

Council Minutes September 24, 2011

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 7:30 a.m. at the Bedford Public Library, 2424 Forest Ridge Drive on the 24th day of September, 2011 with the following members present:

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

constituting a quorum.

Staff present included:

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| Beverly Griffith | City Manager |
| David Miller | Deputy City Manager |
| Michael Wells | City Secretary |
| Bill Syblon | Development Director |

CALL TO ORDER/GENERAL COMMENTS

Mayor Story called the Work Session to order at 7:34 a.m.

WORK SESSION 7:30 a.m.

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

City Manager Beverly Griffith stated that the Council's focus on economic development is to a large extent sales tax related. She provided Council with a sales tax analysis from Muniservices to help Council understand what is happening with current collections and to see problems, without violating confidentiality. The reports are based on benchmark years as opposed to fiscal years. Food services make up the largest portion of sales tax at 16%. General merchandise includes stores such as Wal-Mart, Big Lots and the Dollar Store. A four or five year breakdown of total collections allows staff to identify unusual spikes. A report showing sales tax by economic category breaks down collections by larger categories. Another report shows the sales tax by the ten largest business segments. Food service and general merchandise are the strongest performing categories, while the information services category has been all over the map; staff is monitoring that category closely. Utilities have been disappointing, performance wise. Though there has been much worry about retail and restaurants, those sectors have not been fairing badly. A historical analysis of payments by category, broken down by quarter, allows staff to identify particular categories they have concerns about. In summarizing the decline in sales tax revenue this year, franchise fees being down is consistent with sales tax being down. The information services and communications categories are invisible to staff as they do not have a physical location in Bedford and it is not apparent what they may be connected to. The historical analysis shows payments rising in the fourth quarter of 2009, spiking in 2010 and then coming back to the 2009 level and leveling out.

Development Director Bill Syblon reviewed the City's Economic Development Strategic Plan to see what has been accomplished since it was adopted in 2008.

Minimize the effects of the SH 183 expansion

- Seek to retain existing businesses
 - Work with TxDOT to maintain access and visibility of business along SH 183 - The Kimley Horn Study in 2009 identified access issues with businesses. Staff has worked with TxDOT to fix those issues and several departments maintain contact with NTEMP.
 - Work with TxDOT to keep as many lanes open as possible in order to maintain mobility along SH183 during construction. - Several departments maintain ongoing communication with TxDOT and NTEMP on this issue.
 - Foster public/private partnerships with businesses to assist them in marketing efforts during construction. – Efforts include the Shop Bedford First program, the Bedford restaurant guide, including a special update during the Super Bowl, and upcoming joint advertising opportunities with neighboring cities such as larger magazine advertisements with coupons.
 - Review and ensure that all businesses-related policies are business friendly. – This includes the Incentive Policy and Program begun in 2008 and revised in 2010, Sign Ordinance amendments in 2008 and 2011, a streamlined SUP process so applicants do not have to go to Council twice and the ability for staff to grant approval of simple plats.
- Capitalize on Bedford's strategic location.
 - Review and update the Comprehensive Plan and Zoning Map to determine the highest and best uses of land, taking into consideration Bedford's status as being close to build out. - The Kimley Horn Study from which a proposed 183 highway corridor overlay district was proposed. The district died at the Planning and Zoning Commission level. Also included is the Comprehensive Land Use Plan update in 2010.
 - Determine additional locations where major employers and hotels may locate along or near SH 183 and assemble properties for this purpose. – This has been an ongoing process. In 2008 there was discussion on the Bedford Forum area and the creation of the Holiday Inn/Bedford Forum Reinvestment Zone. There has also been discussion regarding City Hall, the area where Pappadeux, Bennigans and Steak and Ale are located, as well as the Shops at Central Park.
 - Work with HEBISD to relocate facilities along SH 183 and master plan ISD properties to include sales tax-generating uses – Discussion between Council and HEBISD began in 2008 and are still currently underway.
 - Evaluate opportunities at the Central Drive and Bedford Road intersections at SH 183 for assembling and reconfiguring sites to create areas where larger scale developments and/or destination-oriented venues may locate.

Council requested staff look into a City-wide overlay district plan that is similar to the one currently in place on SH 121. The plan would focus on aesthetics and overall design standards, including architectural design and signage. It will also remove any relief provisions which hampered the passage of the SH 183 overlay district. It will also not be retroactive and most of the impact would be seen along SH 183.

Redevelop and revitalize shopping centers and neighborhoods.

- Work to retain existing businesses.
 - Develop and implement a formal business retention plan. – This includes the Incentive Policy and Program developed in 2008 and amended in 2010, as well as certificate of occupancy and anniversary visits.
 - Develop relationships with existing businesses through surveys, site visits, newsletters and other media. – This includes Community Affairs Commission surveys done in 2008, site visits, staff delivery of certificates of occupancy, update e-mails from NTE, business roundtable meetings, the medical/healthcare survey in 2009, and Shop Bedford First visits.
 - Continue business roundtables and other events; consider holding an annual business appreciation luncheon or banquet to communicate Bedford's support for free enterprise and maintain regular communication with employers. – This is mainly handled through the Community Affairs Commission.
- Enhance the appearance of shopping centers and neighborhoods

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- Review and update the comprehensive plan and zoning map. - This includes the Kimley Horn Study in 2009, the proposed SH 183 Corridor Overlay District, and the Comprehensive Land Use Plan update in 2010.
- Review and update zoning and development ordinances and means to improve outdated and/or deteriorating shopping centers. – This includes the proposed SH 183 Corridor Overlay District, updates to the Sign Ordinance done this year, adopting the International Building Code this year, the Incentive Policy and Program, the pending Vacant Building Ordinance, and the pending Shopping Center Revitalization Program.
- Consider establishing overlay districts or implementing design guidelines in certain redevelopment areas. – This includes the proposed SH 183 Corridor Overlay District and the updates to the Comprehensive Land Use Plan.
- Select areas to concentrate efforts that show the greatest opportunity for redevelopment and revitalization which will then serve as a catalyst to spur additional investment. – This includes the Buxton Study in 2009, opportunities with the SH 183 highway expansion, the updates to the Comprehensive Land Use Plan, and future discussions this year.
- Prepare streetscape plans for major corridors and roadways. – This was done through the NTE Aesthetics Committee which met several times between 2009 and 2010.

Improve City Image and Public Perception

- Confirm Bedford's Identity and promote Bedford's vision.
 - Define how Bedford wants to identify itself and make the City distinct and unique from the rest of the region. – This includes the City's new logo and tagline, work on establishing a cultural district, and working with the Bedford Hotel Association.
 - Utilize a formal process which includes surveys and stakeholder input to confirm Bedford's identity. – This includes the updates to the Comprehensive Land Use Plan and the new Cultural Commission.
 - Create a formal marketing plan, targeting young families and children.
 - Increase communication within and outside the City through press releases, editorials, newsletters, advertisements, word of mouth, community events and other media. – This includes the Bedford Connection, BTV, and web streaming of Council meetings.
 - Sell community amenities and show that Bedford has a great story to tell.

Council requested staff determine the number of web hits from the streaming Council meetings.

- Encourage the Arts in Bedford and consider creating an Arts District or Cultural District.
 - Make a targeted list of all arts-related organization that Bedford wants to recruit to the City. – This would be handled through the Cultural Commission.
 - Determine areas within Bedford which are preferable for including within an Arts District. – This would be handled through the Cultural Commission.
 - Evaluate the potential of other, small gathering places for arts related events. – This would be handled through the Cultural Commission.
 - Engage in fundraising activities to fund public art. – This would be handled through the Cultural Commission.
 - Consider funding and placement of an amphitheater near the new Library.
 - Study how other cities have been successful in promoting the arts and creating arts districts. – This is accomplished through the cultural district designation process.
- Determine the highest/best use of City owned properties and facilities.
 - Consider master planning the remaining City-owned, underdeveloped properties.
 - Hold a design workshop prior to master planning to solicit input from stakeholders.
 - Determine new facility use and programming for the old Library.
 - Make a plan for the possible future expansion of the Boys Ranch. – This includes the Boys Ranch Master Plan approved in 2010.

Additional goals included making improvements to the aging water and sewer infrastructure.

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Facilitator Joe Gonzales stated that Mr. Syblon will present action plans based on the goals of Council. Staff is looking for Council to present any additions or changes to the action plans and then approve them.

Mr. Syblon presented an action plan for creating a Central Bedford Development Zone (CBDZ) based on the Council's goal statement of "Strategically focused economic development". He stated that the first part of the plan is to clarify what the Zone means and to create a broad definition of the CBDZ. Council was of the consensus that the boundaries of the Zone are Bedford Road to the north, SH 183 to the south, Forest Ridge Drive to the west, and Central Drive to the East.

Deputy City Manager David Miller explained that Council will have to decide what they want the district to look like through the process of creating design charettes. The process would begin with a Work Session where Council would brainstorm with Planning and Zoning, the Economic Development department, and an architectural firm on how the zone is to look and feel like. Input would also be gathered from stakeholders through public meetings and working with existing businesses. All these ideas would be taken together and presented to a hand-selected group of developers to receive input from the standpoint of design and layout. An architectural firm will then present this to Council, who will then refine it and approve the design charettes. Mr. Syblon can then use them as a design tool to market and develop partnerships with developers. This was much of the same process used for the new Library facility. In regards to a feasibility study, the charette process would have to be completed first. Funds have been set aside for economic development, so this process is funded. Council was of the consensus to move forward with the charette process.

Mr. Syblon presented an action plan for commercial property assessment and prioritization based on the Council goal statement "Develop a plan to improve vacant or underutilized commercial property.

The first step in this plan is to take the most critical intersections and narrow down the ones to focus on first. These include the intersections and Brown Trail and Harwood, Brown Trail and Pipeline, Brown Trail, SH 183 and Bedford Road, Harwood Road and Central Drive, and neo-traditional opportunity areas that were identified in the Comprehensive Land Use Plan. The next step is to take a sensitive approach and determine the criteria that will be used to assess and prioritize properties. Each criteria will include three subcategories in which to rate the properties. For example, the physical condition of the property will be broken down into no maintenance required, some maintenance required, and extensive maintenance required. Other criteria will include age, vacancy rate, location and visibility of those properties, and property values. A weighted matrix will be applied to all of these areas to determine which area or areas need the most attention. Once those areas are identified, staff and Council as a group can strategize and possibly go through a charette process similar to the CBDZ. It is important to identify an area as opposed to just a shopping center. Feasibility will be made part of the process. Council was of the consensus to move forward with the action plan. Council also requested a mechanism to measure practicality and funding sources, specifically changing the 4B fund so it can be used to improve infrastructure.

Mr. Syblon presented information regarding the Retail Center Revitalization (RCR) Program. It is a way to incentivize and promote the improvement of aging retail centers. In regards to the level of City participation, what is being currently proposed is to offer matching grants up to 25% of the total cost of qualifying projects up to \$20,000 and a 50% match on replacing, removing or improving existing signage up to \$5,000. The criteria is that the applicant must be the owner or tenant of a multi-tenant retail property, the property must be at least 20 years old and have a vacancy rate of greater than 50%. The applicant must meet a minimum budget of \$20,000 for improvements. Eligible improvements include façade, window treatments, lighting, awnings/canopies, landscaping and irrigation, parking improvement and painting. Mr. Syblon stated that the public relations side of the program that is the most beneficial in that it can be marketed and promoted to show what the City is doing for its businesses. Council was of the consensus to move forward with the program with the following changes: word the program so that it does not lock the City into a minimum matching fund, so negotiations can occur with the applicants, and that the vacancy rate be lowered to 30%. The program will be brought back to Council at the October 25, 2011 meeting.

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Mr. Miller presented information on a vacant building ordinance and requested comments from Council. What staff is attempting to accomplish with this ordinance is to establish a means to track current vacancies in the City and to work with businesses to fill those spots as soon as possible. This ordinance kicks in after incentive phase discussed earlier so it does not punish property owners until they have had the opportunity for incentives. The ordinance would come into play when 60% of the square footage of a multi-tenant property has been vacant for 6 or more months. This ordinance would also cover stand alone buildings, though that has not been defined yet. Provisions need to be put in place if the stand alone building is for sale or lease. The ordinance strictly covers commercial properties and is focused mainly on shopping centers. Regarding the notification process, the Code Enforcement Division would issue written notice to the property owner giving them 10 days to register the property and 30 days to comply with the rest of the Article. Enforcement would be handled by the municipal court, as with any code enforcement issue. Further enforcement could occur by court order to remediate and implement a lien on the property. More research will need to be conducted regarding the provision in the ordinance about the removal of gas storage tanks, so it is in compliance with the Fire Code and TCEQ. Council was of the consensus to move forward with the ordinance with the following changes: define in more detail "boarded building"; adding verbiage stating that this ordinance does not supersede existing code compliance ordinances in order to ensure ongoing aesthetic maintenance; and including language that states the person leasing a property must have a physical presence, such as defining the term "rental" and/or requiring an active utility service account. The ordinance will be brought back to Council by the second meeting in November.

Ms. Griffith requested that Council set up a work session in order to go through the Sign Ordinance element by element and get a consensus on what changes Council would like to see on each element. Council was of the consensus to hold the Work Session on Saturday, November 5. Staff will provide a copy of the existing Sign Ordinance and an outline for the meeting.

Mr. Gonzales summarized what was achieved at the meeting: 1) Council requested staff to look into City-wide design standards; 2) Council agreed to move forward on the charette process as it relates to the CDBZ; 3) Council agreed to move forward on improving vacant/underutilized businesses; 4) Council agreed to move forward on the RCR concept; 5) Council agreed to move forward on a vacant building ordinance; and 6) Council established November 5 as the date for a work session to work on the Sign Ordinance.

Council discussed ideas about mitigating the effects of the SH 183 expansion on area restaurants. More specifically, Council wanted to focus on ways to let people know that these restaurants are still open for business. Ideas included renting bill boards on either side of Bedford, mail outs, joint advertising efforts with neighboring cities, coupons in the next edition of the Bedford Connection, signs on the former CI Host building, temporary signage and restaurants getting together as a group to create visibility and awareness.

ADJOURNMENT

Mayor Story adjourned the Work Session at 10:30 a.m.

Jim Story, Mayor

ATTEST:

Michael Wells, City Secretary