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KENNEDALE CITY COUNCIL
AGENDA
REGULAR MEETING
January 16, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION - 5:30 PM
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

II. EXECUTIVE SESSION

A. The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding nonconforming uses, and discussion of zoning issues in the city.

III. WORK SESSION

****NOTE: Pursuant to Section 551.071, Texas Government Code, the City Council reserves the right to adjourn into Executive Session at any time during the work session or the regular session to discuss posted executive session items or to seek legal advice from the City Attorney on any item posted on the agenda.***

A. Consider any items from the regular agenda, if needed.

IV. REGULAR SESSION

V. ROLL CALL

VI. INVOCATION

VII. UNITED STATES PLEDGE

VIII. TEXAS PLEDGE

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State under God; One and Indivisible."

IX. VISITOR/CITIZENS FORUM

At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

X. REPORTS/ANNOUNCEMENTS

In addition to any specific matters listed below, the city council may receive a report about items of community interest, including but not limited to recognition of individual officials, citizens or departments, information regarding holiday schedules, upcoming or attended events, etc.

A. Updates and information from the Mayor.

B. Updates and information from Councilmembers.

C. Updates and information from the City Manager.

XI. CONSENT ITEMS

All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are considered to be routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately.

A. Consider approval of minutes from December 12, 2013 regular meeting.

XII. REGULAR ITEMS

A. **CASE # PZ 13-11** to receive comments and consider action on a request by Ashton Holdings, Inc. for a replat of approximately 4.3 acres, for property owned by Ricardo Trevino and located at the corner of Swiney Hiett Rd and Collett Sublett Rd, legal description of Oliver Acres Addition Block 2 Lot 6, to create Lots 6R1-6R8.

1. Staff Presentation
2. Applicant Presentation
3. Public Hearing
4. Applicant Response
5. Staff Response and Summary
6. Action by the Council

B. Consider approval of Resolution 418, calling the May 10, 2014 General Election.

C. Consider selection of a project engineer for the Transportation Improvement Program project for sidewalks on Kennedale Parkway.

XIII. RECONVENE INTO EXECUTIVE SESSION, IF NECESSARY

A. The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding nonconforming uses, and discussion of zoning issues in the city.

XIV. RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED

XV. ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Kennedale will provide for reasonable accommodations for persons attending City Council meetings. This building is wheelchair accessible, and parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meetings. Please contact Amethyst Cirmo, City Secretary, at 817.985.2104 or (TDD) 1.800.735.2989

CERTIFICATION

I certify that a copy of the January 16, 2014, agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.

Amethyst G. Sloane

Amethyst G. Sloane, City Secretary

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Staff Report to the Honorable Mayor and City Council

Date: January 16, 2014

Agenda Item No: EXECUTIVE SESSION - A.

I. Subject:
The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding nonconforming uses, and discussion of zoning issues in the city.

II. Originated by:

Bob Hart

III. Summary:
At this time the city council will meet in executive session.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
None

VII. Alternative Actions:

VIII. Attachments:

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Staff Report to the Honorable Mayor and City Council

Date: January 16, 2014

Agenda Item No: WORK SESSION - A.

I. Subject:
Consider any items from the regular agenda, if needed.

II. Originated by:

City Council, City Council

III. Summary:
At this time the Mayor or any Councilmember may ask to discuss any item listed on the regular agenda.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
None

VII. Alternative Actions:

VIII. Attachments:

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Staff Report to the Honorable Mayor and City Council

Date: January 16, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - A.

I. Subject:
Updates and information from the Mayor.

II. Originated by:

City Council, City Council

III. Summary:
Updates and information from the Mayor, if any.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
None

VII. Alternative Actions:

VIII. Attachments:

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Staff Report to the Honorable Mayor and City Council

Date: January 16, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - B.

I. Subject:
Updates and information from Councilmembers.

II. Originated by:

City Council, City Council

III. Summary:
Updates and information from Councilmembers, if any.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
None

VII. Alternative Actions:

VIII. Attachments:

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Staff Report to the Honorable Mayor and City Council

Date: January 16, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - C.

I. Subject:
Updates and information from the City Manager.

II. Originated by:

Bob Hart

III. Summary:
Updates and information from the City manager, if any.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
None

VII. Alternative Actions:

VIII. Attachments:

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Staff Report to the Honorable Mayor and City Council

Date: January 16, 2014

Agenda Item No: CONSENT ITEMS - A.

I. Subject:
Consider approval of minutes from December 12, 2013 regular meeting.

II. Originated by:

Amethyst G. Cirmo, City Secretary and Communications Coordinator

III. Summary:
Please see the attached minutes for approval.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	minutes	12.12.2013 CC Minutes.doc

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KENNEDALE CITY COUNCIL
MINUTES
REGULAR MEETING
December 12, 2013
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

I. CALL TO ORDER

Mayor Clark called the work session to order at 5:30PM.

Present: John Clark, Frank Fernandez, Brian Johnson, Charles Overstreet, Kelly Turner, Liz Carrington
Absent: Brian Johnson

II. WORK SESSION

A. Performance Report.

Bob Hart presented the status of this month's balanced scorecard, noting that sales tax was still down by about 23% or $460,000.00. Brick and mortar stores have been even or trending up, however the loss of a few businesses in town combined with a sales tax decrease in several of the larger generators in town have cause this overall decrease. Mr. Hart proposed that Council and staff make an effort to build stronger relationships with businesses in town to keep track of these trends.

Council discussed the recent transition to Global Water, noting that the payment kiosk would be installed in early 2014, and that the installation of the new water meters was going well. Residents have expressed both displeasure and appreciation for the new system in varying degrees. Staff hopes to continue to ease residents through the transition period.

Bob Hart gave a brief report on the performance of the City Marshal Department, noting that the office continues to create sufficient revenue to fund itself.

Mayor Clark held a brief discussion on water conservation measures and the recent jail and dispatch transition to the City of Mansfield. Other topics discussed included fire inspections, employee training hours, regional partnerships, and other aspects of the balanced scorecard.

B. Sales tax discussion.

This discussion item was handled during the discussion of item II-A.

C. Oak Crest development update and discussion.

Bob Hart noted that several projects were underway in the Oak Crest area, and that Tarrant County has agreed to contribute $250,000.00 toward the construction of Link Street, based on the expectation of business development in that area.

Mr. Hart noted that conversations regarding the Tax Increment Refinancing Zone Number One were ongoing, and that the project was long-term.

D. Youth Advisory Council project discussion.

Amethyst Sloane asked the Council for recommendations for Youth Advisory Council projects. Council noted that that would have recommendations at the next meeting in March.

E. Discuss any other items on the agenda.
No other discussion was necessary.

III. REGULAR SESSION

Mayor Clark called the regular session to order at 7:00PM.

IV. ROLL CALL

Present: John Clark, Frank Fernandez, Brian Johnson, Charles Overstreet, Kelly Turner, Liz Carrington
Absent: none

V. INVOCATION

VI. UNITED STATES PLEDGE

VII. TEXAS PLEDGE

VIII. VISITOR/CITIZENS FORUM

No individuals signed up to speak.

IX. REPORTS/ANNOUNCEMENTS

A. Updates and information from the Mayor.
Mayor Clark announced the Salvation Army Red Kettle challenge, which will be held at Wal-Mart on Saturday, December 14, 2013.

B. Updates and information from Councilmembers.
Councilmember Overstreet noted that National League of Cities Conference that he attended with Bob Hart and Councilmember Johnson was very informative, particularly in the subject area of transportation.

C. Updates and information from the City Manager.
No updates were given.

X. CONSENT ITEMS

All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are considered to be routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately.

A. Consider authorizing the City Manager to make an emergency expenditure to replace the T-Well Site Pump and Motor.

B. Consider approval of minutes from November 5, 2013 regular meeting.

This is to replace the motor on the T-2 Well.

Motion To approve the consent agenda as presented. **Action** Approve, **Moved By** Frank Fernandez, **Seconded By** Kelly Turner

Motion Passed Unanimously

XI. REGULAR ITEMS

A. Consider approval of Ordinance 539, regarding an electric power franchise for Oncor Electric Delivery Company.

Bob Hart presented information on this item, noting that state law provides a mechanism to grant franchises for privately owned utilities to use public rights of way. Ours has expired. This Ordinance will extend the franchise through December 2027 and provides for quarterly payments.

Councilmember Johnson asked Mr. Hart to explain how these fees were used by the city. Mr. Hard explained that franchise fees went to the special revenue fund for streets which are used to maintain city right of way, streets, etc.

Motion To approve Ordinance 539 as presented. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Liz Carrington
Motion Passed Unanimously

B. Consider casting votes for the 2013-2014 Tarrant Appraisal District Board of Directors.

Motion To cast all 6 votes to Michael Leyman. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Kelly Turner
Motion Passed Unanimously

At this time Mayor Clark moved agenda item XI-G (Case PZ-13-12) forward.

G. **CASE # PZ 13-12** to receive comments and consider approval of Ordinance 542, regarding a request by Alluvium Development, Inc. to amend the regulations for the Planned Development District for property located at 925 Mansfield Cardinal Rd, legal description of J M Lilly Survey A 980 Tract 2 & A 985 Tract 3, Tarrant County, Texas, to correct a scrivener's error that listed the minimum lot width for "C" type lots as 85 feet instead of 80 feet.

1. Staff Presentation
   The site plans for The Vineyard planned development district (approved by the city under case PZ 13-04) showed a lot width of 85 feet for "C" type lots. The applicant's intent had been for the "C" type lots to have a width of 80 feet; that width is what the lots are scaled at on the site plan and what he thought had been proposed in the site plan text. Unfortunately, the mistake was not caught in time, and the site plans were reviewed and approved by City Council at the wider width of 85 feet. The approved layout and number of lots are not possible with a width of 85 feet for the "C" lots, unfortunately, so the applicant is requesting a change to the approved site plan to allow a lot width of 80 feet. This lot width would apply only to "C" type lots.

2. Applicant Presentation
   Terrence Jobe, owner of Alluvium Development, approached the Council, noting that this case is simply to correct a scrivener's error.

3. Public Hearing
   Mayor Clark opened the public hearing. No individuals signed up to speak.

4. Applicant Response
   No response was necessary.

5. Staff Response and Summary
   No response was necessary.

6. Action by the Council

Motion To approve Ordinance 542 as presented**. Action** Approve**, Moved By** Kelly Turner**, Seconded By** Frank Fernandez.
Motion Passed Unanimously

C. Consider appointing a Chair and Vice Chair for the 2013-2014 Board of Adjustment/Building Board of Appeals.

Rachel Roberts approached the Council, noting that the Board of Adjustment/Building Board of Appeals had recommended Rick Adams as Chair and Patrick Vader as Vice Chair for 2013-2014.

Motion To approve the appointment of Rick Adams as Chair and Patrick Vader as Vice Chair for the 2013-2014 Board of Adjustment/Building Board of Appeals. **Action** Approve, **Moved By** Brian Johnson, **Seconded By** Liz Carrington
Motion Passed Unanimously

D. **CASE # PZ 13-08** to receive comments and consider approval of Ordinance 540, regarding action on a request by Ashton Holdings, Inc. for a zoning change for approximately 6.3 acres from "OT" Old Town District to "PD" Planned Development District located at 260 Hilltop (access on 3rd St), legal description of Hilltop Addition Block 1 Lots 1-15.

1. Staff Presentation
   This requested development aligns well with the Comprehensive Land Use Plan and meets the 'downtown village' character. The proposed development is 'traditional neighborhood,' which aligns with the recommendations of the strategic plan. The Planning and Zoning Commission is requesting approval with the following 7 conditions, which have been added to the proposed ordinance:

   1. The front plane of the garage must be set back from the front plane of the primary structure, with the garage setback a minimum of 20' from the street right-of-way and the front porch setback a minimum of 15'.
   2. Primary structures shall have exterior facades of a minimum of 25% masonry.
   3. Street lighting shall be decorative and aesthetically compatible with the character of the district.
   4. The developer shall adequately address storm water run-off resulting from developing property within the district. Construction plans submitted to the city shall include detailed drainage plans.
   5. Elevations shall not repeat more than once every fifth house.
   6. Home Owners' Association shall be required, and the HOA shall be responsible for maintaining drainage facilities.
   7. The developer shall conduct a traffic study.

   Councilmember Johnson asked if a homeowner's association of only 15 homes would be able to generate sufficient funds to pay for detention pond maintenance and other associated fees.

   Mayor Clark noted that if building were to occur on this land with the existing plat, the city would not have as much control over the type of homes that could be built.

2. Applicant Presentation
   Adlai Pennington of 1375 Gilman Rd in Fort Worth approached the Council. Mr. Pennington noted that the property's proximity to TownCenter is what makes the property special and that the proposed PD would allow Kennedale to pursue its master plan and provide additional, attractive housing in the downtown area.

3. Public Hearing

Mayor Clark opened the public hearing. One individual signed up to speak.

- Lana Sather of 421 Corry A. Edwards Dr. read a prepared statement to the Council, noting that she feels that the larger number of homes will be detrimental to their current quality of life.

4. Applicant Response
   Mr. Pennington approached the Council and presented additional information regarding the potential size of detention ponds that may be required, the length of the cul-de-sac, and the arrangement of homes.

   Council discussed at length a potential process issue regarding the passage of the zoning change without the plat case, which was pulled from the agenda as the recent inclement weather had disrupted the engineer's schedule and adjusted drawings were not available in time for the PZ Case. Council also asked staff to research potential issues related to cul-de-sac length in this development.

5. Staff Response and Summary
   Rachel Roberts approached the Council, noting that staff understands the difficulties that changes pose to individuals in established neighborhoods, and believes that the proposed zoning change will allow for the most control over development type and style.

6. Action by the Council

Motion To approve Ordinance 540 as presented**. Action** Approve**, Moved By** Brian Johnson**, Seconded By** Liz Carrington.
Motion Passed Unanimously

E. **CASE # PZ 13-10** to receive comments and consider approval of Ordinance 541, regarding a request by Ashton Holdings, Inc. for a zoning change for approximately 4.3 acres from "AG" Agricultural District to "R-1" Single Family Residential District for property owned by Ricardo Trevino and located at the corner of Swiney Hiett Rd and Collett Sublett Rd, legal description of Oliver Acres Addition Block 2 Lot 6.

1. Staff Presentation
   Rachel Roberts addressed the Council, noting that this zoning change would allow for a maximum of 8 lots. This property was platted more than 70 years ago as part of the Oliver Acres subdivision. Most of the other lots in Oliver Acres were developed as large lot single family homes, but this lot is still undeveloped. The primary land use in this area is residential. The proposed change aligns with the comprehensive land use plan and the strategic plan. Ms. Roberts noted that a few residents approached the Planning and Zoning Commission with concerns related to water pressure in the area and that the Public Works department was aware of the water pressure concerns and did not believe the additional lots created through a replat would have a negative effect on water pressure.

2. Applicant Presentation
   Adlai Pennington of 1375 Gilman Rd in Fort Worth approached the Council, noting that anything that the city can do to address water pressure in that portion of town would be appreciated and would help development.

3. Public Hearing
   Mayor Clark opened the public hearing. One individual signed up to speak.
   - William H. Barnes of 116 Collett Sublett Rd, expressed concern with water pressure in that area, noting that he had been in contact with the Public Works Department and that they were monitoring the situation. Larry Ledbetter from Public Works noted that the additional draw created by new homes could potentially increase water pressure in

the area.

4. Applicant Response
   No response was necessary.

5. Staff Response and Summary
   Councilmember Johnson asked for clarification on the water pressure issue. Larry Ledbetter noted that the city drops the water tank holding amount in the winter to maintain chloramine levels, which can contribute to lower pressures in some areas of town. Mayor Clark noted that the water system study to be completed in the spring of 2014 will provide the city with additional data and information related to water pressure, supply, and other associated issues.

6. Action by the Council

Motion To approve Ordinance 541 as presented**. Action** Approve**, Moved By** Charles Overstreet**, Seconded By** Liz Carrington
Motion Passed Unanimously

F. **CASE # PZ 13-11** to receive comments and consider action on a request by Ashton Holdings, Inc. for a replat of approximately 4.3 acres, for property owned by Ricardo Trevino and located at the corner of Swiney Hiett Rd and Collett Sublett Rd, legal description of Oliver Acres Addition Block 2 Lot 6, to create Lots 6R1-6R8.

Due to the recent inclement weather, the applicant's engineer was unable to complete the necessary changes in time for presentation. The applicant has asked that this case be tabled until January 2014.

Motion To table CASE # PZ 13-11. **Action** Approve**, Moved By** Brian Johnson**, Seconded By** Charles Overstreet.
Motion Passed Unanimously

H. Discuss and consider approval of Ordinance 543, regarding the use of lead-flux and solder in plumbing installations.

Amethyst Sloane noted that this update was to correct an error in the original ordinance from 1989.

Motion To approve Ordinance 543 as presented**. Action** Approve**, Moved By** Brian Johnson**, Seconded By** Liz Carrington
Motion Passed Unanimously

XII. EXECUTIVE SESSION

No executive session was held.

XIII. RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED

No executive session was held.

XIV. ADJOURNMENT

Motion To adjourn. **Action** Adjourn, **Moved By** Brian Johnson, **Seconded By** Liz Carrington.
Motion Passed Unanimously

The meeting was adjourned at 9:17PM.

APPROVED:

Mayor John Clark

ATTEST:

City Secretary Amethyst G. Cirmo

KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

Staff Report to the Commissioners

Date: January 16, 2014

Agenda Item No: REGULAR ITEMS - A.

I. Subject:
CASE # PZ 13-11 to receive comments and consider action on a request by Ashton Holdings, Inc. for a replat of approximately 4.3 acres, for property owned by Ricardo Trevino and located at the corner of Swiney Hiett Rd and Collett Sublett Rd, legal description of Oliver Acres Addition Block 2 Lot 6, to create Lots 6R1-6R8.

1. Staff Presentation
2. Applicant Presentation
3. Public Hearing
4. Applicant Response
5. Staff Response and Summary
6. Action by the Council

II. Originated by:

Rachel Roberts, City Planner

III. Summary:
This case was tabled at the 12/12/2013 meeting.

Request: replat
Location: Swiney Hiett Rd and Collett Sublett Rd
Recommendation from the Planning and Zoning Commission: approve (see notes below)

Background.
Lot 6, Block 2 in the Oliver Acres subdivision is located at the corner of Collett Sublett Rd and Swiney Hiett Rd. The original was plat was filed at least 70 years ago. This lot is the same property recently rezoned to R-1 Single Family Residential under Case PZ 13-10.

The applicant, Ashton Holdings, proposes to subdivide the property into eight (8) lots, oriented toward Swiney Hiett. Each lot would be approximately 0.52 acres in size. Water and sewer lines are available in the area, and therefore the replat would not require the extension of water or sewer utilities, however, the developer would be required to install facilities to connect to the closest water line.

Please note that state law requires the city to allow protests on replats if variances are requested and also requires that we notify certain property owners of the right to protest. No variance has been requested for this replat, so the protest provision does not apply.

Staff Review.
Planning, Permits, Public Works, and Fire Department staff reviewed the proposed plat. The plat complies with applicable sections of the comprehensive plan, with the exception of the right-of-way dedications (see below). It also meets all city requirements for new lots in the R-1 zoning district (including lot width, depth, and area).

Staff Recommendation.
The plat is in compliance with the comprehensive plan, and staff recommends approval.

Planning & Zoning Commission Recommendation.
The Planning & Zoning Commission considered this case during its November 2013 meeting. Two residents addressed the Commission during the public hearing to express concerns about additional development in this part of the city. The residents' main concerns were water pressure and sidewalks, and they were also concerned about impact on the school district and privacy. Larry Ledbetter has stated that an additional eight (8) homes at this location would not have a negative impact on water pressure.

The Commission voted to recommended approval on the condition that the changes to the plat suggested by staff be made before the proposed plat is considered by Council; these changes have been made to the plat as requested. The Commission also wanted to advise Council that low water pressure is a concern to residents in this part of the city. In addition, the Commission added a condition that the following documents be submitted, based on recommendation from staff.

1. A drainage study for this property for existing and proposed conditions, incorporating the requirements of Kennedale's detention policy.
2. A supplemental document providing fire hydrant assemblies, connected to the Kennedale 12" main in Swiney Hiett, to provide coverage for this subdivision.

After further evaluation by staff, we have determined that for this development (due to small size, location, etc.), these documents can be submitted with construction plans for the development and are not required before plat approval. They will be required before construction is permitted to begin.

IV. Notification:

V. Fiscal Impact Summary:

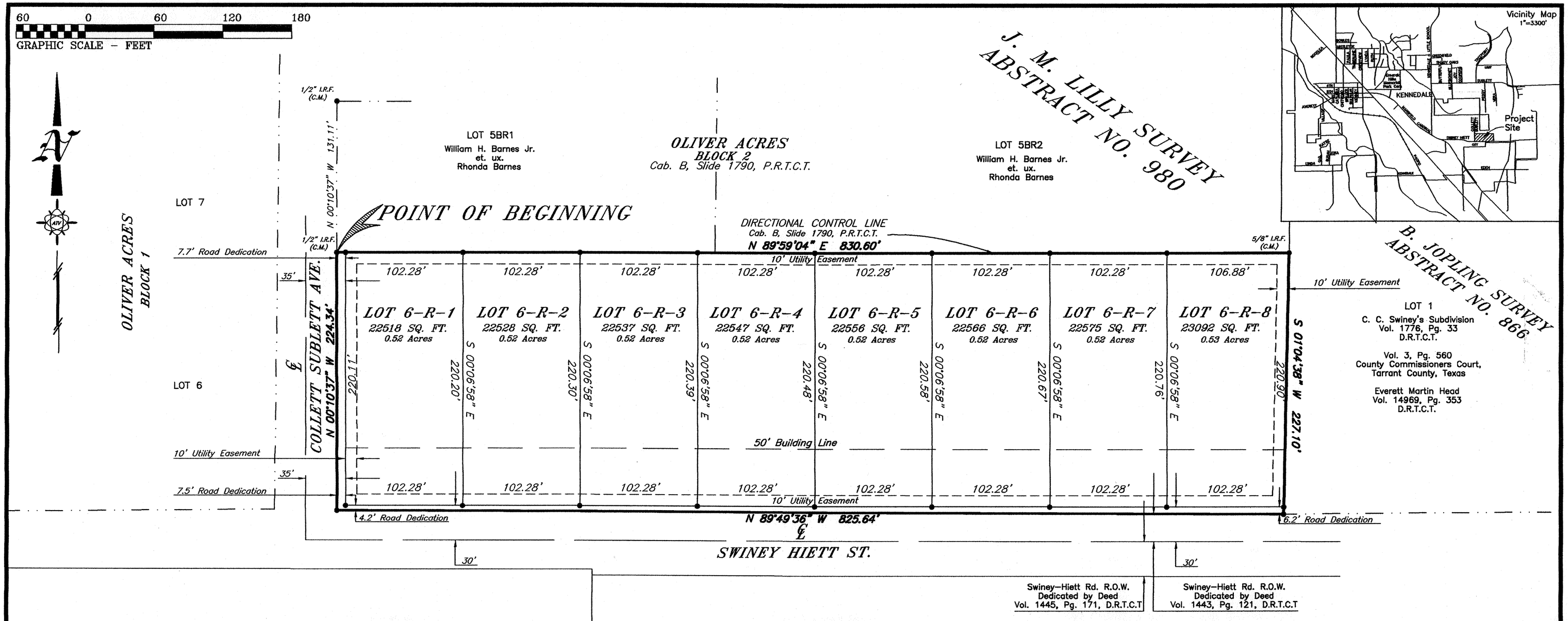
VI. Legal Impact:

VII. Recommendation:
Approve

VIII. Alternative Actions:

IX. Attachments:

1.	PZ 13-11 revised replat drawing	PZ 13-11 revised replat drawing.PDF
2.	PZ 13-11 map	PZ 13-10 & 13-11 map.pdf
3.	PZ 13-11 application	PZ 13-11 application.pdf



Note:

All iron rod set are 3/8" in diameter and have a yellow plastic cap stamped "Ballard Corp".

Sidewalks along Swiney Hiett St. and Collett Sublett Ave have a minimum width of 5'.

The Planning and Zonining Commission of the City of Kennedale, Texas, voted affirmatively on the _____ Day of _____, 2014, to recommend approval of this Plat by the City Council.

_____
Chairman, Planning and Zoning Commission

_____
Attest: Secretary, Planning and Zoning Commission

The City Council of the City of Kennedale, Texas voted affirmatively on this _____ day of _____, 2014, to approve of this Plat for filing of record.

_____
Mayor, City of Kennedale

_____
Attest: City Secretary

This plat represents an actual survey made on the ground under my supervision and is true and correct to the best of my knowledge.

*** PRELIMINARY ***

*** For review only, not to be recorded. ***

_____
Registered Professional Land Surveyor
Texas Registration No. 2336

METES AND BOUNDS DESCRIPTION

Being a portion of that certain lot, tract or parcel of land situated in the J. M. Lilly Survey, Abstract Number 980, Tarrant County, Texas and being all of Lot 6, Block 2, Oliver Acres, an addition to Tarrant County, Texas, according to the plat recorded in Volume 1383, Page 586, Deed Records, Tarrant County, Texas:

BEGINNING at a 1/2 inch iron rod found on the east line of Collett Sublett Avenue, being the northwest corner of Lot 6 and the southwest corner of Lot 5BR1, Block 2;

THENCE North 89 degrees 59 minutes 04 seconds East, along the common line of said Lots 5BR1 and 6, a distance of 830.60 feet to a 5/8" inch iron rod found for the common easterly corner of said lots;

THENCE South 01 degrees 04 minutes 38 seconds West, along the east line of said Lot 6, a distance of 227.10 feet to a point for a corner in the northerly right-of-way line of Swiney-Hiett Street, the southeast corner of said Lot 6;

THENCE South 89 degrees 49 minutes 36 seconds West a distance of 825.64 feet to a point for a corner at the intersection of the north line of said Swiney-Hiett Street and the east line of said Collett Sublett Avenue, the southwest corner of said lot 6,

THENCE North 00 degrees 10 minutes 37 seconds West, along the east line of said Collett Sublett Road and the west line of said lot 6, a distance of 224.34 feet to the point of beginning and containing 4.29 acres of land.

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS, that Ashton Holdings, Inc., acting by and through Adlai Pennington, President, does hereby certify that it is the owner of the herein described property and does hereby adopt this plat as Lots 6-R-1 thru 6-R-8, Block 2, Oliver Acres, an Addition to Tarrant County, Texas, and does hereby dedicate to the public's use forever the easements and right-of-ways shown hereon.

Executed this _____day of _____2014.

_____
Adlai Pennington, President, Ashton Holdings, Inc.

THE STATE OF TEXAS

Before me _____, a Notary Public in and for the State of Texas on this day personally appeared Adlai Pennington, President, Ashton Holdings, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this _____ day of _____,2014.

_____
Notary Public in and for
The State of Texas.

My Commission Expires _____.

REPLAT SHOWING

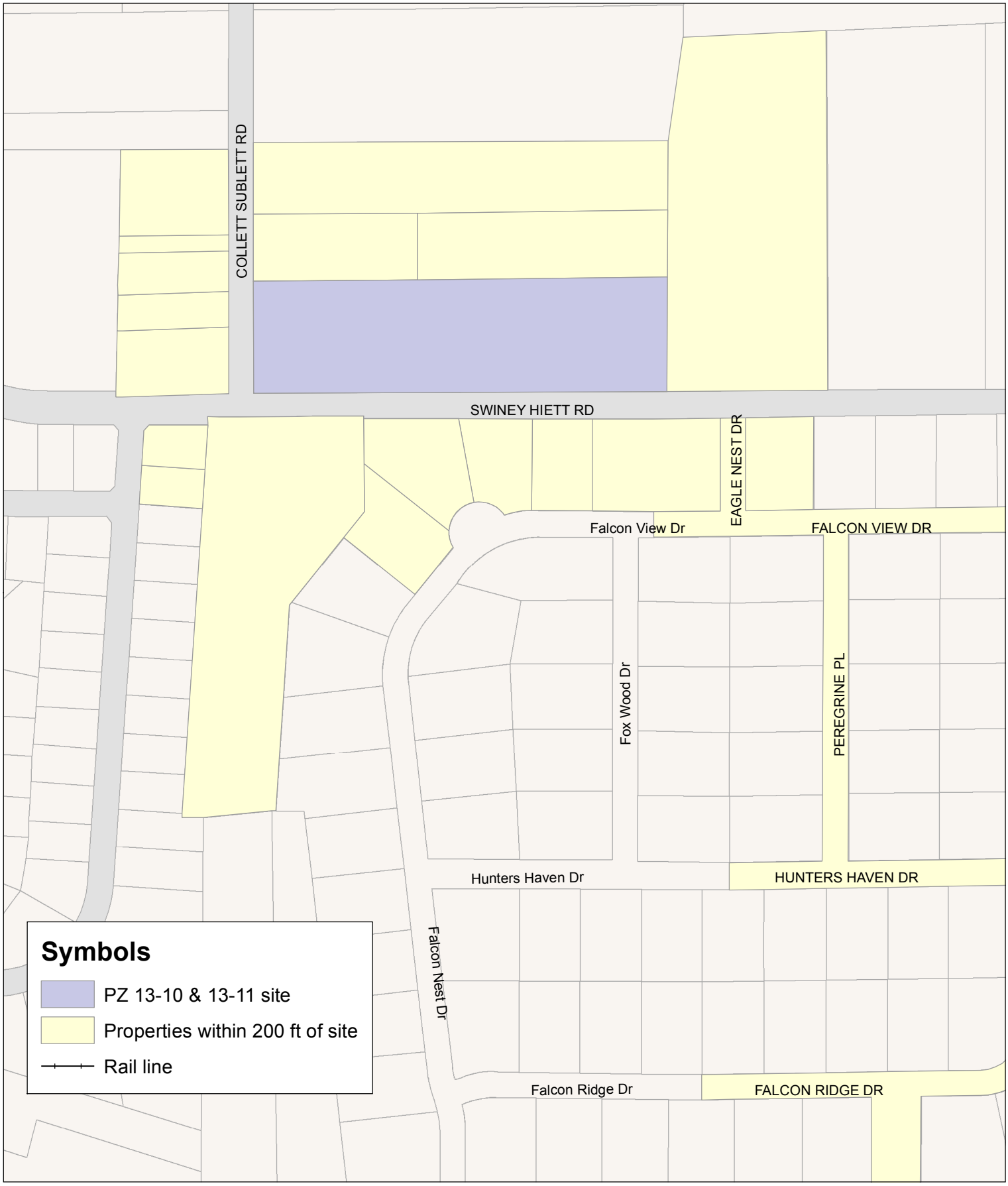
Lots 6-R-1 thru 6-R-8, Block 2,
Oliver Acres,
Being 4.29 acres of land out of the
J. M. LILLY SURVEY, ABSTRACT 980
and also being
A Revision of Lot 6, Block 2,
Oliver Acres,
Tarrant County, Texas
recorded in Volume 1383, Page 586,
Deed Records, Tarrant County, Texas.

THIS PLAT FILED IN:
CABINET _____, SLIDE _____
DATE _____

Barney Ballard Corporation
P.O. BOX 545, BURLESON, TEXAS 76097 817/295-4891
E-MAIL: BALCORP@SWBELL.NET

Scale: 1"=60'	Dwn: ATV	Project # Adlai Pennington.dwg
Date: 12-15-13	App: btb	CRD: PENNINGTONPLAT

Site of Cases PZ 13-10 & PZ 13-11



Parcel boundary data from theTarrant Appraisal District
Road data from North Central Texas Council of Governments

0 125 250
Feet

N

1 in = 250 feet

PZ 13-11

City of Kennedale
Re-Plat Application

APPLICANT NAME: Ashton Holdings, Inc DATE: 10/18/12

SUB-DIVISION NAME: Falcon Crest II

LEGAL DESCRIPTION: Lot 6 Oliver Acres ACRES: 4.28

CURRENT ZONING: AG PROPOSED ZONING: R-1

BEING PLATTED AS: LOTS: 6-R-1 BLOCKS: 2 PHASES: 1
6-R-8

OWNER OF RECORD: Ricardo Trevino

ADDRESS: 717 Woodland Ct PHONE:

CITY: Kennedale STATE: TX ZIP: 76060

SURVEYOR: Barney Ballard Corporation

ADDRESS: P.O Box 545 PHONE:

CITY: Burleson. STATE: TX ZIP: 76097

ENGINEER: N/A

ADDRESS: PHONE:

CITY: STATE: ZIP:

DEVELOPER: Ashton Holdings, Inc

ADDRESS: 1375 Gailman Rd PHONE: 817 561 7449

CITY: Fort Worth STATE: TX ZIP: 76140

DESCRIPTION OF THE PROJECT FOR WHICH THE PLAT IS SOUGHT, INCLUDING PROPOSED LAND USES AND THEIR LOCATIONS:

APPLICANT SIGNATURE: _____ DATE: 10/18/13

OWNER SIGNATURE: _____ DATE: _____

SURVEYOR SIGNATURE: _____ DATE: _____

ENGINEER SIGNATURE: N/A DATE: _____

DEVELOPER SIGNATURE: _____ DATE: 10/18/13

Please submit with your application a tax certificate from Tarrant County showing that any delinquent taxes, fee, and outstanding liens due to the city have been paid.

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Staff Report to the Honorable Mayor and City Council

Date: January 16, 2014

Agenda Item No: REGULAR ITEMS - B.

I. Subject:
Consider selection of a project engineer for the Transportation Improvement Program project for sidewalks on Kennedale Parkway.

II. Originated by:

Bob Hart

III. Summary:

In 2009 Kennedale received a Regional Toll Revenue Grant to landscape in front of the TownCenter, and to construct a sidewalk from the TownCenter to the potential Commuter Rail site. The majority of this work was done in the Green Ribbon Program. The attorney general's opinion against the grant resulted in Kennedale's loss of these funds. Through the work of the Texas Department of Transportation (TxDOT) and the North Central Texas Council of Governments (NCTCOG), a replacement grant through the Transportation Improvement Program (TIP) was obtained as an alternate funding mechanism and the project scope was amended to construct a sidewalk along the southwest side of Kennedale Parkway.

The original grant approval is $1,152,455. The city's portion for the project is $230,491. Due to budgetary constraints, the city was unable to allocate this $230,491 in the current city budget. Consequently, based on the fact that the grant generates $921,964 and that if this grant is rejected it will be challenging to secure another grant, it is in the best interest of the city to move forward with the project. The recommendation is to borrow short term funds to pay the city's portion.

The funding Kennedale has received through the TIP grant will design approximately 17,500 feet of 6'wide sidewalk along Kennedale Parkway. A Request for Qualifications (RFQ) from the city returned 11 engineering candidates. Based on the scoring results, Shield Engineering is recommended to design the infrastructure for the City of Kennedale. Shield Engineering received the score of 5.117 due to their high ratings in areas such as experience with similar projects, the ability to meet deadlines, and project vision.

Please see the attached evaluation reports and summary for detailed information.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Evaluation Forms	Sidewalk Enginnering - Evaluation Forms.pdf
2.	Form Summary	Sidewalk Engineering - Evaluation Summary.doc

CONSULTANT EVALUATION FORM

RFQ: Kennedale Sidewalk Improvements

Consultant: Baird, Hampton & Brown, Inc. Engineering & Surveying

Selection Criteria	Relative Importance Factor	Evaluation (Scale 0-10)	Number of Team Members Insert 1 if Individual Evaluation	Score
1. Experience designing similar projects for the City of Kennedale and TxDOT	35%	4.667	3	1.633
2. Firm's ability to meet deadlines and stay within budget	35%	3.333	3	1.167
3. Project vision and understanding how to do business with Kennedale	20%	4.667	3	.933
4. References	10%	4.333	3	.433
RIF Must Total 100	**100%**		**CST Evaluator Score**	4.166

CST MEMBER NAME(S): Use the spaces provided to insert the name or names of the CST members.

☐ Individual	Name:
☒ Joint Evaluation; Insert the number of CST Members	#: 3
Name:	Larry Ledbetter
Name:	Larry Hoover
Name:	Kelly Cooper
Name:	
Name:	
Name:	
Name:	

Prepared By: _____ Date: 6-Jan-14

CONSULTANT EVALUATION FORM

RFQ: Kennedale Sidewalk Improvements

Consultant: CRIADO

Selection Criteria	Relative Importance Factor	Evaluation (Scale 0-10)	Number of Team Members Insert 1 if Individual Evaluation	Score
1. Experience designing similar projects for the City of Kennedale and TxDOT	35%	2.67	3	.933
2. Firm's ability to meet deadlines and stay within budget	35%	1.67	3	.583
3. Project vision and understanding how to do business with Kennedale	20%	3.33	3	.667
4. References	10%	1.33	3	.133
RIF Must Total 100	**100%**		**CST Evaluator Score**	2.316

CST MEMBER NAME(S): Use the spaces provided to insert the name or names of the CST members.

- ☐ Individual — Name:
- ☒ Joint Evaluation; Insert the number of CST Members — #: 3

Name:	Larry Ledbetter
Name:	Larry Hoover
Name:	Kelly Cooper
Name:	
Name:	
Name:	
Name:	

Prepared By: _____ Date: 6-Jan-14

CONSULTANT EVALUATION FORM

RFQ: Kennedale Sidewalk Improvements

Consultant: Freese & Nichols

Selection Criteria	Relative Importance Factor	Evaluation (Scale 0-10)	Number of Team Members Insert 1 if Individual Evaluation	Score
1. Experience designing similar projects for the City of Kennedale and TxDOT	35%	5.333	3	1.867
2. Firm's ability to meet deadlines and stay within budget	35%	4.667	3	1.633
3. Project vision and understanding how to do business with Kennedale	20%	5.667	3	1.133
4. References	10%	3.667	3	.367
RIF Must Total 100	**100%**		**CST Evaluator Score**	5.0

CST MEMBER NAME(S): Use the spaces provided to insert the name or names of the CST members.

- ☐ Individual — Name:
- ☒ Joint Evaluation; Insert the number of CST Members — #: 3

Name:	Larry Ledbetter
Name:	Larry Hoover
Name:	Kelly Cooper
Name:	
Name:	
Name:	
Name:	

Prepared By: _____ Date: 6-Jan-14

CONSULTANT EVALUATION FORM

RFQ: Kennedale Sidewalk Improvements

Consultant: Kimley-Horn & Associates, Inc.

Selection Criteria	Relative Importance Factor	Evaluation (Scale 0-10)	Number of Team Members Insert 1 if Individual Evaluation	Score
1. Experience designing similar projects for the City of Kennedale and TxDOT	35%	3.667	3	1.283
2. Firm's ability to meet deadlines and stay within budget	35%	1	3	.350
3. Project vision and understanding how to do business with Kennedale	20%	2.667	3	.533
4. References	10%	1	3	.1
RIF Must Total 100	**100%**		**CST Evaluator Score**	2.266

CST MEMBER NAME(S): Use the spaces provided to insert the name or names of the CST members.

- ☐ Individual — Name:
- ☒ Joint Evaluation; Insert the number of CST Members — #: 3

Name:	Larry Ledbetter
Name:	Larry Hoover
Name:	Kelly Cooper
Name:	
Name:	
Name:	
Name:	

Prepared By: _____ Date: 6-Jan-14

CONSULTANT EVALUATION FORM

RFQ: Kennedale Sidewalk Improvements

Consultant: KYSU Group

Selection Criteria	Relative Importance Factor	Evaluation (Scale 0-10)	Number of Team Members Insert 1 if Individual Evaluation	Score
1. Experience designing similar projects for the City of Kennedale and TxDOT	35%	1	3	.350
2. Firm's ability to meet deadlines and stay within budget	35%	.333	3	.117
3. Project vision and understanding how to do business with Kennedale	20%	1.67	3	.334
4. References	10%	0	3	0
	RIF Must Total 100	**100%**	**CST Evaluator Score**	0.801

CST MEMBER NAME(S): Use the spaces provided to insert the name or names of the CST members.	☐ Individual	Name:
	☒ Joint Evaluation; Insert the number of CST Members	#: 3
	Name:	Larry Ledbetter
	Name:	Larry Hoover
	Name:	Kelly Cooper
	Name:	
	Name:	
	Name:	
	Name:	

Prepared By: _____ Date: 6-Jan-14

CONSULTANT EVALUATION FORM

RFQ: Kennedale Sidewalk Improvements

Consultant: Lamb-Star Engineering

Selection Criteria	Relative Importance Factor	Evaluation (Scale 0-10)	Number of Team Members Insert 1 if Individual Evaluation	Score
1. Experience designing similar projects for the City of Kennedale and TxDOT	35%	2.33	3	.816
2. Firm's ability to meet deadlines and stay within budget	35%	1.667	3	.583
3. Project vision and understanding how to do business with Kennedale	20%	.67	3	.133
4. References	10%	1	3	.10
RIF Must Total 100	**100%**		**CST Evaluator Score**	1.632

CST MEMBER NAME(S): Use the spaces provided to insert the name or names of the CST members.	☐ Individual	Name:
	☒ Joint Evaluation; Insert the number of CST Members	#: 3
	Name:	Larry Ledbetter
	Name:	Larry Hoover
	Name:	Kelly Cooper
	Name:	
	Name:	
	Name:	
	Name:	

Prepared By: _____ Date: 6-Jan-14

CONSULTANT EVALUATION FORM

RFQ: Kennedale Sidewalk Improvements

Consultant: LNV Engineers

Selection Criteria	Relative Importance Factor	Evaluation (Scale 0-10)	Number of Team Members Insert 1 if Individual Evaluation	Score
1. Experience designing similar projects for the City of Kennedale and TxDOT	35%	2	3	.70
2. Firm's ability to meet deadlines and stay within budget	35%	1.667	3	.583
3. Project vision and understanding how to do business with Kennedale	20%	.333	3	.067
4. References	10%	.667	3	.067
RIF Must Total 100	**100%**		**CST Evaluator Score**	1.417

CST MEMBER NAME(S): Use the spaces provided to insert the name or names of the CST members.

☐ Individual	Name:
☒ Joint Evaluation; Insert the number of CST Members	#: 3
Name:	Larry Ledbetter
Name:	Larry Hoover
Name:	Kelly Cooper
Name:	
Name:	
Name:	
Name:	

Prepared By: _____ Date: 6-Jan-14

CONSULTANT EVALUATION FORM

RFQ: Kennedale Sidewalk Improvements

Consultant: Reel - Schaffer w/ Cheatham & Associates

Selection Criteria	Relative Importance Factor	Evaluation (Scale 0-10)	Number of Team Members Insert 1 if Individual Evaluation	Score
1. Experience designing similar projects for the City of Kennedale and TxDOT	35%	1	3	.350
2. Firm's ability to meet deadlines and stay within budget	35%	.337	3	.918
3. Project vision and understanding how to do business with Kennedale	20%	.167	3	.133
4. References	10%	0	3	0
RIF Must Total 100	**100%**		**CST Evaluator Score**	1.401

CST MEMBER NAME(S): Use the spaces provided to insert the name or names of the CST members.

- ☐ Individual — Name:
- ☒ Joint Evaluation; Insert the number of CST Members — #: 3
  - Name: Larry Ledbetter
  - Name: Larry Hoover
  - Name: Kelly Cooper
  - Name:
  - Name:
  - Name:
  - Name:

Prepared By: _____ Date: 6-Jan-14

CONSULTANT EVALUATION FORM

RFQ: Kennedale Sidewalk Improvements

Consultant: Schrickel, Rollins & Associates, Inc.

Selection Criteria	Relative Importance Factor	Evaluation (Scale 0-10)	Number of Team Members Insert 1 if Individual Evaluation	Score
1. Experience designing similar projects for the City of Kennedale and TxDOT	35%	1.33	3	.467
2. Firm's ability to meet deadlines and stay within budget	35%	2.67	3	.933
3. Project vision and understanding how to do business with Kennedale	20%	1	3	.200
4. References	10%	3.33	3	.333
RIF Must Total 100	**100%**		**CST Evaluator Score**	1.933

CST MEMBER NAME(S): Use the spaces provided to insert the name or names of the CST members.

- ☐ Individual — Name:
- ☒ Joint Evaluation; Insert the number of CST Members — #: 3

Name:	Larry Ledbetter
Name:	Larry Hoover
Name:	Kelly Cooper
Name:	
Name:	
Name:	
Name:	

Prepared By: _____ Date: 6-Jan-14

CONSULTANT EVALUATION FORM

RFQ: Kennedale Sidewalk Improvements

Consultant: Shield Engineering Group, PLLC

Selection Criteria	Relative Importance Factor	Evaluation (Scale 0-10)	Number of Team Members Insert 1 if Individual Evaluation	Score
1. Experience designing similar projects for the City of Kennedale and TxDOT	35%	7	3	2.45
2. Firm's ability to meet deadlines and stay within budget	35%	4	3	1.4
3. Project vision and understanding how to do business with Kennedale	20%	6.333	3	1.267
4. References	10%	0	3	0
RIF Must Total 100	**100%**		**CST Evaluator Score**	5.117

CST MEMBER NAME(S): Use the spaces provided to insert the name or names of the CST members.

- ☐ Individual — Name:
- ☒ Joint Evaluation; Insert the number of CST Members — #: 3

Name:	Larry Ledbetter
Name:	Larry Hoover
Name:	Kelly Cooper
Name:	
Name:	
Name:	
Name:	

Prepared By: _____ Date: 6-Jan-14

CONSULTANT EVALUATION FORM

RFQ: Kennedale Sidewalk Improvements

Consultant: TRC Engineers, Inc.

Selection Criteria	Relative Importance Factor	Evaluation (Scale 0-10)	Number of Team Members Insert 1 if Individual Evaluation	Score
1. Experience designing similar projects for the City of Kennedale and TxDOT	35%	6	3	2.10
2. Firm's ability to meet deadlines and stay within budget	35%	1	3	.350
3. Project vision and understanding how to do business with Kennedale	20%	4	3	.800
4. References	10%	2.333	3	.233
RIF Must Total 100	**100%**		**CST Evaluator Score**	3.483

CST MEMBER NAME(S):
Use the spaces provided to insert the name or names of the CST members.

- ☐ Individual — Name:
- ☒ Joint Evaluation; Insert the number of CST Members — #: 3

Name:	Larry Ledbetter
Name:	Larry Hoover
Name:	Kelly Cooper
Name:	
Name:	
Name:	
Name:	

Prepared By: _____ Date: 6-Jan-14

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Kennedale Sidewalk Improvement Evaluation Summary

Consultant	CST Evaluator Score
Baird, Hampton & Brown, Inc. Engineering and Surveying	4.166
CRIADO	2.316
Freese & Nichols	5.000
Kimley-Horn & Associates, Inc.	2.266
KYSU Group	0.801
Lamb-Star Engineering	1.632
LNV Engineers	1.417
Neel-Schaffer w/ Cheatham & Associates	1.401
Schrickel, Rollins & Associates, Inc.	1.933
Shield Engineering Group, PLLC	5.117
TRC Engineers, Inc.	3.483

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Staff Report to the Honorable Mayor and City Council

Date: January 16, 2014

Agenda Item No: REGULAR ITEMS - C.

I. Subject:
Consider approval of Resolution 418, calling the May 10, 2014 General Election.

II. Originated by:

Amethyst G. Cirmo, City Secretary and Communications Coordinator

III. Summary:
The 2014 General Election is scheduled to take place on Saturday, May 10th. We will once again be holding a joint election with Tarrant County and KISD. City positions up for election this year are:

Mayor
Council Place 2
Council Place 4

Please see the attached resolution for details regarding early voting dates, etc.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	R418	RXXX - Calling 2014 General Election.doc

RESOLUTION NO. 418

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 10, 2014; APPROVING A JOINT CONTRACT WITH TARRANT COUNTY ELECTIONS ADMINISTRATOR TO ADMINISTER THE ELECTION; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas, (the "City") is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the regular election for City Council of the City of Kennedale is required to be held on May 10, 2014, at which time the voters will elect persons to fill the office of Mayor and City Council Places 2 and 4;

WHEREAS, the election will be held as a joint election, conducted under the authority of Chapter 217 of the Texas Election Code; and

WHEREAS, by this Resolution, it is the intention of the City Council to designate a polling place for the election, to appoint the necessary election officers to establish and set forth procedures for conducting the election, and authorize the Mayor to execute a contract with Tarrant County for conducting the election.

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

Section 1. General Election Called. An election is hereby called to elect the office of Mayor and City Council Places 2 and 4; to serve from May of 2014 until May of 2016 or until their successors are duly elected and qualified. The election shall be held on May 10, 2014 between the hours of 7:00 a.m. and 7:00 p.m., at the Kennedale Community Center, 316 W. 3rd Street, Kennedale, Texas 76060.

Section 2. Joint Election Agreement Approved. The Joint Election Agreement for Tarrant County and the City of Kennedale (the "Agreement") attached hereto as Exhibit "A" and incorporated herein for all purposes is hereby approved and the Mayor is authorized to execute the Agreement. In the event of conflict between this resolution and the Agreement, the Agreement shall control.

Section 3. Application for Place on Ballot. Qualified persons may file as candidates by filing applications in the office of the City Secretary from 8:00 a.m. to 5:00 p.m., Monday through Friday, from January 29, 2014 through February 28, 2014.

Section 4. Early Voting.

a. Early voting by personal appearance. Early voting by personal appearance shall be conducted beginning on April 28th, 2014 and continuing through May 6th, 2014 in Kennedale at the Kennedale Community Center, 316 W. 3rd Street, Kennedale, Texas 76060 at the following times:

Monday, April 28, 2014	8:00 a.m. – 5:00 p.m.
Tuesday, April 29, 2014	8:00 a.m. – 5:00 p.m.

Wednesday, April 30, 2014	8:00 a.m. – 5:00 p.m.
Thursday, May 1, 2014	8:00 a.m. – 5:00 p.m.
Friday, May 2, 2014	8:00 a.m. – 5:00 p.m.
Saturday, May 3, 2014	7:00 a.m. – 7:00 p.m.
Sunday, May 4, 2014	11:00 a.m. – 4:00 p.m.
Monday, May 5, 2014	7:00 a.m. – 7:00 p.m.
Tuesday, May 6, 2014	7:00 a.m. – 7:00 p.m.

Additional early voting will be conducted at locations throughout Tarrant County as established by the Agreement.

b. Early voting by mail. Steve Raborn, the Tarrant County Election Administrator ("Election Administrator") is hereby designated as Early Voting Clerk for the general election. Applications for early voting by mail may be delivered to the Election Administrator at the following address: Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas 76161-0011, not earlier than March 11, 2014 and not later than close of business on April 25, 2014, if delivered in person, and May 1, 2014, if delivered by mail. Early voting by ballots shall be mailed to the Elections Administrator at the same address.

c. Early Voting Ballot Board. Early voting, both by personal appearance and by mail, shall be canvassed by the Early Voting Ballot Board established by Tarrant County under the terms of the Agreement.

Section 5. **Appointment of Election Judge and Alternate Election Judge.** The Presiding Election Judge and Alternate Presiding Judge shall be appointed by Tarrant County as authorized by Chapter 271 of the Code.

Section 6. **Method of Voting.** The Hart InterCivic eSlate (Direct Recording Electronic Voting System) shall be used for voting by personal appearance and on election day the Hart InterCivic eSlate (Direct Recording Electronic Voting System) and Hart InterCivic eScan (Optical Scan Voting System) shall be used. The City Council hereby adopts the Hart InterCivic eSlate DRE for early voting and the Hart InterCivic eSlate DRE and Hart InterCivic eScan for election day. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

Section. 7. **Governing Law and Qualified Voters.** The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

Section 8. **Publication and Posting of Notice of Election.** Notice of the election shall be given as required by Chapter 4 of the Code.

Section 9. **Submissions to the United States Justice Department.** Tarrant County is authorized to make such submissions as are necessary to the United States Justice Department to seek pre-clearance for any changes in voting practices as authorized by the Voting Rights Act of 1965, as amended.

Section 10. **Necessary Actions.** The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

Section 11. **Runoff Election.** Should a runoff election be required following the canvass of the May 10, 2014 election, the Council hereby orders that a runoff election be held on Saturday, June 21, 2014. The polling place on Election Day for the runoff election shall be at the same polling places as those of the original election and the hours of voting shall be between 7:00 a.m. and 7:00 p.m.

Section 12. **Effective Date.** This resolution shall be effective upon its adoption.

PASSED AND APPROVED this 16th day of January, 2014.

_____
Mayor, John Clark

ATTEST:

_____
Amethyst G. Cirmo, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
Wayne K. Olson, City Attorney

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Staff Report to the Honorable Mayor and City Council

Date: January 16, 2014

Agenda Item No: RECONVENE INTO EXECUTIVE SESSION, IF NECESSARY - A.

I. Subject:
The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding nonconforming uses, and discussion of zoning issues in the city.

II. Originated by:

Bob Hart

III. Summary:
At this time the city council will meet in executive session.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
None

VII. Alternative Actions:

VIII. Attachments: