

Council Minutes March 28, 2017

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 5:30 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 28th day of March, 2017 with the following members present:

Jim Griffin	Mayor
Michael Boyter	Council Members
Roger Fisher	
Dave Gebhart	
Rusty Sartor	
Roy W. Turner	

constituting a quorum.

Staff present included:

Kelli Agan	Interim City Manager
Cliff Blackwell	Interim Assistant City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Natalie Foster	Public Information Officer
Jeff Gibson	Police Chief
Meg Jakubik	Strategic Services Manager
Kenny Overstreet	Public Works Director
Maria Redburn	Library Director
Emilio Sanchez	Planning Manager
Eric Valdez	Community Services Manager

COUNCIL CHAMBER WORK SESSION

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

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

Council discussed placing the following items on consent: 1

- **Receive an update on HEB Reads initiatives.**

Kierra Elledge, the HEB ISD STEM and School Library Coordinator, reported that the kickoff event for HEB Reads is Saturday, May 6, 2017 at Pennington Field. Over two million minutes were read by HEB ISD students and 100 percent of the schools participated. Students read an average of 1,400 minutes during the summer. The students that participated in summer reading showed a gain of 89 points over their beginning of the year tests. Three of the schools, including Meadow Creek and Bedford Heights in Bedford, had over 100,000 minutes read. Some schools were challenged to take their data and to compete against themselves instead of other schools. She thanked the Council for the City's outreach by coming into summer school and helping students. Library Director Maria Redburn stated that the Library received \$28,000 in grant funding for STEM from the Texas State Library and Archives Commission (TSLAC) and the Institute for Museum and Library Services. Their outreach site for at-risk children is Harston Woods, which has installed

Council Minutes March 28, 2017

shelves for library books in their community center. The residents asked for the Library to keep coming out during the school year and the Library has rolled the outreach into their STEM programming, and will continue STEM activities with the children during the summer. The neighborhood is not actually in Bedford, but all the children are bussed to Spring Garden Elementary. She stated that if children can start reading, they will do better on their assessments. Their parents all work so they are unable to go to community centers or the Library on a weekly basis; however, the children who read over 1,500 minutes attended the Mayor's party. Ms. Elledge stated that the ISD was awarded an Arts Council Northeast grant for approximately \$2,600, which will be applied equally between Hurst, Euless and Bedford towards their summer programming for art performances. The ISD, along with the three cities, applied for another grant for a book-mobile, which would include STEM, literacy and educational activities. In answer to questions from Council, Ms. Elledge stated that the grant for the book-mobile was through TSLAC. Ms. Redburn stated that the money for the grant may go away as it is federal funds administered through TSLAC. There was discussion on grant opportunities; cooperative efforts between the cities and the ISD; and work done by Grants Administrator Brandi West on these grants. Ms. Redburn stated that for the book-mobile, maintenance would be the responsibility of the ISD, while the cities would be responsible for any consumables and supplies. There was discussion on the Education Foundation seeking grants through project partners for the HEB Reads initiative; the North Tarrant Express donating money through the Education Foundation for STEM programming; children having the option to select their own books; and dictionaries given out by Rotary clubs.

- **Receive a report on recent Police Department activities.**

Police Chief Jeff Gibson presented a report on recent Police Department activities. The Department's mission statement is they believe in the self-worth and dignity of all individuals. Their vision statement is they police through progressive policing. Those two components, coupled with their five-year strategic plan, gets them where they are going and is the platform from which they build their success. He discussed the Bedford 1 Community program, which is broken down into three phases for the apartment community. Phase 1 is a four-hour class on crime prevention techniques. Phase 2 is an inspection phase, which is best practices, and includes such things as landscaping and crime prevention techniques. Phase 3, which has only been completed by Windmill Terrace, is where a complex takes the Department's recommendations from Phase 2 and has completed the repairs and additions to make the complex as safe as possible. Currently, there are seven complexes in Phase 1 and one in Phase 2. One of the challenges with the program is that apartment communities tend to change owners very frequently and so the process must start all over again. Chief Gibson discussed the Safe Return Home program, which deals specifically with returning dementia and Alzheimer patients safely home. He stated that if the Department is unable to find a person in 12 hours, the results are less than desirable. He discussed the Silver Alert state-wide alert model, which requires specific criteria and stated that to set that alert, the Department needs to have a note from a licensed doctor indicating the missing person meets that criteria. The Safe Return Home program allows the Department to do all the leg work before a tragic situation happens. Even if they do not meet the criteria for a Silver Alert, the Department will still have useful information to direct resources to find the missing person more quickly. Chief Gibson discussed the Bedford Citizens Observation Program (BCOP), where the Department receives evidence on suspects committing crimes through the partnership with residents and businesses. He discussed the Department's new, more robust website, which has a major focus area on information. He also discussed their newly launched social media networks through Facebook, with 4,000 followers, and Twitter, with 500 followers. The Department is seeing tremendous results not only through the Department's sites, but the City's social media sites as well as they both share information. He discussed the Department's Explorer Program, which helps bridge the gap between the age group of 18 to 24 years old, which tends to make foolish decisions that would disqualify members from entering law enforcement. The program teaches both integrity and character. Chief Gibson discussed the Commercial Vehicle Enforcement program. Bedford partners with the cities of Hurst, Euless, Grapevine and Southlake in combining their commercial vehicle enforcement units to concentrate

Council Minutes March 28, 2017

their efforts in removing hazardous vehicles off the roadways. He discussed the Department's drone program, including the challenge of operating in Class B airspace being so close to DFW Airport. A tremendous amount of documentation must be completed and it has taken over 14 months to do so. As of the end of 2016, the Department is approved as far as any federal regulations and guidelines, and has received their Certificate of Waiver of Authorization. Currently, they are in the training phase. They are operating strictly under law enforcement guidelines and not violating any Fourth Amendment rights. The use of drones is an officer safety issue, whereby a piece of equipment can be put in harm's way instead of an officer. Chief Gibson discussed the implementation of their Honor Guard, which will exemplify the professionalism of the organization at various civic events. In answer to questions from Council, Chief Gibson cited the example of an armed burglary suspect in a school as a time when the drone would be used. He further stated that being in Class B Airspace, a 107 commercial pilot's license will be completed by April, so there will be a commercial pilot coordinating the unit, who will be responsible for training all the officers in the unit; that there will also be a spotter and sufficient equipment has been purchased so there are multiple eyes on different viewing paths; that no fiscal funds were used to purchase the equipment as it was purchased from the Secret Service Taskforce, donations from Citizen's Police Academy Alumni Association, and seizure funds; that the Department has purchased another two training drones; and that multiple drones could be deployed at one time but the Department does not have platform to do so at this time. There was discussion on the Department being forward thinking with Safe Return Home program and "To Protect and Serve" as a slogan.

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 551.071, consultation with City Attorney regarding pending or contemplated litigation - Linbrook Apartments at 531 Bedford Road.**
- b) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Williams, TW Survey A1735 Tr 6C02, also known as, 1805 L. Don Dodson Drive.**
- c) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Bedford Commons.**

Council convened into Executive Session pursuant to Texas Government Code Section 551.071, consultation with City Attorney regarding pending or contemplated litigation - Linbrook Apartments at 531 Bedford Road; Section 551.087, deliberation regarding economic development negotiations relative to Williams, TW Survey A1735 Tr 6C02, also known as, 1805 L. Don Dodson Drive; Section 551.087, deliberation regarding economic development negotiations relative to Bedford Commons, at 6:08 p.m.

Council reconvened from Executive Session at 6:24 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.

Mayor Griffin adjourned the Work Session at 6:34 p.m.

REGULAR SESSION

The Regular Session began at 6:34 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION (Dr. Kevin Henson, St. Timothy Cumberland Presbyterian Church)

Dr. Kevin Henson of St. Timothy Cumberland Presbyterian Church gave the invocation.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS/UPCOMING EVENTS

Public Information Officer Natalie Foster reported that the Bedford Police Department's Annual Motorcycle Rally will be held at Texas Harley-Davidson on Saturday, April 1, 2017, with an opening ceremony at 8:30 a.m. and the competition starting at 9:00 a.m. Riders compete to see whose skills on the motorcycle are the best, all while raising money for several non-profit organizations that help first-responder families that have been affected by line-of-duty deaths. There will also be activities for children, vendors, raffles, and silent auctions. She reported the City Expo and Pet Fair will also be held on April 1 from 10:00 a.m. to 2:00 p.m. at the Boys Ranch Activity Center (BRAC). Inside the building, there will be booths from every City department and outside, the Animal Shelter will have pets up for adoption, local vets, rescue groups, and food. All adoptions at the event will include a free microchip. She reported that on Saturday, April 8, 2017, there will be ArtsFest and the Easter Egg Celebration. The egg hunt and Easter festivities will be from 10:00 a.m. to 12:00 p.m. at the Boys Ranch Park Pavilion, and there will be a special egg hunt just for dogs. ArtsFest will be held at the BRAC from 10:00 a.m. to 6:00 p.m., with local arts and craft vendors, food trucks, live music, juried art, and performers. She reported the Fire Department's "Fill the Boot" campaign will be held on April 8, April 15 and April 22, 2017. Firefighters will be on various Bedford street corners from 10:00 a.m. to 2:00 p.m. filling their boots to raise money for the Muscular Dystrophy Association.

OPEN FORUM

Nobody chose to speak during Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

- 1. Consider approval of the following City Council minutes:
a) March 14, 2017 regular meeting**

Motioned by Councilmember Gebhart, seconded by Councilmember Fisher, to approve the following items by consent: 1

Motion approved 6-0-0. Mayor Griffin declared the motion carried.

COUNCIL RECOGNITION

2. Employee Service Recognition

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

Joey Gauger, Police Department - 20 years of service
Doug Crowell, Police Department - 30 years of service

- 3. Proclamation declaring the month of April 2017 as Child Abuse Prevention Month in the City of Bedford.**

Council Minutes March 28, 2017

Mayor Griffin read a proclamation declaring the month of April 2017 as Child Abuse Prevention Month in the City of Bedford. Jamie Harton with Alliance For Children accepted the proclamation.

4. Proclamation recognizing the week of April 2-8, 2017 as National Crime Victims' Rights Week.

Mayor Griffin read a proclamation recognizing the week of April 2-8, 2017 as National Crime Victims' Rights Week. Chief Gibson and Crime Victims/Domestic Violence Coordinator Courtney Janes accepted the proclamation.

5. Proclamation recognizing the week of April 9-15, 2017 as National Public Safety Telecommunicators Week.

Mayor Griffin read a proclamation recognizing the week of April 9-15, 2017 as National Public Safety Telecommunicators Week. Chief Gibson and Communications Supervisor over the Dispatch Division Amy James accepted the proclamation.

NEW BUSINESS

6. Public hearing and consider an ordinance to rezone Lot 1R, Block 1, First State Bank Plaza Addition, located at 1 Texas Harley Way, from Planned Unit Development to amended Planned Unit Development/Specific Use Permit/ Motorcycle Sales and Service, specific to 3.2.C(8)a of the City of Bedford Zoning Ordinance, allowing for Adam Smith's Texas Harley-Davidson to sell and service motorcycles on a site that is smaller in area than the originally approved site plan. The property is generally located north of State Highway 183 and east of Parkwood Drive. (PZ-SUP-2017-50006)

Planning Manager Emilio Sanchez presented information regarding this item, which is a request to amend a Specific Use Permit for Adam Smith's Texas Harley-Davidson. Mr. Smith is wanting to sell his property, including the building, but maintain ownership of the dealership, and then do a long-term land lease back on the site. He further wants to plat off the location of the former maintenance shop and maintain an acre of land so he can develop it in the future to complement both the dealership and the Bedford Commons. This requires an amendment to the site plan that was approved as part of the Specific Use Permit, as it is a smaller site than was originally approved. The area being platted off will not change until Bedford Commons starts off. The plat will be filed administratively. The Planning and Zoning Commission recommended approval of this item at their March 9, 2017 meeting with the stipulation that both lots meet the parking regulations. The submitted site plan meets all the Bedford Commons landscape setbacks for Type B frontage. In answer to questions from Council, Mr. Sanchez stated the Bedford Commons regulations incorporate the Master Highway Corridor Overlay District (MHC) only along the first 200 feet and this site falls outside the MHC.

Mayor Griffin opened the public hearing at 7:06 p.m.

Nobody chose to speak during the public hearing.

Mayor Griffin closed the public hearing at 7:06 p.m.

Motioned by Councilmember Fisher, seconded by Councilmember Gebhart, to approve an ordinance to rezone Lot 1R, Block 1, First State Bank Plaza Addition, located at 1 Texas Harley Way, from Planned Unit Development to amended Planned Unit Development/Specific Use Permit/ Motorcycle Sales and Service, specific to 3.2.C(8)a of the City of Bedford Zoning Ordinance, allowing for Adam Smith's Texas Harley-Davidson to sell and service motorcycles on a site that is smaller in area than the originally approved site plan. The property is generally located north of State Highway 183 and east of Parkwood Drive. (PZ-SUP-2017-50006)

Council Minutes March 28, 2017

Motion approved 6-0-0. Mayor Griffin declared the motion carried.

- 7. Public hearing and consider an ordinance to rezone Lot 1R, Block 1, First State Bank Plaza Addition, located at 1 Texas Harley Way, Bedford, Texas, from Planned Unit Development (PUD) to amended Planned Unit Development/Specific Use Permit/Automobile Parking Lot and Area, specific to 3.2.C(5)c of the City of Bedford Zoning Ordinance, allowing for Adam Smith's Texas Harley-Davidson to utilize the property for parking motor vehicles. The property is general located north of Airport Freeway and east of Parkwood Drive. (PZ-SUP-2017-50007)**

Mr. Sanchez presented information regarding this item, which is a continuation of the first case, seeking a Specific Use Permit (SUP) for the smaller lot. As it is being platted off on its own, it no longer has a primary use so it needs a SUP for a secondary use, which is automotive parking. The Planning and Zoning Commission recommended approval of this item at their March 9, 2017 meeting. In answer to questions from Council, Mr. Sanchez confirmed that when the lot is developed in the future, it would require a site plan approval process through the Council. He stated that in the Zoning Ordinance there is a requirement of a certain distance from an automobile parking lot to the primary use, and there is no other building on the lot except for a paved parking lot; that the Zoning Ordinance does not specify the size of the vehicle but in the Transportation Code, there are different definitions for automotive vehicles and commercial vehicles; and that the site plan being approved designates the parking spaces as nine feet in width and eighteen feet in length, which would only accommodate passenger-sized vehicles.

Mayor Griffin opened the public hearing at 7:11 p.m.

Nobody chose to speak during the public hearing.

Mayor Griffin closed the public hearing at 7:11 p.m.

Motioned by Councilmember Fisher, seconded by Councilmember Gebhart, to approve an ordinance to rezone Lot 1R, Block 1, First State Bank Plaza Addition, located at 1 Texas Harley Way, Bedford, Texas, from Planned Unit Development (PUD) to amended Planned Unit Development/Specific Use Permit/Automobile Parking Lot and Area, specific to 3.2.C(5)c of the City of Bedford Zoning Ordinance, allowing for Adam Smith's Texas Harley-Davidson to utilize the property for parking motor vehicles. The property is general located north of Airport Freeway and east of Parkwood Drive, with the stipulation that all vehicles are parked within a defined parking space. (PZ-SUP-2017-50007)

Motion approved 6-0-0. Mayor Griffin declared the motion carried.

- 8. Public hearing and consider a resolution approving a site plan for a 4,700 sq. ft. Texas Health Resources HEB Hospital cath lab expansion. The property is zoned service commercial (S) and located in the Master Highway Corridor Overlay District (MHC). The address is 1600 Hospital Parkway and the legal description is Lot 1B, Block 1, HEB Medical Center Addition. The property is generally located south of Airport Freeway and east of Hospital Parkway. (PZ-SP-2017-50010)**

Councilmember Fisher recused himself from the discussion on this item as an overabundance of caution. In speaking with the City Attorney, and though neither believes there is a conflict, he will recuse himself as his wife works for Texas Health Resources.

Mr. Sanchez presented information regarding this item, which is a request for Texas Health Resources HEB Hospital to expand their cath lab above the second floor on the northeast corner of the building. They are looking at a 4,700-square foot addition to the building. As it is in the Master Highway Corridor Overlay District (MHC), part of the process requires site plan approval. The site plan is not changing, but there are changes to the building elevations. This addition will

Council Minutes March 28, 2017

match the existing second floor. The MHC requires 100 percent masonry and the applicant is using materials like the existing building, so that it matches and would not look out-of-place on the façade of the building. The area is visible from the service road but it would be difficult to see from the highway with how the trees are laid out. The Planning and Zoning Commission recommended approval of this item at their March 9, 2017 meeting.

Mayor Griffin opened the public hearing at 7:15 p.m.

Nobody chose to speak during the public hearing.

Mayor Griffin closed the public hearing at 7:15 p.m.

Motioned by Councilmember Gebhart, seconded by Councilmember Sartor, to approve a resolution approving a site plan for a 4,700-sq. ft. Texas Health Resources HEB Hospital cath lab expansion. The property is zoned service commercial (S) and located in the Master Highway Corridor Overlay District (MHC). The address is 1600 Hospital Parkway and the legal description is Lot 1B, Block 1, HEB Medical Center Addition. The property is generally located south of Airport Freeway and east of Hospital Parkway. (PZ-SP-2017-50010)

Motion approved 5-0-0. Mayor Griffin declared the motion carried.

- 9. Consider a resolution authorizing the Interim City Manager to enter into an agreement, utilizing the Tarrant County Interlocal Agreement, in the amount of \$53,340.75, with TexOp Construction, LP for the asphalt milling on Brown Trail from Harwood Road to the northern city limit (Harwood Terrace) and Tibbets Drive from Hospital Parkway to the eastern city limit.**

Public Works Director Kenny Overstreet presented information regarding this item. He stated he previously brought an interlocal agreement to Council for Tarrant County to overlay Tibbets Drive from the hospital east to the city limits, and Brown Trail from Harwood Road north to the city limits. This item is an agreement with TexOp to do the milling, which has an interlocal agreement with Tarrant County, Precinct 3. The City has utilized this contract with TexOp for the past four years to do this type of work. The cost is \$53,340.75, which was budgeted through the Street Improvement Economic Development Corporation. In answer to questions from Council, Mr. Overstreet stated that the amount is \$3,000 under what was budgeted; that TexOp has done good work for the City, including on Bedford Road, Cummings Drive, Murphy Drive, and the intersection of Harwood Road and Forest Ridge Drive, with no complaints on their work; that the County will provide the labor and equipment for the overlay; that the specifications given to TexOp were to go down two inches when starting the mill, continue two inches to the end, and do a taper mill back up; and that if a subgrade failure were to occur because of the removal, the City would be required to make the repairs. Regarding what work a neighboring city did on Cheek-Sparger Road from Brown Trail to Tara Village, he stated they widened the road and gave it a better road surface to get a turn lane into the school; that the roadway was ripped out and subgrade work was done, but there was no milling; and that there were problems with a natural spring in that area. In answer to further questions from Council, Mr. Overstreet stated that the contract with TexOp is to pull off the existing asphalt; that the following week, the County will start laying the asphalt; that the County will be working with the City of Colleyville on their portion of Brown Trail, as well as to redo another location in Colleyville due to a ride issue; and that there are other local companies that do this type of work, and staff will look at putting out a bid in the future.

Motioned by Councilmember Turner, seconded by Councilmember Gebhart, to approve a resolution authorizing the Interim City Manager to enter into an agreement, utilizing the Tarrant County Interlocal Agreement, in the amount of \$53,340.75, with TexOp Construction, LP for the asphalt milling on Brown Trail from Harwood Road to the northern city limit (Harwood Terrace) and Tibbets Drive from Hospital Parkway to the eastern city limit.

Motion approved 6-0-0. Mayor Griffin declared the motion carried.

10. Consider a resolution authorizing the Interim City Manager to enter into a contract with Kimley-Horn and Associates for the Phase Next Feasibility Study.

Community Services Manager Eric Valdez presented information regarding this item, which is to amend the professional services contract with Kimley-Horn and Associates (KHA) in the amount of \$120,000 to conduct a feasibility study for Phase Next of the Boys Ranch Park improvements and to update the Boys Ranch Master Plan. In 2009, an agreement was entered with KHA to provide a Boys Ranch Master Plan, which had language to provide for future amendments. The original design of the Master Plan included four distinct phases of construction; after completion of the first phase, there is now a desire to combine the remaining phases into what is called "Phase Next." This would provide improvements to the park, as well as address aging infrastructure. The original Master Plan only called for minor improvements to the Boys Ranch Activity Center (BRAC); the feasibility study would include a multi-purpose, multi-generational building. The scope of the services to be provided by KHA include data collection, a needs assessment, a final plan, and a report due on July 25, 2017. Upon review of the final report, a decision will be made whether to pursue voter approval of Phase Next.

There was discussion on communicating to the residents what it would cost to service the debt for Phase Next and the recreation center ultimately being revenue neutral. Mark Hatchel with KHA stated that though it is not a specific item in the proposal, they typically work with the company helping with the bond analysis for the City, and the cost is an important piece of information to be included along with the recommendations so the taxpayers know the impact. He further stated it is important in working with the community on a new facility that they know not only the construction costs but the operational costs and their sustainability; that KHA has an operations specialist that will look at the center, associated aquatics, and the revenue and expenses of maintaining the athletic facilities; and that KHA has been asked to look at Splash, including potential renovations, expansion and/or an indoor component. Mr. Valdez stated an indoor aquatic facility tends to spike labor costs as it needs to be kept open longer. In answer to questions from Council, Mr. Hatchel stated that in data collection, one of the first steps is to meet with staff and other interested users to understand what the issues are from the City's perspective; that KHA would do a cursory assessment of existing facilities and document any maintenance or known issues, and from there write a summary report to decide what the next course of action should be; and that they would document why a facility is physically and functionally obsolete in order for people to grasp why new facilities need to be built. There was discussion on Council and different groups of the public being involved in the assessment. Regarding deliverables at the end of the process, Mr. Hatchel stated that there will be meetings at each step; that they will document the findings of the data collection by April 28; that the needs assessment is to be completed by June 30; that they will develop a generic concept for the recreation center and an updated site conceptual master plan, which considers the new spaces available and options; and that the final plan and report will be completed by July 25 and the bond election notification by August 21 for a November 7 bond election. There was discussion on KHA having done the first four phases of the park and having already started a lot of the groundwork. Mr. Hatchel stated that their history with the project allows KHA to go faster and learn from any issues that have come up in the past; and that two new significant team partners have joined them. There was discussion on signage at the park; and that there is no need to bid this item as it an amendment to a professional services contract. In answer to questions from Council, Interim City Manager Kelli Agan stated that Phase 1 was a \$3.2M project, with an additional \$100,000 in grant funding from Texas Parks and Wildlife; that the project came in under budget, with the monument signs approved at the previous meeting being paid out of that surplus; and that there is \$10,000 left in that account. In answer to further questions from Council, Mr. Hatchel stated that they will look at all the existing buildings at the Boys Ranch that belong to the City, as well as the ballfields, tennis courts and hockey rink; that regarding programming, they look at local examples of programming typically found in cities Bedford's size, what other area providers are doing, what the users want, and what staff needs, which all meshes together to make a unique recreation center that fits Bedford; and that to find

Council Minutes March 28, 2017

out what users want, public meetings and interviews with key user groups will be held. In answer to questions from Council, Mr. Valdez confirmed that using KHA will be both cheaper as they have already done work on the site and are familiar with it, and will expedite completing the project. There was discussion on a tour taken of a new facility in a neighboring city, which is revenue neutral trending to revenue positive because the city listened to the community. Mr. Valdez stated that staff has visited over ten recreation facilities, including five out of state. Mr. Hatchel stated that defining the number of meetings means not only the amount of meetings to be held, but holding them in the timeframe given.

Motioned by Councilmember Fisher, seconded by Councilmember Sartor, to approve a resolution authorizing the Interim City Manager to enter into a contract with Kimley-Horn and Associates for the Phase Next Feasibility Study.

Motion approved 6-0-0. Mayor Griffin declared the motion carried.

- 11. Consider a resolution of the City Council of the City of Bedford, Texas, supporting House Bill 1427 which amends Section 41.005 of the Texas Utilities Code to clarify that a municipality may regulate the operations of an electric cooperative through the City's zoning ordinance, which is a permissible public health, safety, or welfare regulation; and providing for an immediate effective date.**

Strategic Service Manager Meg Jakubik presented information regarding this item. She stated the City is a member of the Oncor Steering Committee and as such, is aware that the City of The Colony has an issue with their electric provider, Brazos Electric Cooperative. Brazos wanted to put in a substation and came to the city for a zoning approval; however, the location conflicted with the city's zoning ordinance and so the request was turned down. That precipitated a lawsuit by Brazos against the city. Cities have been less than successful in protecting their zoning ordinances and the lawsuits have been coming down in judgement that the enforcement of the zoning ordinance violated the Public Utility Regulatory Act (PURA). The city is also trying to clarify this issue legislatively so other cities do not have this same issue in the future, and this item is a resolution of support for that action. In answer to questions from Council, Ms. Jakubik confirmed that the item is in support of House Bill 1427, which is to uphold cities' zoning ordinances as they relate to health, safety and welfare, and to protect from incompatible uses being next to each other. She further confirmed that without the protection proposed by House Bill 1427, a city's zoning ordinance could be steamrolled and cities could be forced to put something anywhere in the city. In answer to questions from Council, Ms. Jakubik stated that a copy of the resolution would be sent to several legislators, particularly those on the House committee with jurisdiction on the bill, and to the Oncor Steering Committee; and that all Steering Committee cities were offered the opportunity to pass such a resolution.

Motioned by Councilmember Turner, seconded by Councilmember Fisher, to approve a resolution of the City Council of the City of Bedford, Texas, supporting House Bill 1427 which amends Section 41.005 of the Texas Utilities Code to clarify that a municipality may regulate the operations of an electric cooperative through the City's zoning ordinance, which is a permissible public health, safety, or welfare regulation; and providing for an immediate effective date.

Motion approved 6-0-0. Mayor Griffin declared the motion carried.

- 12. Consider a resolution of the City of Bedford suspending the April 27, 2017 effective date of the Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of the Cities Served by Oncor to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals; finding that the meeting at which this resolution is passed is open to the public as required by law; and requiring notice of this resolution to the company and legal counsel for the Steering Committee.**

Ms. Jakubik presented information regarding this item. She stated that on March 17, 2017, Oncor filed with the cities retaining original jurisdiction an increase in system-wide transmission and distribution rates by \$317M, which is approximately 7.5 percent over present revenues. The Oncor Steering Committee works on behalf of all the cities, and hires experts to review rate requests to ensure the company's requests are reasonable. The City is seeking to suspend the rate request to allow the Steering Committee's experts time to review the filing to see if it is reasonable, if there can be a settlement, or if it can be brought before the Public Utility Commission. This resolution will suspend the rates for 90 days, and depending on the outcome of the review, further action may be taken to Council. The City takes this same action on these types of request; otherwise, the rates would go into effect within 30 days. In answer to questions from Council, Ms. Jakubik stated that typically, the Committee has been successful in reducing the rates and minimizing the impact, while also allowing Oncor the opportunity to make the necessary system-wide improvements; that all expenses related to rate-making review are reimbursable by Oncor; that the cities in the Committee have per capita spending to afford the other expenses, including for the litigation related to the sale of Oncor; that Bedford's portion is \$0.11 per capita for participation in the Committee; and that State law requires Oncor to bring these requests to cities retaining original jurisdiction.

Motioned by Councilmember Fisher, seconded by Councilmember Gebhart, to approve a resolution of the City of Bedford suspending the April 27, 2017 effective date of the Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of the Cities Served by Oncor to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals; finding that the meeting at which this resolution is passed is open to the public as required by law; and requiring notice of this resolution to the company and legal counsel for the Steering Committee.

Motion approved 6-0-0. Mayor Griffin declared the motion carried.

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

✓ **Animal Shelter Advisory Board**

No report was given.

✓ **Beautification Commission**

Councilmember Turner reported that the Commission is working on projects that will attract monarch butterflies.

✓ **Community Affairs Commission**

Councilmember Boyter reported that the Commission is coming off a fantastic residential outreach meeting the previous Wednesday. It was the largest crowd at that kind of event, which is a testament to everyone involved. He thanked the Mayor, Development Director Bill Syblon and Mr. Overstreet for giving presentations. Ms. Jakubik did a fantastic job organizing the event and everybody on the Commission did a great job in making the event successful. He recognized Steve Grubbs from the Commission, who was in attendance. The City Expo will be held on April 1, 2017. There will be a block party at the Bedford Estates subdivision on April 21, 2017 starting at 6:00 p.m.

✓ **Cultural Commission**

Mayor Griffin praised the Commission for their hard work and dedication in putting together the ArtsFest event, which will be held on April 8, 2017. There will be juried art, art vendors, food vendors, and bands.

✓ **Library Advisory Board**

Councilmember Boyter praised Ms. Redburn for touting, and getting children interested in, the great things going on at the Library. The Library will be manning booths at the City Expo. The Library Satisfaction Survey has been completed, and the Board will be working through the results.

✓ **Parks and Recreation Board**

Councilmember Sartor recognized Randy Newby from the Board, who was in attendance.

✓ **Teen Court Advisory Board**

Councilmember Gebhart announced that the upcoming fundraiser gala for Teen Court will be held April 27, 2017 and will feature auction items including memorabilia and jewelry.

✓ **Senior Citizen Liaison**

No report was given.

14. Council Member Reports

No other reports were given.

15. City Manager/Staff Reports

No report was given.

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 8:01 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary