



## AGENDA

**Special Session of the Bedford City Council  
Tuesday, June 16, 2020 at 5:30 p.m.  
Bedford City Hall Building A  
2000 Forest Ridge Drive  
Bedford, Texas 76021**

In order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID19), there will be no public access to the location described above. Residents interested in the meeting can watch it live on the City’s website at <https://bedfordtx.gov/250/City-Council-Meetings-Online>.

The agenda packet and meeting information are posted online at <https://bedfordtx.gov/AgendaCenter/City-Council-2>. You may provide written comments on specific agenda items prior to the meeting by filling out the Comment Form at <https://bedfordtx.gov/FormCenter/City-Council-11/City-Council-Meeting-Sign-Up-Form-51>, emailing [citysecretary@bedfordtx.gov](mailto:citysecretary@bedfordtx.gov) or calling 817-952-2104. You may also use the Comment Form to sign up to speak on specific agenda items during the meeting by phone. You must provide a valid phone number and you will be called during the meeting at the appropriate time. All comments and requests to speak need to be received by 3:00 p.m. the day of the meeting.

### CALL TO ORDER

### SPECIAL SESSION

**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 Special 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 Special 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.)*

- 1. Consider an ordinance of the City of Bedford amending Chapter 42, Court by amending and replacing Section 42-67 relative to the jurisdiction of the municipal court authorizing the municipal court to issue search warrants for the purpose of investigating nuisances and seizure warrants for the purpose of removing offending property; providing a cumulative clause; providing a severability clause; and establishing an effective date.**
- 2. Consider a resolution regarding the City of Bedford’s participation in Tarrant County’s Community Development Block Grant, HOME Investment Partnership and Emergency Solutions Grant Consortium funding for the three-program year period, Fiscal Year 2021 through Fiscal Year 2023.**
- 3. Conduct a charrette for the central Bedford City Hall area.**

## **EXECUTIVE SESSION**

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

- a) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease or value of real property – Block 2, Lot 1, Bedford Baptist Temple Sub.

### **4. 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, June 12, 2020 at 5:30 p.m., and remained so posted at least 72 hours before said meeting convened.

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**Michael Wells, City Secretary**

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**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 [citysecretary@bedfordtx.gov](mailto:citysecretary@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:** Andrew Kloefkorn, Neighborhood Services  
Manager

**DATE:** 06/16/20

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

**ITEM:**

Consider an ordinance of the City of Bedford amending Chapter 42, Court by amending and replacing Section 42-67 relative to the jurisdiction of the municipal court authorizing the municipal court to issue search warrants for the purpose of investigating nuisances and seizure warrants for the purpose of removing offending property; providing a cumulative clause; providing a severability clause; and establishing an effective date.

**City Attorney Review:** Yes

**SUMMARY:**

This ordinance is to grant authority to the municipal judge the ability to issue search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation as well as seizure warrants for the purpose of securing, removing, or demolishing an offending property and removing the debris from a premises. Currently, the only process is for the Neighborhood Services Manager to issue a Notice of Abatement and property owners can appeal the decision to the Building & Standards Commission. This ordinance would give the City an alternative process to abate health and safety code issues.

**BACKGROUND:**

At the March 10, 2020 City Council Meeting, Mayor Boyter directed staff to explore alternative methods of abating nuisances in the City. This request comes as several properties have become health and safety issues, which need constant attention. Moreover, several properties have become perpetual offenders.

Council discussed the timeline of current abatement processes and expressed the need to be able to effectively and efficiently enforce the Code of Ordinances. This ordinance specifically gives a more streamline process through a judicial review of evidence.

The purpose of this ordinance is to give staff an alternative process to abating health and safety nuisances while protecting property rights and giving property owners due process through a judicial hearing. This ordinance is a new process and will be used for extreme and repeat cases.

To achieve this purpose, it is necessary to authorize the municipal court vis-à-vis the municipal judge to issue search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation as well as seizure warrants for the purpose of securing, removing, or demolishing an offending property and removing the debris from a premises.

City Council's request is to find alternative ways to enforce the Code of Ordinances. This ordinance gives another process to abate code violations while preserving individual and property rights but still maintaining the standards of the community.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of an ordinance of the City of Bedford amending Chapter 42, Court by amending and replacing Section 42-67 relative to the jurisdiction of the municipal court authorizing the municipal court to issue search warrants for the purpose of investigating nuisances and seizure warrants for the purpose of removing offending property; providing a cumulative clause; providing a severability clause; and establishing an effective date.

**FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

Ordinance  
Red-line

ORDINANCE NO. 2020-

AN ORDINANCE OF THE CITY OF BEDFORD AMENDING CHAPTER 42, COURT BY AMENDING AND REPLACING SECTION 42-67 RELATIVE TO THE JURISDICTION OF THE MUNICIPAL COURT AUTHORIZING THE MUNICIPAL COURT TO ISSUE SEARCH WARRANTS FOR THE PURPOSE OF INVESTIGATION NUISANCES AND SEIZURE WARRANTS FOR THE PURPOSE OF REMOVING OFFENDING PROPERTY; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bedford (the "City") is a Home Rule municipality having full powers of self-government and may enact ordinances relative to its citizens' health, safety, and welfare that are not inconsistent with the Constitution and laws of the State; and,

WHEREAS, the City has created a Municipal Court of record; and,

WHEREAS, Texas Government Code Section 30.00005(c) provides a governing body may by ordinance provide that the municipal court of record has concurrent jurisdiction with a justice court in any precinct in which the municipality is located in criminal cases that arise within the territorial limits of the municipality and are punishable only by fine; and,

WHEREAS, Texas Government Code Section 30.00005(d) provides a governing body of a municipality by ordinance may provide that the court has the authority to issue search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation and seizure warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises; and,

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meetings Act.

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 Chapter 42, Municipal Courts, Sections 42-67 is amended and replaced, which shall read as follows:

Sec. 42-67. – State law provisions; jurisdiction

- (a) The city municipal court of record is established pursuant to the Uniform Municipal Courts of Record Act Texas Government Code Chapter 30, and the provisions of such legislation governing the operation of a municipal court of record are hereby adopted.
- (b) The city municipal court has concurrent jurisdiction with a justice court in criminal cases that arise within the territorial limits of the city and are punishable only by fine.
- (c) In addition to the jurisdiction set forth by the Uniform Municipal Courts of Record Act, the city municipal court of record has the authority to issue:
  - (1) search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation; and
  - (2) seizure warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises.

**ORDINANCE NO. 2020-**

**SECTION 3.** That this Ordinance shall be cumulative of all other City Ordinances and all other provisions of other Ordinances adopted by the City which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

**SECTION 4.** It is hereby declared to be the intention of the City Council of the City of Bedford, Texas, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared legally invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such legal invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council of the City of Bedford without the incorporation in this Ordinance of any such legally invalid or unconstitutional, phrase, sentence, paragraph or section.

**SECTION 5:** This ordinance shall take effect immediately from and after its passage as the law in such case provides.

**AND IT IS SO ORDERED.**

**PRESENTED AND PASSED** this 16th day of June 2020, by a vote of \_\_\_ ayes, \_\_\_ nays and \_\_\_ abstentions, at a special meeting of the City Council of the City of Bedford, Texas.

\_\_\_\_\_  
**Michael Boyter, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Michael Wells, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Stan Lowry, City Attorney**

ORDINANCE NO. 2020-

AN ORDINANCE OF THE CITY OF BEDFORD AMENDING CHAPTER 42, COURT BY AMENDING AND REPLACING SECTION 42-67 RELATIVE TO THE JURISDICTION OF THE MUNICIPAL COURT AUTHORIZING THE MUNICIPAL COURT TO ISSUE SEARCH WARRANTS FOR THE PURPOSE OF INVESTIGATING NUISANCES AND SEIZURE WARRANTS FOR THE PURPOSE OF REMOVING OFFENDING PROPERTY; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bedford (the "City") is a Home Rule municipality having full powers of self-government and may enact ordinances relative to its citizens' health, safety, and welfare that are not inconsistent with the Constitution and laws of the State; and,

WHEREAS, the City has created a Municipal Court of record; and,

WHEREAS, Texas Government Code Section 30.00005(c) provides a governing body may by ordinance provide that the municipal court of record has concurrent jurisdiction with a justice court in any precinct in which the municipality is located in criminal cases that arise within the territorial limits of the municipality and are punishable only by fine; and,

WHEREAS, Texas Government Code Section 30.00005(d) provides a governing body of a municipality by ordinance may provide that the court has the authority to issue search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation and seizure warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises; and,

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meetings Act.

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 Chapter 42, Municipal Courts, Sections 42-67 is amended and replaced, which shall read as follows:

Sec. 42-67. – State law provisions: jurisdiction

(a) The city municipal court of record is established pursuant to the Uniform Municipal Courts of Record Act, Texas Government Code Chapter 30, and the provisions of such legislation governing the operation of a municipal court of record are hereby adopted.

(b) The city municipal court has concurrent jurisdiction with a justice court in criminal cases that arise within the territorial limits of the city and are punishable only by fine.

(c) In addition to the jurisdiction set forth by the Uniform Municipal Courts of Record Act, the city municipal court of record has the authority to issue:

- (1) search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation; and
- (2) seizure warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises.

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Commented [MB1]: Updating state law reference

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Deleted: §§ 30.481 to 30.506

Commented [MB2]: Copied from state law; just updating the ordinance

Commented [MB3]: Copied from LGC 30.00005(d)(3) to add the authority discussed

**ORDINANCE NO. 2020-**

**SECTION 3:** That this Ordinance shall be cumulative of all other City Ordinances and all other provisions of other Ordinances adopted by the City which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

**SECTION 4:** It is hereby declared to be the intention of the City Council of the City of Bedford, Texas, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared legally invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such legal invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council of the City of Bedford without the incorporation in this Ordinance of any such legally invalid or unconstitutional, phrase, sentence, paragraph or section.

**SECTION 5:** This ordinance shall take effect immediately from and after its passage as the law in such case provides.

**AND IT IS SO ORDERED.**

**PRESENTED AND PASSED** this 16th day of June 2020, by a vote of \_\_ ayes, \_\_ nays and \_\_ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

\_\_\_\_\_  
Michael Boyter, Mayor

**ATTEST:**

\_\_\_\_\_  
Michael Wells, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Stan Lowry, City Attorney



# Council Agenda Background

**PRESENTER:** Kenneth Overstreet, Director of Public Works    **DATE:** 06/16/20

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

**ITEM:**

Consider a resolution regarding the City of Bedford's participation in Tarrant County's Community Development Block Grant, HOME Investment Partnership and Emergency Solutions Grant Consortium funding for the three-program year period, Fiscal Year 2021 through Fiscal Year 2023.

**City Attorney Review:** Yes

**SUMMARY:**

The City of Bedford has previously participated in Tarrant County's Community Development Block Grant, HOME Investment Partnership and Emergency Solutions Grant Consortium programs. All three are U.S. Department of Housing and Urban Development programs that aid in ensuring financial assistance for essential community development and housing assistance. By participating in a joint administrative agreement between Tarrant County and the City of Bedford, direct entitlement funding is attainable for City development.

**BACKGROUND:**

The U.S. Department of Housing and Urban Development has established programs that aid in ensuring Federal grant funding is available to counties in an effort to improve and/or implement local affordable housing, infrastructure and community development projects. Community Development Block Grants (CDBG) aid in developing viable communities by providing decent housing and suitable living environments and expanding economic opportunities principally for persons of low and moderate income. HOME Investment Partnerships (HOME) programs expand the supply of decent, safe, sanitary and affordable housing for very low-income and low-income Americans. Emergency Solutions Grant (ESG) programs awards funding to private nonprofit organizations, cities and counties in the State of Texas to provide the services necessary to help persons that are at risk of homelessness or homeless quickly regain stability in permanent housing.

Tarrant County, as the coordinating agency for federal programs, is required to qualify as an Urban County under the CDBG, HOME and ESG programs. Upon receiving the Urban County designation by the Department of Housing and Urban Development (HUD), Tarrant County is eligible to receive entitlement grant funds, provided the County has a combined population of 200,000 persons in its unincorporated areas and units of general local government with which it has entered into cooperative agreements.

The joint administrative agreement with Tarrant County is for a three-year period, Fiscal Year 2021 through Fiscal Year 2023, and will automatically renew for participation in successive three-year qualification periods. If Tarrant County, or the City of Bedford, chooses not to continue participation, written notification electing not participate in a new qualification period must be provided to HUD. Additionally, if Tarrant County chooses not to continue program participation, written notification must be supplied to the City of Bedford.

Tarrant County Commissioners Court will administer CDBG funds to the City of Bedford and has final responsibility for selecting projects and filing annual grant requests. The County is also responsible for ensuring that CDBG, HOME and ESG funds are used in accordance with all program requirements,

including monitoring and reporting to U.S. Department of Housing and Urban Development, on the use of program income.

In order to continue as a partner in these programs, City Council must pass the attached resolution submitted by Tarrant County. The City of Bedford, while participating in Tarrant County's CDBG program, may not apply for grants under the State CDBG Program, nor shall the City participate in a HOME consortium or Emergency Solutions Grant funding, except through Tarrant County. This does not preclude submissions to the State for HOME Investment Partnership funds or Emergency Solutions Grant funds, if allowed.

**RECOMMENDATION:**

Staff recommends the following motion:

Approval of a resolution regarding the City of Bedford's participation in Tarrant County's Community Development Block Grant, HOME Investment Partnership and Emergency Solutions Grant Consortium funding for the three-program year period, Fiscal Year 2021 through Fiscal Year 2023.

**FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

Resolution  
Letter from Tarrant County

**RESOLUTION # \_\_\_\_\_**

**RESOLUTION REGARDING CITY OF BEDFORD PARTICIPATION IN TARRANT COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP AND EMERGENCY SOLUTIONS GRANT CONSORTIUM FOR THE THREE PROGRAM YEAR PERIOD, FISCAL YEAR 2021 THROUGH FISCAL YEAR 2023.**

**WHEREAS**, Title I of the Housing and Community Act of 1974, as amended through the Housing and Community Act of 1992, establishes a program of community development block grants for the specific purpose of developing viable communities by providing decent housing and suitable living environment and expanding economic opportunities principally for persons of low and moderate income, and

**WHEREAS**, Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, establishes the HOME Investment Partnership Act to expand the supply of decent, safe, sanitary and affordable housing for very low-income and low-income Americans, and

**WHEREAS**, Tarrant County has been designated an "Urban County" by the Department of Housing and Urban Development entitled to a formula share of Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Solutions Grant (ESG) program funds provided said County has a combined population of 200,000 persons in its unincorporated areas and units of general local government with which it has entered into cooperative agreements, and

**WHEREAS**, Article III, Section 64 of the Texas Constitution authorizes Texas counties to enter into cooperative agreements with local governments for essential Community Development and Housing Assistance activities, and

**WHEREAS**, the City of Bedford may not apply for grants under the State CDBG Program from appropriations for fiscal years during the period in which it is participating in Tarrant County's CDBG program, and

**WHEREAS**, the City of Bedford shall not participate in a HOME consortium except through Tarrant County; however, does not preclude Tarrant County or the City of Bedford from applying to the State for HOME Investment Partnership (HOME) funds, if the State allows, and

**WHEREAS**, City of Bedford may receive Emergency Solutions Grant (ESG) programming through Tarrant County; however, does not preclude Tarrant County or the City of Bedford from applying to the State for Emergency Solutions Grant (ESG) funds, if the State allows, and

**WHEREAS**, through cooperative agreements Tarrant County has authority to carry out activities funded from annual Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Solutions Grant (ESG) Program Allocation from Federal Fiscal Years 2021, 2022, and 2023, from any program income generated from the expenditure of such funds and any successive qualification periods under automatic renewal, and

**WHEREAS**, this cooperative agreement covers Federal Fiscal Years 2021, 2022, and 2023, it will automatically be renewed for participation in successive three-year qualification periods, unless the County or the City of Bedford informs HUD with written notice to elect to not participate in a new qualification period, and

**WHEREAS**, the cooperative agreement will be automatically renewed by the date specified in HUD's urban county qualification notice for the next qualification period, Tarrant County will notify City of Bedford in writing of its right not to participate, and

**WHEREAS**, with automatic renewal, Tarrant County and City of Bedford will be required to adopt and submit to HUD any amendment to the agreement incorporating changes necessary to meet the requirements set forth in an Urban County Qualification Notice, and

**WHEREAS**, Tarrant County and the City of Bedford agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, and

**WHEREAS**, Tarrant County and City of Bedford will take all actions necessary to assure compliance under section 104(b) of Title I of the Housing and Community Development Act of 1974, Title VI of the Civil Rights Act of 1964 and the Fair Housing Act, and

**WHEREAS**, Tarrant County will not fund activities in, or in support of City of Bedford that does not affirmatively further fair housing within its own jurisdiction or that impedes the county's actions to comply with the county's fair housing certification, and

**WHEREAS**, Tarrant County and City of Bedford will comply with section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973, of Title II of the Americans with Disabilities Act, Age Discrimination Act of 1975, Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws, and

**WHEREAS**, the City of Bedford has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations and

**WHEREAS**, the City of Bedford has adopted and is enforcing a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility

or location which is the subject of such non-violent civil rights demonstrations within jurisdictions, and

**WHEREAS**, in accordance with 24 CFR 570.501(b), Tarrant County is responsible for ensuring that CDBG, HOME and ESG funds are used in accordance with all program requirements, including monitoring and reporting to U.S. Department of Housing and Urban Development, on the use of program income, and

**WHEREAS**, pursuant to 24 CFR 570.501(b), the City of Bedford is subject to the same requirements applicable to sub recipients, including the requirement of a written agreement as described in 24 CFR 570.503, and

**WHEREAS**, Tarrant County and City of Bedford may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act in the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014, Pub. L. 113-76.

**NOW, THEREFORE, BE IT RESOLVED**, by the City of Bedford, that the City Council of Bedford, Texas supports the application of Tarrant County for funding from Housing and Community Development Act of 1974, as amended, and Cranston-Gonzalez National Affordable Housing Act, as amended, and asks that its population be included for three successive years with that of Tarrant County, Texas to carry out Community Development Program Activities Eligible for Assistance under Public Law 93-383, and Affordable Housing activities under Public Law 101-625, and authorizes the Mayor of Bedford, Texas to sign such additional forms as requested by the Department of Housing and Urban Development pursuant to the purposes of the Resolution, and further that the City of Bedford, Texas understands that Tarrant County will have final responsibility for selecting projects and filing annual grant requests.

**BE IT FURTHER RESOLVED**, this cooperative agreement will automatically be renewed for participation in successive three-year qualification periods, unless Tarrant County or the City of Bedford provides written notice it elects not to participate in a new qualification period. Tarrant County will notify the City of Bedford in writing of its right to make to such election on the date specified by the U.S. Department of Housing and Urban Development in HUD's urban county qualification notice for the next qualification period. Any amendments or changes contained within the Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period must be adopted by Tarrant County and the City of Bedford, and submitted to HUD. Failure by either party to adopt such an amendment to the agreement will void the automatic renewal of this agreement.

This agreement remains in effect until CDBG, HOME, ESG funds and income received to the fiscal 2021, 2022, 2023 programs, and to any successive qualification periods provided

through the automatic renewal of this agreement, are expended and the funded activities completed, neither Tarrant County nor the City of Bedford may terminate or withdraw from the agreement while the agreement remains in effect.

Official notice of amendments or changes applicable for a subsequent three-year urban county agreement shall be in writing and be mailed by certified mail to the City Secretary of the City of Bedford. Any notice of changes or amendments to this agreement by the City of Bedford to Tarrant County shall be in writing to the Tarrant County Community Development Division Director.

ATTEST:

APPROVED:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

PASSED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Commissioners Court Clerk

\_\_\_\_\_  
County Judge

PASSED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2020  
Approval Form for District Attorney

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Approved as to Form\*

\*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).



## TARRANT COUNTY COMMISSIONERS COURT

ADMINISTRATOR'S OFFICE  
COMMUNITY DEVELOPMENT DIVISION  
Patricia Ward, Director

April 7, 2020

Honorable Jim Griffin  
2000 Forest Ridge Dr.  
Bedford, TX, 76021

RE: Urban County Re-qualification for CDBG, HOME and ESG programs 2021-2023.

Dear Mayor:

In order to continue to receive Community Development Block Grant (CDBG), HOME Investment Partnership and Emergency Solutions Grant (ESG) Entitlement funding through 2023, Tarrant County must once again qualify as an Urban County under the CDBG, HOME and ESG programs. Entitlement counties, such as Tarrant County must re-qualify every three years for funding. Tarrant County is eligible to receive entitlement grant funds by having a combined population of 200,000 or more from unincorporated areas and participating municipalities.

By **April 17, 2020**, Tarrant County must notify units of general local government (participating municipalities) the option to be excluded from the urban county or remain in the consortium.

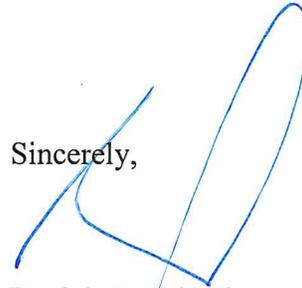
- Any included unit of general local government that elects to be excluded from the Tarrant County urban county consortium and intends to terminate the existing agreement at the end of the current qualification period, must notify the County and HUD in writing that it elects to be excluded by **May 15, 2020**. Please contact us for address information.
- If the City chooses to remain in the consortium, please **sign and return all 5 original Cooperation Agreements, to Tarrant County by June 19, 2020**. After review of CPD Notice 20-3 by the Tarrant County District Attorney's office, new language has prompted the need for a new agreement with more robust automatic renewal language. One original signed agreement will be returned to you upon completion.

Participating municipalities are also reminded that they are not eligible to apply for grants under the State CDBG program while they are part of the urban county, and that, in becoming a part of the urban county; they automatically participate in the HOME and ESG

program as Tarrant County receives both HOME and ESG funding. This does not preclude Tarrant County or your city from applying to the state for HOME or ESG funds, if the State of Texas allows. State CDBG program is managed by NCTCOG for the 16 county region where applications for state funds are released every two years and are limited to specific priority projects and applicants may only be funded every 5 years.

We appreciate the continued collaboration with each city. If you have further questions or concerns regarding this notice, please contact me or Susan Au, Community Development Planner, at 817-850-7940.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Patricia Ward', written over a faint, light blue circular stamp or watermark.

Patricia Ward, Director

cc: Honorable B. Glen Whitley, Tarrant County Judge



# Council Agenda Background

<b><u>PRESENTER:</u></b>	David Moore, GFF Architects David Pettit, David Pettit Economic Development Natalie Moore, David Pettit Economic Development	<b><u>DATE:</u></b> 06/16/20
<b>Work Session</b>		
<b><u>ITEM:</u></b>  Conduct a charrette for the central Bedford City Hall area.  <b>City Attorney Review:</b> N/A		
<b><u>DISCUSSION:</u></b>  The City of Bedford has hired David Pettit Economic Development, GFF Architects, and planners to develop a Master Plan and Tax Increment Reinvestment Zone (TIRZ) around the central Bedford City Hall area to help promote new development and redevelopment in an area that may not otherwise occur.  A charrette is a collaborative planning or design session, involving official stakeholders in which property uses and design relating to a proposed area are discussed and solutions are discussed in a limited time frame. The purpose of this charrette is to provide an updated master plan to develop realistic and market-based projections for the creation of the TIRZ. The City invested significant time and resources in previous planning efforts for the area, including the Vision for Central Bedford in 2013, the Bedford Commons Public Meeting in 2014, and Bedford Commons Code in 2015.  Brian Moore with GFF Architects will lead the charrette, which will involve a presentation of the existing conditions and previous planning efforts. Representatives from David Pettit Economic Development will be present to assist in facilitating dialogue on desired development concepts. The charrette is designed to allow for interaction between City Council, staff, and consultants to develop consensus of acceptable core development concepts and principles that will guide the development of a draft Master Plan.  Upon completion of the charrette, the design team will finalize a draft Master Plan for review and comment. Upon the master plan completion, the consultant team will move forward with creation of the TIRZ that includes a taxable value analysis of the proposed uses and development of a Project and Financing Plan that includes proposed projects and estimated project costs, which will serve as a guiding document for the City and participating entities.		
<b><u>ATTACHMENTS:</u></b>  N/A		