

STATE OF TEXAS §
COUNTY OF TARRANT §
CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in regular session at 6:30 p.m. in the Council Chamber of City Hall, 2000 Forest Ridge Drive on the 8th day of March, 2011 with the following members present:

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

Constituting a quorum.

Staff present included:

Beverly Queen Griffith	City Manager
David Miller	Deputy City Manager
Stan Lowry	City Attorney
Megan Jakubik	Assistant City Secretary
Cliff Blackwell	Administrative Services Director
Roger Gibson	Interim Police Chief
James Tindell	Fire Chief
John Kubala	Public Works Director
Bill Syblon	Development Director
Mirenda McQuagge-Walden	Managing Director of Community Services

WORK SESSION

Mayor Story called the Work Session to order at 6:01 p.m.

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

Council discussed placing the following items on consent: 3, 9, and 10.

- **Discussion regarding the creation of a Bedford Cultural Commission. ***Item requested by Councilman Champney**

Councilman Champney requested that this item be placed on the agenda for discussion. Councilman Champney presented information regarding this commission. The City of Bedford submitted an application for a cultural designation, but we did not receive the designation. In the rejection of the applications, hints and tips were included for future submissions.

The initial resolution endorsing the application for a Cultural District was passed on June 8, 2010. The resolution highlights include addressing that Bedford is rich in heritage and cultural assets; that the district would encompass the Old Bedford School, the new Bedford Library, and the Boys Ranch (the area could also be expanded as future developments occur); many components of the cultural district already exist; it would provide a culture and arts destination for residents and tourists; new events and

programs such as the Arts walk would link venues in the district; and the district would serve as an economic engine to attract new businesses.

If the cultural district was granted, a board would be created of seven members with a chairman, who would be a representative of the City of Bedford; the remaining six members would include three City of Bedford representatives, and two Arts Council Northeast representatives, comprised of the president and a board member. Councilman Champney would like to amend the district area to include City Hall and the former Library. He would also like to establish the Cultural District Board or Cultural Commission now rather than after the designation is received. One of the criticisms of the original submission included a comment that the governing board of the cultural district is unclear as to the duties of the board or commission. Councilman Champney would like to create a board or commission now to start supporting the cultural district by creating community awareness, oversee planning and development, and assist in identification of likely candidates of businesses that would be attracted to the district. Examples of businesses include schools for art or dance, theatre schools, antique shops, and boutiques, etc. Those are the type of businesses that would likely be attracted to a cultural district.

Councilman Champney suggested several duties for this board, including:

- o Create an identity and awareness for the Cultural District.
- o Identify various types of artists and their associations and encourage the use of the Bedford Cultural District for their diverse artistic activities and work with staff member Billie Yahne, Economic Development, to continue and strengthen the relationship already established within the art community. Billie Yahne has done an outstanding job in working with the arts and Jim Bob McMillan with the Texas Commission on the Arts.
- o Coordinate with ARTSNET, On Stage, the local/regional art community, and the School District.
- o Work with staff and outside groups to develop a plan and flow chart of activities that will take place during the year.
- o Continuously communicate, on Facebook or newsletter, Cultural District Activities to the general public and Council, mayor and staff
- o Explore and seek out federal, state and local grant opportunities
- o Provide input on the types of business ideally suited for the Cultural District
- o Assist Economic Development, as directed, in research to identify target businesses likely to locate in a cultural district.

These duties are simply a suggestion that can be modified as needed.

Councilman Champney believes the original resolution could be amended to strengthen the deficiencies identified by the review committee from the original submission. This will allow the re-application to proceed.

Councilman Champney generally fielded questions regarding the establishment of a new Bedford Cultural Commission. Council discussed whether a new commission is warranted or whether the duties of the proposed Cultural Commission could be added to a current board or commission, such as Community Affairs. Councilman Champney believes a freestanding committee is necessary to address the criticisms of the review committee. Development Director Bill Syblon indicated that the designation of the Cultural District would not place any restrictions on future development. Mr. Syblon also indicated that the district does not have to be contiguous.

Council was of the consensus to continue pursuing the application for a cultural district. Staff will have to bring an ordinance to create a commission and there will need to be a staff liaison with the commission. Council wanted to study the current boards and commissions to see if the goals and duties outlined for the proposed commission could be rolled into one of them. With the proposed coordination with the Arts Council to pursue grant funding utilizing their 501(c)3 status, Council wanted to see if the same collaboration could be run through an existing board.

Council elected to continue this discussion after the regular session.

Council returned to this discussion at 7:41 p.m.

Council was of the consensus to move forward in a manner to strengthen the application for the Cultural District. Council was of the consensus to begin the creation of a new commission dedicated to the Cultural District. City Manager Beverly Queen Griffith asked for clarification on the vision of the Commission, including composition and duties of the Commission. The ordinance could be completed by the next Council meeting in two weeks if the details are determined tonight.

Councilman Champney reiterated the composition and duties he had listed earlier in the meeting. It was discussed that in the composition of the Commission, Bedford representatives should be changed to citizens. The community member could be a member of the Chamber of Commerce. The ordinance will need to assign a Council liaison but a staff liaison will not necessarily be listed in the ordinance. Council was of the consensus to move forward with those duties. City Attorney Stan Lowry recommended adding language that the duties are "included, but not limited to" and as a final duty, "other duties as directed by the City Council from time to time." Council agreed with those recommendations. As the Commission encounters grant opportunities, they should bring them to Council for approval. Everything must be a recommendation to the Council; the Commission would serve in an advisory function and cannot pursue grants under their own authority.

- **Presentation by Brenda Harris regarding the HEB Prom Closet.**

Brenda Harris, 3712 Hillwood Way, Bedford, TX 76021, presented information regarding the HEB Prom Closet. The idea for the Prom Closet came about recently, when a friend, Dr. Robin Witt, was contacted to ask if a prom dress could be borrowed. This began a discussion of a use for prom and banquet dresses that are hanging unused in closets. From there, the idea of the HEB Prom Closet was born. There is now a leadership board of six local residents including Holley Hendrickson, Melody Davenport, Arlissa Schober, Sissy Smyer, Dr. Robin Witt, and Brenda Harris. The mission is to provide special occasion attire to students and their families regardless of financial need. The board wants to assist both students and parents. The goal is to function as a lending closet and to recycle the dresses and suits. The eventual goal will be a year-long program that will expand to include banquets, homecomings, quinceaneras, weddings, job interviews and other special events. Depending on space, graduation gowns may also be offered. The slogan is "Lending a Hand for those special occasions."

Ms. Harris generally fielded questions pertaining to her presentation. The future of the program will depend on community support and would be open limited hours after prom season. It would be time to drop off borrowed dresses and for those who need to select a dress. Marketing initiatives include Facebook, email, newspaper, flyers and announcements through the schools. There are not any similar programs in the HEB area, but there is one for Birdville ISD. There is a plan to have a \$10 deposit that would cover the cost of cleaning when the dress is returned. This agreement will provide a period to operate and allow for continuing development of the program. There is a national organization called donatemydress.org that is an umbrella organization. This organization would fall under this organization purely for advertising purposes.

Mayor Story recessed the Work Session at 6:52 p.m.

Mayor Story adjourned the Work Session at 8:02 p.m.

EXECUTIVE SESSION:

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

- **Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments.**

Council convened into Executive Session pursuant to the Texas Government Code regarding Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments at approximately 8:02 p.m.

Council reconvened from Executive Session at approximately 8:34 p.m.

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

REGULAR SESSION 6:30 P.M.

The Regular Session began at 6:52 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Story called the meeting to order.

INVOCATION (Pastor Kevin Smith, Faith Christian Fellowship Church)

Mayor Story gave tonight's invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

OPEN FORUM

Nobody chose to speak under tonight's Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilman Champney, seconded by Councilman Turner, to approve the following items by consent: 3, 9, and 10.

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

COUNCIL RECOGNITION

1. Proclamation declaring February 19, 2011 as National AMBUCS Service Day.

Mayor Story read a proclamation declaring February 19, 2011 as National AMBUCS Service Day.

Ralph Thompson, a past president, and Greg Russ, treasurer, accepted the proclamation.

Mr. Russ shared that the Mid-Cities chapter has been ranked number one nationally for the past two years in community service. Councilman Turner shared that he has spoken at local AMBUCS meetings and feels their best work is in scholarship therapy awards.

2. Proclamation declaring March 2011 as Texas Smartscape® Month.

Mayor Story read a proclamation declaring March 2011 as Texas Smartscape® Month.

Stephanie Corso, Environmental Specialist, accepted the proclamation. Ms. Corso announced that a landscaping irrigation series will be presented in the City. Representatives from Texas Agrilife will be in the City once a month from April until July to present information on ways to improve your irrigation system that can be done yourself.

APPROVAL OF THE MINUTES

- 3. Consider approval of the following City Council minutes:**
a) **February 22, 2011 regular meeting**

This item was approved by consent.

NEW BUSINESS

- 4. Public hearing and consider a resolution authorizing the City Manager to pursue grant funding from the Tarrant County Community Development Block Grant (CDBG) 37th Year Program for the sanitary sewer improvements in Winchester Way from Schumac Lane to Savannah Way, Memphis Drive from Winchester Way to Central Drive, Central Drive from Schumac Lane to Knoxville Drive and the cul-de-sac on Savannah Way between Schumac Lane and Winchester Way.**

Public Works Director John Kubala presented information regarding this resolution. Staff previously had proposed street improvements in this area. Tarrant County had rejected that project as ineligible because it did not completely rebuild the street. Staff has identified this region as needing sanitary sewer line improvements to prevent future breaks. The total cost of the project is estimated at \$157,000. Staff does not expect to receive the total amount in one year. The program will be structured to fund the improvements over two years based on the amount of allocated funding from this year.

Mr. Kubala generally fielded questions regarding this project. The area is in an eligible area, these lines have been checked and the need for repairs has been identified. The future of CDBG funding is uncertain, staff has not been notified of any reductions as of yet. The only City match requirement is the engineering, which is approximately \$10,000. If the grant is not approved, then the project would eventually be incorporated in capital bonds.

Mayor Story opened the public hearing at 7:07 p.m.

Nobody chose to speak at tonight's public hearing.

Mayor Story closed the public hearing at 7:07 p.m.

Motioned by Councilman Turner, seconded by Councilman Champney. to approve a resolution authorizing the City Manager to pursue grant funding from the Tarrant County Community Development Block Grant (CDBG) 37th Year Program for the sanitary sewer improvements in Winchester Way from Schumac Lane to Savannah Way, Memphis Drive from Winchester Way to Central Drive, Central Drive from Schumac Lane to Knoxville Drive and the cul-de-sac on Savannah Way between Schumac Lane and Winchester Way.

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

- 5. Consider an ordinance amending Chapter 50, Article II "Alarm Systems;" amending definitions; providing for alarm system permits and that permit required; providing for proper alarm system operation and maintenance; providing that direct alarm reporting prohibited with certain exceptions; providing for protection of financial institutions; providing for permit; providing for appeals; providing for false alarm notification; establishing a penalty; providing for exceptions; providing a severability clause; and declaring an effective date.**

Deputy Police Chief Les Hawkins presented information regarding this ordinance. Staff began reviewing the current ordinance several months ago. The current ordinance is outdated in relation to the fees and permit process procedures. The other issue was the inclusion of fire alarm permits. The Police Department is not involved in the enforcement of fire alarms and has never issued permits for fire alarms.

Police staff discussed with the Fire Department how it would affect them to remove such references. The Fire Department desired to implement their own ordinance concerning fire alarm permits, so this revision for the Police Department deletes references to fire alarm permits. This ordinance and the Fire Department ordinance were written in conjunction with the City Attorney's office.

Council discussed items 6 and 7 prior to voting on this item.

Motioned by Councilman Fisher, seconded by Councilman Griffin, to approve an ordinance amending Chapter 50, Article II "Alarm Systems;" amending definitions; providing for alarm system permits and that permit required; providing for proper alarm system operation and maintenance; providing that direct alarm reporting prohibited with certain exceptions; providing for protection of financial institutions; providing for permit; providing for appeals; providing for false alarm notification; establishing a penalty; providing for exceptions; providing a severability clause; and declaring an effective date.

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

6. Consider an ordinance amending Chapter 58, "Fire Prevention and Protection" by adopting provisions relating to fire alarm ordinances in the city limits of the City of Bedford.

Fire Chief James Tindell presented information regarding this ordinance. Realistically, there has never been a fire alarm ordinance enforced in the City. The Fire Department runs approximately 150 false alarms a year. The definition of a false alarm is not when a smoke detector goes off because food overheated; a false alarm is when a system fails or it is a malfunction of the system. There are several businesses that the Fire Department is constantly responding to because of a malfunction of their system. When a fire truck responds to an alarm, it responds utilizing lights and sirens with three firefighters on board. It is not currently a huge problem in Bedford, but the intent of the ordinance is to prevent this from becoming a problem. The 150 false alarms currently experienced per year are solely system malfunction or lack of preventative maintenance.

Chief Tindell generally fielded questions regarding this ordinance. This ordinance is targeted on commercial businesses. Residents that have a smoke detector tied into their burglar alarm system will not be required to obtain another permit. Fire alarm systems are different from smoke detectors, and are typically monitored systems. A fire alarm system is required if the business is larger than 6,000 square feet. Staff will be able to monitor who is responsible for the systems through permitting.

Council discussed item 7 prior to voting on this item.

Motioned by Councilman Brown, seconded by Councilman Turner, to approve an ordinance amending Chapter 58, "Fire Prevention and Protection" by adopting provisions relating to fire alarm ordinances in the city limits of the City of Bedford.

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

7. Consider an ordinance amending the City of Bedford Code of Ordinances Appendix A, Schedule of Fees by updating fees imposed by the City for Fire False Alarms; containing a savings clause; repealing all ordinances in conflict herewith; and providing for an effective date.

Administrative Services Director Cliff Blackwell presented information regarding this ordinance. As addressed in the previous items, this ordinance addresses the fees that will be added as a result of the adoption of the Fire False Alarm Ordinance. The Police alarm permit fees were already a part of the fee ordinance.

For Fire false alarms, the alarms will be split between the residential and non-residential response and will escalate on a sliding scale. The first three false alarms will not carry any charge; beginning with the fourth alarm charges will be assessed. In the residential category, the fourth and fifth alarms will be

assessed at \$75 per call, the sixth and seventh are \$250 per call and eight and above are assessed at \$500 per call. For the non-residential permits, those fees are doubled; fourth and fifth at \$150 per call, sixth and seventh at \$500 per call, and eight or more at \$1000 per call. These fees are calculated on a 12-month rolling period.

Motioned by Councilman Champney, seconded by Councilman Savage, to approve an ordinance amending the City of Bedford Code of Ordinances Appendix A, Schedule of Fees by updating fees imposed by the City for Fire False Alarms; containing a savings clause; repealing all ordinances in conflict herewith; and providing for an effective date.

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

8. Consider a resolution accepting the report from the independent auditor and the audited financial statements for the fiscal year ending September 30, 2010.

Administrative Services Director Cliff Blackwell and Chris Pruitt from Pattillo, Brown & Hill, L.L.P. presented information regarding this resolution. The audit committee met this evening to discuss the Comprehensive Annual Financial Report (CAFR), Management Letter and Statement for Auditing Standards Number 114 (SAS 114), addressing communication between the auditing entity and the governmental body. Mr. Pruitt explained that this is the third year that Pattillo, Brown & Hill, L.L.P. has completed the audit. Mr. Pruitt is appreciative of the assistance and support given by the Finance Department during the audit process.

Mr. Pruitt highlighted several points regarding the CAFR. Last year was the 14th year in a row that the City of Bedford received the award from the Government Finance Officers Association for Excellence in Financial Reporting. This CAFR meets all of the same requirements, and so the City should be receiving another award in the fall. In the independent auditor's report, the City received an unqualified opinion, meaning without qualifications. This is a clean opinion meaning the report is free of material misstatement. The City also received a single audit this year. When the City receives more than \$500,000 per year in grants, a single audit is required. There were no findings associated with that process. The CAFR has two letters in the back, one for the overall City audit, and one for the single report. Neither report yielded any findings.

Mr. Pruitt generally fielded questions relating to this item. The Management Discussion and Analysis is a required part of the report. It must be completed by the Financial Director and is a good place to find a summary of the report for the year.

Motioned by Councilman Savage, seconded by Councilman Champney, to approve a resolution accepting the report from the independent auditor and the audited financial statements for the fiscal year ending September 30, 2010.

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

9. Consider a resolution authorizing the purchase of ten sets of firefighting protective clothing and five helmets from Casco Industries at a cost of \$18,666 through an Interlocal Purchasing Agreement with the City of North Richland Hills.

This item was approved by consent.

10. Consider a resolution authorizing the City Manager to purchase rescue equipment and related components from Advanced Rescue Systems, for TNT Rescue Tool products, in the amount of \$25,000.

This item was approved by consent.

11. Consider a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with Brenda Harris relative to 1725 Bedford Road.

Deputy City Manager David Miller presented information regarding this resolution. The key provisions include a short term agreement that will expire on July 1, 2011; Ms. Harris will be required to pay for all utilities during the duration of the agreement; Ms. Harris cannot attach any signage to the building and any other signs must conform to City ordinances; and, there will be no displays in the window or outside. Ms. Harris has requested that the first page be amended to include language for students "and their families" in order to broaden the service to family members of HEB students. The City Attorney has approved this addition.

Council was of the consensus to allow language reflecting that a family member or date of a HEB student could also utilize the services of the Prom Closet. The agreement is a Memorandum of Understanding because of the short term duration of the agreement. If approved, the agreement will go into effect the next day to enable the Prom Closet to begin prep for the prom season.

Motioned by Councilman Griffin, seconded by Councilman Brown, to approve a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with Brenda Harris relative to 1725 Bedford Road, including the amendment to the agreement recommended by staff.

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

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

✓ **Animal Control Board- Councilman Griffin**

No report was given.

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

No report was given.

✓ **Beautification Commission- Councilman Turner**

Councilman Turner reported that Beautification is continuing with the Community Garden. Plans are advancing to be in place prior to this year's growing season. Crud Day and Chunk Your Junk Day is on March 26. Councilman Turner encourages all residents to take advantage of those opportunities.

✓ **Community Affairs Commission- Councilman Fisher**

Councilman Fisher reported that the Community Affairs Commission will be hosting the first quarterly Homeowner Roundtable meeting at 7:00 p.m. on March 30 in the Meeting Room at the new Library.

✓ **Library Board- Councilman Brown**

No report was given.

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

No report was given.

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

No report was given.

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

Councilman Champney reported that he attended the Teen Court meeting last Thursday. The banquet is scheduled for April 28 and the award recipients have been selected for their scholarships. The new chairperson is doing an excellent job.

Councilman Champney reported he also attended the Tarrant Regional Transportation Coalition (TRTC) meeting last Wednesday in Fort Worth. Councilman Brown and Champney attended the Trinity Arts guild on Sunday while they were awarding prizes to children for their artwork.

13. Council member reports

- ✓ **Mayor Story- Report on the 49th Anniversary MPA Alumni-Student Conference held at the University of North Texas.**

Mayor Story gave a report on the 49th Anniversary MPA Alumni-Student Conference held at the University of North Texas. The event was very nice. The keynote speaker was Mary Suhm, from the City of Dallas. The City of Dallas has over 200 people working on the budget each year. Megan Jakubik, Assistant City Secretary, was inducted into the National Honor Society for the Society for Public Administrators. Beverly Queen Griffith was named the Public Administrator of the Year award at the banquet. This award is well deserved for Ms. Griffith. Ms. Suhm is also a past recipient of this award.

Councilman Fisher reminded everyone that the Community Powered Revitalization (CPR) will be on April 8 and 9. Local businesses are stepping up to help with defraying the cost for the City for expenses relating to CPR. Classic Chevrolet in Grapevine, the Thompson Group specifically, will donate \$25 to 6 Stones if you test drive a car between March 1 and April 30. If you decide to buy a car, they will donate an additional \$200 to CPR. Jason's Deli will donate a percentage of the total receipt to CPR for anyone who eats there on Tuesday nights in March from 4:00 p.m. until 9:00 p.m. Councilman Fisher thanked both businesses for their contribution to CPR. To volunteer for CPR, you may find information on the City website or go to www.6stones.org for more information. Mayor Story explained that CPR is a partnership between the Cities of Bedford, Hurst, and Euless with 6 Stones to assist homeowners who need help with improving their homes. The homeowners must apply and be selected for the program.

14. City Manager report

- ✓ **Report on upcoming events for the City.**

City Manager Beverly Queen Griffith reported that she, Deputy City Manager David Miller and Mirenda McQuagge-Walden, Managing Director of Community Services, attended a conference called the Great Exchange event in Bryan, Texas, this past week. They will be incorporating what they learned throughout the year.

Council recessed back to the work session at 7:41 p.m.

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

No action was necessary as a result of Executive Session.

ADJOURNMENT

Mayor Story adjourned the meeting at 8:34 p.m.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary