parks and Recreation Board also had public meetings and other public interface; and that that they did best they could do with information they had to prioritize goals. There was discussion on the Plan being a non-binding document that highlights to Parks and Wildlife the City's interest in different park related areas;

and the property west of Stonegate Elementary being an opportune place for something like a pocket park. In answer to questions from Council, Mr. Fain stated that the Plan would be reviewed by Parks and Wildlife and sent back with comments; that the Plan can be changed prior to approval, such as removing pocket parks; that each project is scored on a point-by-point basis, with the first thing being looked at is if the City is in compliance with current grants, followed by whether or not the City has a master plan on file, without which the City will not score enough points; that the Plan is a tool to guide development; and that it is important to identify the most important goals and action plan priorities for each district because the City would not score very high if it writes a grant and a proposal that does not address those goals and priorities; that the last grant the City received was structured around the Phase 1 of the Boys Ranch, which was high on the list in the old plan; that because a piece of property is designated as a park does not mean there cannot be a variety of improvements or uses on it, such as remaining undeveloped or having a recreation center; that when a piece of property is designated as park land, it cannot be sold or changed without an election; and that combining acquisition and development grants together generally scores higher. There was discussion on the Old Bedford School already being designated a historical site. Parks and Recreation Board Chairperson Jeannette Cook stated that the Plan is just a guide to hopefully receive funding from Parks and Wildlife and asked the Council move forward on approving the Plan.

Motioned by Councilmember Turner, seconded by Councilmember Sartor, to approve a resolution adopting the 2016 Parks and Recreation Master Plan, with the corrections as outlined previously.

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

9. Consider a resolution authorizing the City Manager to enter into a lease agreement for one year with the DFW Tejanos Organization for the purpose of conducting practices and games at the Stormie Jones soccer fields.

This item was approved by consent.

10. Consider a resolution authorizing the City Manager to enter into a lease agreement for one year with the Tri-Cities Baseball Association for the purposes of having league games and practice at Boys Ranch Park.

This item was approved by consent.

11. Consider a resolution in support of the application of Hurst Partners One, a Colorado General Partnership, to the Texas Commission on Environmental Quality (TCEQ) for a Municipal Setting Designation (MSD) for the property at 711 West Hurst Boulevard, Hurst, Texas.

This item was approved by consent.

12. Consider a resolution authorizing the City Manager to enter into a professional services agreement with Contracting Services, Inc. in the amount of \$22,700 for the installation of two catch basins and piping at 1000 Simpson Terrace.

This item was approved by consent.

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

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

No report was given.

- ✓ **Beautification Commission - Councilmember Turner**

Councilmember Turner reported that the Crud Cruiser will be at Meadow Park on Saturday, April 30 and residents will have the opportunity to throw out such items as paint and varnish, as well as electronics, with the exception of televisions.

- ✓ **Community Affairs Commission - Councilmember Farco**

Councilmember Farco reported that the block party on April 15 in the Brookwood Hills addition was well attended and he thanked staff. It was a fun night with 6Stones and various vendors present, and was a great time to come out and support the community and staff. On May 12, the Commission will host a business roundtable starting at 7:30 a.m. at the Old Bedford School.

✓ **Cultural Commission - Councilmember Champney**

No report was given.

✓ **Library Advisory Board - Councilmember Farco**

Councilmember Farco reported that the Board will meet the following night. He stated the previous week, the Mayor was a presenter at the Texas Library Association meeting in Houston. He further stated that Library Director Maria Redburn wants to challenge the Council to sign up for the Summer Reading Club and log their minutes.

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

Councilmember Sartor reported that the Board will next meet on May 5.

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

Councilmember Gebhart reported that the next Board meeting will be in June. He stated that the Teen Court Gala will be on Thursday night and asked people to attend to support local teens in the HEB area. The cost is \$15.00 per person and it will be held at the Hurst Conference Center. Items including art, jewelry, and sports memorabilia will be up for auction starting at 5:30 p.m.

✓ **Senior Citizen Liaison - Councilmember Turner**

No report was given.

14. Council member Reports

Councilmember Fisher discussed an incident the previous week at the Boys Ranch Lake. Animal Control was alerted to a turtle that was struggling in the Lake and staff reacted because of the attention the Lake has drawn and the attention the Council has given it. Animal Control Supervisor Mark Bellinghausen retrieved the turtle, which was unable to go underwater. Mr. Bellinghausen took the turtle to a local veterinarian who determined it was suffering due to bloat from eating corn and dog food, which are not at the park naturally. Councilmember Fisher stated that people are endangering wildlife by not leaving well enough alone. He encouraged everyone to let the wildlife be wild, and stated if an animal can be accommodated there, it will stay, and if not, it will go somewhere else. Otherwise, staff and resources are being tied up to save a turtle which has eaten too much dog food and corn.

15. City Manager/Staff Reports

City Manager Roger Gibson discussed meeting with Kenny Overstreet regarding removing the interim tag from his title of Public Works Director. He stated is has been a process that took several months, but Mr. Overstreet demonstrated to Council, staff and the employees within the Public Works division that he is not a manager as much as a leader. Between the cities of Arlington and Bedford, he has the years of experience and the technical knowledge, as well as common sense.

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

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

ADJOURNMENT

Mayor Griffin adjourned the meeting at 7:49 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary



Council Agenda Background

PRESENTER: Emilio Sanchez, Planning Manager

DATE: 05/10/16

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

ITEM:

Public hearing and consider an ordinance to rezone Lot 1, Block 1, Bedford Mobil Addition, located at 2100 Airport Freeway, Bedford, Texas from (H/MHC) Heavy Commercial/ Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/Master Highway Corridor Overlay District, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing Armstrong Development Properties to build a new 3,375 square foot retail facility with outdoor patio seating. The subject property is generally located south of Airport Freeway and east of Central Drive. (Z-288)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The subject property is generally bound by Airport Freeway to the north, Central Drive to the west and Central Park Boulevard to the south, with the site currently vacant. The applicant is requesting to rezone the subject property from (H/MHC) Heavy Commercial/ Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/Master Highway Corridor Overlay District for the construction of a retail/restaurant building in the MHC. The applicant is asking for the building and site plan to be constructed to the Master Highway Corridor Overlay District requirements with exceptions to the 30-foot landscape buffer and side yard setback, and the requirement for a building of less than 5,000 square feet to have a pitched roof. The subject property is the remainder of a parcel that was part of the highway widening acquisition. The proposed building will encroach into the required landscape buffer approximately nine-feet, six-inches and the side yard approximately six-feet, six-inches. Currently, the Texas Department of Transportation is installing landscaping along the frontage of Airport Freeway and Central Drive, which will allow the applicant to maximize the landscaping along the front yard.

The Planning and Zoning Commission recommended approval of this application at their March 10, 2016 meeting by a vote of 6-0-0.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance to rezone Lot 1, Block 1, Bedford Mobil Addition, located at 2100 Airport Freeway, Bedford, Texas from (H/MHC) Heavy Commercial/Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/Master Highway Corridor Overlay District, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing Armstrong Development Properties to build a new 3,375 square foot retail facility with outdoor patio seating. The subject property is generally located south of Airport Freeway and east of Central Drive. (Z-288)

FISCAL IMPACT:

N/A

ATTACHMENTS:

**Ordinance
Site Plan
Building Elevation
Aerial
Zoning Sign Photo
Planning and Zoning Minutes
Star Telegram Publication**

ORDINANCE NO. 16-

AN ORDINANCE TO REZONE LOT 1, BLOCK 1, BEDFORD MOBIL ADDITION, LOCATED AT 2100 AIRPORT FREEWAY, BEDFORD, TEXAS FROM (H/MHC) HEAVY COMMERCIAL/MASTER HIGHWAY CORRIDOR OVERLAY DISTRICT TO (PUD/MHC) PLANNED UNIT DEVELOPMENT/ MASTER HIGHWAY CORRIDOR OVERLAY DISTRICT, SPECIFIC TO SECTION 4.15, PLANNED UNIT DEVELOPMENT OF THE CITY OF BEDFORD ZONING ORDINANCE, ALLOWING ARMSTRONG DEVELOPMENT PROPERTIES TO BUILD A NEW 3,375 SQUARE FOOT RETAIL FACILITY WITH OUTDOOR PATIO SEATING; DECLARING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND DECLARING AN EFFECTIVE DATE. THE SUBJECT PROPERTY IS GENERALLY LOCATED SOUTH OF AIRPORT FREEWAY AND EAST OF CENTRAL DRIVE. (Z-288)

WHEREAS, it is deemed expedient and for the benefit of the City of Bedford, Texas, that the Zoning Ordinance be rezoned for property known as Lot 1, Block 1, Bedford Mobil Addition, located at 2100 Airport Freeway, Bedford, Texas from (H/MHC) Heavy Commercial/Master Highway Corridor Overlay to (PUD/MHC) Planned Unit Development/Master Highway Corridor Overlay District, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing Armstrong Development Properties to build a new 3,375 square foot retail facility with outdoor patio seating. The subject property is generally located south of Airport Freeway and east of Central Drive. (Z-288)

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

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

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

Lot 1, Block 1, Bedford Mobil Addition, shall be shown as approved by this ordinance.

SECTION 3. That the Site Plan attached hereto as Exhibit "A" is approved as a component of this ordinance approval. Any revisions to the property that deviate from the Site Plan attached hereto shall require an amendment to this ordinance.

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

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

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

ORDINANCE NO. 16-

offense.

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

PRESENTED AND PASSED this 10th day of May 2016, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

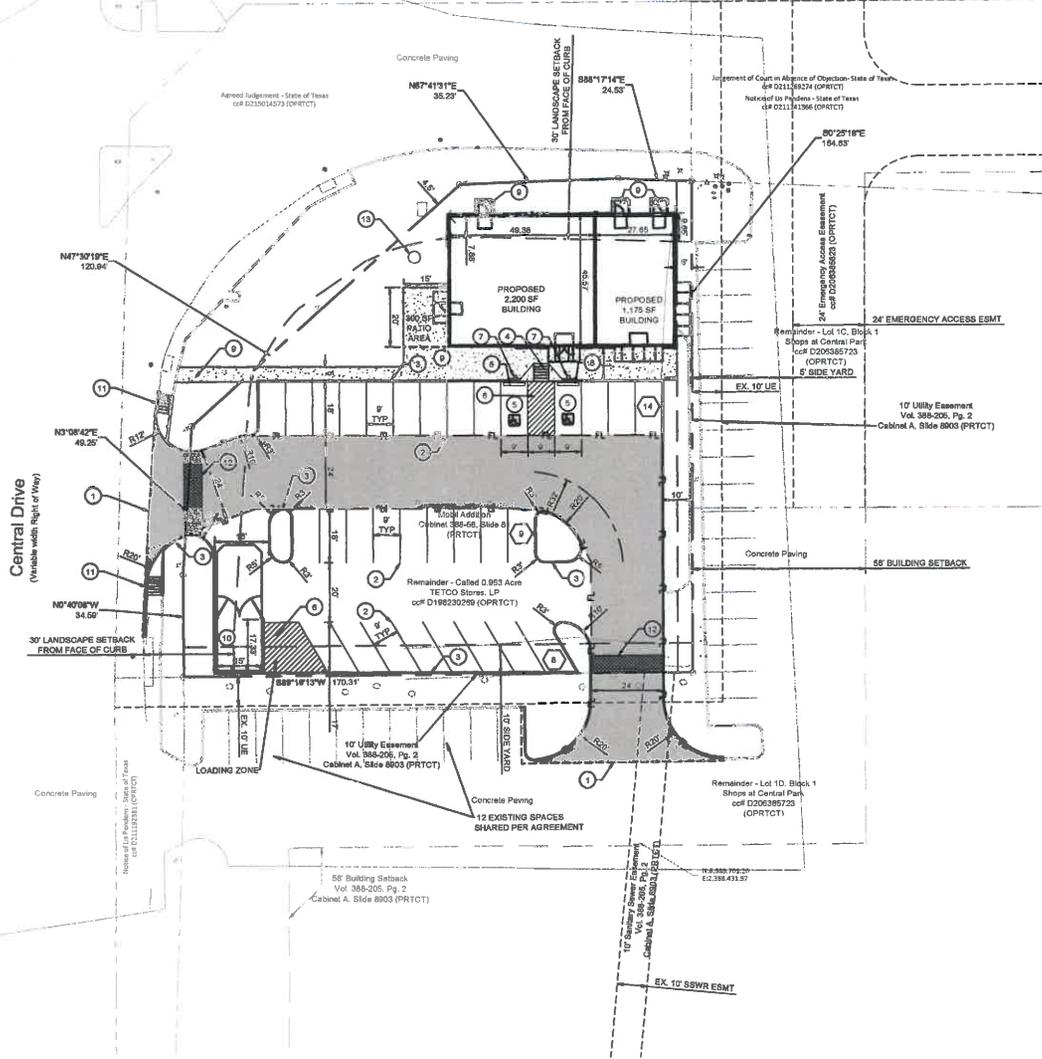
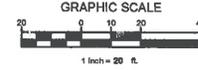
Stan Lowry, City Attorney

PLOTTED BY: MATTHEW AVILES
 DATE: 7/10/2018 10:15 AM
 LOCATION: Z:\WORKSPACE\2018\18-001\RESTRICTING BEDFORD\CADD\SHEETS\SP-1 CITY SITE PLAN.DWG
 LAST SAVED: 7/10/2018 4:15 PM

Airport Freeway / State Highway 121
 (Variable width Right of Way)



Exhibit "A"



LEGEND	
	LIGHT DUTY CONCRETE PAVEMENT PER DETAIL SHEET C-10
	MODERATE DUTY CONCRETE PAVEMENT PER DETAIL SHEET C-10
	PROPOSED CONCRETE SIDEWALK PER DETAILS SHEET C-10
	PROPOSED CONCRETE CURB AND GUTTER
	PARKING COUNT
	FULL-DEPTH SAWCUT
	PROPOSED FIRE LANE STRIPING

CONSTRUCTION SCHEDULE	
1	SAW CUT FULL DEPTH EXISTING PAVEMENT
2	4" PARKING STALL STRIPING COLOR: WHITE (TYP)
3	CURB & GUTTER PER DETAILS SHEET C-10
4	PROPOSED PEDESTRIAN RAMP PER DETAIL SHEET C-10
5	HANDICAP SYMBOL PER DETAILS SHEET C-10
6	PAVEMENT STRIPING PER DETAILS SHEET C-10
7	HANDICAP SIGN PER DETAILS SHEET C-10
8	CURB STOP PER DETAILS SHEET C-10
9	SIDEWALK PER DETAIL SHEET C-10
10	REFER TO ARCHITECTURAL PLANS FOR TRASH ENCLOSURE DETAILS
11	PROPOSED ADA RAMP PER CITY STANDARDS
12	PROPOSED STAMPED CONCRETE
13	PROPOSED POLE SIGN. REFER TO ARCH. PLANS FOR DETAILS

SITE DATA TABLE	
OVERLAY DISTRICT	MHC - MASTER HIGHWAY CORRIDOR
ZONING DISTRICT	M - HEAVY COMMERCIAL
EXISTING USE	VACANT LOT
PROPOSED USE	RESTAURANT
LOT AREA	0.66 AC
BUILDING AREA	3,876SF
REQUIRED PARKING	1 SPACE FOR EVERY 100 S.F. 3876 SF REST. @ 1:100 = 37 (2)
PARKING PROVIDED	31 (2)
SHARED PARKING	12
TOTAL PARKING PROVIDED	43 (2)

NOTES:
 1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 2. REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS AND EXACT DOOR LOCATIONS.
 3. REFER TO ARCHITECTURAL PLANS FOR FENCE AND GATE DETAILS.

TEXAS REG. # 1776 NOV 04/10
CLAY MOORE ENGINEERING
 10000 W. STATE ST. SUITE 100
 DALLAS, TEXAS 75243
 TEL: 972.412.1111 FAX: 972.412.1112
 WWW.CMENGINEERING.COM

PRELIMINARY
 FOR REVIEW ONLY
 NOT FOR CONSTRUCTION PURPOSES
 CLAY MOORE ENGINEERING
 COMPANY AND PLANNING CONSULTANT
 PROJECT: CLAY COUNTY
 NO. 18-00002 DATE: 07/10/2018

**STATE HIGHWAY 121 AND
 CENTRAL DRIVE
 BEDFORD, TEXAS**

NO.	DATE	DESCRIPTION	BY

CITY SITE PLAN

DESIGN:	CLC
DRAWING:	PCV
CHECKED:	CLC
DATE:	09/18/2018

SHEET
SP-1
 File No. 2018-001



- ### GENERAL NOTES
- REFER TO SECTION ELEVATIONS THIS SHEET FOR EXTERIOR SHIMMARE LOCATIONS, SECS & DESCRIPTIONS.
 - EXTERIOR SHIMMARE PROVIDED BY TYP AND INSTALLED BY TYP. GC TO MAKE FINAL CONNECTION.
 - METAL CANOPY AND ROOF SCREEN ARE AVAILABLE FROM AMERICAN PRODUCTS, INC. (A.P.I. PHONE: (611) 93-6344, E-MAIL: BDR@AMERICANPROD.COM)

red
 architecture + planning
 855 GRANDVIEW AVENUE
 SUITE 295
 COLUMBUS, OHIO 43215
 PHONE: 614.487.8770
 FAX: 614.487.8777

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BEDFORD, TX
 STREET ADDRESS TBD
 BEDFORD, TX 76022

Sheet Number:	03.02.2016	LANDSCAPE REVIEW
Client:	Quorum	
IC:	04	
Project No:		
APP01:		
Version:		

EXTERIOR ELEVATIONS

A200
 Date of Last Print: 03.08.16

red

architecture + planning

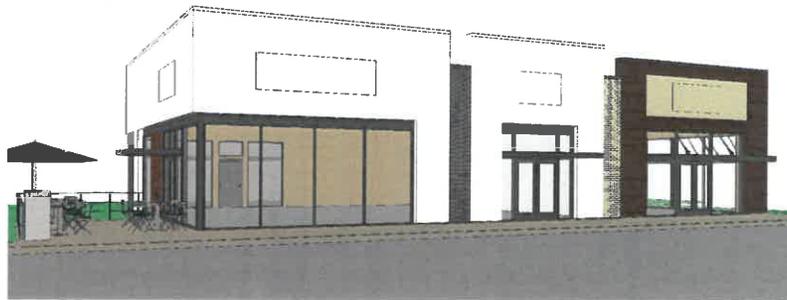
855 GRANDVIEW AVENUE
SUITE 205
COLUMBUS, OHIO 43215
PHONE: 614.467.8770
FAX: 614.467.8777

DISPERSED OVER
THE COURSE OF ENTIREMENT UP BEING FOR AN
SCHEDULED DATE PROJECTS FOR ARMSTRONG
DEVELOPMENT PROPERTIES, INC. INFORMATION FOR
USE OF INVESTORS. ALL INFORMATION IS PROVIDED
ONLY AS BEST AVAILABLE WITH ARMSTRONG
DEVELOPMENT PROPERTIES, INC.

ARMSTRONG
DEVELOPMENT
PROPERTIES, INC.

ARMSTRONG DEVELOPMENT PROPERTIES, INC.
4575 ARDEN DRIVE, SUITE 200
MCKEY, OH 43061
TEL: 614.467.8770
FAX: 614.467.8777
WWW.ARMSTRONGDEVELOPMENT.COM

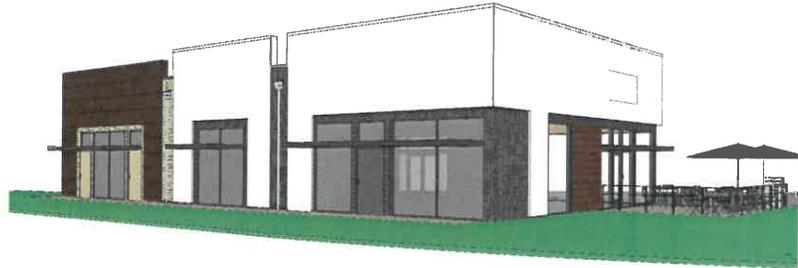
BEDFORD, TX
STREET ADDRESS TBD
BEDFORD, TX 76022



 NORTH-WEST ELEVATION



 NORTH-EAST ELEVATION



 SOUTH-WEST ELEVATION

Revision:
05.06.16 Landscape Review

Author:

Checked:

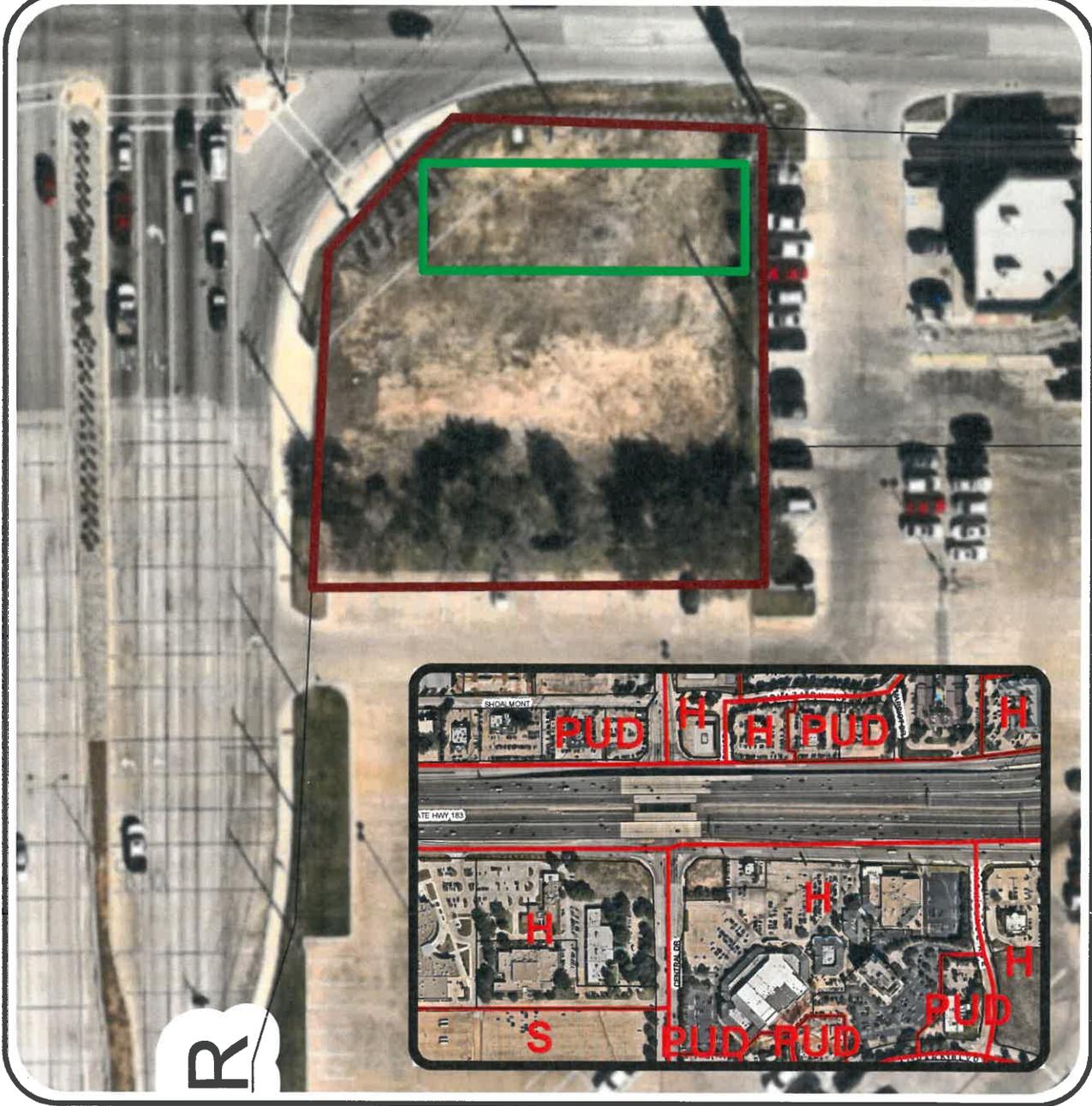
Project No:
A400

PERSPECTIVES

A400

Date of Last Print:
05.06.16

Z-288 2100 Airport Freeway
Zoned "H/MHC" Heavy Commercial/Master Highway Corridor



Legend

- Proposed Property
- Proposed Buildings

Applicants Signature of Acknowledgement

EDGE
PAD AVAILABLE
23,954 SF
Ryan Jordan
214.545.6935
Stacy Ewing
214.545.6913
EDGE REALTY PARTNERS
EDGE.RE.COM



THE PROPERTY IS UP FOR
ZONING CHANGE
FOR INFO CALL
CITY OF DALLAS PLANNING
DEPT 33600 331
(214) 952-2137

Z-288

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF MARCH 10, 2016**

APPROVED

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

1. **Consider approval of the following Planning and Zoning Commission meeting minutes: February 11, 2016 regular meeting**

Motion: Commissioner Stroope made a motion to approve the meeting minutes of the February 11, 2016 regular meeting.

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

Ayes: Commissioners Sinisi, Stroope, Reese, Austin, Davis, Chairman Carlson
Nays: None
Abstention: None

Motion approved 6-0-0. Chairman Carlson declared the February 11, 2016 meeting minutes approved.

PUBLIC HEARINGS

Zoning Case Z-288, public hearing and consider a request to rezone Lot 1, Block 1, Bedford Mobil Addition, located at 2100 Airport Freeway, Bedford, Texas from (H) Heavy Commercial to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development, of the City of Bedford Zoning Ordinance, allowing Armstrong Development Properties to build a new 3,375 square foot retail facility with outdoor patio seating. The subject property is generally located south of Airport Freeway and east of Central Drive. (Z-288)

Emilio Sanchez, Planning Manager, reviewed zoning case Z-288.

The PUD is to seek relief from the 30 ft. landscape setback requirement, as well as to allow for pitched roof, the setbacks on the side of the building and an outdoor seating component.

The landscape setback requirement is per the City of Bedford Zoning Ordinance as part of the Master Highway Corridor overlay.

Matt Moore, on behalf of Armstrong Development, explained the PUD request.

Andy McHargue spoke regarding the proposed patio. It will have metal railings, two in and outs and will be professionally designed at 300 sq. ft.

The applicant's proposal meets the required number of trees and landscaping.

Chairman Carlson opened the public hearing at 7:16 p.m.

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

Motion: Commissioner Austin made a motion to approve zoning case Z-288 as submitted.

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

Ayes: Commissioners Stroope, Sinisi, Reese, Austin, Davis, Chairman Carlson

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF MARCH 10, 2016**

APPROVED

Nays: None
Abstention: None

Motion approved 6-0-0. Chairman Carlson recommended approval of zoning case Z-288.

ADJOURNMENT

Motion: Commissioner Sinisi made a motion to adjourn and the vote was as follows:

Ayes: Chairman Carlson, Commissioners Sinisi, Stroope, Reese, Austin, Davis

Nays: None

Abstention: None

Motion approved 6-0. Chairman Carlson adjourned the Planning and Zoning Commission meeting at 7:21 p.m.

**Todd Carlson, Chairman
Planning and Zoning Commission**

ATTEST:

**Alexandra Aggor, Coordinator
Planning and Zoning Liaison**



CITY OF
BEDFORD

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

April 21, 2016

PLEASE DELIVER TO:

Legal Publications
Attn: Christine Lopez
Fort Worth Star-Telegram
400 West 7th Street
Fort Worth, TX 76102

SENT VIA E-MAIL: clopez@star-telegram.com on Friday, April 22, 2016.

FROM:

City of Bedford
Emilio Sanchez, Planning Manager

Dear Christine,

Please publish the following in "Legal Notices" on Sunday, April 24, 2016.

MESSAGE:

**CITY OF BEDFORD
PUBLIC HEARING**

The City of Bedford City Council gives notice of a public hearing on Tuesday, May 10, 2016, at 6:30 p.m. at City Hall, Council Chamber, 2000 Forest Ridge Drive, Building A, Bedford, Texas:

Public hearing and consider an ordinance to rezone Lot 1, Block 1, Bedford Mobil Addition, located at 2100 Airport Freeway, Bedford, Texas from (H) Heavy Commercial to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing Armstrong Development Properties to build a new 3,375 square foot retail facility with outdoor patio seating. The subject property is generally located south of Airport Freeway and east of Central Drive. (Z-288)

Public hearing and consider an ordinance to rezone Lot 24, Block 3, Oak Grove Estates Addition, located at 2800 Brasher Lane, Bedford, Texas from (I) Industrial to (R75) Residential 7,500, specific to Section 4.3., Residential 7,500, Single Family Residential Detached District of the City of Bedford Zoning Ordinance, allowing for Palisade Custom Homes, L.P. to construct a new single family residence. The subject property is generally located south of Harwood Road and east of Brasher Lane. (Z-289)

Public hearing and consider an ordinance to rezone Lot 3R1, Block 1 Super 8 Motel/121 Addition, located at 1900 Airport Freeway, Bedford, Texas from (S) Service Commercial/Master Highway Corridor Overlay District to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Randy Primrose to construct a new 5,950 square foot office building. The subject property is generally located south of Airport Freeway and west of Central Drive. (Z-290)



Council Agenda Background

PRESENTER: Emilio Sanchez, Planning Manager

DATE: 05/10/16

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

ITEM:

Public hearing and consider an ordinance to rezone Lot 24, Block 3, Oak Grove Estates Addition, located at 2800 Brasher Lane, Bedford, Texas from (I) Industrial to (R75) Residential 7,500, specific to Section 4.3., Residential 7,500, Single Family Residential Detached District of the City of Bedford Zoning Ordinance, allowing for Palisade Custom Homes, L.P. to construct a new single family residence. The subject property is generally located south of Harwood Road and east of Brasher Lane. (Z-289)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The subject property is generally bound by Harwood Road to the north and Brasher Lane to the west, with the site currently vacant land. The applicant is requesting to rezone Lot 24, Block 3 from industrial to residential, allowing for Palisade Custom Homes L.P. to construct a new single family detached residence.

The Planning and Zoning Commission recommended approval of this application at their April 14, 2016 meeting by a vote of 7-0-0.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance to rezone Lot 24, Block 3, Oak Grove Estates Addition, located at 2800 Brasher Lane, Bedford, Texas from (I) Industrial to (R75) Residential 7,500, specific to Section 4.3., Residential 7,500, Single Family Residential Detached District of the City of Bedford Zoning Ordinance, allowing for Palisade Custom Homes, L.P. to construct a new single family residence. The subject property is generally located south of Harwood Road and east of Brasher Lane. (Z-289)

FISCAL IMPACT:

N/A

ATTACHMENTS:

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

ORDINANCE NO. 16-

AN ORDINANCE TO REZONE LOT 24, BLOCK 3, OAK GROVE ESTATES ADDITION, LOCATED AT 2800 BRASHER LANE, BEDFORD, TEXAS FROM (I) INDUSTRIAL TO (R75) RESIDENTIAL 7,500, SPECIFIC TO SECTION 4.3., RESIDENTIAL 7,500, SINGLE FAMILY RESIDENTIAL DETACHED DISTRICT OF THE CITY OF BEDFORD ZONING ORDINANCE, ALLOWING FOR PALISADE CUSTOM HOMES, L.P. TO CONSTRUCT A NEW SINGLE FAMILY RESIDENCE; DECLARING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND DECLARING AN EFFECTIVE DATE. THE SUBJECT PROPERTY IS GENERALLY LOCATED SOUTH OF HARWOOD ROAD AND EAST OF BRASHER LANE. (Z-289)

WHEREAS, it is deemed expedient and for the benefit of the City of Bedford, Texas, that the Zoning Ordinance be rezoned for property known as Lot 24, Block 3, Oak Grove Estates Addition, located at 2800 Brasher Lane, Bedford, Texas from (I) Industrial to (R75) Residential 7,500, specific to Section 4.3., Residential 7,500, Single Family Residential Detached District of the City of Bedford Zoning Ordinance, allowing for Palisade Custom Homes, L.P. to construct a new single family residence. The subject property is generally located south of Harwood Road and east of Brasher Lane. (Z-289)

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

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

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

Lot 24, Block 3, Oak Grove Estates Addition, shall be shown as approved by this ordinance.

SECTION 3. That the Site Plan attached hereto as Exhibit "A" is approved as a component of this ordinance approval. Any revisions to the property that deviate from the Site Plan attached hereto shall require an amendment to this ordinance.

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

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

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

ORDINANCE NO. 16-

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

PRESENTED AND PASSED this 10th day of May 2016, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

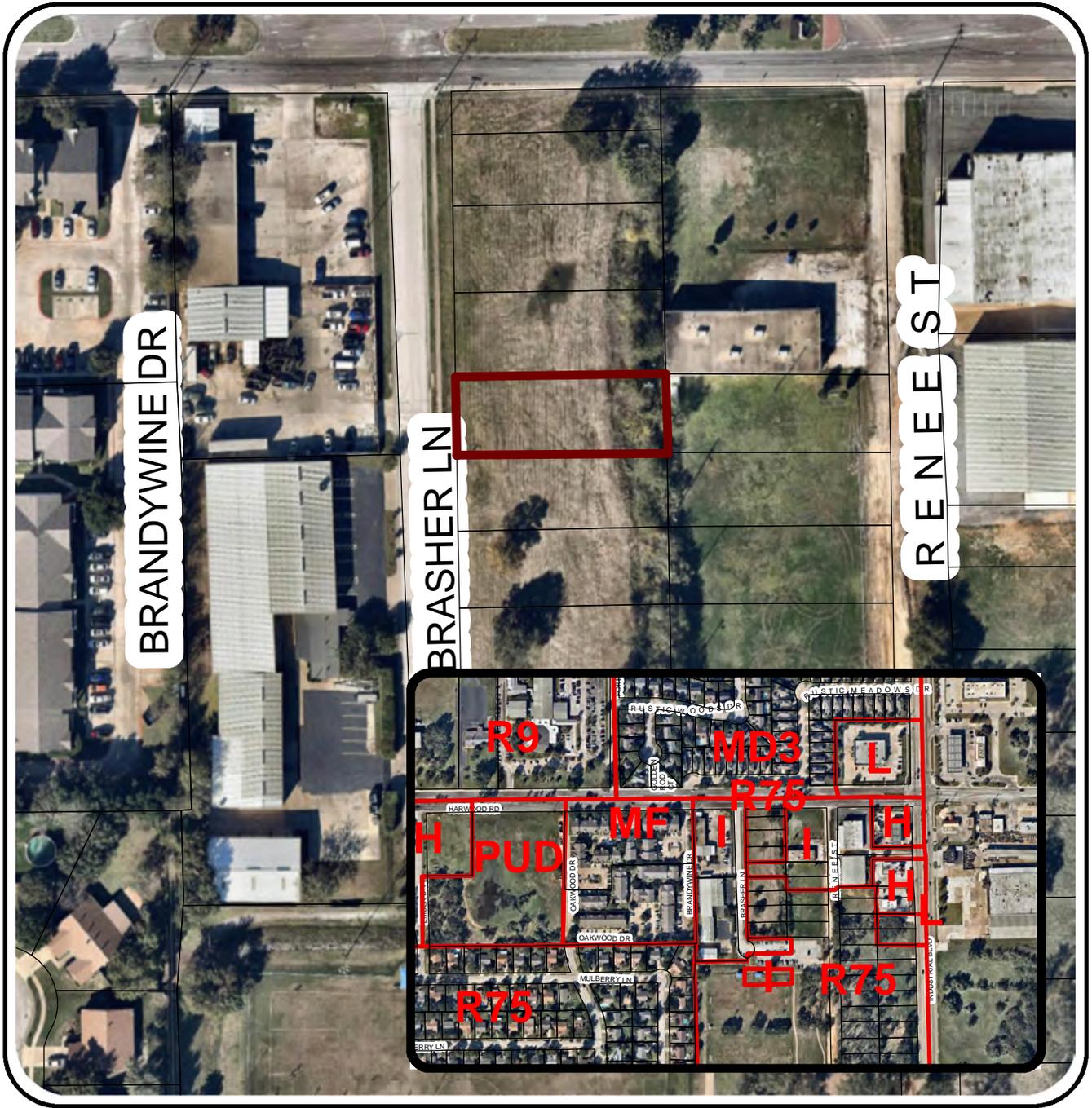
ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

Z-289 2800 Brasher Lane
Zoned "I" Industrial



Legend

■ Proposed Property

Applicants Signature of Acknowledgement



Z-289

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 14, 2016**

DRAFT

Chairman Carlson closed the public hearing at 8:07 p.m.

Vice Chairman Hall made a motion to approve case S-065.

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

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

Nays: None

Abstention: None

Motion approved 7-0-0. S-065 is recommended for approval for City Council May 10th, 2016.

3. **Public hearing and consider a request to rezone Lot 24, Block 3, Oak Grove Estates Addition, located at 2800 Brasher Lane, Bedford, Texas from (I) Industrial to (R75) Residential 7,500, specific to Section 4.3., Residential 7,500, Single Family Residential Detached District of the City of Bedford Zoning Ordinance, allowing for Palisade Custom Homes, L.P. to construct a new single family residence. The subject property is generally located south of Harwood Road and east of Brasher Lane. (Z-289)**

Emilio Sanchez, Planning Manager, reviewed zoning case Z-289. Palisade Custom Homes plans to construct 11 new single-family detached homes on the surrounding lots including this lot. One of those lots is zoned Industrial (I) and the applicant is asking to rezone it to Residential 7,500.

Applicant: Crystal Arnold, 732 Lonesome Dove, Hurst, TX. Ms. Arnold explains the area surrounding the land where the proposed development is and explains the reason for the rezoning request.

Chairman Carlson opened the public hearing at 8:16 p.m.

Chairman Carlson closed the public hearing at 8:16 p.m.

Commissioner Austin made a motion to approve case Z-289.

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

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

Nays: None

Abstention: None

Motion approved 7-0-0. Case Z-289 is recommended for approval for City Council May 10th, 2016.

4. **Public hearing and consider a request to replat Lots 20-28, Block 3, Oak Grove Estates Addition, located at 2708-2816 Brasher Lane, Bedford, Texas and being replatted into Lots 18R-28R, Block 3, Oak Grove Estates. The property is generally located south of Harwood Road and east of Brasher Lane. (R-074)**

Emilio Sanchez, Planning Manager, reviewed zoning case R-074. Palisade Custom Homes plans to construct 11 new residential homes on these lots. One of those lots is along Harwood Rd and was reduced in size when Harwood was widened, making it an unbuildable lot. This replat will incorporate this portion of land. DRC reviewed this case and the only concern was a lacking fire hydrant. Public works is working on installing a fire hydrant.



CITY OF
BEDFORD

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

April 21, 2016

PLEASE DELIVER TO:

Legal Publications
Attn: Christine Lopez
Fort Worth Star-Telegram
400 West 7th Street
Fort Worth, TX 76102

SENT VIA E-MAIL: clopez@star-telegram.com on Friday, April 22, 2016.

FROM:

City of Bedford
Emilio Sanchez, Planning Manager

Dear Christine,

Please publish the following in "Legal Notices" on Sunday, April 24, 2016.

MESSAGE:

**CITY OF BEDFORD
PUBLIC HEARING**

The City of Bedford City Council gives notice of a public hearing on Tuesday, May 10, 2016, at 6:30 p.m. at City Hall, Council Chamber, 2000 Forest Ridge Drive, Building A, Bedford, Texas:

Public hearing and consider an ordinance to rezone Lot 1, Block 1, Bedford Mobil Addition, located at 2100 Airport Freeway, Bedford, Texas from (H) Heavy Commercial to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing Armstrong Development Properties to build a new 3,375 square foot retail facility with outdoor patio seating. The subject property is generally located south of Airport Freeway and east of Central Drive. (Z-288)

Public hearing and consider an ordinance to rezone Lot 24, Block 3, Oak Grove Estates Addition, located at 2800 Brasher Lane, Bedford, Texas from (I) Industrial to (R75) Residential 7,500, specific to Section 4.3., Residential 7,500, Single Family Residential Detached District of the City of Bedford Zoning Ordinance, allowing for Palisade Custom Homes, L.P. to construct a new single family residence. The subject property is generally located south of Harwood Road and east of Brasher Lane. (Z-289)

Public hearing and consider an ordinance to rezone Lot 3R1, Block 1 Super 8 Motel/121 Addition, located at 1900 Airport Freeway, Bedford, Texas from (S) Service Commercial/Master Highway Corridor Overlay District to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Randy Primrose to construct a new 5,950 square foot office building. The subject property is generally located south of Airport Freeway and west of Central Drive. (Z-290)



Council Agenda Background

PRESENTER: Emilio Sanchez, Planning Manager

DATE: 05/10/16

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

ITEM:

Public hearing and consider an ordinance to rezone Lot 3R1, Block 1 Super 8 Motel/121 Addition, located at 1900 Airport Freeway, Bedford, Texas from (H/S/MHC) Heavy Commercial/ Service Commercial/Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/ Master Highway Corridor Overlay District, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Randy Primrose to construct a new 5,950 square foot office building. The subject property is generally located south of Airport Freeway and west of Central Drive. (Z-290)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The subject property is generally bound by Airport Freeway to the north and Central Drive to the east, with the site currently used as a commercial business. The applicant is requesting to rezone from a split zoned lot (H/S/MHC) Heavy Commercial/Service Commercial/Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/Master Highway Corridor Overlay District, allowing Mr. Primrose to construct a new two story commercial building at the front of the property. The subject property is a remnant from the highway expansion. The proposed building will be built to the MHC standards except for the 30 foot landscape buffer along the front of the property and the ten foot side yard setback along the west property line.

The Planning and Zoning Commission recommended approval of this application at their April 14, 2016 meeting by a vote of 7-0-0.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance to rezone Lot 3R1, Block 1 Super 8 Motel/121 Addition, located at 1900 Airport Freeway, Bedford, Texas from (H/S/MHC) Heavy Commercial/ Service Commercial/Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/ Master Highway Corridor Overlay District, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Randy Primrose to construct a new 5,950 square foot office building. The subject property is generally located south of Airport Freeway and west of Central Drive. (Z-290)

FISCAL IMPACT:

N/A

ATTACHMENTS:

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

ORDINANCE NO. 16-

AN ORDINANCE TO REZONE LOT 3R1, BLOCK 1 SUPER 8 MOTEL/121 ADDITION, LOCATED AT 1900 AIRPORT FREEWAY, BEDFORD, TEXAS FROM (H/S/MHC) HEAVY COMMERCIAL/SERVICE COMMERCIAL/MASTER HIGHWAY CORRIDOR OVERLAY DISTRICT TO (PUD/MHC) PLANNED UNIT DEVELOPMENT/MASTER HIGHWAY CORRIDOR OVERLAY DISTRICT, SPECIFIC TO SECTION 4.15, PLANNED UNIT DEVELOPMENT OF THE CITY OF BEDFORD ZONING ORDINANCE, ALLOWING FOR RANDY PRIMROSE TO CONSTRUCT A NEW 5,950 SQUARE FOOT OFFICE BUILDING; DECLARING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND DECLARING AN EFFECTIVE DATE. THE SUBJECT PROPERTY IS GENERALLY LOCATED SOUTH OF AIRPORT FREEWAY AND WEST OF CENTRAL DRIVE. (Z-290)

WHEREAS, it is deemed expedient and for the benefit of the City of Bedford, Texas, that the Zoning Ordinance be rezoned for property known as Lot 3R1, Block 1 Super 8 Motel/121 Addition, located at 1900 Airport Freeway, Bedford, Texas from (H/S/MHC) Heavy Commercial Service Commercial/Master Highway Corridor Overlay District to (PUD/MHC) Planned Unit Development/Master Highway Corridor Overlay District, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Randy Primrose to construct a new 5,950 square foot office building. The subject property is generally located south of Airport Freeway and west of Central Drive. (Z-290)

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

- SECTION 1.** That the findings above are found to be true and correct, and are incorporated herein.
- SECTION 2.** That Section 2 of the Zoning Ordinance be amended and the map designated "ZONING MAP-CITY OF BEDFORD, TEXAS" be revised and amended so that the land described as:
- Lot 3R1, Block 1, Super 8 Motel/121 Addition, shall be shown as approved by this ordinance.**
- SECTION 3.** That the site plan attached hereto as Exhibit "A" is approved as a component of this ordinance approval. Any revisions to the property that deviate from the Site Plan attached hereto shall require an amendment to this ordinance.
- SECTION 4.** That this ordinance shall be cumulative of all provisions of other ordinances of the City of Bedford, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting revisions of such ordinances are hereby repealed.
- SECTION 5.** That it is hereby declared the intention of the City Council of the City of Bedford, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.
- SECTION 6.** That any person, organization, corporation, partnership or entity that violates, disobeys, omits, neglects or fails to comply with the provisions of this ordinance shall be fined not more than two thousand dollars (\$2,000.00) for each offense or violation. Each day that an offense or violation occurs shall constitute a separate offense.

ORDINANCE NO. 16-

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

PRESENTED AND PASSED this 10th day of May 2016, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



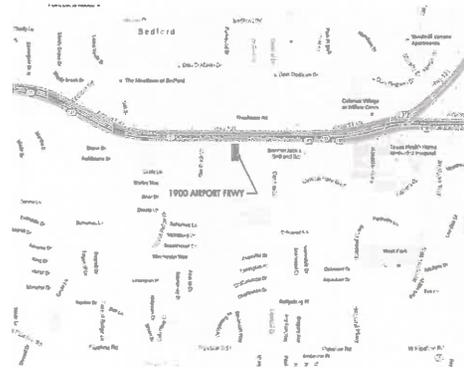
Wilder Belshaw Architects
28519 S. Hwy. 410, Apt. 117 - 75001
714-970-0500 www.wilderbels.com

Project Owner:

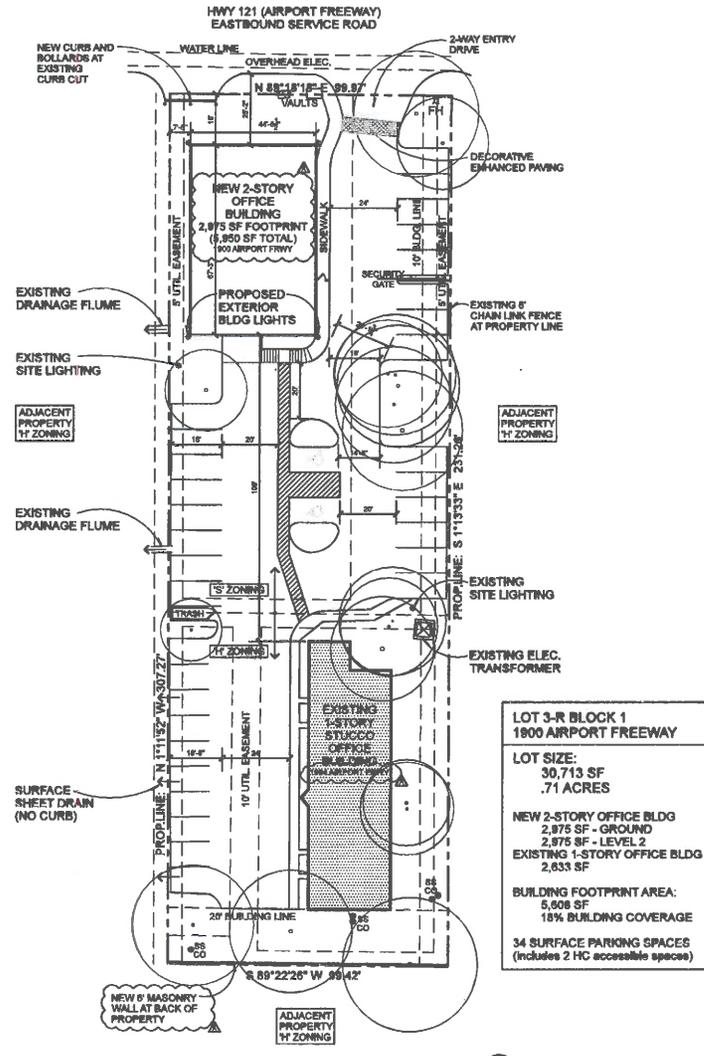
Primrose Office
1800 AIRPORT FREEWAY
BEDFORD, TX 76002

Issues and Revisions:

No.	Date	Issues
01	08 March 2016	Development Plan
02	04 April 2016	City comments



02 VICINITY PLAN
NOT TO SCALE



01 DEVELOPMENT PLAN
SCALE: 1"=20'



Primrose Office
Bedford, Texas

Project Owner:
Contact: Randy Primrose
1800 Airport Freeway
Bedford, TX 76002
817.798.2580
rindy@primrose.com

Architect: Wilder Belshaw Architects Inc.
3876 Forks Ave., S. 410
Addicks, TX 75001
214.960.0500
wbs@wbsarchitects.com

Drawing Name:
DEVELOPMENT PLAN

Sheet Number:

DP-1

Z-290 1900 Airport Freeway Zoned "S"/"H" Service/Heavy Commercial



Legend

- Proposed Property
- Proposed Building
- Existing Building

Applicants Signature of Acknowledgement



Z-290

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 14, 2016**

DRAFT

Ms. Arnold presents the requested replat to the board.

The commissioners address the concern of houses being built right next to a tire shop.

Ms. Arnold does not foresee any conflicts with new homes in close proximity of a tire shop.

Chairman Carlson opened the public hearing at 8:25 p.m.

Chairman Carlson closed the public hearing at 8:25 p.m.

Emilio verifies that the previous case meets all subdivision standards, and state law requires the approval of the replat.

Commissioner Stroope made a motion to approve case R-074.

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

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

Nays:

Commissioner Sinisi

Abstention: None

Motion approved 7-1-0. R-074 is approved.

5. Public hearing and consider a request to rezone Lot 3R1, Block 1 Super 8 Motel/121 Addition, located at 1900 Airport Freeway, Bedford, Texas from (S) Service Commercial/Master Highway Corridor Overlay District to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Randy Primrose to construct a new 5,950 square foot office building. The subject property is generally located south of Airport Freeway and west of Central Drive. (Z-290)

Emilio Sanchez, Planning Manager, reviewed zoning case Z-290. Building is a remnant of an attorney's office prior to the highway expansion project. This is a split-zoned lot: The front is zoned (S) Service Commercial and the rear is (H) Heavy Commercial. Reason for asking for PUD is because in order to preserve trees on the property, their building is going to encroach five feet into the required ten foot setback. They also do not meet the Master Highway Corridor required 30 foot landscape setback up front due to the fact that a portion of that lot was taken by the highway expansion.

Petitioner: Matt Moore, Moore Engineering, 1903 Central Drive, Bedford, Tx 76021. Representing Randy Primrose, current property owner. Specifies the site restraints with this lot.

The commissioners asked about a description of the interior and exterior of building.

Answer: Exterior is stucco, with the intent of matching the preexisting building and roofing.

Mr. Moore explains the reason for combining the two properties. Intends to clean up the area, make the rear building accessible to the fire department.

Chairman Carlson opened the public hearing at 8:38 p.m.

Chairman Carlson closed the public hearing at 8:38 p.m.

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 14, 2016**

DRAFT

Vice Chairman Hall made a motion to approve case Z-290.

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

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

Nays:

None

Abstention: None

Motion approved 7-0-0. Case Z-290 is recommended for approval for City Council May 10th, 2016.

6. **Public hearing and consider a request to rezone Lot 1, Block 1, Harwood Village North Addition, located at 605 Harwood Road (2914 Brown Trail), Bedford, Texas from (H) Heavy Commercial District to (H) Heavy Commercial/Specific Use Permit/Secondhand, Rummage and Used-Furniture Stores, specific to Section 3.2.C(7) of the City of Bedford Zoning Ordinance, allowing for Lonestar Appliances to open a 1,868 square foot Used Appliance store within the retail center. The property is generally located north of Harwood Road and east of Brown Trail. (Z-292)**

Emilio Sanchez, Planning Manager, reviewed zoning case Z-292. This is a (SUP) Specific Use Permit to allow Lone Star Appliances to operate a used/second hand appliance store. Parcel is known as 605 Harwood, however this particular suite has its own address rather than a suite number, which is 2914 Brown Trail. No conflict with Comprehensive Land Use Plan. Staff has not received any support or opposition regarding this case. Located in a multi-tenant commercial space.

Emilio clarified what exactly what a second hand rummage and used furniture store consists of by citing Section 3.2.C(7) of the City of Bedford Zoning Ordinance. Emilio reiterated that if the Board is not comfortable with some of the items listed, the City can go back and put stipulations on what can and cannot be sold.

Petitioner: Eric Marcus, 613 Comanche, Allen, TX. Specified that the store will sell both new and used appliances. The owner already has other stores, but he would like to open another one in Bedford. Most of the used inventory consists of warranty-issue items that are picked up from Lowes, Home Depot, etc., He repairs the appliances and sells them.

The store will only sell major appliances – no furniture, household goods, clothing, etc.

Nothing will be placed outside for display; everything will remain inside the store. Repairs are done off-site.

Chairman Carlson opened the public hearing at 8:46 p.m.

Chairman Carlson closed the public hearing at 8:46 p.m.

Commissioners request to stipulate that there will be no outside displays.

Commissioners request to stipulate only major household appliances.

Commissioner Austin made a motion to approve case Z-292 with the stipulation that sales be limited to only household appliances and no outside storage or display.

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



CITY OF
BEDFORD

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

April 21, 2016

PLEASE DELIVER TO:

Legal Publications
Attn: Christine Lopez
Fort Worth Star-Telegram
400 West 7th Street
Fort Worth, TX 76102

SENT VIA E-MAIL: clopez@star-telegram.com on Friday, April 22, 2016.

FROM:

City of Bedford
Emilio Sanchez, Planning Manager

Dear Christine,

Please publish the following in "Legal Notices" on Sunday, April 24, 2016.

MESSAGE:

**CITY OF BEDFORD
PUBLIC HEARING**

The City of Bedford City Council gives notice of a public hearing on Tuesday, May 10, 2016, at 6:30 p.m. at City Hall, Council Chamber, 2000 Forest Ridge Drive, Building A, Bedford, Texas:

Public hearing and consider an ordinance to rezone Lot 1, Block 1, Bedford Mobil Addition, located at 2100 Airport Freeway, Bedford, Texas from (H) Heavy Commercial to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing Armstrong Development Properties to build a new 3,375 square foot retail facility with outdoor patio seating. The subject property is generally located south of Airport Freeway and east of Central Drive. (Z-288)

Public hearing and consider an ordinance to rezone Lot 24, Block 3, Oak Grove Estates Addition, located at 2800 Brasher Lane, Bedford, Texas from (I) Industrial to (R75) Residential 7,500, specific to Section 4.3., Residential 7,500, Single Family Residential Detached District of the City of Bedford Zoning Ordinance, allowing for Palisade Custom Homes, L.P. to construct a new single family residence. The subject property is generally located south of Harwood Road and east of Brasher Lane. (Z-289)

Public hearing and consider an ordinance to rezone Lot 3R1, Block 1 Super 8 Motel/121 Addition, located at 1900 Airport Freeway, Bedford, Texas from (S) Service Commercial/Master Highway Corridor Overlay District to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Randy Primrose to construct a new 5,950 square foot office building. The subject property is generally located south of Airport Freeway and west of Central Drive. (Z-290)



Council Agenda Background

PRESENTER: Emilio Sanchez, Planning Manager

DATE: 05/10/16

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

ITEM:

Public hearing and consider an ordinance to rezone Lot 3 & 4, J.R. Murphy Addition, located at 2509 & 2513 Woodson Drive, Bedford, Texas from (R-15,000) Single Family Detached Residential to (MD-3) Medium-Density Single Family Detached, specific to Section 4.7, MD-3 Medium-Density Single Family Detached District of the City of Bedford Zoning Ordinance, allowing for a new MD-3 Subdivision to be constructed. The subject property is generally located north of Bedford Road and west of Woodson Drive. (Z-291)

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

The applicant for this rezoning has withdrawn their application. The applicant asked to withdraw the request prior to the public notice; therefore, no action needs to be taken on this item.

RECOMMENDATION:

Staff recommends the following motion:

Take no action.

FISCAL IMPACT:

N/A

ATTACHMENTS:

E-mail From Applicant

From: [Matt Moore](#)
To: [Sanchez, Emilio](#); [Peter Slover](#)
Subject: Re: examples of Homes and materials used
Date: Wednesday, April 20, 2016 12:10:51 PM

Emilio

Please let this email serve as a formal request to withdraw the rezoning request

Matt

Sent from my iPhone

On Apr 20, 2016, at 9:58 AM, Sanchez, Emilio <Emilio.Sanchez@bedfordtx.gov> wrote:

Matt,

I am not sure how you all want to proceed but wanted to check and see if you all were wanting to be placed on the May 10th Council meeting? Since the case was recommended for denial, it will take a super majority (6 of the 7) council members to approve your rezoning request. I will need to send this to the paper Friday morning so let me know at your earliest convenience.

Thanks,

--

Emilio Sanchez
Office: 817-952-2168

From: Matt Moore [<mailto:matt@claymooreeng.com>]
Sent: Monday, April 11, 2016 6:50 PM
To: Sanchez, Emilio
Cc: Drew Donosky
Subject: FW: examples of Homes and materials used

See attached.

Does this work?

From: Peter Slover [<mailto:pslover@bydevelopment.org>]
Sent: Monday, April 11, 2016 1:16 PM
To: Matt Moore <matt@claymooreeng.com>
Subject: examples of Homes and materials used

Matt,

I will be sending you several different files that you can use for examples..
Do you need a copy of the final plat to show the lay out of Sanders?

J. Peter Slover

<image001.jpg>

Managing Member

1105 Glade Rd.

Suite 100

Colleyville, TX 76034

214.626.8590 Ext. 110

817.228.7807 Cell

CONFIDENTIALITY NOTICE: This City of Bedford (CoB) email transmission is intended only for the use of the individual to whom it is addressed and may contain information that is confidential, privileged, and exempt from disclosure. Any use, copying, retention or disclosure by any person other than the intended recipient or the intended recipient's designees is strictly prohibited. If you have received this email in error, please notify the sender immediately by return email and destroy all electronic and paper copies of the original message and any attachments immediately. --o365--



Council Agenda Background

PRESENTER: Emilio Sanchez, Planning Manager

DATE: 05/10/16

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

ITEM:

Public hearing and consider an ordinance to rezone Lot 1, Block 1, Harwood Village North Addition, located at 605 Harwood Road (2914 Brown Trail), Bedford, Texas from (H) Heavy Commercial to (H/SUP) Heavy Commercial/Specific Use Permit/Secondhand, Rummage and Used-Furniture Stores, specific to Section 3.2.C(7) of the City of Bedford Zoning Ordinance, allowing for Lonestar Appliances to open a 1,868 square foot Used Appliance store within the retail center. The property is generally located north of Harwood Road and east of Brown Trail. (Z-292)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The subject property is generally bound by Brown Trail to the west and Harwood Road to the south, with the site currently a multi-tenant commercial strip center. The applicant is requesting to rezone from (H) Heavy Commercial to (H/SUP) Heavy Commercial/Specific Use Permit, allowing Lonestar Appliance to operate a used appliance store within the strip center.

The Planning and Zoning Commission recommended approval of this application at their April 14, 2016 meeting by a vote of 7-0-0, with the stipulation that sales be limited to only household appliances and no outdoor storage or sales.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance to rezone Lot 1, Block 1, Harwood Village North Addition, located at 605 Harwood Road (2914 Brown Trail), Bedford, Texas from (H) Heavy Commercial to (H/SUP) Heavy Commercial/Specific Use Permit/Secondhand, Rummage and Used-Furniture Stores, specific to Section 3.2.C(7) of the City of Bedford Zoning Ordinance, allowing for Lonestar Appliances to open a 1,868 square foot Used Appliance store within the retail center. The property is generally located north of Harwood Road and east of Brown Trail. (Z-292)

FISCAL IMPACT:

N/A

ATTACHMENTS:

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

ORDINANCE NO. 16-

AN ORDINANCE TO REZONE LOT 1, BLOCK 1, HARWOOD VILLAGE NORTH ADDITION, LOCATED AT 605 HARWOOD ROAD (2914 BROWN TRAIL), BEDFORD, TEXAS FROM (H) HEAVY COMMERCIAL TO (H/SUP) HEAVY COMMERCIAL/SPECIFIC USE PERMIT/SECONDHAND, RUMMAGE AND USED-FURNITURE STORES, SPECIFIC TO SECTION 3.2.C(7)O OF THE CITY OF BEDFORD ZONING ORDINANCE, ALLOWING FOR LONESTAR APPLIANCES TO OPEN A 1,868 SQUARE FOOT USED APPLIANCE STORE WITHIN THE RETAIL CENTER; DECLARING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND DECLARING AN EFFECTIVE DATE. THE PROPERTY IS GENERALLY LOCATED NORTH OF HARWOOD ROAD AND EAST OF BROWN TRAIL. (Z-292)

WHEREAS, it is deemed expedient and for the benefit of the City of Bedford, Texas, that the Zoning Ordinance be rezoned for property known as Lot 1, Block 1, Harwood Village North Addition, located at 605 Harwood Road (2914 Brown Trail), Bedford, Texas from (H) Heavy Commercial to (H/SUP) Heavy Commercial/Specific Use Permit/Secondhand, Rummage and Used-Furniture Stores, specific to Section 3.2.C(7)o of the City of Bedford Zoning Ordinance, allowing for Lonestar Appliances to open a 1,868 square foot Used Appliance store within the retail center. The property is generally located north of Harwood Road and east of Brown Trail. (Z-292)

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

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

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

Lot 1, Block 1, Harwood Village North Addition, shall be shown as approved by this ordinance.

SECTION 3. That approval of this rezoning is subject to the following stipulations:

- 1. Sales be limited to household appliances**
- 2. That no items for sale or storage be displayed in front of the building, sidewalk or parking lot.**

SECTION 4. That the Site Plan attached hereto as Exhibit "A" is approved as a component of this ordinance approval. Any revisions to the property that deviate from the Site Plan attached hereto shall require an amendment to this ordinance.

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

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

SECTION 7. That any person, organization, corporation, partnership or entity that violates,

ORDINANCE NO. 16-

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

SECTION 8. That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Bedford and the laws of the State of Texas.

PRESENTED AND PASSED this 10th day of May, 2016 by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

Z-292 605 Harwood road (2914 Brown Trail)
Zoned "H" Heavy Commercial



Legend

-  Proposed Property
-  Proposed Used Appliance Store

Applicants Signature of Acknowledgement



DONUT

FOR MORE INFO
CALL OR VISIT OUR WEBSITE
ZONING CHANGE
FOR MORE INFO
CALL OR VISIT OUR WEBSITE
952-2137

SALE!! SEALED POSTURE MATTRESSES
20% OFF \$49
SELECT ITEMS MATTRESS OUTLET

Z-292

PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 14, 2016

DRAFT

Vice Chairman Hall made a motion to approve case Z-290.

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

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

Nays:

None

Abstention: None

Motion approved 7-0-0. Case Z-290 is recommended for approval for City Council May 10th, 2016.

- 6. Public hearing and consider a request to rezone Lot 1, Block 1, Harwood Village North Addition, located at 605 Harwood Road (2914 Brown Trail), Bedford, Texas from (H) Heavy Commercial District to (H) Heavy Commercial/Specific Use Permit/Secondhand, Rummage and Used-Furniture Stores, specific to Section 3.2.C(7) of the City of Bedford Zoning Ordinance, allowing for Lonestar Appliances to open a 1,868 square foot Used Appliance store within the retail center. The property is generally located north of Harwood Road and east of Brown Trail. (Z-292)**

Emilio Sanchez, Planning Manager, reviewed zoning case Z-292. This is a (SUP) Specific Use Permit to allow Lone Star Appliances to operate a used/second hand appliance store. Parcel is known as 605 Harwood, however this particular suite has its own address rather than a suite number, which is 2914 Brown Trail. No conflict with Comprehensive Land Use Plan. Staff has not received any support or opposition regarding this case. Located in a multi-tenant commercial space.

Emilio clarified what exactly what a second hand rummage and used furniture store consists of by citing Section 3.2.C(7) of the City of Bedford Zoning Ordinance. Emilio reiterated that if the Board is not comfortable with some of the items listed, the City can go back and put stipulations on what can and cannot be sold.

Petitioner: Eric Marcus, 613 Comanche, Allen, TX. Specified that the store will sell both new and used appliances. The owner already has other stores, but he would like to open another one in Bedford. Most of the used inventory consists of warranty-issue items that are picked up from Lowes, Home Depot, etc., He repairs the appliances and sells them.

The store will only sell major appliances – no furniture, household goods, clothing, etc.

Nothing will be placed outside for display; everything will remain inside the store. Repairs are done off-site.

Chairman Carlson opened the public hearing at 8:46 p.m.

Chairman Carlson closed the public hearing at 8:46 p.m.

Commissioners request to stipulate that there will be no outside displays.

Commissioners request to stipulate only major household appliances.

Commissioner Austin made a motion to approve case Z-292 with the stipulation that sales be limited to only household appliances and no outside storage or display.

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

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 14, 2016**

DRAFT

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

Nays:

None

Abstention: None

Motion approved 7-0-0. Case Z-292 is recommended for approval for City Council May 10th, 2016 with the stipulations that sales be limited to household appliances only and no outside storage or sales.

- 7. Public hearing and consider a request to rezone Lot 2R, Block 4, Uptown Bus & Prof Center Addition, located at 813 Brown Trail, Suite #1, Bedford, Texas from (S) Service Commercial District to (S/SUP) Service Commercial/Specific Use Permit/Church, specific to Section 3.2.C(2)a of the City of Bedford Zoning Ordinance, allowing for The Faith Center to open a church approximately 1,100 square feet in area within the retail center. The property is generally located east of Uptown Boulevard and west of Brown Trail and south of Plaza Boulevard. (Z-293)**

Emilio Sanchez, Planning Manager, reviewed zoning case Z-293. No conflict with the Comprehensive Land Use Plan. Request for a (SUP) Specific Use Permit so a church may occupy a suite in a preexisting office building.

Petitioner: Kevin Smith, senior pastor of the church. Goal is to redevelop his congregation in the community. Lost previous facility when they moved out of better. Found a calling to come back to Bedford.

Sunday morning and Wednesday night are their most active time as a congregation.

Suite will not be occupied every day.

Chairman Carlson opened the public hearing at 8:55 p.m.

Scott Crisp, 812 Brown Trail, Bedford, TX, right across the street from proposed project. Asked how this would affect his property value. Concerned about heavy traffic on Sundays. Asked what denomination this church will belong to. He welcomes a new church, but he just had some concerns and worries about the effect on his property.

Mr. Smith responded to Mr. Crisp's concerns. Explained that all he is basically doing is reestablishing his congregation in this community that he previously resided in. Mr. Smith is a disabled veteran and retired federal officer. He maintains his credentials despite his disabilities. Denomination is southern Baptist.

Congregation consists of 25 people. This will not impact traffic.

Chairman Carlson closed the public hearing at 9:03 p.m.

Vice Chairman Hall made a motion to approve case Z-293.

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

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

Nays: None

Abstention: None



CITY OF
BEDFORD

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

April 21, 2016

PLEASE DELIVER TO:

Legal Publications
Attn: Christine Lopez
Fort Worth Star-Telegram
400 West 7th Street
Fort Worth, TX 76102

SENT VIA E-MAIL: clopez@star-telegram.com on Friday, April 22, 2016.

FROM:

City of Bedford
Emilio Sanchez, Planning Manager

Dear Christine,

Please publish the following in "Legal Notices" on Sunday, April 24, 2016.

MESSAGE:

**CITY OF BEDFORD
PUBLIC HEARING**

The City of Bedford City Council gives notice of a public hearing on Tuesday, May 10, 2016, at 6:30 p.m. at City Hall, Council Chamber, 2000 Forest Ridge Drive, Building A, Bedford, Texas:

Public hearing and consider an ordinance to rezone Lot 1, Block 1, Bedford Mobil Addition, located at 2100 Airport Freeway, Bedford, Texas from (H) Heavy Commercial to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing Armstrong Development Properties to build a new 3,375 square foot retail facility with outdoor patio seating. The subject property is generally located south of Airport Freeway and east of Central Drive. (Z-288)

Public hearing and consider an ordinance to rezone Lot 24, Block 3, Oak Grove Estates Addition, located at 2800 Brasher Lane, Bedford, Texas from (I) Industrial to (R75) Residential 7,500, specific to Section 4.3., Residential 7,500, Single Family Residential Detached District of the City of Bedford Zoning Ordinance, allowing for Palisade Custom Homes, L.P. to construct a new single family residence. The subject property is generally located south of Harwood Road and east of Brasher Lane. (Z-289)

Public hearing and consider an ordinance to rezone Lot 3R1, Block 1 Super 8 Motel/121 Addition, located at 1900 Airport Freeway, Bedford, Texas from (S) Service Commercial/Master Highway Corridor Overlay District to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Randy Primrose to construct a new 5,950 square foot office building. The subject property is generally located south of Airport Freeway and west of Central Drive. (Z-290)



CITY OF
BEDFORD

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

Public hearing and consider an ordinance to rezone Lot 1, Block 1, Harwood Village North Addition, located at 605 Harwood Road (2914 Brown Trail), Bedford, Texas from (H) Heavy Commercial District to (H) Heavy Commercial/Specific Use Permit/Secondhand, Rummage and Used-Furniture Stores, specific to Section 3.2.C(7) of the City of Bedford Zoning Ordinance, allowing for Lonestar Appliances to open a 1,868 square foot Used Appliance store within the retail center. The property is generally located north of Harwood Road and east of Brown Trail. (Z-292)

Public hearing and consider an ordinance to rezone Lot 2R, Block 4, Uptown Bus & Prof Center Addition, located at 813 Brown Trail, Suite #1, Bedford, Texas from (S) Service Commercial District to (S/SUP) Service Commercial/Specific Use Permit/Church, specific to Section 3.2.C(2)a of the City of Bedford Zoning Ordinance, allowing for The Faith Center to open a church approximately 1,100 square feet in area within the retail center. The property is generally located east of Uptown Boulevard and west of Brown Trail and south of Plaza Boulevard. (Z-293)

Public hearing and consider a resolution for a site plan for a 5,760 square feet existing building to be used as a two tenant office building. The property is zoned Planned Unit Development (PUD) and located in the Master Highway Corridor Overlay District (MHC) of the City of Bedford Zoning Ordinance. The address is 3001 Airport Freeway and the legal description is Lot 1A, Block 1, Bedford Forum Addition. The property is generally located east of State Highway 121 and north of Airport Freeway. (S-065)

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



Council Agenda Background

PRESENTER: Emilio Sanchez, Planning Manager

DATE: 05/10/16

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

ITEM:

Public hearing and consider an ordinance to rezone Lot 2R, Block 4, Uptown Bus & Prof Center Addition, located at 813 Brown Trail, Suite #1, Bedford, Texas from (S) Service Commercial District to (S/SUP) Service Commercial/Specific Use Permit/Church, specific to Section 3.2.C(2)a of the City of Bedford Zoning Ordinance, allowing for The Faith Center to open a church approximately 1,100 square feet in area within the retail center. The property is generally located east of Uptown Boulevard, west of Brown Trail and south of Plaza Boulevard. (Z-293)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The subject property is generally bound by Pipeline Road to the south, Brown Trail to the east and Uptown Boulevard to the west, with the site currently a multi-tenant commercial building. The applicant is requesting to rezone the area to (S/SUP) Service Commercial/ Specific Use Permit/Church, allowing for Faith Center Church to occupy Suite #1 within the commercial center.

The Planning and Zoning Commission recommended approval of this application at their April 14, 2016 meeting by a vote of 7-0-0.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance to rezone Lot 2R, Block 4, Uptown Bus & Prof Center Addition, located at 813 Brown Trail, Suite #1, Bedford, Texas from (S) Service Commercial District to (S/SUP) Service Commercial/Specific Use Permit/Church, specific to Section 3.2.C(2)a of the City of Bedford Zoning Ordinance, allowing for The Faith Center to open a church approximately 1,100 square feet in area within the retail center. The property is generally located east of Uptown Boulevard, west of Brown Trail and south of Plaza Boulevard. (Z-293)

FISCAL IMPACT:

N/A

ATTACHMENTS:

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

ORDINANCE NO. 16-

AN ORDINANCE TO REZONE LOT 2R, BLOCK 4, UPTOWN BUS & PROF CENTER ADDITION, LOCATED AT 813 BROWN TRAIL, SUITE #1, BEDFORD, TEXAS FROM (S) SERVICE COMMERCIAL DISTRICT TO (S/SUP) SERVICE COMMERCIAL/SPECIFIC USE PERMIT/CHURCH, SPECIFIC TO SECTION 3.2.C(2)A OF THE CITY OF BEDFORD ZONING ORDINANCE, ALLOWING FOR THE FAITH CENTER TO OPEN A CHURCH APPROXIMATELY 1,100 SQUARE FEET IN AREA WITHIN THE RETAIL CENTER; DECLARING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND DECLARING AN EFFECTIVE DATE. THE PROPERTY IS GENERALLY LOCATED EAST OF UPTOWN BOULEVARD AND WEST OF BROWN TRAIL AND SOUTH OF PLAZA BOULEVARD. (Z-293)

WHEREAS, it is deemed expedient and for the benefit of the City of Bedford, Texas, that the Zoning Ordinance be rezoned for property known as Lot 2R, Block 4, Uptown Bus & Prof Center Addition, located at 813 Brown Trail, Suite #1, Bedford, Texas from (S) Service Commercial District to (S/SUP) Service Commercial/Specific Use Permit/Church, specific to Section 3.2.C(2)a of the City of Bedford Zoning Ordinance, allowing for The Faith Center to open a church approximately 1,100 square feet in area within the retail center. The property is generally located east of Uptown Boulevard and west of Brown Trail and south of Plaza Boulevard. (Z-293)

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

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

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

Lot 2R, Block 4, Uptown Bus & Prof Center Addition, shall be shown as approved by this ordinance.

SECTION 3. That the Site Plan attached hereto as Exhibit "A" is approved as a component of this ordinance approval. Any revisions to the property that deviate from the Site Plan attached hereto shall require an amendment to this ordinance.

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

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

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

ORDINANCE NO. 16-

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

PRESENTED AND PASSED this 10th day of May 2016, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

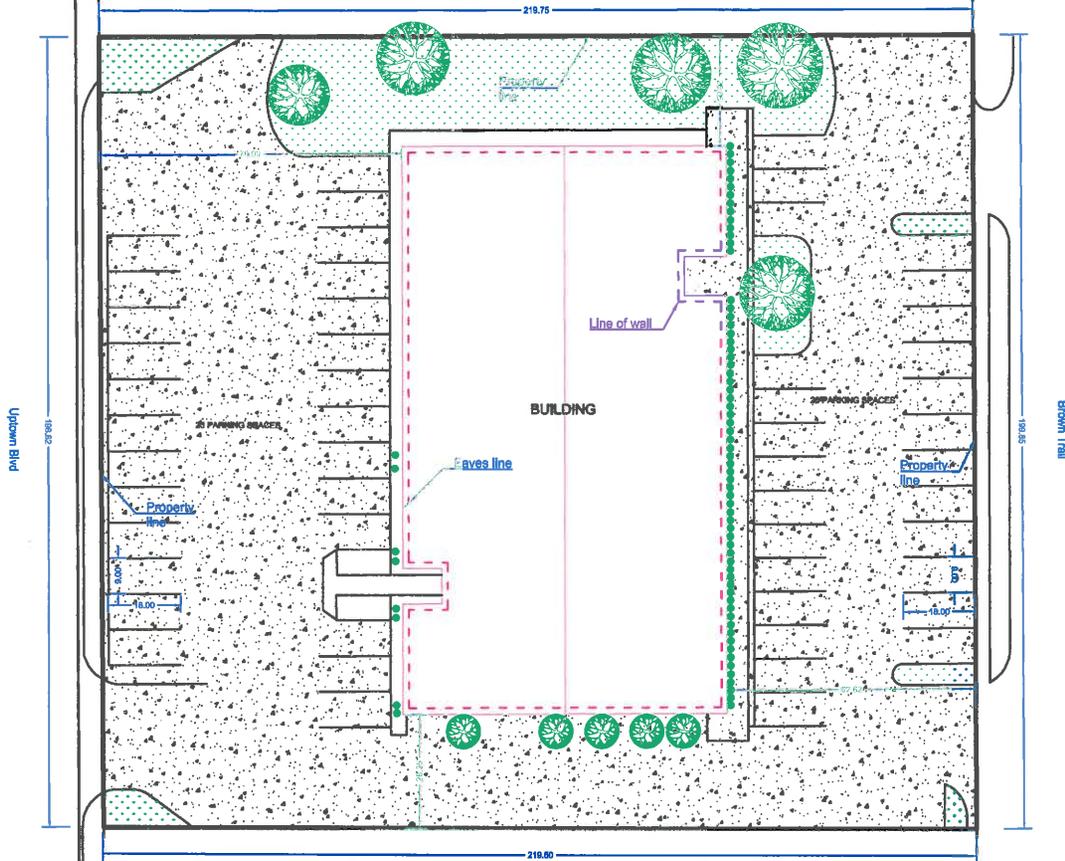
ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

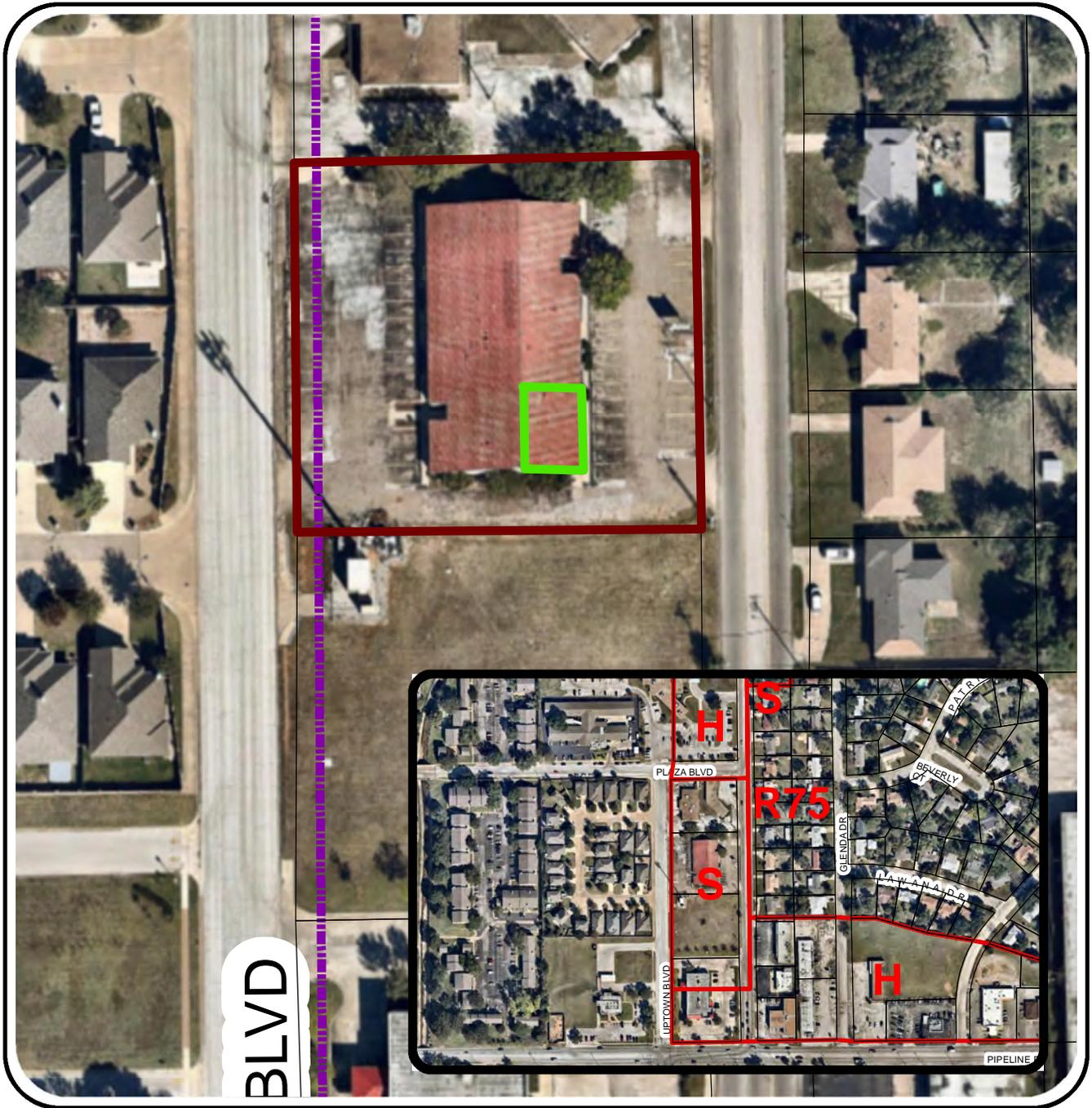
Stan Lowry, City Attorney

Exhibit "A"



Address: 813 Brown Trail
 Bedford, TX 76022
 Legal Description:
 UPTOWN BUS & PROF CENTER ADDN
 Block: 4 Lot: 2R
 CITY BOUNDARY SPLIT
 Owner Information:
 SIMON HENRY W ETAL JR
 3815 LISBON ST
 FORT WORTH TX 76107-5601
 Building Size:10,508 SF
 Building Class:C
 Year Built:1977
 Lot Size:40,000 SF
 State Code: F1 Commercial
 Date: 03-10-16
 Scale 1"=30'

Z-293 813 Brown Trail
Zoned "S" Service Commercial



Legend

-  Proposed Property
-  Proposed Church

Applicants Signature of Acknowledgement



This property is up for a
ZONING CHANGE
FOR INFO CALL
CITY OF MISSOURI PLANNING
& DEVELOPMENT
DEPT. 952-2137

Z-293

PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 14, 2016

DRAFT

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

Nays:

None

Abstention: None

Motion approved 7-0-0. Case Z-292 is recommended for approval for City Council May 10th, 2016 with the stipulations that sales be limited to household appliances only and no outside storage.

7. Public hearing and consider a request to rezone Lot 2R, Block 4, Uptown Bus & Prof Center Addition, located at 813 Brown Trail, Suite #1, Bedford, Texas from (S) Service Commercial District to (S/SUP) Service Commercial/Specific Use Permit/Church, specific to Section 3.2.C(2)a of the City of Bedford Zoning Ordinance, allowing for The Faith Center to open a church approximately 1,100 square feet in area within the retail center. The property is generally located east of Uptown Boulevard and west of Brown Trail and south of Plaza Boulevard. (Z-293)

Emilio Sanchez, Planning Manager, reviewed zoning case Z-293. No conflict with the Comprehensive Land Use Plan. Request for a (SUP) Specific Use Permit so a church may occupy a suite in a preexisting office building.

Petitioner: Kevin Smith, senior pastor of the church. Goal is to redevelop his congregation in the community. Lost previous facility when they moved out of better. Found a calling to come back to Bedford.

Sunday morning and Wednesday night are their most active time as a congregation.

Suite will not be occupied every day.

Chairman Carlson opened the public hearing at 8:55 p.m.

Scott Crisp, 812 Brown Trail, Bedford, TX, right across the street from proposed project. Asked how this would affect his property value. Concerned about heavy traffic on Sundays. Asked what denomination this church will belong to. He welcomes a new church, but he just had some concerns and worries about the effect on his property.

Mr. Smith responded to Mr. Crisp's concerns. Explained that all he is basically doing is reestablishing his congregation in this community that he previously resided in. Mr. Smith is a disabled veteran and retired federal officer. He maintains his credentials despite his disabilities. Denomination is southern Baptist.

Congregation consists of 25 people. This will not impact traffic.

Chairman Carlson closed the public hearing at 9:03 p.m.

Vice Chairman Hall made a motion to approve case Z-293.

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

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

Nays: None

Abstention: None

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 14, 2016**

DRAFT

Motion approved 7-0-0. Case Z-293 is recommended for approval for City Council May 10th, 2016.

ADJOURNMENT

Motion: Commissioner Stroop made a motion to adjourn and the vote was as follows:

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

Nays: None

Abstention: None

Motion approved 7-0. Chairman Carlson adjourned the Planning and Zoning Commission meeting at 9:04 p.m.

**Todd Carlson, Chairman
Planning and Zoning Commission**

ATTEST:

**Kristtina Starnes, Coordinator
Planning and Zoning Liaison**



CITY OF
BEDFORD

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

April 21, 2016

PLEASE DELIVER TO:

Legal Publications
Attn: Christine Lopez
Fort Worth Star-Telegram
400 West 7th Street
Fort Worth, TX 76102

SENT VIA E-MAIL: clopez@star-telegram.com on Friday, April 22, 2016.

FROM:

City of Bedford
Emilio Sanchez, Planning Manager

Dear Christine,

Please publish the following in "Legal Notices" on Sunday, April 24, 2016.

MESSAGE:

**CITY OF BEDFORD
PUBLIC HEARING**

The City of Bedford City Council gives notice of a public hearing on Tuesday, May 10, 2016, at 6:30 p.m. at City Hall, Council Chamber, 2000 Forest Ridge Drive, Building A, Bedford, Texas:

Public hearing and consider an ordinance to rezone Lot 1, Block 1, Bedford Mobil Addition, located at 2100 Airport Freeway, Bedford, Texas from (H) Heavy Commercial to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing Armstrong Development Properties to build a new 3,375 square foot retail facility with outdoor patio seating. The subject property is generally located south of Airport Freeway and east of Central Drive. (Z-288)

Public hearing and consider an ordinance to rezone Lot 24, Block 3, Oak Grove Estates Addition, located at 2800 Brasher Lane, Bedford, Texas from (I) Industrial to (R75) Residential 7,500, specific to Section 4.3., Residential 7,500, Single Family Residential Detached District of the City of Bedford Zoning Ordinance, allowing for Palisade Custom Homes, L.P. to construct a new single family residence. The subject property is generally located south of Harwood Road and east of Brasher Lane. (Z-289)

Public hearing and consider an ordinance to rezone Lot 3R1, Block 1 Super 8 Motel/121 Addition, located at 1900 Airport Freeway, Bedford, Texas from (S) Service Commercial/Master Highway Corridor Overlay District to (PUD) Planned Unit Development, specific to Section 4.15, Planned Unit Development of the City of Bedford Zoning Ordinance, allowing for Randy Primrose to construct a new 5,950 square foot office building. The subject property is generally located south of Airport Freeway and west of Central Drive. (Z-290)



CITY OF
BEDFORD

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

Public hearing and consider an ordinance to rezone Lot 1, Block 1, Harwood Village North Addition, located at 605 Harwood Road (2914 Brown Trail), Bedford, Texas from (H) Heavy Commercial District to (H) Heavy Commercial/Specific Use Permit/Secondhand, Rummage and Used-Furniture Stores, specific to Section 3.2.C(7) of the City of Bedford Zoning Ordinance, allowing for Lonestar Appliances to open a 1,868 square foot Used Appliance store within the retail center. The property is generally located north of Harwood Road and east of Brown Trail. (Z-292)

Public hearing and consider an ordinance to rezone Lot 2R, Block 4, Uptown Bus & Prof Center Addition, located at 813 Brown Trail, Suite #1, Bedford, Texas from (S) Service Commercial District to (S/SUP) Service Commercial/Specific Use Permit/Church, specific to Section 3.2.C(2)a of the City of Bedford Zoning Ordinance, allowing for The Faith Center to open a church approximately 1,100 square feet in area within the retail center. The property is generally located east of Uptown Boulevard and west of Brown Trail and south of Plaza Boulevard. (Z-293)

Public hearing and consider a resolution for a site plan for a 5,760 square feet existing building to be used as a two tenant office building. The property is zoned Planned Unit Development (PUD) and located in the Master Highway Corridor Overlay District (MHC) of the City of Bedford Zoning Ordinance. The address is 3001 Airport Freeway and the legal description is Lot 1A, Block 1, Bedford Forum Addition. The property is generally located east of State Highway 121 and north of Airport Freeway. (S-065)

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



Council Agenda Background

PRESENTER: Emilio Sanchez, Planning Manager

DATE: 05/10/16

Council Mission Area: Foster economic growth.

ITEM:

Public hearing and consider a resolution approving a site plan for the property known as Lot 1A, Block 1, Bedford Forum Addition located at 3001 Airport Freeway for a 5,760 square foot existing building to be used as a two tenant office building. The property is zoned (PUD) Planned Unit Development and is located in the (MHC) Master Highway Corridor Overlay District of the City of Bedford Zoning Ordinance. The property is generally located east of State Highway 121 and north of Airport Freeway. (S-065)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The subject property is generally bound by State Highway 121 to the west and Airport Freeway to the south, with the building currently vacant. The applicant is requesting to approve a site plan for a two tenant doctor's office remodel of the existing building located in the Master Highway Corridor Overlay District (MHC). The site is a remnant from the highway expansion project and has site constraints due to the taking for the expansion.

The Planning and Zoning Commission recommended approval for this site plan at their April 14, 2016 meeting by a vote of 7-0-0.

RECOMMENDATION:

Approval of a resolution approving a site plan for the property known as Lot 1A, Block 1, Bedford Forum Addition located at 3001 Airport Freeway for a 5,760 square foot existing building to be used as a two tenant office building. The property is zoned (PUD) Planned Unit Development and is located in the (MHC) Master Highway Corridor Overlay District of the City of Bedford Zoning Ordinance. The property is generally located east of State Highway 121 and north of Airport Freeway. (S-065)

FISCAL IMPACT:

N/A

ATTACHMENTS:

Resolution
Site Plan
Building Elevations
Aerial
Zoning Sign Photo
Planning & Zoning Minutes
Copy of Legal Ad Published in Star Telegram

RESOLUTION NO. 16-

A RESOLUTION APPROVING A SITE PLAN FOR THE PROPERTY KNOWN AS LOT 1A, BLOCK 1, BEDFORD FORUM ADDITION LOCATED AT 3001 AIRPORT FREEWAY FOR A 5,760 SQUARE FOOT EXISTING BUILDING TO BE USED AS A TWO TENANT OFFICE BUILDING. THE PROPERTY IS ZONED (PUD) PLANNED UNIT DEVELOPMENT AND LOCATED IN THE MASTER HIGHWAY CORRIDOR OVERLAY DISTRICT (MHC) OF THE CITY OF BEDFORD ZONING ORDINANCE. THE PROPERTY IS GENERALLY LOCATED EAST OF STATE HIGHWAY 121 AND NORTH OF AIRPORT FREEWAY. (S-065)

WHEREAS, the property is located within the Master Highway Corridor Overlay District (MHC), which requires site plan approval from both the Planning and Zoning Commission and the City Council of Bedford, Texas; and,

WHEREAS, the Planning and Zoning Commission recommended approval of the site plan at their April 14, 2016 meeting; and,

WHEREAS, the City Council of Bedford, Texas finds that it is in the best interest of the City to accept Dr. Stephen Farmers Site Plan; and,

WHEREAS, the said Site Plan is known as Exhibit "A", Lot 1A, Block 1, Bedford Forum Addition, and is located at 3001 Airport Freeway, Bedford, TX. The property is generally located east of State Highway 121 and north of Airport Freeway.

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

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

SECTION 2. That the City Council hereby approves a resolution accepting Dr. Stephen Farmers Site Plan labeled Exhibit "A".

PRESENTED AND PASSED this the 10th day of May 2016, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

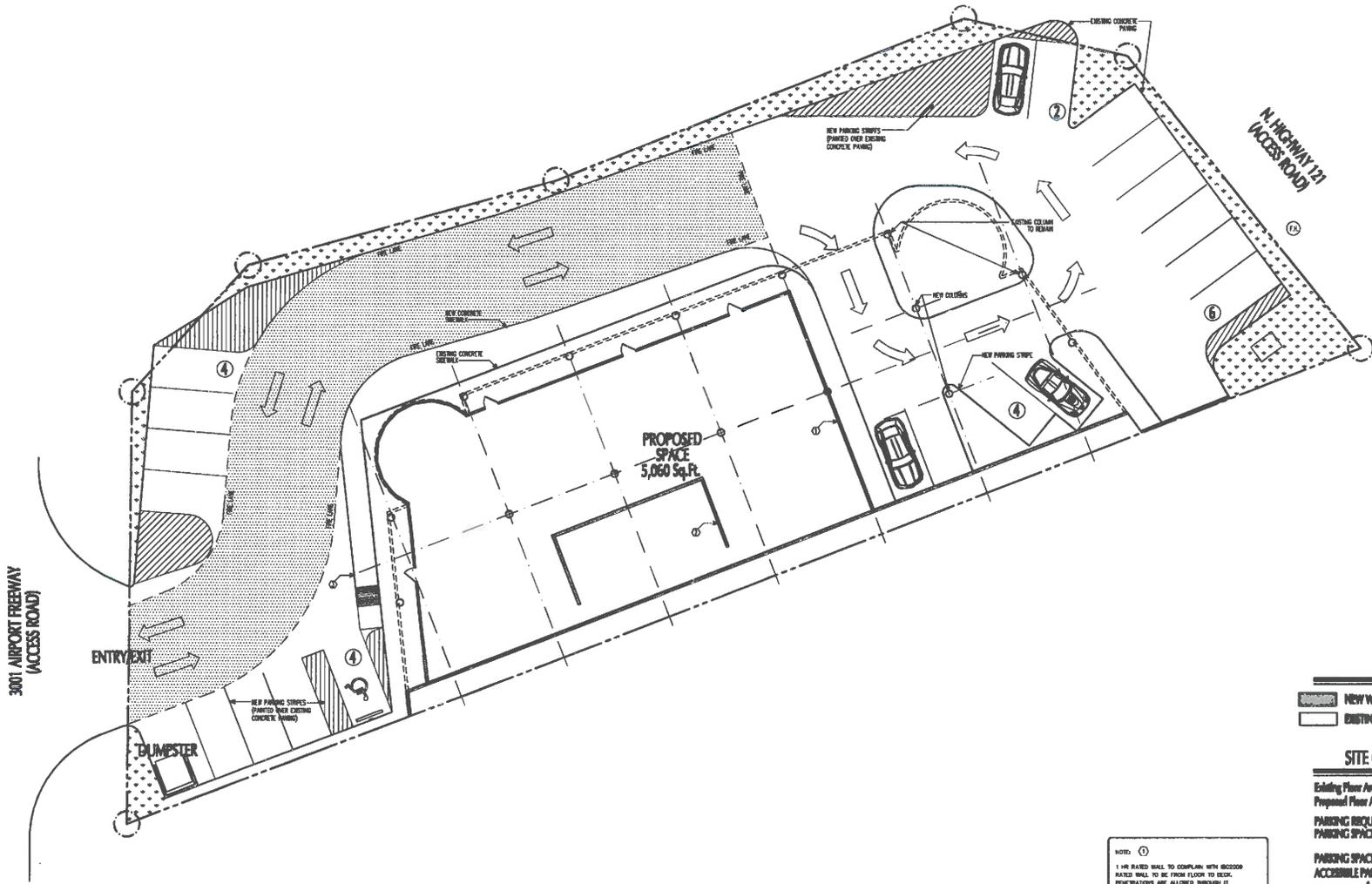
ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

Exhibit "A"



LEGEND

- NEW WALLS
- EXISTING WALLS
- GREEN SPACE
- FIRE LANE

SITE CALCULATIONS

Existing Floor Area Main Building: 7,610 SQ.FT.
 Proposed Floor Area Main Building: 5,000 SQ.FT.
 PARKING REQUIRED: 1 SPACE / 230 SQ.FT.
 PARKING SPACES REQUIRED: 5,000 SF/230 = 20 SPACES
 PARKING SPACES PROVIDED: 20 SPACES
 ACCESSIBLE PARKING SPACES REQUIRED: 1 - 25 TOTAL SPACES = 1 INC SPACE
 ACCESSIBLE PARKING SPACES PROVIDED: 1 INC SPACE

Existing Floor Area Main Building: 7,610 SQ.FT.
 Proposed Floor Area Main Building: 5,000 SQ.FT.

PROJECT TABULATIONS:

SITE:
 TOTAL AREA 24,530 SQ.FT.
 IMPERVIOUS COVERAGE AREA 22,735 SQ.FT. (92 %)
 GREEN SPACES AREA 1,795 SQ.FT. (7 %)

NOTE ①
 1 HR RATED WALL TO COMPLY WITH SECOND RATED WALL TO BE FROM FLOOR TO ROOF. PENETRATIONS ARE ALLOWED THROUGH IT

NOTE ②
 SCREEN WALL TO BE RAISED AT ROOF DECK TO HIDE ALL MECHANICAL EQUIPMENT. COORDINATE WITH OWNER AND CONTRACTOR FOR EXACT LOCATION

NOTE ③
 MODIFIED EXISTING SIDEWALK TO CREATE ACCESSIBLE ROUTE FROM HANDICAP PARKING SPACE. VERIFY ON FIELD ALL EXISTING DIMENSIONS. ACCESSIBLE RAMP TO HAVE A 1% TO SLOPE MAX.

DESIGNED BY	
DRAWN BY	
CHECKED BY	
DATE	
SCALE	
PROJECT NO.	
CLIENT	
LOCATION	
DATE	

HCC Contracting, Inc.
 General Contractor
 Design Build



RENOVATIONS TO
 DR. FARMER BUILDING
 3001 AIRPORT FREEWAY
 MEMPHIS, TN 38119

DATE: 08/15/2018

A-102

01 PROPOSED SITE PLAN
 SCALE: 1/8" = 1'-0"

S-065 3001 Airport Freeway
Zoned "PUD" Planned Unit Development (Bedford Forum)



Legend

- Proposed Property
- Proposed Building

Applicants Signature of Acknowledgement



STEPHEN J. FARMER M.D.

STEPHEN J. FARMER M.D.

THIS PROPERTY IS UP FOR A
**SITE PLAN
REVIEW**
FOR INFO CALL
CITY OF BEDFORD PLANNING
AND ZONING DEPT. AT:
(317) 952-2137

S-065

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 14, 2016**

DRAFT

Vice-Chairman Hall asked if he has looked into the drainage issues in this subdivision.

Answer: The drainage concerns are currently being reviewed and will be planned appropriately. The city will require the developer to provide some sort of retention if needed.

Commissioners asked where the property is in relation to Woodson Circle.

Answer: 600 feet to the south.

Vice-Chairman Hall closed the public hearing at 7:47 p.m.

Motion:

Commissioner Culver made a motion to deny zoning case Z-291 as submitted.

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

Ayes: Commissioners Culver, Sinisi, Reese, Austin, Vice-Chairman Hall, Davis

Nays: None

Abstention: None

Motion approved 6-0-0. Z-291 is recommended for denial for City Council May 10th, 2016.

Vice Chairman Hall Called for a Five-minute recess.

- 2. Public hearing and consider a site plan for a 5,760 square feet existing building to be used as a two tenant office building. The property is zoned Planned Unit Development (PUD) and located in the Master Highway Corridor Overlay District (MHC) of the City of Bedford Zoning Ordinance. The address is 3001 Airport Freeway and the legal description is Lot 1A, Block 1, Bedford Forum Addition. The property is generally located east of State Highway 121 and north of Airport Freeway. (S-065)**

Emilio Sanchez, Planning Manager, reviewed site plan case S-065.

Dr. Farmer, the applicant, would like to take his existing building, put up a demising wall so he can take a portion of his building and turn it into covered parking. This site is a remnant of the highway widening project in which he was left with a lot reduced in size, but his building remained. He would like to continue his medical practice out of this location. By making the building smaller and adding the covered parking meets the parking requirement.

This building will be dual-tenant for Dr. Farmer's practice and another area for a smaller practice.

Petitioner: Bob Blackwelder, 3161 Sabine Street Suite A, Forest Hill, Tx, the contractor representing Dr. Farmer.

Commissioner Austin asked on the north side of the building, is the end-cap usable space or just existing.

Answer: It is just existing and to ensure both ends architecturally match. That area will be a shell.

Chairman Carlson opened the public hearing at 8:07 p.m.

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF APRIL 14, 2016**

DRAFT

Chairman Carlson closed the public hearing at 8:07 p.m.

Vice Chairman Hall made a motion to approve case S-065.

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

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

Nays: None

Abstention: None

Motion approved 7-0-0. S-065 is recommended for approval for City Council May 10th, 2016.

3. **Public hearing and consider a request to rezone Lot 24, Block 3, Oak Grove Estates Addition, located at 2800 Brasher Lane, Bedford, Texas from (I) Industrial to (R75) Residential 7,500, specific to Section 4.3., Residential 7,500, Single Family Residential Detached District of the City of Bedford Zoning Ordinance, allowing for Palisade Custom Homes, L.P. to construct a new single family residence. The subject property is generally located south of Harwood Road and east of Brasher Lane. (Z-289)**

Emilio Sanchez, Planning Manager, reviewed zoning case Z-289. Palisade Custom Homes plans to construct 11 new single-family detached homes on the surrounding lots including this lot. One of those lots is zoned Industrial (I) and the applicant is asking to rezone it to Residential 7,500.

Applicant: Crystal Arnold, 732 Lonesome Dove, Hurst, TX. Ms. Arnold explains the area surrounding the land where the proposed development is and explains the reason for the rezoning request.

Chairman Carlson opened the public hearing at 8:16 p.m.

Chairman Carlson closed the public hearing at 8:16 p.m.

Commissioner Austin made a motion to approve case Z-289.

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

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

Nays: None

Abstention: None

Motion approved 7-0-0. Case Z-289 is recommended for approval for City Council May 10th, 2016.

4. **Public hearing and consider a request to replat Lots 20-28, Block 3, Oak Grove Estates Addition, located at 2708-2816 Brasher Lane, Bedford, Texas and being replatted into Lots 18R-28R, Block 3, Oak Grove Estates. The property is generally located south of Harwood Road and east of Brasher Lane. (R-074)**

Emilio Sanchez, Planning Manager, reviewed zoning case R-074. Palisade Custom Homes plans to construct 11 new residential homes on these lots. One of those lots is along Harwood Rd and was reduced in size when Harwood was widened, making it an unbuildable lot. This replat will incorporate this portion of land. DRC reviewed this case and the only concern was a lacking fire hydrant. Public works is working on installing a fire hydrant.



CITY OF
BEDFORD

2000 Forest Ridge Drive - Bedford, TX 76021
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April 21, 2016

PLEASE DELIVER TO:

Legal Publications
Attn: Christine Lopez
Fort Worth Star-Telegram
400 West 7th Street
Fort Worth, TX 76102

SENT VIA E-MAIL: clopez@star-telegram.com on Friday, April 22, 2016.

FROM:

City of Bedford
Emilio Sanchez, Planning Manager

Dear Christine,

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MESSAGE:

**CITY OF BEDFORD
PUBLIC HEARING**

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Public hearing and consider an ordinance to rezone Lot 2R, Block 4, Uptown Bus & Prof Center Addition, located at 813 Brown Trail, Suite #1, Bedford, Texas from (S) Service Commercial District to (S/SUP) Service Commercial/Specific Use Permit/Church, specific to Section 3.2.C(2)a of the City of Bedford Zoning Ordinance, allowing for The Faith Center to open a church approximately 1,100 square feet in area within the retail center. The property is generally located east of Uptown Boulevard and west of Brown Trail and south of Plaza Boulevard. (Z-293)

Public hearing and consider a resolution for a site plan for a 5,760 square feet existing building to be used as a two tenant office building. The property is zoned Planned Unit Development (PUD) and located in the Master Highway Corridor Overlay District (MHC) of the City of Bedford Zoning Ordinance. The address is 3001 Airport Freeway and the legal description is Lot 1A, Block 1, Bedford Forum Addition. The property is generally located east of State Highway 121 and north of Airport Freeway. (S-065)

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



Council Agenda Background

PRESENTER: Jeff Gibson, Police Chief

DATE: 05/10/16

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

ITEM:

Consider an ordinance amending Chapter 90 “Peddlers and Solicitors” of the City of Bedford Code of Ordinances by deleting sections 90-1 through 90-39; adding new sections 90-1 through 90-28; deleting Chapter 6 “Advertising”, Article II “Distribution of Handbills”; providing for purpose, definitions, regulation/restrictions for commercial and home solicitation and distribution of handbills; including a do not solicit list; providing for permits and suspension or revocation of permits; providing for a penalty clause; providing for a repealing clause; providing for a severability clause; and declaring an effective date.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

Historically, both handbill distributors and solicitors have been required to obtain a permit through the Bedford Police Department. However, the ordinances under which they were permitted and operated were separate. Bringing together the two ordinances under one chapter allows for more efficient access to the information and provides the opportunity to further implement clear expectations for solicitors and handbill distributors, ensuring further safety of the community while maintaining an environment that welcomes merchants and businesses to advertise and sell their wares. Some of the more notable changes are as follows:

- **Section 90-5: Do Not Solicit List** – creation and distribution of a list by the Bedford Police Department containing the addresses of residential property in which the owner/occupant has elected not to permit soliciting on their property. This list will be provided to all permitted solicitors, as well as any requesting member of the public, and will be available via the City’s website.
- **Section 90-10: Vest Requirement** – requires permitted solicitors to wear a traffic safety vest making them visible to motorists and to easily identify them as being registered with the City.
- **Section 90-11: Time Restrictions** – revises the daily time frame during which soliciting is permitted, and also includes a provision that prohibits soliciting from occurring on Sundays and certain holidays.

RECOMMENDATION:

Staff recommends the following motion:

Approval of an ordinance amending Chapter 90 “Peddlers and Solicitors” of the City of Bedford Code of Ordinances by deleting sections 90-1 through 90-39; adding new sections 90-1 through 90-28; deleting Chapter 6 “Advertising”, Article II “Distribution of Handbills”; providing for purpose, definitions, regulation/restrictions for commercial and home solicitation and distribution of handbills; including a do not solicit list; providing for permits and suspension or revocation of permits; providing for a penalty clause; providing for a repealing clause; providing for a severability clause; and declaring an effective date.

FISCAL IMPACT:

N/A

ATTACHMENTS:

**Ordinance
Ordinance Redline**

ORDINANCE NO. 16-

AN ORDINANCE AMENDING CHAPTER 90 "PEDDLERS AND SOLICITORS" OF THE CITY OF BEDFORD CODE OF ORDINANCES BY DELETING SECTIONS 90-1 THROUGH 90-39; ADDING NEW SECTIONS 90-1 THROUGH 90-28; DELETING CHAPTER 6 "ADVERTISING", ARTICLE II "DISTRIBUTION OF HANDBILLS"; PROVIDING FOR PURPOSE, DEFINITIONS, REGULATION/RESTRICTIONS FOR COMMERCIAL AND HOME SOLICITATION AND DISTRIBUTION OF HANDBILLS; INCLUDING A DO NOT SOLICIT LIST; PROVIDING FOR PERMITS AND SUSPENSION OR REVOCATION OF PERMITS, PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Bedford desires to protect the life, health and property of the citizens and businesses of the City of Bedford; and,

WHEREAS, home safety is important to the health, safety and welfare of the citizens, businesses and visitors of the City of Bedford; and,

WHEREAS, the City of Bedford supports the First Amendment rights of the citizens or visitors of the City of Bedford.

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

SECTION 1. That all matters stated in the preamble are hereby found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2. That Chapter 90 "Peddlers and Solicitors," Sections 90-1 through 90-39 are deleted in their entirety and Section 90-1 through 90-28 as set forth below are adopted to read as follows:

Chapter 90 - PEDDLERS AND SOLICITORS

ARTICLE I. - IN GENERAL

Sec. 90-1. - Purpose.

The purpose of this article is to provide for the general health, public safety and welfare, comfort, convenience and protection of the City and the residents of the City by:

- (1) Prohibiting door-to-door solicitation and canvassing activity at residences during the times when such activity is most intrusive and disruptive to citizens' privacy;
- (2) Regulating the manner in which any solicitation activity, canvassing activity or handbill distribution may occur to promote good order, prevent litter and protect citizens from aggressive and intimidating practices; and
- (3) Requiring solicitors and handbill distributors to register with the City and obtain permits to aid in crime detection efforts and deter deceptive practices and fraud.

The provisions of this article shall be construed to accomplish these purposes.

Sec. 90-2. - Definitions.

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

City is defined as the City of Bedford, Texas.

Commercial Home Solicitation or Soliciting is defined as the solicitation at a residence through the attempt or act of asking, bartering, or communicating in any manner for the purpose of selling or

ORDINANCE NO. 16-

offering to sell goods, services, or realty, which includes promoting, advertising, receiving or obtaining money, gifts or items of value.

Do Not Solicit List is defined as a list, developed and maintained by the Police Chief, or his designee, of residences where the property owner or occupant has indicated that they do not wish to be solicited.

Handbill is defined as any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any manner.

Handbill Distribution is defined as traveling by any means, going door-to-door, house-to-house or building-to-building without personally contacting persons to distribute or leave on or at each premises handbill for any purpose.

Itinerant Merchant or Itinerant Vendor is defined as any person other than a publication solicitor, engaged as a solicitor.

Mail is defined as letter, packages, or other items commonly transported and delivered by the United States Post Office, or by delivery service which requires a delivery statement specifically addressed to the address at which it is delivered and an addressee located at that location, or by a delivery service which delivers materials subscribed to by a person living at the address to which the subscribed materials are delivered.

Motor Vehicle is defined as a vehicle that is subject to registration under chapter 502 of the Texas Transportation Code or its successor chapters.

Newspaper is defined as any published materials that are printed and distributed, both daily and non-daily, to disseminate current news and information of general interest to the public.

Noncommercial solicitor means any person, other than a publication solicitor, engaged in requesting contribution of funds, property, or anything of value, or the pledge of any type of future donation, or selling or offering for sale any type of property, including but not limited to goods, tickets, books, and pamphlets, or political, charitable, religious, or other non-commercial purposes.

Place of Business is defined as an established outlet, office, or location operated by a retailer, the retailer's agent, or the retailer's employee for the purpose of receiving orders for taxable items. The term includes any location at which three or more orders are received by a retailer in a calendar year. A location such as a warehouse, storage yard, or manufacturing plant is not a "place of business" unless at least three orders for taxable items are received by the retailer during a calendar year.

Publication Solicitor is defined as any itinerant merchant or itinerant vendor who sells or takes orders for sales of newspapers, magazines, or other publications, including audio and visual recordings.

Selling is defined as selling, dispensing, peddling, hawking, displaying, offering to sell or soliciting for sale by offering or exposing for sale any goods, wares, merchandise or services.

Solicitation Activities is defined as traveling by any means, going door-to-door, house-to-house or building-to-building personally contacting persons to ask, barter or communicate in any manner, whether orally, by written or printed materials including, but not limited to, handbills or leaflets, hand signing or by any other method, direct or implied, for the purpose of selling or taking orders for goods, wares, merchandise or services or collecting money for any purpose that does not reflect on the exemption list.

Solicitor is defined as any person who engages in the practice of going door-to-door, house-to-house, or along any streets within the city:

- (1) Selling or taking orders for or offering to sell or take orders for goods, merchandise, wares, or other items of value for further delivery, or for services to be performed in the future, for commercial purposes; or

ORDINANCE NO. 16-

- (2) Any itinerant merchant, itinerant vendor, publication solicitor or non-commercial solicitor as those terms are defined herein.

Traffic Safety Vest is defined as a high visibility vest made of fluorescent material that may be clearly seen at any time of the day and is issued through the Police Department for the purposes of this ordinance.

Sec. 90-3. - Commercial home solicitation and commercial home distribution on private property.

- (a) It shall be unlawful for any person to conduct commercial home solicitation or commercial home distribution upon residential property within the city without first obtaining a written permit as required by this Chapter.
- (b) It shall be unlawful to approach any part of a residence other than the front door.

Sec. 90-4. - Exhibiting card prohibiting solicitors.

- (a) A person desiring that no solicitor or other person engage in a solicitation at his residence shall exhibit in a conspicuous place upon or near the main entrance to the residence a weatherproof card not less than three inches by four inches in size, containing the words, "NO SOLICITORS" or "NO TRESPASSING" or "NO ADVERTISEMENTS" or "NO HANDBILLS" or any similar notice. The letters shall be not less than two-thirds of an inch in height.
- (b) Every solicitor upon going onto any premises upon which a residence is located shall first examine the residence to determine if any notice prohibiting soliciting is exhibited upon or near the main entrance to the residence. If any notice prohibiting soliciting is exhibited, the itinerant vendor, itinerant merchant, or publication solicitor shall immediately depart from the premises without disturbing the occupant unless the visit is the result of a request made by the occupant.
- (c) No person shall go upon any residential premises and ring the doorbell or rap or knock upon the door or create any sound in a manner calculated to attract attention of the occupant of the residence for the purpose of securing an audience with the occupant and engaging in or attempting to engage in the business of solicitation if a card as described in subsection (a) of this section is exhibited in a conspicuous place upon or near the main entrance to the residence unless the visit is the result of a request made by the occupant.
- (d) No person, other than the occupant of the residence, shall remove, deface or render illegible a card placed by the occupant pursuant to subsection (a) of this section.
- (e) Request to leave
- (1) Any solicitor who has gained entrance to a residence or audience with the occupant, whether invited or not, shall immediately depart from the premises without disturbing the occupant further when requested to leave by the occupant.
- (2) Subsection (1) immediately above shall apply in all cases, regardless of whether a sign is posted and regardless of whether the solicitation was initially invited.

Sec. 90-5. - Do Not Solicit List.

ORDINANCE NO. 16-

- (a) The Police Chief, or their designee, shall develop and maintain a list of residences where commercial home solicitation is prohibited and such list shall be referred to as the do not solicit list.**
- (b) Any property owner or occupant may elect to add or remove his or her residence to or from the do not solicit list through the procedures developed by the Police Chief. The property owner or occupant making such a request will be required to affirm that he or she is an owner or occupant of the residence, and is making the request on their behalf and on behalf of any other occupant at that address.**
- (c) The Police Chief shall make the do not solicit list available on the City's website and to any person upon request.**
- (d) The Police Chief shall provide a copy of the do not solicit list to each person issued a permit under this article.**
- (e) Solicitation of any residence on the do not solicit list shall be grounds for the immediate revocation of the solicitor's permit.**

Sec. 90-6. - Cleanliness of products and vehicles; honest weights and measures required.

Every person who shall comply with this chapter and shall sell, or offer for sale, any of the articles as herein specified, shall at all times keep the same in a clean and sanitary condition, and shall also keep their wagons, vehicles, or other conveyances in a clean and sanitary condition, and they shall not sell, or offer for sale, any unsound or unwholesome articles, nor shall they give, or make, any false weights or measures of any of the various articles as specified and covered by this chapter.

Sec. 90-7. - Consent to enter residences.

It shall be unlawful for any solicitor except as herein provided, to go inside of a private residence in the city unless requested or invited so to do by the owner or occupant of said residence for the purpose of selling or dispensing of or peddling the same.

Sec. 90-8. - Penalties; civil remedies; permit forfeiture.

- (a) Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined as provided in the Code of Ordinances, Chapter 1, Section 1-7: General Penalty – Continuing Violations; each day such violation continues shall constitute a separate and distinct offense.**
- (b) In case of any willful violation of any of the terms and provisions of this chapter, the city, in addition to imposing the penalties above provided, may institute any appropriate action or proceeding in any court having proper jurisdiction, to restrain, correct or abate such violations; and the definition of any violation of the terms of this chapter as a misdemeanor, shall not preclude the city from invoking the civil remedies given it by the laws of the state, but same shall be cumulative and subject to prosecution as hereinabove prescribed for such violations.**
- (c) Each day's engaging in the business regulated by this chapter without the payment of the fee due thereon, and procuring a receipt, or permit, therefore, and each day's failure to comply with any of the other provisions of this chapter, shall constitute a separate offense, and the person so found guilty of such violation, or failing to comply with the provisions hereof, shall upon conviction be punished therefor as hereinabove provided.**

ORDINANCE NO. 16-

Sec. 90-9. - Handbill restrictions.

- (a) No person shall throw or deposit or cause any handbill to be placed in or upon more than three (3) vehicles at the same location.**
- (b) No person shall throw or deposit any handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.**
- (c) No person shall distribute, deposit, place, or throw any handbill in or upon any private premises which are inhabited if the premises has a sign posted providing that there is No Solicitation on the premises or similar sign as set out in section 90-4 or if the location is on the list set out in 90-5. Provided however, in the case of inhabited private premises which are not posted as provided in this article, such person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises, if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or elsewhere. In no event shall such handbill be deposited in a mailbox when so prohibited by federal postal laws or regulations.**

Sec. 90-10. - Vest Requirement; Display of permit.

- (a) Each solicitor shall wear a traffic safety vest provided by the City and displaying the current year.**
- (b) Each permit shall be worn as part of the traffic safety vest required to be worn by the individual who was issued the permit.**

Sec. 90-11. - Time restrictions.

- (a) No Person may conduct commercial home Solicitations or Handbill distributions before the hour of 9:00 A.M.; or**
- (b) After 8:00 P.M.; or**
- (c) Sunday; or**
- (d) Any of the following holidays: New Year's Day; Martin Luther King's Birthday; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Veterans Day; Thanksgiving Day; the day after Thanksgiving, Christmas Eve, and Christmas Day.**

Section 90-12 through 90-25 Reserved

ARTICLE II. - PERMIT

Sec. 90- 26. – Permit required for solicitation and handbill distribution.

- (a) A person commits an offense if the person engages in commercial home solicitation or handbill distribution activities in the city without a valid permit issued by the City of Bedford.**
- (b) A permit shall be valid for the calendar year in which it was issued. No permit shall be valid past December 31 of the year of issuance.**
- (c) Individuals engaged in soliciting activities in the City of Bedford are required to pay a non-refundable registration fee listed on the fee schedule.**

Sec. 90-27. - Permit Application

ORDINANCE NO. 16-

- (a) A person desiring to conduct soliciting or handbill distribution activities within the City shall complete a permit application prior to any distribution.
- (b) A separate permit shall be required for every person involved in soliciting or handbill distribution.
- (c) A separate permit shall be required for each company or entity involved in soliciting or handbill distribution.
- (d) No permit can be valid for multiple people, companies or entities even if it is the same person involved in soliciting or handbill distribution for multiple people, companies or entities.
- (e) A solicitor or handbill distribution permit shall be valid for the duration of the current calendar year.
- (f) The application shall contain or be submitted with the following information:
 - (1) The full name, date of birth, phone number and permanent and (if different) current address of the applicant;
 - (2) A valid state driver's license number or a state-approved identification card number (the Police Department will make a photocopy and attach to the application) of the applicant;
 - (3) The desired calendar year in which the applicant will be engaging in solicitor or handbill distribution activities;
 - (4) The name, address and telephone number of the person, company or entity that is employing the applicant to distribute handbills, if applicable;
 - (5) If a vehicle or vehicles are used to conduct the solicitation or handbill distribution activity, a description of each vehicle, its license plate number and vehicle identification number; the name and license number of the driver who will operate each vehicle, and adequate proof under state law that each driver maintains financial responsibility for the vehicle they will operate shall be attached to the application;
 - (6) The nature of the solicitation or handbill distribution activity. (i.e. the merchandise to be sold or offered for sale; or the nature of the services to be furnished; or the type of pamphlets or handbills to be distributed);
 - (7) The names of all cities in which the applicant has conducted solicitation or handbill distribution in the past six months;
 - (8) Whether the applicant will receive a payment for goods or services at the time of solicitation or will demand, accept or receive payment or the deposit of money in advance of final delivery, and if so, the amount sought or the basis for calculation of such payment;
 - (9) If the applicant, or the applicant's employer or principal has pled guilty, or nolo contendere to, or has been convicted of a felony or misdemeanor involving fraud, deceit, theft, embezzlement, burglary, larceny, crimes against persons, fraudulent conversion, misrepresentation, or misappropriation of property within ten years preceding the date of application, a description of each such conviction or plea, the name of the court and jurisdiction in which the complaint or indictment was filed and the date of the offense;

ORDINANCE NO. 16-

- (10) If the applicant, or the applicant's employer or principal is a person against whom a civil judgment or administrative decision based upon fraud, deceit, theft, embezzlement, burglary, larceny, crimes against persons, fraudulent conversion, misrepresentation, or misappropriation of property has been entered or ordered within ten years preceding the date of application, a description of judgment or action, the case or cause number, if any, and the court or administrative agency that rendered the judgment or decision;
- (11) It shall be the responsibility of a licensed handbill distributor to update the information provided on application for a handbill distribution permit as such information may change.

Sec. 90- 28. - Denial, suspension or revocation of permit.

Grounds. Any permit issued hereunder may be denied or revoked if the permit holder is convicted of a violation of any provisions of this article or has knowingly made a false material statement in the application or otherwise becomes disqualified for the issuance of a permit under the terms of this chapter.

Notice. If it is found that a permit should be denied or revoked, there shall be a denial letter written or electronic report of the reason for the denial or revocation which shall be immediately made available to the applicant within 10 business days from the date of the denial.

Appeal; hearing. The permittee shall have ten (10) calendar days after receipt of notice of revocation or denial in which to file notice of appeal to the Police Chief from the order denying or revoking the permit. If notice is received within the ten (10) day period, the Police Chief shall make an inquiry and determine whether the applicant's permit was wrongfully revoked or denied and will schedule a hearing with the applicant within 10 business days after the Police Chief receives the applicant's appeal. The applicant will be notified of the time, date, and place of such hearing. After the hearing, the decision will be made in writing affirming or reversing the revocation or denial. In the event a revocation is upheld, the permittee will return the permit to the City.

In the event of filing of an appeal from a denial or revocation issued under the provisions of this article, then, until such appeal has been determined such revocation order shall be stayed.

A municipal court judge, in addition to imposing a fine, may institute proceedings to suspend or revoke the permit of a person if the person is required by law to obtain a permit from the city and the judge finds the person guilty of violation a city ordinance relation to peddlers, itinerant vendors or solicitors.

SECTION 3. That Chapter 6 "Advertising", Article II "Distribution of Handbills" of the City of Bedford Code of Ordinances is deleted in its entirety.

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

SECTION 5. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby

ORDINANCE NO. 16-

declares it would have passed such remaining portion of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 6. That any person, organization, corporation, partnership or entity that violates, disobeys, omits, neglects or fails to comply with the provisions of this ordinance shall be fined not more than five hundred dollars (\$500.00) for each offense or violation. Each day that an offense or violation occurs shall constitute a separate offense.

SECTION 7. This Ordinance shall take effect from and after its date of passage in accordance with the laws of the State of Texas.

PRESENTED AND PASSED on this 10th day of May, 2016, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

Chapter 90 - PEDDLERS AND SOLICITORS⁽¹⁾

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Footnotes:

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Cross reference— Advertising, ch. 6; businesses, ch. 26; health and sanitation, ch. 66; secondhand goods, ch. 98; streets, sidewalks and other public places, ch. 106; traffic and vehicles, ch. 114.

State Law reference— Criminal trespass, V.T.C.A., Penal Code § 30.05; persons regarded as retailers under sales tax law, V.T.C.A., Tax Code § 151.024; licensing lawful businesses subject to police power, V.T.C.A., Local Government Code § 215.075.

ARTICLE I. - IN GENERAL

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Sec. 90-1. - Purpose. --Regulations an exercise of police power.

~~This chapter shall be deemed an exercise of the police power of the state and of the city for the public safety, comfort, welfare, convenience and protection of the city and citizens of the city, and all of the provision hereof shall be construed for the accomplishment of that purpose.~~

The purpose of this article is to provide for the general health, public safety and welfare, comfort, convenience and protection of the City and the residents of the City by:

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- (1) Prohibiting door-to-door solicitation and canvassing activity at residences during the times when such activity is most intrusive and disruptive to citizens' privacy;
- (2) Regulating the manner in which any solicitation activity, canvassing activity or handbill distribution may occur to promote good order, prevent litter and protect citizens from aggressive and intimidating practices; and
- (3) Requiring solicitors and handbill distributors to register with the City and obtain permits to aid in crime detection efforts and deter deceptive practices and fraud.

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The provisions of this article shall be construed to accomplish these purposes.

~~(Code 1969, § 18-1)~~

Sec. 90-2. - Definitions.

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

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City is defined as the City of Bedford, Texas.

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Commercial Home Solicitation or Soliciting is defined as the solicitation at a residence through the attempt or act of asking, bartering, or communicating in any manner for the purpose of selling or offering to sell goods, services, or realty, which includes promoting, advertising, receiving or obtaining money, gifts or items of value.

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Do Not Solicit List is defined as a list, developed and maintained by the Chief of Police, or his designee, of residences where the property owner or occupant has indicated that they do not wish to be solicited.

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Handbill is defined as any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any manner.

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Handbill Distribution is defined as traveling by any means, going door-to-door, house-to-house or building-to-building without personally contacting persons to distribute or leave on or at each premises handbill for any purpose.

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Interstate commerce means soliciting, selling or taking orders for or offering to take orders for any goods, wares, merchandise, photographs, newspapers or magazines, or subscriptions to newspapers or magazines which, at the time the order is taken are in another state or will be produced in another state and shipped or introduced into this city in the fulfillment of such orders.

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Itinerant Merchant or Itinerant Vendor is defined as means any person other than a publication solicitor, engaged as a solicitor.

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Mail is defined as letter, packages, or other items commonly transported and delivered by the United States Post Office, or by delivery service which requires a delivery statement specifically addressed to the address at which it is delivered and an addressee located at that location, or by a delivery service which delivers materials subscribed to by a person living at the address to which the subscribed materials are delivered.

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Motor Vehicle is defined as a vehicle that is subject to registration under chapter 502 of the Texas Transportation Code or its successor chapters.

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Newspaper is defined as any published materials that are printed and distributed, both daily and non-daily, to disseminate current news and information of general interest to the public.

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Noncommercial solicitor means any person, other than a publication solicitor, engaged in requesting contribution of funds, property, or anything of value, or the pledge of any type of future donation, or selling or offering for sale any type of property, including but not limited to goods, tickets, books, and pamphlets, or political, charitable, religious, or other non-commercial purposes.

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Place of Business is defined as an established outlet, office, or location operated by a retailer, the retailer's agent, or the retailer's employee for the purpose of receiving orders for taxable items. The term includes any location at which three or more orders are received by a retailer in a calendar year. A location such as a warehouse, storage yard, or manufacturing plant is not a "place of business" unless at least three orders for taxable items are received by the retailer during a calendar year.

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Publication sSolicitor means- is defined as any itinerant merchant or itinerant vendor who sells or takes orders for sales of newspapers, magazines, or other publications, including audio and visual recordings.

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Selling is defined as selling, dispensing, peddling, hawking, displaying, offering to sell or soliciting for sale by offering or exposing for sale any goods, wares, merchandise or services.

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Solicitation Activities is defined as traveling by any means, going door-to-door, house-to-house or building-to-building personally contacting persons to ask, barter or communicate in any manner, whether orally, by written or printed materials including, but not limited to, handbills or leaflets, hand signing or by any other method, direct or implied, for the purpose of selling or taking orders for goods, wares, merchandise or services or collecting money for any purpose that does not reflect on the exemption list.

~~Solicitor. Solicitor means is defined as any person who engages in the practice of going door-to-door, house-to-house, or along any streets within the city:~~

- ~~(1) Selling or taking orders for or offering to sell or take orders for goods, merchandise, wares, or other items of value for further delivery, or for services to be performed in the future, for commercial purposes; or~~
- ~~(2) Any itinerant merchant, itinerant vendor, publication solicitor or non-commercial solicitor as those terms are defined herein.~~

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~~Traffic Safety Vest is defined as a high visibility vest made of fluorescent material that may be clearly seen at any time of the day and is issued through the Police Department for the purposes of this ordinance.~~

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~~(Code 1969, § 18-2)~~

~~Cross reference — Definitions generally, § 1-2.~~

~~Sec. 90-3. - Exhibiting card prohibiting solicitors. Commercial home solicitation and commercial home distribution on private property~~

- ~~(a) It shall be unlawful for any person to conduct commercial home solicitation or commercial home distribution upon residential property within the city without first obtaining a written permit as required by this Chapter.~~
- ~~(b) It shall be unlawful to approach any part of a residence other than the front door.~~

~~(a) A person desiring that no solicitor or other person engage in a solicitation at his residence shall exhibit in a conspicuous place upon or near the main entrance to the residence a weatherproof card not less than three inches by four inches in size, containing the words, "NO SOLICITORS." The letters shall be not less than two-thirds of an inch in height.~~

~~(b) Every solicitor upon going onto any premises upon which a residence is located shall first examine the residence to determine if any notice prohibiting soliciting is exhibited upon or near the main entrance to the residence. If any notice prohibiting soliciting is exhibited, the itinerant vendor, itinerant merchant, or publication solicitor shall immediately depart from the premises without disturbing the occupant unless the visit is the result of a request made by the occupant.~~

~~(c) No person shall go upon any residential premises and ring the doorbell or rap or knock upon the door or create any sound in a manner calculated to attract attention of the occupant of the residence for the purpose of securing an audience with the occupant and engaging in or attempting to engage in the business of solicitor if a card as described in subsection (a) of this section is exhibited in a conspicuous place upon or near the main entrance to the residence unless the visit is the result of a request made by the occupant.~~

~~(d) No person, other than the occupant of the residence, shall remove, deface or render illegible a card placed by the occupant pursuant to subsection (a) of this section.~~

~~(e) Any solicitor who has gained entrance to a residence or audience with the occupant, whether invited or not, shall immediately depart from the premises without disturbing the occupant further when requested to leave by the occupant.~~

~~(Code 1969, § 18-6)~~

Sec. 90-4. - Exemptions—Commercial travellers; established dealers; and minors. Exhibiting card prohibiting solicitors.

- (a) ~~The provision of this chapter shall not apply to sales made to dealers by commercial travellers or sales agents in the usual course of business, nor to sales made under authority and by order of law, nor to vendors of farm or dairy products, nor to persons, or their authorized representatives, who have previously established with the owners or occupants of such private residences or property a regular business, trade, service or other contractual relationship.~~
- (b) ~~Minors under the age of 18 who participate in solicitation activities are exempt from the permitting requirements of this chapter except when they are acting as employees or hired agents of persons or entities covered by this chapter.~~

- (a) A person desiring that no solicitor or other person engage in a solicitation at his residence shall exhibit in a conspicuous place upon or near the main entrance to the residence a weatherproof card not less than three inches by four inches in size, containing the words, "NO SOLICITORS" or "NO TRESPASSING" or "NO ADVERTISEMENTS" or "NO HANDBILLS" or any similar notice. The letters shall be not less than two-thirds of an inch in height.
- (b) Every solicitor upon going onto any premises upon which a residence is located shall first examine the residence to determine if any notice prohibiting soliciting is exhibited upon or near the main entrance to the residence. If any notice prohibiting soliciting is exhibited, the itinerant vendor, itinerant merchant, or publication solicitor shall immediately depart from the premises without disturbing the occupant unless the visit is the result of a request made by the occupant.
- (c) No person shall go upon any residential premises and ring the doorbell or rap or knock upon the door or create any sound in a manner calculated to attract attention of the occupant of the residence for the purpose of securing an audience with the occupant and engaging in or attempting to engage in the business of solicitation if a card as described in subsection (a) of this section is exhibited in a conspicuous place upon or near the main entrance to the residence unless the visit is the result of a request made by the occupant.
- (d) No person, other than the occupant of the residence, shall remove, deface or render illegible a card placed by the occupant pursuant to subsection (a) of this section.
- (e) Request to leave
- (1) Any solicitor who has gained entrance to a residence or audience with the occupant, whether invited or not, shall immediately depart from the premises without disturbing the occupant further when requested to leave by the occupant.
- (2) Subsection (1) immediately above shall apply in all cases, regardless of whether a sign is posted and regardless of whether the solicitation was initially invited.

(Code 1969, § 18-7)

Sec. 90-5. - Time restrictions. Do Not Solicit List

~~No person shall be allowed to peddle or solicit between the hours of 9:00 p.m. and 9:00 a.m.~~

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- (a) ~~The Chief of Police, or their designee, shall develop and maintain a list of residences where commercial home solicitation is prohibited and such list shall be referred to as the "do -not- solicit list".~~
- (b) ~~Any property owner or occupant may elect to add or remove his or her residence to or from the do- not -solicit list through the procedures developed by the Chief of Police. The property owner or occupant making such a request will be required to affirm that he or she is an owner or occupant of the residence, and is making the request on their behalf and on behalf of any other occupant at that address.~~
- (c) ~~The Chief of Police shall make the do -not- solicit list available on the City's website and to any person upon request.~~
- (d) ~~The Chief of Police shall provide a copy of the do- not- solicit list to each person issued a permit under this article.~~
- (e) ~~Solicitation of any residence on the "do not solicit list" shall be grounds for the immediate revocation of the solicitor's permit.~~

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~~(Code 1969, § 18-8)~~

Sec. 90-6. - Cleanliness of products and vehicles; honest weights and measures required.

Every person who shall comply with this chapter and shall sell, or offer for sale, any of the articles as herein specified, shall at all times keep the same in a clean and sanitary condition, and shall also keep their wagons, vehicles, or other conveyances in a clean and sanitary condition, and they shall not sell, or offer for sale, any unsound or unwholesome articles, nor shall they give, or make, any false weights or measures of any of the various articles as specified and covered by this chapter.

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~~(Code 1969, § 18-10)~~

Sec. 90-7. - Consent to enter residences.

It shall be unlawful for any solicitor except as herein provided, to go in side or upon the premises of a private residence in the city unless requested or invited so to do by the owner or occupant of said residence for the purpose of selling or ~~disposing~~ dispensing of or peddling the same.

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~~(Code 1969, § 18-11)~~

Sec. 90-8. - Penalties; civil remedies; permit forfeiture.

- (a) Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined as provided in the Code of Ordinances, Chapter 1, sSection 1-7: General Penalty – Continuing Violations; each day such violation continues shall constitute a separate and distinct offense.
- (b) In case of any willful violation of any of the terms and provisions of this chapter, the city, in addition to imposing the penalties above provided, may institute any appropriate action or proceeding in any court having proper jurisdiction, to restrain, correct or abate such violations; and the definition of any violation of the terms of this chapter as a misdemeanor, shall not preclude the city from invoking the civil remedies given it by the laws of the state, but same shall be cumulative and subject to prosecution as hereinabove prescribed for such violations.
- (c) Each day's engaging in the business regulated by this chapter without the payment of the fee due thereon, and procuring a receipt, or permit, therefore, and each day's failure to comply with any of the other provisions of this chapter, shall constitute a separate offense, and the person so found guilty of such violation, or failing to comply with the provisions hereof, shall upon conviction be punished therefor as hereinabove provided.

(Code 1969, § 18-12)

Secs. 90-9—90-35.—Reserved.

Sec. 90-9 Handbill restrictions.

- (a) No person shall throw or deposit or cause any handbill to be placed in or upon more than three (3) vehicles at the same location
- (b) No person shall throw or deposit any handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.
- (c) No person shall distribute, deposit, place, or throw any handbill in or upon any private premises which are inhabited if the premises has a sign posted providing that there is No Solicitation on the premises or similar sign as set out in section 90-4 or if the location is on the list set out in 90-5. Provided however, in the case of inhabited private premises which are not posted as provided in this article, such person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises, if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or elsewhere. In no event shall such handbill be deposited in a mailbox when so prohibited by federal postal laws or regulations.

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Sec. 90-10 Vest Requirement; Display of permit.

- (a) Each solicitor shall wear a traffic safety vest provided by the City and displaying the current year.
- (b) Each permit shall be worn as part of the traffic safety vest required to be worn by the individual who was issued the permit.

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Sec. 90-11 Time restrictions.

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- (a) No Person may conduct commercial home Solicitations or Handbill distributions before the hour of 9:00 A.M.; or
- (b) After 8:00 P.M.; or
- (c) Sunday; or
- (d) Any of the following holidays: New Year's Day; Martin Luther King's Birthday; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Veterans Day; Thanksgiving Day; the day after Thanksgiving, Christmas Eve, and Christmas Day.

Section 90-12 through 90-25 Reserved

ARTICLE II. - PERMIT

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Sec. 90-36 26. — Required Permit required for solicitation and handbill distribution.

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~~It shall be unlawful for any person to operate or work as a solicitor without having first either registered or applied for and obtained a permit so to do from the chief of police. It shall also be unlawful to sell or solicit in the city without carrying such permit while engaged in such soliciting or selling.~~

- (a) A person commits an offense if the person engages in commercial home solicitation or handbill distribution activities in the city without a valid permit issued by the City of Bedford.
- (b) A permit shall be valid for the calendar year in which it was issued. No permit shall be valid past December 31 of the year of issuance.
- (c) Individuals engaged in soliciting activities in the City of Bedford are required to pay a non-refundable registration fee listed on the fee schedule.

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(Code 1969, § 18-3)

Sec. 90-37 27. - Application. Permit Application.

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- ~~(a) Any person desiring to operate or work as a solicitor shall make written application to the chief of police for a permit so to do, which application shall show at least the following information:~~
 - ~~(1) The applicant's name, address and phone number, and if the applicant has been at the address for less than three years, the applicant's previous address;~~
 - ~~(2) A statement as to whether the applicant is self employed or an employee of a person or entity that is peddling or soliciting;~~
 - ~~(3) The applicant's date of birth, and driver's license or state identification card number;~~
 - ~~(4) The name, address and phone number of the person or entity that is employing the applicant to peddle or solicit, if any;~~
 - ~~(5) The period within which the applicant will be peddling or soliciting, including the beginning and ending date of such peddling or soliciting;~~

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- ~~(6) A full description of the vehicle or vehicles, if any, of any person peddling or soliciting, including, but not limited to, license number, make, model, color and year of the vehicle;~~
- ~~(7) A full description of the kind of goods offered for sale; and~~
- ~~(8) Whether the person peddling or soliciting will demand, accept or receive full payment or deposit of money in advance of final delivery.~~
- ~~(b) The applicant at the time of the application, as herein provided, shall submit for inspection of the chief of police written proof of his identity which may be in the form of an automobile operator's license, or other means of legal identification.~~
- ~~(c) The chief of police shall, within two business days, including the day of the submission of the application, issue to the applicant an easily readable identification badge. Such badge shall have a picture identification on it and shall be displayed at all times the holder of the badge is peddling or soliciting.~~
- ~~(d) No permit issued under this article shall be transferable.~~
- ~~(e) It shall be responsibility of a peddler or solicitor to update the information provided on the written application for a peddler and solicitors' permit as such information may change. There shall be no fee for updating information. A renewal of a permit at its expiration shall not be considered an update of information.~~

- (a) A person desiring to conduct soliciting or handbill distribution activities within the City shall complete a permit application prior to any distribution.
- (b) A separate permit shall be required for every person involved in soliciting or handbill distribution.
- (c) A separate permit shall be required for each company or entity involved in soliciting or handbill distribution.
- (d) No permit can be valid for multiple people, companies or entities even if it is the same person involved in soliciting or handbill distribution for multiple people, companies or entities.
- (e) A solicitor or handbill distribution permit shall be valid for the duration of the current calendar year.
- (f) The application shall contain or be submitted with the following information:

- (1) The full name, date of birth, phone number and permanent and (if different) current address of the applicant;
- (2) A valid state driver's license number or a state-approved identification card number (the Police Department will make a photocopy and attach to the application) of the applicant;
- (3) The desired calendar year in which the applicant will be engaging in solicitor or handbill distribution activities;
- (4) The name, address and telephone number of the person, company or entity that is employing the applicant to distribute handbills, if applicable;
- (5) If a vehicle or vehicles are used to conduct the solicitation or handbill distribution activity, a description of each vehicle, its license plate number and vehicle identification number; the name and license number of the driver who will operate each vehicle, and adequate proof under state law that each driver maintains financial responsibility for the vehicle they will operate shall be attached to the application;

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(6) The nature of the solicitation or handbill distribution activity. (i.e. the merchandise to be sold or offered for sale; or the nature of the services to be furnished; or the type of pamphlets or handbills to be distributed);

(7) The names of all cities in which the applicant has conducted solicitation or handbill distribution in the past six months;

(8) Whether the applicant will receive a payment for goods or services at the time of solicitation or will demand, accept or receive payment or the deposit of money in advance of final delivery, and if so, the amount sought or the basis for calculation of such payment;

(9) If the applicant, or the applicant's employer or principal has pled guilty, or nolo contendere to, or has been convicted of a felony or misdemeanor involving fraud, deceit, theft, embezzlement, burglary, larceny, crimes against persons, fraudulent conversion, misrepresentation, or misappropriation of property within ten years preceding the date of application, a description of each such conviction or plea, the name of the court and jurisdiction in which the complaint or indictment was filed and the date of the offense;

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(10) If the applicant, or the applicant's employer or principal is a person against whom a civil judgment or administrative decision based upon fraud, deceit, theft, embezzlement, burglary, larceny, crimes against persons, fraudulent conversion, misrepresentation, or misappropriation of property has been entered or ordered within ten years preceding the date of application, a description of judgment or action, the case or cause number, if any, and the court or administrative agency that rendered the judgment or decision;

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(11) It shall be the responsibility of a licensed handbill distributor to update the information provided on application for a handbill distribution permit as such information may change.

(Code 1969, § 18-4)

Sec. 90-38, 28. - Fees; period; use of funds. Denial, suspension or revocation of permit.

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(a) The permit fee for an itinerant merchant or itinerant vendor shall be \$10.00. Such permits shall be valid for one year from the date of their issuance.

(b) All fees for persons engaged in interstate commerce, as a publication solicitor, or as a noncommercial solicitor are waived.

Grounds. Any permit issued hereunder may be denied or revoked if the permit holder is convicted of a violation of any provisions of this article or has knowingly made a false material statement in the application or otherwise becomes disqualified for the issuance of a permit under the terms of this chapter.

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Notice. If it is found that a permit should be denied or revoked, there shall be a denial letter written or electronic report of the reason for the denial or revocation which shall be immediately made available to the applicant within 10 business days from the date of the denial.

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Appeal; hearing. The permittee shall have ten (10) calendar days after receipt of notice of revocation or denial in which to file notice of appeal to the Chief of Police from the order denying or revoking

the permit. If notice is received within the ten (10) day period, the Chief of Police shall make an inquiry and determine whether the applicant's permit was wrongfully revoked or denied and will schedule a hearing with the applicant within 10 business days after the Chief of Police receives the applicant's appeal. The applicant will be notified of the time, date, and place of such hearing. After the hearing, the decision will be made in writing affirming or reversing the revocation or denial. In the event a revocation is upheld, the permittee will return the permit to the City.

In the event of filing of an appeal from a denial or revocation issued under the provisions of this article, then, until such appeal has been determined such revocation order shall be stayed.

A municipal court judge, in addition to imposing a fine, may institute proceedings to suspend or revoke the permit of a person if the person is required by law to obtain a permit from the city and the judge finds the person guilty of violation a city ordinance relation to peddlers, itinerant vendors or solicitors.

(Code 1969, § 18-5)

Cross-reference— Schedule of fees, app. A.

Sec. 90-39.— Suspension or revocation of permit.

(a) Any permit issued under this chapter may be revoked by the chief of police, after notice and a hearing, for fraud or misrepresentation in the application for a permit.

(b) The chief of police shall provide at least ten days written notice of a hearing on the proposed revocation of a solicitor's permit to permit holder. Such notice shall contain a statement of the alleged violation for which the revocation of the permit is being proposed. The hearing shall be conducted informally by the chief of police.

(c) Upon revocation, the chief of police shall deliver written notice to the permit holder stating the action taken and the reasons supporting such action. Any written notice shall be delivered or mailed to the permit holder's business address, if any, as listed on the permit application form, or to the residence address, if no business address is listed on the application form.

(d) Persons whose permits have been revoked may appeal by filing a written notice of appeal with the city manager. The appeal must be filed within ten days after receipt of the notice of revocation. The filing of an appeal shall hold the decision of the chief of police in abeyance until a decision is rendered by the city manager. The city manager shall hear and determine the appeal and the decision of the city manager shall be final. The city manager's decision shall be given in writing and shall state the reasons for such decision.

(Code 1969, § 18-9)

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ARTICLE II.—DISTRIBUTION OF HANDBILLS^[2]

Footnotes:

~~—(2)—~~

~~**Cross reference**—Prohibited acts by pedestrians, § 114-236.~~

~~Sec. 6-31.—Definitions.~~

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

~~Handbill means any printed or written matter, including any advertisement, sample or device, that is displayed, handed out, or posted. The term shall not include any notice required or allowed to be posted on property in accordance with city ordinances or other law.~~

~~Mail means letters, packages, etc., transported and delivered by the United States Post Office, or by a delivery service which requires a delivery statement specifically addressed to the address at which it is delivered and an addressee located at that location, or by a delivery service which delivers materials subscribed to by the person living at the address to which the subscribed materials are delivered.~~

~~Newspaper means any publication that is published, printed, and distributed, both daily and non-daily, to disseminate current news and information of general interest to the public.~~

~~Vehicle means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.~~

~~(Code 1969, § 2½-13)~~

~~**Cross reference**—Definitions generally, § 1-2.~~

~~Sec. 6-32.—Exemptions.~~

~~(a) Mail and newspaper. The provisions of this article shall not apply to the distribution of mail or newspapers. Provided however, that such mail or newspapers shall be placed on property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.~~

~~(b) Polling places. The provisions of this article shall not apply to the distribution of handbills which concern or address a candidate, measure or political party during the voting period established by law at a polling place or any early voting polling place. Nothing in this section shall be deemed to provide an exception to state laws which prohibit electioneering.~~

~~(c) Minors. The provisions of this article shall not apply to minors under the age of 18 who participate in distribution activities except when they are acting as employees or hired agents of persons or entities covered by this article.~~

~~(Code 1969, § 2½-14)~~

~~Sec. 6-33.—Exhibiting card prohibiting solicitors.~~

- ~~(a) A person desiring that no handbill be left or placed at his residence shall exhibit in a conspicuous place upon or near the main entrance to the residence a weatherproof card not less than three inches by four inches in size, containing the words, "NO SOLICITORS." The letters shall be not less than two-thirds of an inch in height. The words "NO SOLICITORS" shall mean that no handbill distributor may leave any handbill on the premises so marked.~~
- ~~(b) Every handbill distributor upon going onto any premises upon which a residence is located shall first examine the residence to determine if any notice prohibiting soliciting is exhibited upon or near the main entrance to the residence. If any notice prohibiting soliciting is exhibited, the handbill distributor shall immediately depart from the premises without disturbing the occupant unless the visit is the result of a request made by the occupant.~~
- ~~(c) No person shall go upon any residential premises and ring the doorbell or rap or knock upon the door or create any sound in a manner calculated to attract attention of the occupant of the residence for the purpose of securing an audience with the occupant and engaging in or attempting to engage in the business of a handbill distributor if a card as described in subsection (a) of this section is exhibited in a conspicuous place upon or near the main entrance to the residence unless the visit is the result of a request made by the occupant.~~
- ~~(d) No person, other than the occupant of the residence, shall remove, deface or render illegible a card placed by the occupant pursuant to subsection (a) of this section.~~

~~(Code 1969, § 2½-15)~~

~~Sec. 6-34.— Depositing on uninhabited or vacant premises.~~

~~No person shall throw or deposit any handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.~~

~~(Code 1969, § 2½-16)~~

~~Sec. 6-35.— Placing on vehicles.~~

~~No person shall throw or deposit or cause any handbill to be placed in or upon any vehicle.~~

~~(Code 1969, § 2½-17)~~

~~Sec. 6-36.— Manner or distribution of handbills on private premises.~~

~~No person shall distribute, deposit, place, or throw any handbill in or upon any private premises which are inhabited, except by handing or transmitting such handbill directly to the owner, occupant or any other person then present upon such private premises. Provided however, in the case of inhabited private premises which are not posted as provided in this article, such person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises, if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or elsewhere. In no event shall such handbills be deposited in a mailbox when so prohibited by federal postal laws or regulations.~~

~~(Code 1969, § 2½-18)~~

~~Sec. 6-37.— Permit required for handbill distributors.~~

- ~~(a) It shall be unlawful for any person to distribute handbills without first obtaining a handbill distributor's permit from the chief of police's office.~~
- ~~(b) Any person desiring a handbill distributor's permit shall file a written application with the chief of police's office. Such written application will be on a form provided by the city and shall contain at least the following:~~
- ~~(1) The applicant's name, address and phone number, and if the applicant has been at the address for less than three years, the applicant's previous address;~~
 - ~~(2) A statement as to whether the applicant is an employee of a person or entity that distributes handbills as a business, an employee or agent of the person or entity advertising or providing information contained in the handbill to be distributed, or an individual that distributes handbills for remuneration;~~
 - ~~(3) The applicant's date of birth, and driver's license or state identification card number;~~
 - ~~(4) The name, address and phone number of the person or entity that is employing the applicant to distribute handbills, if any;~~
 - ~~(5) The period within which the applicant will be distributing handbills, including the beginning and ending date of such distribution;~~
 - ~~(6) The name, address and phone number of the company paying for the distribution of the handbill, if different from the person or entity that is employing the applicant to distribute handbills; and~~
 - ~~(7) A full description of the vehicle or vehicles, if any, of any person distributing handbills, including, but not limited to, license number, make, model, color and year of the vehicle.~~
- ~~(c) Any application for a handbill distributor's permit must be accompanied by a fee of \$10.00 per permit.~~
- ~~(d) No permit issued under this article shall be transferable.~~
- ~~(e) Licensed handbill distributors must carry and display at all times that the distributor is distributing handbills the handbill distributor's permits issued to them by the city. The permit issued shall include a picture identification of the distributor.~~
- ~~(f) A handbill distributor's permit will be valid for the stated period of the distribution, but in no event shall such period be greater than one year in length from the date of the issuance of the permit.~~
- ~~(g) It shall be the responsibility of a licensed handbill distributor to update the information provided on the written application for a handbill distributor's permit as such information may change. There shall be no fee for updating information. A renewal of a permit at its expiration shall not be considered an update of information.~~
- ~~(h) The permit required herein shall not apply to the distribution of handbills which concern or address a candidate, measure, or political party during the period beginning on filing day or 60 days prior to election day, whichever is greater, and ending on the day following election day for the specific candidate, measure, or political party; provided, however, all other sections of this article including time, place and manner restrictions shall apply. Nothing in this subsection shall be deemed to provide an exception to state law prohibiting electioneering.~~

~~(Code 1969, § 2½ 19)~~

~~Sec. 6-38. Time restrictions for handbill distributors.~~

~~No person shall be allowed to distribute handbills between the hours of 8:00 p.m. and 9:00 a.m.~~

~~(Code 1969, § 2½ 20)~~

~~Sec. 6 39.— Suspension or revocation of permit.~~

- ~~(a) Any permit issued under this article may be suspended or revoked by the chief of police, after notice and a hearing, for fraud or misrepresentation in the application for a permit.~~
- ~~(b) The chief of police shall provide at least ten days written notice of a hearing on the proposed revocation of a handbill distributor's permit to permit holder. Such notice shall contain a statement of the alleged violation for which the revocation of the permit is being proposed. The hearing shall be conducted informally by the chief of police.~~
- ~~(c) Upon revocation, the chief of police shall deliver written notice to the permit holder stating the action taken and the reasons supporting such action. Any written notice shall be delivered or mailed to the permit holder's business address, if any, as listed on the permit application form, or to the residence address, if no business address is listed on the application form.~~
- ~~(d) Persons whose permits have been revoked may appeal by filing a written notice of appeal with the city manager. The appeal must be filed within ten days after receipt of the notice of revocation. The filing of an appeal shall hold the decision of the chief of police in abeyance until a decision is rendered by the city manager. The city manager shall hear and determine the appeal and the decision of the city manager shall be final. The city manager's decision shall be given in writing and shall state the reasons for such decision.~~

~~(Code 1969, § 2½ 21)~~

~~Secs. 6 40—6 65.— Reserved.~~



Council Agenda Background

PRESENTER: Jill McAdams, Human Resources Director

DATE: 05/10/16

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

ITEM:

Consider a resolution amending the City of Bedford Personnel Policies.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

From time to time, there becomes a need to revise personnel policies to reflect changes in the law, the way a policy is interpreted, or to make the policy easier to understand. Additionally, policies are added as they are created or as additional benefits are added.

Special Events

The Special Events Compensation policy was revised to clarify that holiday premium (“double time”) is paid to employees working at a multi-day special event on a City recognized holiday only on the day that is recognized as the official holiday. The other non-holiday days associated with a special event are paid at time and one half for hours worked by employees. In addition, a clause was added to the policy that the rate/method of pay may be modified by the City Manager. This was added because there have been instances when an incentive was needed to fill staff shortages, or other special circumstances. The revisions to this policy are highlighted in yellow on the attached policy as Exhibit A.

Violence in the Workplace

Workplace violence is increasing across the country at an alarming rate. In addition, Texas passed an Open Carry law which allows patrons to carry a holstered weapon. The two issues caused staff to revisit the Violence in the Workplace policy. The Human Resources Director and the Police Chief worked together to revise this policy. The Violence in the Workplace Policy revisions include a broader defined policy statement, more clearly defined reporting procedures, requires protective orders to be reported, and employees are prohibited from asking a patron who has a holstered weapon to see their License to Carry (LTC) permit. The revisions to this policy are highlighted in yellow on the attached policy as Exhibit B.

Weapons Possession

The Weapons Possession policy was updated to include definitions of “City Property” and “Prohibited Weapons” using language in the Texas Open Carry law and Texas Penal Code. The Human Resources Director and Police Chief worked together to make the policy changes. The changes to this policy are highlighted in yellow on the attached policy as Exhibit C.

The City Attorney has reviewed and approved all changes to the Special Events Compensation policy, Violence in the Workplace policy and Weapons Possession policy.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution amending the City of Bedford Personnel Policies.

FISCAL IMPACT:

N/A

ATTACHMENTS:

**Resolution
Exhibit A-Special Events Compensation policy
Exhibit B-Violence in the Workplace policy
Exhibit C-Weapons Possession policy**

RESOLUTION NO. 16-

A RESOLUTION AMENDING THE CITY OF BEDFORD PERSONNEL POLICIES.

WHEREAS, the City of Bedford operates under City Council approved personnel policies; and,

WHEREAS, the City Council of the City of Bedford previously adopted the personnel policies (employee handbook) by Resolution 03-04; and,

WHEREAS, the Special Events Compensation policy, Violence in the Workplace policy and Weapons Possession policy have been updated and detailed in the attachments.

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

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

SECTION 2. That the Special Events Compensation policy has been revised as indicated in Exhibit A.

SECTION 3. That the Violence in the Workplace policy has been revised as indicated in Exhibit B.

SECTION 4. That the Weapons Possession policy has been revised as indicated in Exhibit C.

PRESENTED AND PASSED this 10th day of May 2016, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

12.0 Special Event Compensation Policy

Purpose

The purpose of this policy is to outline the manner in which City employees will be compensated for special events that occur on or within close proximity to an official City holiday such as Blues Fest and 4thfest.

Policy Statement

All City employees will be compensated for working at any special event hosted by the City of Bedford. Special events occurring during a holiday will be compensated in the following manner or at a rate of pay as designated by the City Manager:

Seasonal Employees: These employees will be compensated at their normal assigned rate of pay per hour worked.

Non Exempt Regular Full and Part Time Employees: These employees will be compensated at double their normal assigned rate of pay per hour worked on the City observed holiday. On other days associated with the event in which employees work; employees will be compensated at time and one half for all hours worked.

Exempt Regular Full Time Employees: These employees will be compensated with accrued time placed in their Holiday accrual bank for each hour worked up to a maximum of eight (8) hours per day for each day worked.

Uniformed Fire Operations personnel will have their Fair Labor Standards Act (FLSA) work cycle adjusted (during Special Events) to mirror the uniformed Police Officer FLSA cycle. This conversion is done to that pay is comparable during these events. All other City employees working their normally assigned shift (who are not working at the special event site in an official capacity) will receive their normal rate of pay in accordance with City and FLSA policies.

Other events may be eligible for special compensation under this policy with the written approval to the Human Resources Division from the City Manager.

Applicability

This policy applies to all City of Bedford employees working during a special event at the special event site.

Definitions

For the purpose of this policy the following definitions will apply:

Exempt Regular Full Time Employees: These employees are classified as such because their job duties are exempt from the overtime provisions of the federal Fair Labor Standards Act (FLSA). Non Police exempt employees typically work 40 hours in a seven (7) day work cycle. Exempt Police employees typically work 80 hours in a 14 day work cycle.

Non Exempt Regular Full Time Employees: These employees are classified as such because their job duties are not exempt from the overtime provisions of the federal Fair Labor Standards Act (FLSA). These Non Public safety employees generally work 40 hours in a seven day work cycle. Non Exempt uniformed Police employees typically work 80 hours in a 14 day work cycle and Non Exempt uniformed fire employees typically work 212 hours in a 28 day work cycle.

Non Exempt Regular Part Time Employees: These employees generally work 20-30 hours (or less) in a seven (7) day work cycle. They are classified as such because their job duties are not exempt from the overtime provisions of the federal Fair Labor Standards Act (FLSA).

Seasonal Employees: These employees are classified as such because their job duties are exempt from the overtime provisions of the federal Fair Labor Standards Act (FLSA) which provides this exemption if an employee is employed by an amusement or recreational establishment that does not operate more than seven (7) months in any calendar year or during the preceding calendar year, its average receipts for any six months of such year were not more than 33 1/3 per cent of its average receipts for the other six months of such year. Typically these are employees employed at the *Splash* water park or in a Day Camp capacity at the *Boys Ranch Activity Center*.

Special Event: For the purposes of this compensation policy, this is the 4thFest or Blues Fest that occurs on or within close proximity to the official City holiday of Independence Day and Labor Day. Other Special Events may be eligible for special compensation under this policy with written approval from the City Manager to the Human Resources Division.

Responsible Person/Getting Help

Employees who have questions regarding this policy may contact their department management team or the Human Resources division for clarification.

Policy Authority

The City of Bedford City Council authorizes this policy. The City's management team and the Human Resources Division are responsible for interpreting and enforcing this policy.

Implementation Procedures

Department Responsibilities: Each department is responsible for ensuring the following is met regarding implementing this policy:

- Working with the Special Events team to make sure that an adequate number of employees are requested from each area to meet work load demands and/or safety criteria
- Finding employees to sign up and work the event(s)
- Ensuring employees that are scheduled to work show up on time and do not work unauthorized overtime
- Granting approval (after consultation with the Special Events team) to work outside the assigned hours during the event if needed

- Meeting the deadline to submit authorized time sheets to Human Resources for payroll

Employee Responsibilities: Each employee is responsible for ensuring the following is met regarding implementing this policy:

- Reporting to the event, fit for duty, in appropriate attire and on time
- Checking in at the assigned location and signing in and out as required
- Working only the approved schedule (Working unauthorized overtime may result in disciplinary action)
- Performing the appropriate job assignment

Human Resources/Finance Responsibilities: These Divisions are responsible for the following regarding implementing this policy:

- Verifying that all policy guidelines are met
- Accurately processing payroll within all established policy guidelines following established protocols
- Ensuring that all payroll expenses are charged to the correct fund

Special Events Team Responsibilities: The Special Events team is responsible for ensuring the following is met regarding implementing this policy:

- Coordinating adequate department coverage at each event with appropriate departments to ensure work load demands and safety criteria are met
- Creating and delivering the sign in sheets (used at the event) to each department by the established deadline
- Communicating any relevant changes made to this policy to all stakeholders

13.0 VIOLENCE IN THE WORKPLACE

13.1 Purpose

The City of Bedford (the City) provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy.

13.2 Policy Statement

This policy prohibits harassment, intimidation, threats, and violent behavior by or towards anyone in the workplace that is in any way job-or City-related, that is or might be carried out on City-property, or that is in any way connected to the employee's employment with the City, whether the conduct occurs on-duty or off-duty. The City has a zero tolerance policy for this type of misconduct.

Violations of this policy may lead to disciplinary action, up to and including termination of employment. Policy violation may also result in arrest and prosecution.

13.3 Prohibited Conduct

The City will not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities.

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited.

- Causing physical injury to another person
- Making threatening remarks
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress
- Intentionally damaging city property or property of another employee
- Possession of a weapon while on City property or while on City business (unless specified under Weapons Possession, Section 14.0, VI-28)
- Committing acts motivated by, or related to, sexual harassment or domestic violence

13.4 Reporting Procedures

Each City employee must immediately notify his/her supervisor/Department Director, the Director of Human Resources and /or the Police Department of any act of violence or of any threat involving a City employee where the employee has witnessed, received, or has been told that another person has witnessed or received. Even without an actual threat, each City employee must also report any behavior that the employee regards as threatening or violent when that behavior is job-related or might be carried out on City property, a City-controlled site or City job site; or when that behavior is in any manner connected to City employment or activity. Each employee is responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons threatened or the target of the threatening behavior. A supervisor who is made aware of such a threat or other conduct must immediately notify his/her Department Director and the Director of Human Resources.

Employees who apply for or obtain a protective order that lists City locations as being protected areas must immediately provide to the Director of Human Resources and the City's Police Department a copy of the petition and declarations used to seek the order, a copy of any temporary protective order which is granted, and a copy of any protective order which is made permanent or a copy of the dismissal of any protective order. City employees must immediately advise their Department Manager and the Director of Human Resources of any protective order issued against them, and if the order is dismissed, the employee shall update the Department Manager and Director of Human Resources.

When appropriate, threats and incidents of violence will be documented. Documentation will be maintained by the Human Resource Department and/or the Police Department.

13.4 Risk Reduction Measures

13.4.1 Hiring

The City takes reasonable measures to conduct background investigations to review candidates' backgrounds and reduce the risk of hiring individuals with a history of violent behavior.

13.4.2 Safety

The City conducts annual inspections of the premises to evaluate and determine any vulnerability to workplace violence or hazards. Any necessary corrective action will be taken to reduce all risks.

13.4.3 Individual Situations

While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform the Human Resources Division or their Department Head if any employee exhibits behavior that could be a sign of a potentially dangerous situation. Such behaviors include:

Bringing unauthorized weapons into the workplace (other than peace officers as defined by the normal scope of their job)

- Displaying overt signs of extreme stress, resentment, hostility, or anger or making threatening remarks
- Sudden or significant deterioration of performance
- Displaying irrational or inappropriate behavior

13.5 Employees at Risk

The Human Resources Division will identify and maintain a list of employees who have been determined to be at risk for becoming victims of violence because of the nature of their job or because they are subject to harassment, violence, or threats from non-employees. Human Resources and the Bedford Police Department will design a plan with at-risk employees to prepare for any possible emergency situations that occur on city time and/or property.

13.6 Dangerous /Emergency Situations

Employees who confront or encounter a dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact and talk to the individual. If a Supervisor or the Police Department can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given. Employees are prohibited from asking a patron who has a holstered weapon to see their License to Carry (LTC) permit.

14.0 WEAPONS POSSESSION

Purpose

This policy is designed to help outline weapons possession while in the workplace and to provide for the appropriate response when and if such incidents do occur.

Policy Statement

The City of Bedford strives to provide a safe and secure working environment for its employees.

This policy prohibits harassment, intimidation, threats, and violent behavior by or towards anyone in the workplace, that is in any way job- or City-related, that is or might be carried out on City-property, or that is in any way connected to the employee's employment with the City, whether the conduct occurs on-duty or off-duty. The City has a zero tolerance policy for this type of misconduct.

Unless specifically authorized by the City Manager, no employee, other than a Licensed Peace Officer, shall carry or possess a firearm or other weapon on City property. Non-licensed Peace Officer employees are also prohibited from carrying a weapon while on duty or at any time while engaging in City-related business. Prohibited weapons include firearms, rifles, shotguns, clubs, explosive devices, illegal knives with blades exceeding 5 ½ inches, switchblades, or any other item that is specifically designed, made or adapted for the purpose of inflicting serious bodily injury or death. Employees do not have an expectation of privacy and the City retains the right to search for firearms or other weapons on City property.

Employees holding a valid state license to carry a handgun are permitted to have weapons locked inside the employee's vehicle. The weapon must not be visible. The City will not be responsible for any weapon or ammunition theft that occurs while an employee's vehicle is parked on City property.

Violations of this policy may lead to disciplinary action, up to and including termination of employment. Policy violations may also result in arrest and prosecution.

Applicability

This policy applies to all employees.

Definitions

City Property- For purposes of this policy, City property includes but is not limited to City owned or leased vehicles, City buildings and facilities, entrances, exits, break areas, parking lots (except as provided by in Labor Code section 52.061 and 52.062) and surrounding areas, recreation centers, swimming pools, and parks.

Prohibited Weapons- Prohibited weapons include but are not limited to firearms, rifles, shotguns, clubs, explosive devices, illegal knives [Penal Code 46.01(6)] with blades exceeding 5 ½ inches, switchblades, or any other item that is specifically designed, made or adapted for the purpose of inflicting serious bodily injury or death.

Responsible Person/Getting Help

Employees who have questions regarding this policy may contact their department management team or the Human Resources division for clarification.

Policy Authority

The City of Bedford City Council authorizes this policy. The City's management team and Human Resources are responsible for interpreting and enforcing this policy.

Related Policies/References for More Information

This policy supersedes the Weapons Possession policy (VI-28) Section 14.0

Implementation Procedures

Any deviation from this policy requires written permission from the City Manager.



Council Agenda Background

PRESENTER: Jeff Gibson, Chief of Police

DATE: 05/10/16

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

ITEM:

Consider a resolution authorizing the purchase a replacement 2016 Ford Police Interceptor Utility vehicle in the amount of \$40,423.92, to be purchased through Sam Pack's Five Star Ford utilizing the State contract.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

In March 2016, a front line vehicle was severely damaged as a result of an auto accident and deemed irreparable by the Texas Municipal League, thereby requiring the purchase of a replacement vehicle.

Total estimate for the purchase of the 2016 Ford Police Interceptor is \$40,423.92. The replacement police package vehicle comes fully equipped with all the necessary related accessories.

Funds to cover the cost of the vehicle will come from the insurance reimbursement in the amount of \$28,753, with the remaining balance of \$11,671 paid from the Patrol Instruments and Apparatus Account.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the purchase of a replacement 2016 Ford Police Interceptor Utility vehicle in the amount of \$40,423.92, to be purchased through Sam Pack's Five Star Ford utilizing the State contract.

FISCAL IMPACT:

Total cost:	\$40,423.92
Insurance Reimbursement:	<u>\$28,753.00</u>
Balance (to be paid out of Patrol Instruments and Apparatus):	\$11,670.92

ATTACHMENTS:

Resolution
Quotes

RESOLUTION NO. 16-

A RESOLUTION AUTHORIZING THE PURCHASE OF A REPLACEMENT 2016 FORD POLICE INTERCEPTOR UTILITY VEHICLE IN THE AMOUNT OF \$40,423.92, TO BE PURCHASED THROUGH SAM PACK'S FIVE STAR FORD UTILIZING THE STATE CONTRACT.

WHEREAS, the City Council of Bedford, Texas determines the necessity to purchase a replacement front line vehicle for the Police Department.

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

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

SECTION 2. That the City Manager is hereby authorized to purchase a 2016 Ford Police Interceptor in the amount of \$40,423.92, through Sam Pack's Five Star Ford utilizing the State contract.

SECTION 3. That funding in the amount of \$28,753 will be reimbursed by Texas Municipal League and the remaining balance of \$11,671, will be paid out of Patrol Instruments and Apparatus.

PRESENTED AND PASSED on this 10th day of May, 2016, by a vote of ___ ayes, ___ nays and ___ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT

Cars and Light Trucks

Team Members -- Kevin Moore - Ruben Santana - Grace Torres - Jorge Guerra - Alan Rosner

Contract Name: State of Texas 071-072-AT 2014 - Texas Smartbuy Contract

End User: BEDFORD PD Sam Pack's Rep: KEVIN MOORE
 Contact: JAMES PITTMAN Date: 2.9.16/REVISED 4.14.16
 Contact TN/Email: James.Pittman@bedfordtx.gov Phone # 817-952-2423

Product Description: 2016 Ford Police Interceptor Utility Exterior Color / Interior: BLACK

A. Bid Series: 466BLE K8A (COMMAND UNIT) Base Price: **\$ 23,912.13**

B. Published Options (Itemize Each Below)

Code	Description	Bid Price	Code	Description	Bid Price
99R/44C	3.7L V6 / Automatic Transmission	Included			
500A	Air Conditioning	Included			
500A	All Std PI SUV Trim Equipment	Included		PATROL UNIT	
500A	Vinyl Floors	Included			
500A	Rear View Mirror w/ Rear View Camera	Included			
500A	Power Equipment Group	Included			
500A	Cruise Control	Included			
711 / 942	Daytime Running Lights	Included			
500A	AM/FM/CD	Included			
17A	Aux Climate Control	\$ 610.00			
500A	Full Size Spare	Included			
9W	Rear Vinyl Seats	Included			
Total of B. - Published Options					\$ 610.00

C. Ford Factory Published Options

Code	Description	Bid Price	Code	Description	Bid Price
	KEYED A LIKE	\$ 60.00			
549	Power/Heated Mirrors	\$ 60.00			
51R	Driver Side LED Spot Light	\$ 395.00			
18W	Rear Power Window Delete	\$ 25.00			
68G	Rear Door Handle And Locks Inop.	\$ 35.00			
86P	Pre-Drilled Front LED Holes	\$ 125.00			
60A	Wiring Grill/Lamp/Siren/Speakers	\$ 50.00			
60R	Noise Suppression Bond Straps	\$ 100.00		PATROL UNIT	
76R	Reverse Sensing System	\$ 275.00			
17T	Cargo Dome Lamp - Red/ White	\$ 50.00			
86L	Auto Headlamp	\$ 115.00			
21L	FACTORY FOG LAMPS	\$ 550.00			
Total of C. - Dealer Published Options					\$ 1,840.00

D. Fleet Quote

Code	Description	Bid Price	Code	Description	Bid Price
	Parts Quote Attached	\$ 13,801.19			
	Installation By DEFENDER SUPPLY	Included			
	COMMAND UNIT				
	KEYLESS ENTRY	\$325.00			
	Parts Quote Attached				
Total of D. - Off Menu Options					\$ 14,126.19

All Vehicles ordered are about 90-120 days ARO

F. Delivery Charges	0 Miles @ \$2.45/mile	\$ -
G. Option Discounts		\$ (64.40)
H. Total of A + B + C + D + E + F		\$ 40,423.92
I. Floor Plan Assistance		\$0.00
J. Lot Insurance Coverages		\$0.00
K. Quantity Ordered <u>1</u> X F =		\$ 40,423.92
L. Administrative Fee		\$ -
M. Non-Equip Charges & Credits		\$ -
N. TOTAL PURCHASE PRICE INCLUDING ADMIN FEE		\$40,423.92



Council Agenda Background

PRESENTER: Kenny Overstreet,
Public Works Director

DATE: 05/10/16

Council Mission Area: Protect the vitality of neighborhoods.

ITEM:

Consider a resolution authorizing the City Manager to enter into a contract with Four B Paving Inc. in the amount of \$137,300 for the 2016 Crack Sealing at Various Locations Program.

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

Crack sealing is a recommended way to preserve asphalt and concrete streets. The process involves a mixture of materials that form a resilient and adhesive compound capable of effectively sealing joints and cracks in the pavement against the infiltration of moisture and foreign material. Without this preventative maintenance treatment, temperature changes can cause small cracks to become potholes due to the expansion and contractions of the pavement and the underlying base.

The FY 2015-16 Crack Sealing Program includes the neighborhoods between Cummings Drive north to Cheek-Sparger Road, and from Forest Ridge Drive east to Central Drive. In addition, the intersections of L. Don Dodson Drive and Central Drive, Bedford Road and Central Drive, and Harwood Road and Central Drive will receive the crack-sealing applications.

On April 20, 2016, two bids were received for the 2016 Crack Sealing at Various Locations Program. Four B Paving, Inc. submitted the lowest bid in the amount of \$137,300. Curtco Inc. submitted the higher bid in the amount of \$165,000. Since 2007, Four B Paving Inc. has successfully provided crack-sealing services to the City.

Funding in the amount of \$150,000 was approved by the Street Improvement Economic Development Corporation for the Crack Sealing Program at the July 21, 2015 meeting.

If approved, the award amount of \$137,300 will be paid from the FY 2015-16 Street Improvement Economic Development Corporation contract labor budget. The completion time for the project is 120 consecutive calendar days after the date specified in the Notice to Proceed.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to enter into a contract with Four B Paving Inc. in the amount of \$137,300 for the 2016 Crack Sealing at Various Locations Program

FISCAL IMPACT

SIEDC Contract Labor	
Project Budget:	\$150,000
Bid Amount:	\$137,300
Difference:	\$ 12,700

FISCAL IMPACT:

Resolution
Bid Tab
Maps

RESOLUTION NO. 16-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FOUR B PAVING INC. IN THE AMOUNT OF \$137,300 FOR THE 2016 CRACK SEALING AT VARIOUS LOCATIONS PROGRAM.

WHEREAS, the City Council of Bedford, Texas has determined that preserving the streets through the crack sealing process is necessary for the health and safety of its citizens; and,

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

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

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

SECTION 2. That the City Council does hereby authorize the City Manager to enter into a contract with Four B Paving Inc. for the 2016 Crack Sealing at Various Locations Program, in the amount of \$137,300.

SECTION 3. That funding will come from the Street Improvement Economic Development Fund.

PRESENTED AND PASSED this 10th day of May, 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

2016 Crack Sealing at Various Locations
Bid Date: Wednesday, April 20, 2016 at 2:00 P.M.
Bid Tabulation

TOTAL AMOUNT BID	Four B Paving Inc.	Curtco Inc.
	\$137,300.00	\$165,000.00

RECOMMENDED AWARD

Average Cost
\$151,150.00

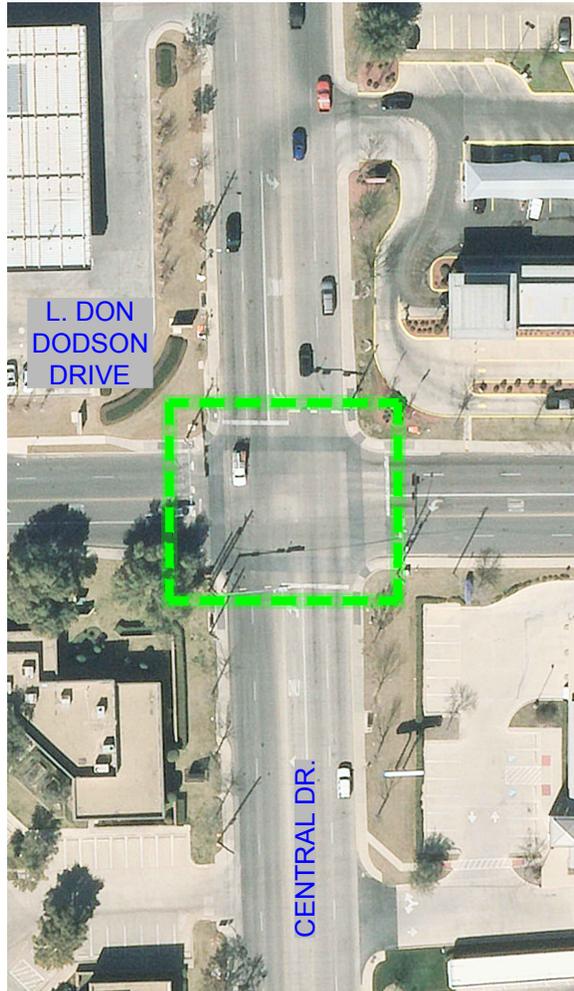


2016 CRACK SEALING AT VARIOUS LOCATIONS

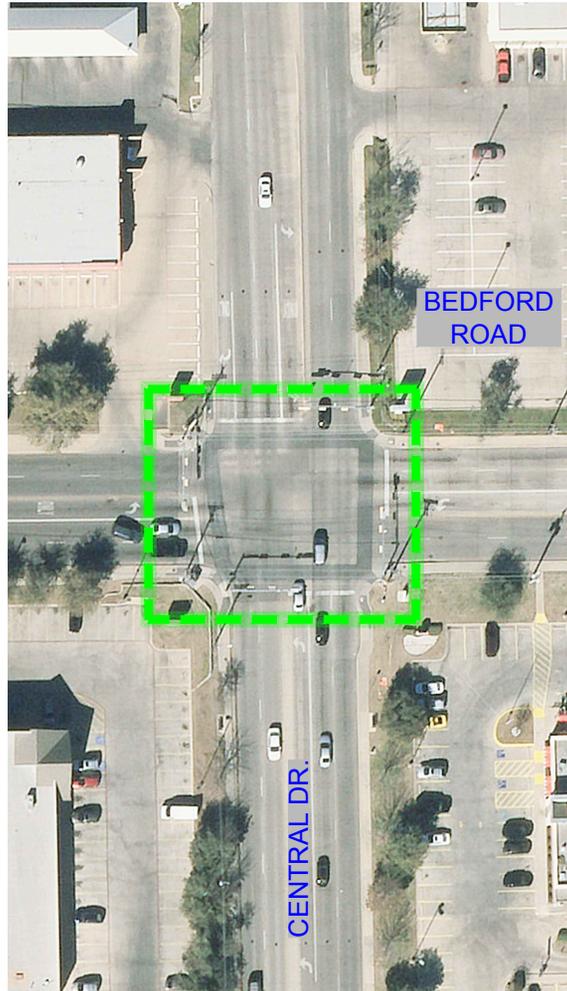
SIEDC (4B) 16-03



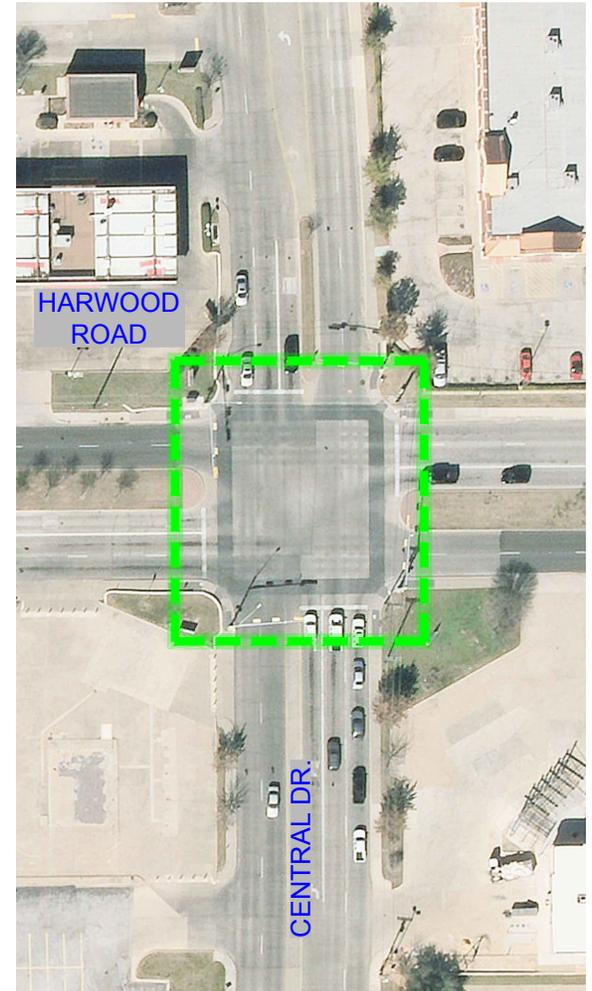
PROJECT AREA (NOT ALL STREETS LABELED)



L. DON DODSON DRIVE AND CENTRAL DRIVE



BEDFORD ROAD AND CENTRAL DRIVE



HARWOOD ROAD AND CENTRAL DRIVE



2016 CRACK SEALING AT VARIOUS LOCATIONS

SIEDC (4B) 16-03



SCALE IN FEET

 PROJECT AREA

