

KENNEDALE CITY COUNCIL AGENDA

June 15, 2015 REGULAR MEETING

CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION at 5:30 PM

REGULAR SESSION at 7:00 PM

I. CALL TO ORDER

II. 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. Interview two applicants for the 2015-16 Youth Advisory Council
- B. Website Reveal and Review
- C. Discussion of items on regular agenda
- D. City Council may recess to Executive Session

III. REGULAR SESSION

IV. ROLL CALL

V. INVOCATION

VI. UNITED STATES PLEDGE

VII. TEXAS PLEDGE

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

VIII. 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.

IX. 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 from City Council

B. Updates from the Mayor

-Presentation of Sadie Ray Graff Educator Award to Wilda Turner

C. Updates from the City Manager

1. Comptroller awarded the City of Kennedale a Platinum Leadership Circle Award

2. Governance Report

- Executive Limitations

- Balanced Scorecard

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 approval of minutes from the May 16, 2015 Council Workshop

B. Consider approval of the minutes from the May 18, 2015 special meeting-Election Canvass

C. Consider approval of minutes from May 18, 2015 regular meeting

D. Consider approval of Resolution 455 authorizing continued participation with the Steering Committee and authorize payment to Atmos Energy Corporation

E. Consider approval of computer policy update

XI. REGULAR ITEMS

A. Selection of a Mayor Pro-Tem

B. **CASE # PZ 15-05** Public hearing and consideration approval of Ordinance 575 establishing a new zoning district and district regulations for an area identified as the Downtown Village in the comprehensive land use plan.

1. Staff presentation

2. Public hearing

3. Staff response and summary

4. Action by the City Council

C. **Case PZ 15-06** Public hearing and consideration approval of Ordinance 576 regarding a city-initiated zoning change for various properties within an approximately 170-acre tract in the City of Kennedale Addition, George A Lowery Addition, Gregory Addition, Prather Subdivision, Jacob Prickett Survey A-1225, Roberson Addition, Sather Addition, Soto Addition, C B Teague Survey A-1506, Woodlea Acres Addition, James A Arthur Addition, Cazanda Rose Survey A-1285, B T Webb Subdivision, Municipal Addition, C A Boaz Subd of J B Renfro Survey, Carol Heights, Jacob Prickett Addition, and Jesse B Renfro Survey A-1260, Tarrant County, Texas, to a sub-district with the "OT" Old Town zoning district.

- A. Staff presentation
- B. Public hearing
- C. Staff response and summary
- D. Action by the City Council
- D. Consider authorizing the Mayor to sign a Letter of Agreement with the Tax Increment Reinvestment Zone for two Professional Service Agreements

XII. EXECUTIVE SESSION

A. The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

- 1. City Manager's Annual Evaluation

B. The City Council will meet in closed session pursuant to Section 551.072 of the Texas Government Code to deliberate the purchase, lease, or value of real property

- 1. Land acquisition at 925 E. Kennedale Parkway

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

XIV. 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 the City Secretary at 817.985.2104 or (TDD) 1.800.735.2989

CERTIFICATION

I certify that a copy of the June 15, 2015, 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.



Leslie Galloway, City Secretary

Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: WORK SESSION - A.

I. Subject:

Interview two applicants for the 2015-16 Youth Advisory Council

II. Originated by:

Leslie Galloway, Communication Coordinator

III. Summary:

City Council conducts interviews with potential candidates for the 2015-16 Youth Advisory Council (YAC).
Emily Marr
Aaron Helm

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	Youth Advisory Council (YAC) applicants	YAC Interviews.pdf
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Leslie

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Please take a moment to review eligibility requirements and board responsibilities before completing your application:

[Eligibility Requirements & Additional Information](#)

Application Deadline: Sunday, April 5th

Thank you for your interest in serving on the Youth Advisory Council! In order for your application to be submitted all required information (including attached references and essay) must be included.

Please note that applications are kept on file with the City Secretary for two (2) years. Even if you are not appointed immediately, you could be contacted at a later date if a vacancy occurs.

[Save Changes](#)[Cancel](#)

Form Details

SUBMITTED BY

SUBMITTED ON

April 1, 2015 11:14 AM

IP ADDRESS

99.33.62.56

REFERRER

<http://tx-kennedale.civicplus.com/FormCent...>
Secretary-Forms-5/Application-Appointment-to-the-Youth-Adv-137

Answered 22 of 27 (81.5%)

Contact Information

First Name*

Aaron

Last Name*

Helm

Address*

515 steeplechase trail

City*

Kennedale

State*

tx

Zip*

76060

Mailing Address (if different)

City

State

Zip

Primary Phone*

8174784817

Alternate Phone

8178464578

Email*

sport97@att.net

Please note that the majority of communication is conducted via email.

Eligibility Requirements

Age*

- ☐ 15
☐ 16
☒ 17
☐ 18
☐ 19

Grade*

- ☐ 8th
☐ 9th
☐ 10th
☒ 11th
☐ 12th

Please select the answer that describes you:*

- ☐ I reside within the corporate boundaries of the City of Kennedale.
☐ I reside within the boundaries of the Kennedale Independent School District, but not the City of Kennedale.
☒ I attend a state-recognized school or homeschool within the corporate boundaries of the City of Kennedale.

You must fall into one of the categories above to qualify.

Short Answer Questions

50-100 words

How do you feel your personality and leadership style would help the YAC to achieve its goals? *

I believe hard work and dedication will lead to prosperity and with that mind set I would like to think I could help the YAC in any area I am assigned too.

Tell us about a time when you had to deal with an opinion that was different from your own. How did you resolve the difference in opinion?*

Everyone you will every encounter will always has, at least, one different opinion than you. With that said, compromise is always the best way to go. Trying to find a good balance in-between each other persons idea will lead to better understanding of each others opinion, while at the same time reaching a unified goal.

Describe how you handle multiple responsibilities. For example, balancing schoolwork, afterschool activities, family, etc.*

I personally like to "knock out" each subject one at a time, so that in the process my mind is not going in 5 different direction at once. I believe organization and goals are the best way to achieve what you have set out to do.

What values do you publicly display through social networking sites, blogs, pictures, bumper stickers, clothing, etc. How do you present yourself to the world?*

I would like to say I'm a very motivational guy, I like to help others through inspiration. I am also very family oriented, so I like to involve them in my social media.

Are there specific areas of city government and the City Council decision making process that you find exciting and would like to be a part of?*

I do not have any specific areas I would like to work and learn in; I'm very open to wherever I am put.

In what other activities are you currently involved (sports, clubs, groups, job, etc)? How much time do you expect to devote to YAC meetings and activities?*

I am currently not playing any sports, but I do excersise frequently. I expect however as much time is needed of me for meeting/ activities.

Attendance at YAC meetings and events is very important.

.....

Please include contact information in letters of recommendation.

1. Letter of Recommendation*

[Aaron Helm Letter.pdf](#)

Please upload attachment here

2. Letter of Recommendation*

[Letter.docx](#)

Please upload attachment here.

Essay

Why do I think participating in my local government and community is important? I believe that it will help me get a better understanding of how our city works, while at the same time helping improve the community in the process. Helping the community not only allows for activities and work but it allows the city to form a bond with those who dwell within our city, who could very well be our neighbors. It is important to make this relationship with the community so that we can better understand the problems that occur, allowing us to act on those problems and fixing them in a quick and loving manner. What kind of impact do I hope to leave on Kennedale as a member of the YAC? I hope that I can leave the position and look back on the experience thinking that I did everything in my power to do the best for this city and community. I don't want to leave this position, if I am chosen, and have nothing to show for it. I want to leave a lasting impression on this community, one that will guide it in its future years to better prosperity.

Important Dates

Wednesday, April 1st at 5:00 p.m.

Application Deadline

Monday, April 20th at 5:30 p.m.

Candidate Interviews

City Council Working Session

Council Chambers in City Hall

405 Municipal Drive

Kennedale, TX 76060

Monday, April 27th

Accepted candidates notified via email

Monday, May 18th at 7:00 p.m.

Official appointments made

City Council Meeting

Council Chambers in City Hall

405 Municipal Drive

Kennedale, TX 76060

SIGNATURE*

Aaron Helm

By typing my name in the box above, I verify that all information included on this application is true and correct to the best of my knowledge.

Greg Adams



601 Wildcat Way • Kennedale, Texas 76060 • Phone: (817) 312-7471
E-Mail: gadamslbchurch@sbcglobal.net

Date: April 1, 2015

To Whom It May Concern:

As Aaron's pastor for the past several years I have had the opportunity of observing his conduct and character. Aaron is a young man who demonstrates the qualities of authentic leadership. He understands and practices service above self and leads with a quiet but confident demeanor. While Aaron is an independent thinker he also knows the value of working toward the common good.

Aaron will be an asset to your council. It is an honor and privilege to recommend him to you.

Sincerely,

Greg Adams
Pastor / Elder
Covenant Life Baptist Church

March 31, 2015

RE: Youth Advisory Council application – Aaron Helm

To whom it may concern:

I am pleased to write a letter in support of the appointment of Aaron Helm to the Youth Advisory Council. I have known Aaron for some four years through the Church youth program at Covenant Life Baptist Church, Kennedale. Aaron works well with the youth and adults in our church. He has participated on both a mission trip and camp. He has worked at a number of events, including Art in the Park, in order to raise funds for both trips. During these times he has worked long hours with a great attitude. Aaron has also traveled widely and thus could add a new perspective to the YAC discussions. Moreover because Aaron is home-schooled, he will broaden the outreach of the YAC. If you have any questions about Aaron, please contact me. I remain,

Sincerely yours,



Bob Hart
City Manager

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Leslie

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Please take a moment to review eligibility requirements and board responsibilities before completing your application:

[Eligibility Requirements & Additional Information](#)

Application Deadline: Sunday, April 5th

Thank you for your interest in serving on the Youth Advisory Council! In order for your application to be submitted all required information (including attached references and essay) must be included.

Please note that applications are kept on file with the City Secretary for two (2) years. Even if you are not appointed immediately, you could be contacted at a later date if a vacancy occurs.

[Save Changes](#)[Cancel](#)

Form Details

SUBMITTED BY

SUBMITTED ON

March 30, 2015 9:42 PM

IP ADDRESS

99.174.200.158

REFERRER

<http://tx-kennedale.civicplus.com/FormCent...Secretary-Forms-5/Application-Appointment-to-the-Youth-Adv-137>

Answered 21 of 27 (77.8%)

Contact Information

First Name*

Emily

Last Name*

Marr

Address*

5601 Blue Meadow Trail

City*

Arlington

State*

Texas

Zip*

76017

Mailing Address (if different)

City

State

Zip

Primary Phone*

817-793-5295

Alternate Phone

Email*

emilyjoyce11@yahoo.com

Please note that the majority of communication is conducted via email.

Eligibility Requirements

Age*

- ☒ 15
☐ 16
☐ 17
☐ 18
☐ 19

Grade*

- ☐ 8th
☒ 9th
☐ 10th
☐ 11th
☐ 12th

Please select the answer that describes you:*

- ☐ I reside within the corporate boundaries of the City of Kennedale.
☒ I reside within the boundaries of the Kennedale Independent School District, but not the City of Kennedale.
☐ I attend a state-recognized school or homeschool within the corporate boundaries of the City of Kennedale.

You must fall into one of the categories above to qualify.

Short Answer Questions

50-100 words

How do you feel your personality and leadership style would help the YAC to achieve its goals? *

I am very responsible and cooperative. I like listening to everyone's opinions and I like knowing what everyone is thinking. I am also very determine to get things done.

Tell us about a time when you had to deal with an opinion that was different from your own. How did you resolve the difference in opinion?*

One time a friend told me that they think cheer is easy and that it's not considered a sport. In my opinion I think cheer is a sport but not everyone acknowledges all of the hardwork that's put into it. I just told them that it's very hard and involves a lot of teamwork but they can think what they would like.

Describe how you handle multiple responsibilities. For example, balancing schoolwork, afterschool activities, family, etc.*

I do well with managing time. I am one of those people that doesn't like puting things off so I make sure I get everything I need to get done finished.

What values do you publicly display through social networking sites, blogs, pictures, bumper stickers, clothing, etc. How do you present yourself to the world?*

I recently deleted all of my social media accounts. I don't want to be apart of the negativity that's on there. I thought it would be best if I took a break from social media for a while.

Are there specific areas of city government and the City Council decision making process that you find exciting and would like to be a part of?*

I would like to become more familiar in the finance division. I think it would be interesting to see where the majority of Kennedale's money is going.

In what other activities are you currently involved (sports, clubs, groups, job, etc)? How much time do you expect to devote to YAC meetings and activities?*

I am currently involved in school cheer, PTA, student council, and my church group. I would do the best I can to attend every meeting of YAC and participate in all of the volunteer work YAC is doing.

Attendance at YAC meetings and events is very important.

.....

Please include contact information in letters of recommendation.

1. Letter of Recommendation*

[image.jpg](#)

Please upload attachment here

2. Letter of Recommendation*

[image.jpg](#)

Please upload attachment here.

Essay

I think participating in your local government is important because you have the privilege to have the say to what goes on in your community. Your opinion about something that you think should be happening in your area is finally heard and it's always a good thing to voice what you think. You get to be open-minded about new ideas to help better your community and local government. If I got the chance to be apart of YAC, I would like to try to make sure that all go the negative stuff going on at the Kennedale Schools gets handled and resolved.

Important Dates

Wednesday, April 1st at 5:00 p.m.

Application Deadline

Monday, April 20th at 5:30 p.m.

*Candidate Interviews
City Council Working Session
Council Chambers in City Hall
405 Municipal Drive
Kennedale, TX 76060*

Monday, April 27th

Accepted candidates notified via email

Monday, May 18th at 7:00 p.m.

*Official appointments made
City Council Meeting
Council Chambers in City Hall
405 Municipal Drive
Kennedale, TX 76060*

SIGNATURE*

Emily Marr

By typing my name in the box above, I verify that all information included on this application is true and correct to the best of my knowledge.

March 1, 2015

Youth Advisory Council,

This year, I have the honor of teaching Emily Marr in my Spanish 2 Pre-AP class at Kennedale High School. I have been able to observe this young lady in an academic setting that has shown me she possesses strong leadership and people skills. I have also been able to work with Emily as her Student Council sponsor this year.

Despite being young, Emily Marr has already shown she is willing to take part in several groups/organizations at KHS and has gained some valuable experience in her freshman year.

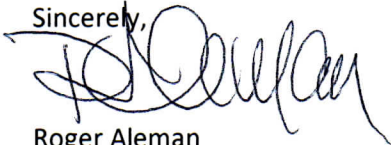
Emily has been a part of the Kennedale Student Council this year, serving as a class representative. She also was in Student Council her 9th grade year. During her freshman year, she was able to take part in the StuCo volunteer program at Mission Arlington. She, along with her fellow StuCo representatives, sorted and boxed up over 50 boxes of donated toys.

Emily was also a part of the National Junior Honor Society, and was on the 7th and 8th A-Honor Roll in Junior High.

This year, Emily has also worked on her leadership skills, and her school pride, by being a part of the Kennedale cheer squad. She has been a member of the cheer squad for 3 years. She has also been nominated, and won, for Best Flyer by her fellow squad members.

Emily is also working on her school support by being a member of the PTA. I would highly recommend Emily Marr to be a member of your Youth Advisory Council. She has proven that she will be one of our future school leaders by already taking part in several activities and groups in our school.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roger Aleman', with a stylized, cursive script.

Roger Aleman

Spanish 2 Pre-AP Teacher, Student Council Sponsor



Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: WORK SESSION - B.

I. Subject:

Website Reveal and Review

II. Originated by:

III. Summary:

Communication Coordinator and City Secretary, Leslie Galloway will reveal the new City website for City Council review.

IV. Fiscal Impact Summary:

V. Legal Impact:

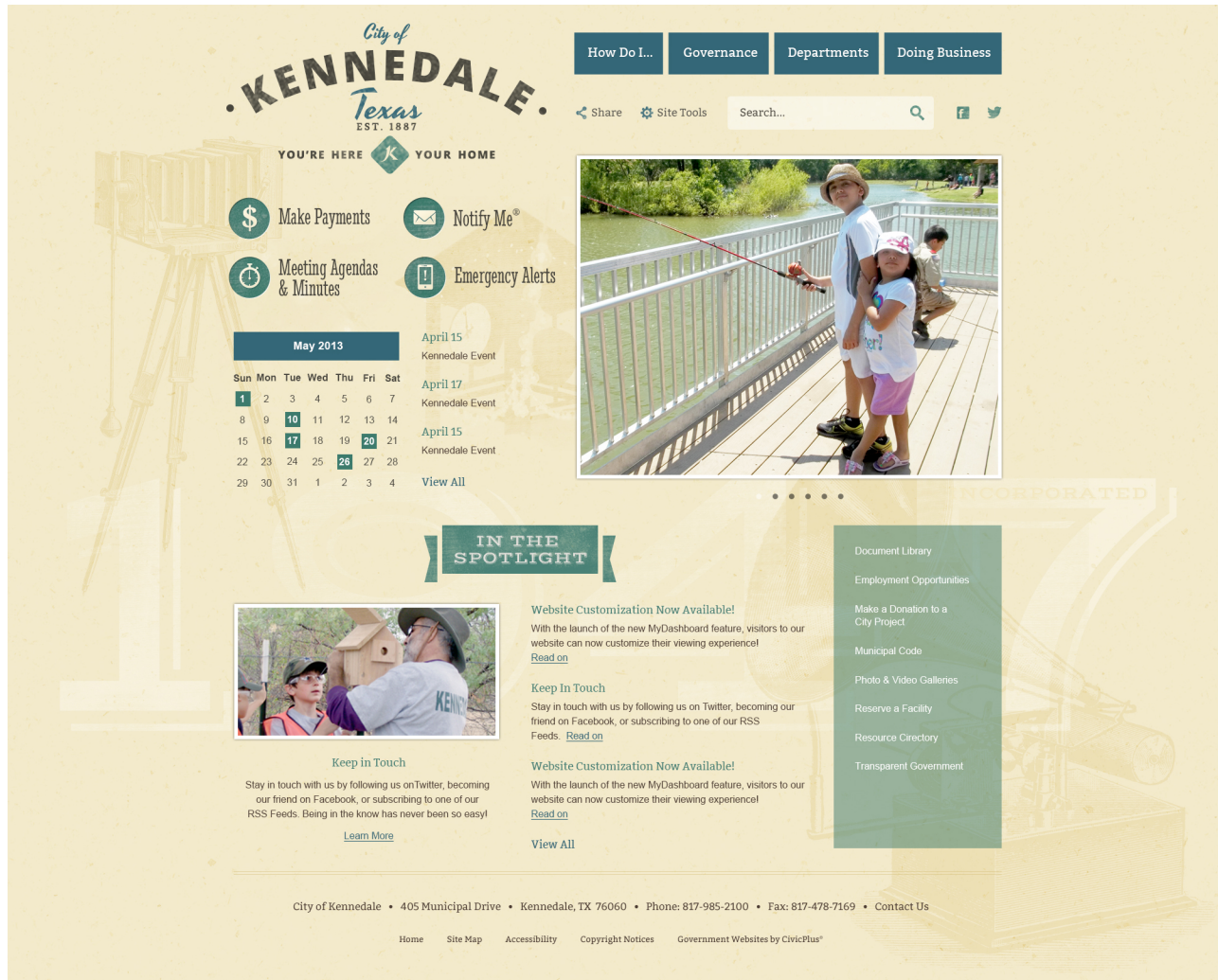
VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	Website Redesign	web redesign changes.pdf
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Proposed design with our requested changes applied.





Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: WORK SESSION - D.

I. Subject:

City Council may recess to Executive Session

II. Originated by:

III. Summary:

At this time the City Council will meet in executive session.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: REPORTS/ANNOUNCEMENTS - A.

I. Subject:

Updates from City Council

II. Originated by:

City Council, City Council

III. Summary:

Updates and information.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:



Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: REPORTS/ANNOUNCEMENTS - B.

I. Subject:

Updates from the Mayor

-Presentation of Sadie Ray Graff Educator Award to Wilda Turner

II. Originated by:

III. Summary:

Updates and information from the Mayor.

-Presentation of Sadie Ray Graff Educator Award to Wilda Turner

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:



Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: REPORTS/ANNOUNCEMENTS - C.

I. Subject:

Updates from the City Manager

1. Comptroller awarded the City of Kennedale a Platinum Leadership Circle Award
2. Governance Report
 - Executive Limitations
 - Balanced Scorecard

II. Originated by:

Bob Hart

III. Summary:

Updates and information, if any.

1. Comptroller awarded the City of Kennedale a Platinum Leadership Circle Award
Kennedale earned a Platinum Leadership Circle Award for financial transparency from the Comptroller.
The designation is valid from one year.
2. Governance Reports

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	Texas Comptroller Leadership Circle Platinum Member	Award.pdf
2.	Executive Limitations Report	Executive Limitations.docx



Texas Comptroller Leadership Circle Platinum Member

awarded to

City of Kennedale

For continued progress toward achieving financial transparency. The Texas Comptroller's Leadership Circle program recognizes local governments across Texas that are striving to meet a high standard for financial transparency online. Your efforts to provide citizens with clear, consistent pictures of spending and share information in a user-friendly format have paved the way for achieving greater financial transparency.

June 4, 2015

A handwritten signature in black ink, appearing to be "Al Flores", written over a horizontal line.

POLICY TYPE: EXECUTIVE LIMITATIONS
POLICY TITLE: GLOBAL EXECUTIVE CONSTRAINT

The City Manager shall not cause or allow any organizational practice, activity, decision, or circumstance that is either unlawful, imprudent, or in violation of commonly accepted business and professional ethics.

City operations are in compliance with the global constraint policy. .

POLICY TYPE: EXECUTIVE LIMITATIONS
POLICY TITLE: TREATMENT OF CUSTOMERS OF CITY SERVICES

With respect to interactions with customers, the City Manager shall not cause or allow conditions, procedures, or decisions that are unsafe, untimely, undignified, or unnecessarily intrusive.

The City Manager will not:

1. Elicit information for which there is no clear necessity.
2. Use methods of collecting, reviewing, transmitting, or storing customer information that fail to protect against improper access to the material
3. Operate facilities without appropriate accessibility and privacy.
4. Operate without establishing with customers a clear understanding of what may be expected and what may not be expected from the service offered.
5. Operate without informing customers of this policy or providing a way to be heard for persons who believe that they have not been accorded a reasonable interpretation of their rights under this policy.

City operations are operating in compliance with the policy on treatment of customers.

POLICY TYPE: EXECUTIVE LIMITATIONS
POLICY TITLE: TREATMENT OF STAFF

With respect to the treatment of paid and volunteer staff, the City Manager shall not cause or allow conditions that are unfair, undignified, disorganized, or unclear.

The City Manager will not

1. Operate without written personnel rules that (a) clarify rules for staff, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions, such as nepotism and grossly preferential treatment for personal reasons.
2. Retaliate against any staff member for non-disruptive expression of dissent.

3. Allow staff to be unaware of City Manager's interpretations of their protections under this policy.
4. Allow staff to be unprepared to deal with emergency situations.

City operations are in compliance with the treatment of staff policy. Staff is heavily involved in the preparation of an asset management plan.

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: EMERGENCY CITY MANAGER SUCCESSION

In order to protect the Council from sudden loss of the City Manager Services, the City Manager shall not permit there to be less than one other person familiar enough with Council and City Manager issues and procedures to be able to maintain organization services.

Kelly Cooper is the most informed of staff members. The department heads collectively are aware of on-going activities and projects, and I have been more attentive to this in staff meetings.



Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: CONSENT ITEMS - A.

I. Subject:

Consider approval of minutes from the May 16, 2015 Council Workshop

II. Originated by:

Kathy Moore, Deputy City Secretary

III. Summary:

Please see the attached minutes for your approval

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	City Council Budget Workshop Meeting Minutes - May 16, 2015	May 16, 2015 - Budget Workshop.pdf
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KENNEDALE CITY COUNCIL

MINUTES

SPECIAL BUDGET WORKSHOP

May 16, 2015

KENNEDALE CHAMBER OF COMMERCE, 205 W KENNEDALE PARKWAY

WORK SESSION – 8:00 AM

I. CALL TO ORDER

Mayor Johnson called the City Council Budget Workshop to order at 8:05 a.m.

II. ROLL CALL

Present: Brian Johnson, Charles Overstreet, Michael Walker, Kelly Turner, Frank Fernandez, and Liz Carrington

Absent: None

Staff Present: Bob Hart, Bounmy Sibounheuang, Hong Muyheng, Facilitator Mike Conduff

III. WORK SESSION

A. Discussion on Governance Practices

City Council discussed the current governance policies.

B. Discussion to set priorities for FY 2015-16 Annual Operating Plan

City Council and staff discussed and set priorities for the upcoming FY 2015-16 annual operating budget.

IV. ADJOURNMENT

The meeting was adjourned at 1:50 p.m.

APPROVED:

ATTEST:

Brian Johnson, Mayor

Leslie Galloway, City Secretary



Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: CONSENT ITEMS - B.

I. Subject:

Consider approval of the minutes from the May 18, 2015 special meeting-Election Canvass

II. Originated by:

III. Summary:

Please see the attached minutes for your approval.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	City Council Election Business Meeting Minutes - May 18, 2015	5.18.15 Election Business.pdf
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KENNEDALE CITY COUNCIL
MINUTES
SPECIAL MEETING-ELECTION CANVASS
May 18, 2015
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE
REGULAR SESSION - 5:15 PM

I. CALL TO ORDER

Mayor Johnson called the meeting to order at 5:13 p.m.

Present: Frank Fernandez, Brian Johnson , Kelly Turner, Liz Carrington, Charles Overstreet, Michael Walker
Absent: None

II. ELECTION BUSINESS

A. Certification of official returns by the City Secretary

Communications Coordinator and City Secretary, Leslie Galloway presented the official election return to City Council for their review.

B. A Resolution canvassing the returns and declaring the results of the general election held on May 9, 2015, for the purpose of electing Council Members for the City of Kennedale

The election canvass was presented and reviewed for approval by Resolution 453.

Motion To approve Resolution 453 the election canvass returns and declare the results of the municipal election held on May 9, 2015. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Frank Fernandez.

Motion passed Unanimously

C. Oath of Office for Charles Overstreet, City Council Place 1, 2015-2017 term

City Secretary, Leslie Galloway administered the Oath of Office to Charles Overstreet, for City Council, Place 1, for a two year term - 2015-2017.

D. Oath of Office for Mike Walker, City Council Place 3, 2015-2017 term

City Secretary, Leslie Galloway administered the Oath of Office to Mike Walker, for City Council, Place 3, for a two year term - 2015-2017.

E. Oath of Office for Frank Fernandez, City Council Place 5, 2015-2017 term

City Secretary, Leslie Galloway administered the Oath of Office to Frank Fernandez, for City Council, Place 5, for a two year term - 2015-2017.

III. ADJOURNMENT

Motion To Adjourn Election Business Meeting. **Action** Adjourn, **Moved By** Frank Fernandez, **Seconded By** Charles Overstreet.

Motion passed Unanimously

The meeting was adjourned at 5:18 p.m.

APPROVED:

ATTEST:

Brian Johnson, Mayor

Leslie Galloway, City Secretary



Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: CONSENT ITEMS - C.

I. Subject:

Consider approval of minutes from May 18, 2015 regular meeting

II. Originated by:

Kathy Moore, Deputy City Secretary

III. Summary:

Please see the attached minutes for your approval

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	City Council Meeting Minutes - May 18, 2015	May 18, 2015.pdf
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KENNEDALE CITY COUNCIL
MINUTES
REGULAR MEETING
May 18, 2015
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

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

I. CALL TO ORDER

Mayor Johnson called the meeting to order at 5:31 p.m.

II. 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. Interview potential candidates for the 2015-16 Youth Advisory Council

City Council interviewed the following applicants for the Youth Advisory Council: Danielle Quaye, Jillian Melbourne, Samantha Randolph, Alexa Neifert, Carson Ham, Danielle Hall, Katherine Randolph, Marissa Brennan, Minh-Son Nguyen, and Noet Avila.

B. Interview potential candidate for Place 5 vacancy on the Planning and Zoning Commission

City Council interviewed Jeff Whitacre for the Planning and Zoning Commission - Place 5.

C. Presentation by SJR Planning for the Downtown Village Project

City Planner, Rachel Roberts provided a brief overview of the project to date and introduced SJR Planning Consultant, Shai Roos. Ms. Roos gave a progress update to Council covering the zoning regulations for the Downtown Village Project. She noted that the City had a very successful rate of participation; stating that 10% of the City's population had participated in the process in some form. Shai Roos highlighted the objectives, stating that they want to create a desirable place for residents and businesses, which will encourage more residential and retail to the area.

D. Discussion of items on regular agenda

There was no discussion on this item.

III. REGULAR SESSION

Mayor Johnson opened the regular session at 7:01 p.m.

IV. ROLL CALL

Present: Frank Fernandez, Brian Johnson , Kelly Turner, Liz Carrington, Charles Overstreet, Michael Walker

Absent: None

V. INVOCATION

VI. UNITED STATES PLEDGE

VII. TEXAS PLEDGE

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

VIII. 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.

John DeSilvia, 311 Autumwood Court spoke regarding a flooding issue. He stated that every time it rains, water runs from Kennedale Junior High into his development and floods the yards. He did speak with Building Inspection and Public Works, but the problem has not been resolved. Mr. DeSilvia presented a video by cell phone for Council to review. Staff will meet on the matter.

It was announced that Falconwood Estates Homeowners Association will hold a continental Breakfast for City employees on Friday, June 12, 2015, 7:00-9:30 am at the Kennedale Community Center.

IX. 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 from City Council

Liz Carrington stated that she attended the Congress of New Urbanism conference which talked about making Cities more walkable.

Charles Overstreet stated that he had also attended the conference and enjoyed a speaker who spoke about improving racial relations in communities.

B. Updates from the Mayor

1. Certificates of appreciation to the 2014-2015 Youth Advisory Council
2. Proclamation presentation in recognition of Motorcycle Safety Awareness Month

Mayor Johnson and Mayor Pro-Tem Turner recognized members of the 2014-2015 Youth Advisory Council for their service and presented each member with certificates of appreciation.

Mayor Johnson read aloud a proclamation in recognition of Motorcycle Safety Awareness Month and presented it to the represented group.

C. Updates from the City Manager

1. Governance Report

- Executive Limitations
- Balanced Scorecard

City Manager, Bob Hart introduced the ICMA International Fellows, who are being sponsored by the City for the month of May. Bob stated that they would be providing presentations later on in the agenda.

Additionally, Bob Hart stated that Michael Miller, a young man who works in the Public Works Department recently found a wallet with \$2000 in it and turned it to the local business where it was found. The Business owner stated that this was the second time Michael had found money and turned it in; adding that he was happy to live in a community with such honest City employees.

The governance reports are attached for review.

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 approval of minutes from April 20, 2015 regular meeting

B. Consider approval of minutes from the May 7, 2015 Council Workshop

C. Consider adopting Resolution 448, amending authorized representatives of TEXPOOL local government investment pool

D. Consider adopting Resolution 449, amending authorized representatives of Texas short term asset reserve program (TEXSTAR) local government investment pool

E. Consider adopting Resolution 450, amending authorized representatives of Texas Term/Texas Daily local government investment pool

F. Consider authorizing City Manager to execute a contract with Tarrant County Tax Office for the assessment and collection of ad valorem taxes levied by the City of Kennedale for the 2015 tax year

G. Consider approval of Resolution 451 authorizing continued participation with the Steering Committee and authorize payment to Oncor Electric Delivery Company, LLC

H. Consider approval of Resolution 452 approving a negotiated settlement between the atmos cities steering committee and Atmos Energy Corp., mid-tex division regarding the company's 2014 and 2015

rate review mechanism filings

I. City Council to consider approval of Resolution 454 approving the sale of property held for delinquent taxes, located at 200 - 202 Sixth Street

Motion To approve consent agenda. **Action** Approve, **Moved By** Kelly Turner, **Seconded By** Charles Overstreet.

Motion passed Unanimously

XI. REGULAR ITEMS

A. City Council to make appointments to the 2015-16 Youth Advisory Council

City Council interviewed Danielle Quaye, Jillian Melbourne, Samantha Randolph, Alexa Neifert, Carson Ham, Danielle Hall, Katherine Randolph, Marissa Brennan, Minh-Son Nguyen, and Noet Avila during the Work Session for appointment to the Youth Advisory Council (YAC).

Motion To appoint all interviewed applicants to the Youth Advisory Council. **Action** Approve, **Moved By** Mike Walker, **Seconded By** Kelly Turner.

Motion passed Unanimously

B. City Council to make an appointed to the Planning and Zoning Commission

City Council interviewed Jeff Whitacre during the Work Session for Place 5 on the Planning and Zoning Commission.

Motion To appoint Jeff Whitacre to the Planning and Zoning Commission, Place 5. **Action** Approve, **Moved By** Frank Fernandez, **Seconded By** Liz Carrington.

Motion passed Unanimously

C. Consider approval of Ordinance 571 re-appointing Kennedale Municipal Court Presiding Judge, William "Bill" Lane and Associate Judge, Craig Magnuson, and re-appointing Erin Bakker, as the alternative Associate Judge

City Manager Bob Hart stated that as required by Section 9.03 of the City of Kennedale Home Rule Charter, appointments/reappointments are to be made every two years for the presiding Municipal Court Judge, Associate Judge, and alternative Associate Judge, to run concurrent with the Mayor's term.

Bob informed the Council that the appointments were overlooked last year and that staff is requesting the approval of Ordinance 571 to reappoint Judge William "Bill" Lane and Associate Judge Craig Magnuson, and alternate Associate Judge Erin Bakker for a one-year term only; noting that this will bring the appointments back to the prescribed schedule.

Motion To make a one-year reappointment for presiding Municipal Court Judge, Associate Judge, and alternative Associate Judge. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Kelly Turner.

Motion passed Unanimously

D. Consider approval of personnel policy update

Director of Human Resources, Kelly Cooper presented three purposed personnel policy changes for Council approval. She stated that the following were the purposed changes:

1. Vacation Policy - When leaving the City of Kennedale, employees will be paid for the full amount of vacation earned, up to the maximum accrual.
2. Sick Leave Policy - When leaving the City of Kennedale, employees must have five years of service to be paid for sick leave.
3. Probationary Period for Police and Fire - Police and Fire employees will begin their one-year probationary period after completion of their FTO training.

There was Council discussion and questions were answered by Kelly Cooper.

Motion To approve the purposed personnel policy updates. **Action** Approve, **Moved By** Liz Carrington, **Seconded By** Charles Overstreet.

Motion passed Unanimously

E. Consider approval of Ordinance 572 amending Chapter 15 - Nuisances of the Code of Ordinances of the City of Kennedale, Texas by adding a new Section 15-3 (b) -Certain cars, appliances declared nuisance

Police Chief, Tommy Williams stated that effective March 1, 2015 the Texas Legislature removed the violation of displaying an expired inspection sticker from the Transportation Code. Inspections are now included in the requirement for a renewed vehicle registration. This change in the law has necessitated a change to our nuisance ordinance covering inoperable vehicles. Chief Williams noted that the City Attorney reviewed the ordinance in its entirety. City Attorney, Wayne Olson stated that he reviewed and updated the entire nuisance ordinance, as a result of the state law change for junk vehicles.

Motion To approve Ordinance 572 amending Chapter 15 Nuisances of the Code of Ordinances.

Action Approve, **Moved By** Charles Overstreet, **Seconded By** Kelly Turner.

Motion passed Unanimously

F. Presentation of the ICMA/State Department International Fellows

Hong Muyheng, Cambodia

Bounmy Sibounheang, Laos

Hong Muyheng from Cambodia and Bounmy Sibounheang from Laos are being sponsored by the City of Kennedale through the ICMA/State Department International Fellows program. Muyheng and Bounmy each made a presentation to Council providing an overview of their Countries and the challenges they face as Human Resource professionals.

G. Proclamation presentation in recognition of IMCA International Fellow - Hong Muyheng

Proclamation presentation in recognition of ICMA International Fellow - Bounmy Sibounheang

Mayor Brian Johnson stated that the City will host a going away reception for the Fellows on Thursday, May 28, 2015 at 5:30 pm; additionally he added that the City is declaring that day, May 28th as Hong Muyheng and Bounmy Sibounheang Day in the City of Kennedale. A formal presentation of the proclamations were made to both recipients.

XII. EXECUTIVE SESSION

Mayor Johnson recessed into executive session at 8:41 p.m.

A. The City Council may meet in closed session at any time during the work session or the regular 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 on any item posted on the agenda and the following items:

1. 925 E. Kennedale Parkway

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

Mayor Johnson reconvened into open session at 8:51 p.m.

Motion To authorize the City Manager to make an offer for the purchase of property at 925 E. Kennedale Parkway, in an amount not to exceed the price discussed in Executive Session. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Kelly Turner.
Motion passed Unanimously

XIV. ADJOURNMENT

The meeting was adjourned at 8:54 p.m.

APPROVED:

ATTEST:

Brian Johnson, Mayor

Leslie Galloway, City Secretary

Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: CONSENT ITEMS - D.

I. Subject:

Consider approval of Resolution 455 authorizing continued participation with the Steering Committee and authorize payment to Atmos Energy Corporation

II. Originated by:

III. Summary:

Most municipalities have retained original jurisdiction over gas utility rates and services within municipal limits. The Atmos Cities Steering Committee ("ACSC") is composed of municipalities in the service area of Atmos Energy Corporation, Mid-Tex Division regardless of whether original jurisdiction has been retained. Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years experience in regulating natural gas rates in Texas.

ACSC is the largest coalition of cities served by Atmos Mid-Tex. There are 165 ACSC member cities, which represent more than 60 percent of the total load served by Atmos-Mid Tex. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of residential and small commercial customers within the cities. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

ACSC is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Atmos within the City. These activities will continue throughout the calendar year. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that ACSC be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Resolution 455	Resolution 455.docx
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RESOLUTION NO. 455

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION

WHEREAS, the City of Kennedale is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

WHEREAS, the City is a member of ACSC; and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs; NOW THEREFORE,

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

I.

That the City is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Kennedale and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

II.

The City is further authorized to pay its 2015 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

III.

A copy of this Resolution and approved assessment fee payable to “*Atmos Cities Steering Committee*” shall be sent to:

David Barber
Atmos Cities Steering Committee
c/o Arlington City Attorney’s Office, Mail Stop 63-0300
Post Office Box 90231
Arlington, Texas 76004-3231

PRESENTED AND PASSED on this the _____ day of _____, 2015, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of _____, Texas.

ATTEST:

Signature
Mayor

Signature
City Secretary

APPROVED AS TO FORM:
City Attorney

BY _____



Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: CONSENT ITEMS - E.

I. Subject:

Consider approval of computer policy update

II. Originated by:

Kelly Cooper, Director of Human Resources

III. Summary:

The Computer Resource and Other Communication Systems policy updates are in response to increasing threats of cyber attacks on local governments. The policy changes tighten up controls for the protection of city owned equipment and explain in greater detail how the Texas Public Information Act applies to the use of personal devices when emailing or working from home.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Computer Resources and Other Communication Systems Policy	Computer Policy Update.2015.docx
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6.7 COMPUTER RESOURCES AND OTHER COMMUNICATION SYSTEMS

Purpose. The City provides computer resources for the purpose of accomplishing tasks related to the City's mission. The purpose of this policy is to establish guidelines to derive the benefits of increased efficiency through the use of the City equipment, resources, use of email, ~~internet~~ networks, server and home page, while ensuring the protection of information assets and City integrity. The City believes the proper use of this technology saves time and money, reduces administrative overhead and improves service to the community. This policy is also enacted to preserve the integrity of the City's internal information, ensure compliance with anti-harassment and discrimination policies and prevent workplace violence and theft or misuse of City information or records.

Definitions. This policy uses the following definitions:

- A. **Computer Resources** includes hardware, software, communications networks, accounts, electronic storage media, electronic mail systems, manuals and other documentation, including those systems administered centrally or within a department, in whatever form, model, or configuration and using whatever operating systems, platforms or interfaces and whether single or multi-user, PC or network server, etc.
- B. **Data** includes all files of any kind, regardless of size, format, or on what media stored or written, including but not limited to email messages, systems logs, databases, and stored information such as documents, diskettes, thumb or flash drives, etc. and commercial and locally developed software. The term also includes handwritten or printed material in paper form.
- C. **Users** include employees, volunteers and any other affiliate or individual with access to use the City's computer resources. This does not include however, the public use of the internet through the Public Library.
- D. **Provider** includes an entity that provides Internet, email, or other computer resources over a network.
- E. **Network** includes internets, intranets, local or wide area networks, and other networks of any kind. For example: a public provider is Google, a private provider is the City of Kennedale.
- F. **Other Communication Systems** includes telephone communication systems, ~~paggers~~, postage meter, copy machines, facsimiles, telephone service and voice mail, cell phones and other related equipment used to conduct City business.

City Property. All of the City's computer resources, data, networks and other communications systems and stored information which is or has been transmitted, received, or contained in the City's information systems (including, without limitation, e-mail, Internet, ~~pag~~ers, voice mail, facsimiles, and information stored on computer hard drives, City thumb drives, or other data storage devices) are the City's property and are to be used solely for role-related purposes. Use of City computer resources is a privilege, not a right. When using these resources, users must agree to abide by the applicable policies of the City as well as federal, state and local laws. **Users are not entitled to any expectation of privacy with respect to using computer resources, data, networks or other communications systems.**

Password Security. Any form of access or user account on any system that resides at any City facility, has access to the City network, or stores any non-public information requires user identification and system password. This form of authentication is essential in order to identify the person using an account as the authorized user and to prevent misuse by unauthorized users. The following guidelines apply to all computer users (as previously defined):

1. Only the account user is allowed to login or use the computer as the user that the account is assigned to. You must not share your password with anyone under any circumstance and no individual can force you to reveal your password for any reason. If misuse of computer profiles is tracked to your account, you will be assumed to have been the only person to know the password and will be held accountable for any misuse or unauthorized activity that may lead to discipline up to and including termination.

- a. The Information Technology department will assign all new personnel passwords; it is incumbent upon new users to change their password at their first log on into the system.
- b. Passwords should be changed regularly to prevent misuse or unauthorized access to your account. If you believe your password has been compromised, you must change it immediately and contact the IT department.

Unacceptable Use. The following activities are, in general prohibited and are not to be considered an exhaustive list. Under no circumstances is a user to engage in any activity that is unethical or illegal under local, state or federal law while utilizing City owned computer resources, networks or data. Unacceptable uses are:

1. Downloading, uploading, posting, reproducing, retransmitting or distributing material protected by copyright or trademark without permission of the copyright owner.
2. Unauthorized access, use, alteration, duplication, destruction, or disclosure of any of the City's computer resources, data, including confidential or sensitive information, or proprietary information that compromises the integrity of the City and its business in any way.
3. Use of internet access or the electronic mail system for "moonlighting," job searches, downloading and/or playing interactive games, gaming, gambling, using "internet chat" programs, solicitation, view or post pornography materials, and/or sending chain letters or pyramid schemes.
4. Do not open or forward e-mail received from unknown sources, or those that contain undefined or unexpected attachments, as they may contain viruses or other harmful or inappropriate content or information. Do not download .exe, .bat, or .com file extensions, or any other file that has not been authorized by the Department Head. An example of this would be a file stating it cannot be opened without downloading a free viewing program. The viewing program is an .exe file extension.
5. Use of City computer resources to send email, communication, files, or programs for transmitting, retrieving or storage of any obscene, discriminatory or harassing communications which are intended to or that in effect harass, intimidate, disparage, offend, threaten or otherwise inflame another person or group of persons on the basis of race, religion, color, sex, national origin, age, disability, physical attributes or sexual preference as set forth in the City's Illegal Discrimination and Harassment Policy, illegal harassment of any kind is strictly prohibited. Similarly, no abusive, profane or offensive language or images may be transmitted through the City's ~~e-mail or Internet access~~ computer resources.
6. Use of City computer resources to view send or receive e-mail, communications, files or programs that contain text or images which are sexually explicit, racially discriminatory, overtly religious, or messages or images that are otherwise inconsistent with the City's equal employment opportunity and anti-harassment policies.
7. Personal use of the Internet and e-mail that adversely affects business uses and/or productivity and efficiency as determined by the user's supervisor, MoR, or Department Head.
8. Falsifying or actively concealing one's identity in an e-mail message or when accessing the network.

9. Knowingly or unknowingly allowing someone else to use your account login and password to access internet, email and other City related business information without prior authorization from your Department Director, the IT department or City Manager.

10. Use of computer resources to assist with, support, conspire to or commit any criminal or otherwise illegal acts, or fraud or deceptive practices, solicitations or representations.

11. Use of computer resources for commercial, illegal or illicit activity or in any way that violates City policy or is contrary to the City's best interests including personal financial gain or transmission of commercial or personal advertisements, solicitations, or promotions.

12. Attempting to circumvent, evading, compromising, assisting someone else, or requesting that someone else circumvent any security measures or administrative access control that pertains to City computer resources, data, networks or any other communication system.

13. Transmitting confidential, personal, or sensitive information of other persons or the City, on the Internet or email system, except for lawful and authorized business purposes.

14. Any act that endangers, compromises, or damages specific computer resources, data, networks or the system as a whole, whether located at the City or elsewhere. This includes creating or deliberately allowing a computer or network malfunction or interruption of operation (including email, outside entities or spam).

15. Due to the considerable risks associated with computer viruses, users are prohibited from using any type of data storage device or otherwise downloading any personal or unauthorized software to the City's computers. All software downloaded must be registered to the City.

Monitoring. To ensure proper use of communications systems and business equipment, and to ensure professional service to all citizens, the City reserves the right to monitor, audit, retrieve and distribute information related to the use of the city's computer resources, the use of these systems and equipment. Therefore, by this policy, users are on notice that all e-mail messages, voice mail messages, and facsimiles sent to the City's address, and information stored on servers, ~~paggers~~, computer hard drives, City-provided diskettes, etc. are subject to inspection by the City at any time, with or without advance notice. Information found on City resources may be collected, compiled and

distributed as necessary to comply with external investigations, internal compliance audits, open records requests or other reasons allowed by this policy. **Users are not entitled to any expectation of privacy with respect to such information.**

Voice Mail System. The City has invested in a Voice Mail System for efficiency and to better serve our citizens. Those users with a voice mailbox may learn how to use this system by reading your voice mail instructions or asking the phone system administrator. From time to time, especially when you are on vacation, business trips, a leave of absence or otherwise absent from work, your Department Head, supervisor, or another user may listen to your voice mail messages to better serve our citizens and to make sure that all City business is timely performed. Users should have **no expectation of privacy** in connection with any message left on the City's voice mail system.

Limited Personal Use Exclusion. The City prohibits non-job-related use of its computer resources and other communication systems; however, the City may authorize limited personal use of this equipment provided that such usage (i) does not interfere with work performance or business needs, (ii) is in full compliance with this policy, (iii) and the user takes personal responsibility for any costs incurred. Even though the user assumes responsibility for the costs incurred, this shall not create any expectation of privacy with respect to information or material transmitted, received or stored using City equipment.

Department Heads will not allow access to web sites that do not provide information beneficial to their departments, and will implement immediate corrective and/or disciplinary action, up to and including termination of employment, for those users who violate any portion of this policy.

Public Records. Users should be aware that electronic mail (e-mail) is considered a public record and may be subject to public disclosure in accordance with applicable law. Use of e-mail and the deletion of messages should be done with caution. All users are personally accountable for communications that they originate or forward using the City's electronic and/or telephonic communications systems. Misrepresenting, obscuring, suppressing, or replacing a user's identity on any communication is prohibited. The user name, electronic mail address, organizational affiliation, time and date of transmission, and related information included with electronic messages or postings, must always reflect the true originator, time, date and place of origination of the messages or postings, as well as the true content of the original message.

Information that passes through, or is stored in or on any City of Kennedale computer network is subject to review for a determination regarding whether the information is public information per the requirements of the Texas Public

Information Act (Texas Government Code 522). This includes personal accounts accessed through city equipment or the city network, such as email, social media or other such communication forums. **Employees should have no expectation of privacy regarding private accounts accessed using city equipment or the city network.** Communications, personal or business, to or from city equipment or using the city network should be business professional. All messages and appointments will be kept as part of the public record.

No personally owned devices should be used on the city network. In the event a personal device is used, that device may be deemed to contain public record subject to disclosure under the Texas Public Information Act.

Example: A personal thumb drive is used to store documents and that thumb drive is downloaded to a personal computer, to work from home. That computer may be deemed to contain public record subject to disclosure under the Texas Public Information Act.

Violations and Misuse of City Resources. Violations of this policy are considered a misuse of City resources and are subject to disciplinary actions up to and including termination. Human Resources will coordinate investigations and complaints associated with this policy.

Personal Use of Social Media.

(a) "Social Media" includes various forms of discussion and information sharing tools including social networking, blogs, video sharing, podcasts, wikis, message boards and online forums. Technologies include picture and video sharing, wall postings, e-mail, instant messaging, and music sharing, to name a few. Examples of Social Media applications include, but are not limited to, Google and Yahoo Groups, Wikipedia, ~~My Space~~ and Facebook, YouTube, Flickr, Twitter, LinkedIn, and blogging.

(b) City time and equipment should not be used for updating social media sites, including specific to updating personal pages or profiles. Time spent on social media sites should be limited in the same manner as time spent on the telephone or internet when conducting personal business.

(c) Employees may not use the City's logo, letterhead or other identifying material including pictures of themselves or co-workers wearing or displaying the City's logo.

(d) Employees may not post discriminatory, defamatory, libelous or slanderous comments when discussing the City, its governing body, supervisors and employees.

(e) Employees must comply with City policies and personal sites may be monitored to determine compliance with City policies.

(f) Employees who post information to city web and social media sites will receive appropriate training and administrative rights from the Communications Coordinator to accomplish their tasks.



Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

Selection of a Mayor Pro-Tem

II. Originated by:

Kathy Moore, Deputy City Secretary

III. Summary:

At this time the Council will appoint a member to serve as Mayor Pro-Tem.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:



Date: May 21, 2015

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

CASE # PZ 15-05 Public hearing and consideration of approval of an ordinance establishing a new zoning district and district regulations for an area identified as the Downtown Village in the comprehensive land use plan.

1. Staff presentation
2. Public hearing
3. Staff response and summary
4. Action by the Planning & Zoning Commission

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

The Commission considered this ordinance during its April meeting and asked staff and our consultant to make some changes. You are considering the revised draft ordinance under this agenda item. The revisions include expanding the boundaries of Sub-District 1 (single family residential) and setting more generous non-conforming regulations that would allow property owners more options for maintaining and updating existing buildings.

If adopted, the ordinance would establish four sub-districts for Old Town, which would include the current Old Town district, TownCenter, and two additional sub-districts. If adopted, this ordinance would establish new regulations for Old Town, but it would not yet apply to properties within the district boundaries. The city will next need to rezone the affected properties into the appropriate sub-districts (considered under the next agenda item).

Like our current code of ordinances, the proposed new regulations include lot regulations (e.g., setbacks, lot coverage, building height) and a schedule of uses. The new regulations differ from the current regulations in several ways. They:

- Expand the boundaries of the Old Town zoning district and establishes four sub-districts
- Add architectural standards that require elements of historic architectural styles to be used for new structures
- Create a façade/frontage requirement that will place a minimum percentage of a building's front façade at the building line, which creates a stronger street frontage.

The ordinance adopting the standards are organized to be able to fit into our existing code of ordinances, but it also improves on our standard codes by including a number of illustrations intended to make the regulations easier to understand.

Compliance with the comprehensive land use plan.

Establishing a zoning district and adopting standards for a Downtown Village is clearly in compliance with the comprehensive land use plan. The proposed standards are intended to encourage development and redevelopment fitting the character described in the comprehensive plan, with new development expected to occur over time and with redevelopment (more likely to occur sooner than new development) to help the area maintain a Downtown Village character in the meantime.

Compliance with the Strategic Plan.

The strategic plan calls for establishing a historic district in Kennedale. The proposed guidelines establish the Downtown Village area as a place important to Kennedale history and also provide a means for new development to embrace the city's history.

Compliance with City Council Priorities.

The proposed ordinance would help ensure new development is attractive and suitable for the area, as well as more pedestrian- and family-friendly, which is in line with the council's priorities.

Staff Recommendation.

The requested rezoning does not conflict with the comprehensive land use plan, the strategic plan, or City Council priorities. The rezoning is not expected to have an adverse impact on surrounding properties, and staff considers the current zoning to be unsuitable. Staff therefore recommends approval of the rezoning.

Please note that we are still making some minor revisions to the ordinance and will have a final version for your approval at the meeting next week.

Action by the Planning & Zoning Commission.

City code describes the Commission's authority in approving requests for amending the zoning code.

You may:

- * recommend granting the requested change to the city code; or
- * recommend denying the requested change to the city code; or
- * postpone making a recommendation on the requested change until a later date.

(from Sec. 17-429 of the City Code)

Sample Motions.

The motions provided below are examples, and you are not required to use them.

Approval

I make a motion to approve Case PZ 15-05.

Denial

I make a motion to deny Case PZ 15-05.

Postponement

I make a motion to postpone Case PZ 15-05 until _____ (state date).

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	PZ 15-05 ordinance	PZ 15-05 Ordinance.docx
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ORDINANCE 575

AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 17 OF THE KENNEDALE CITY CODE (1991), AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF KENNEDALE, TEXAS BY AMENDING SECTIONS 17-405 ZONING DISTRICTS GENERALLY BY AMENDING THE REQUIREMENTS FOR THE “OT” OLD TOWN DISTRICT, 17-410 “OT” OLD TOWN DISTRICT BY ESTABLISHING THE BOUNDARIES OF THE “OT” DISTRICT AND CREATING SUB-DISTRICTS AND REGULATIONS FOR SAME, 17-421 SCHEDULE OF USES AND OFF-STREET PARKING REQUIREMENTS BY AMENDING THE USES PERMITTED IN THE “OT” OLD TOWN ZONING DISTRICT, 17-428 NONCONFORMING USE BY AMENDING NONCONFORMING BUILDING REGULATIONS FOR “OT” DISTRICT, AND 17-431 DEFINITIONS BY ADDING DEFINITIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale 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, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, in order to promote the public health, safety and general welfare the City Council desires to adopt proposed amendments to the zoning ordinance in order to establish regulations that allow for development in keeping with the character of the Downtown Village and TownCenter districts described in the comprehensive land use plan; and

WHEREAS, the Planning and Zoning Commission of the City of Kennedale, Texas held a public hearing on May 21, 2015, and the City Council of the City of Kennedale, Texas held a public hearing on June 15, 2015 with respect to the amendments described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, Section 17-429 of the Zoning Ordinance, and all other laws dealing with notice, publication, and procedural requirements for the adoption of the amendments proposed herein.

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

SECTION 1.

Section 17-410 of the Zoning Ordinance of the City of Kennedale, Texas, as amended, is hereby amended to read as follows:

Sec. 17-410. "OT" old town district.

(a) *Adoption of district; purpose.* The "OT" district boundaries shall be the general area depicted as the downtown village and town center in the 2012 Comprehensive Plan and specifically as shown in exhibit A and described in exhibit B attached with this ordinance. This district has a unique character as it allows a wide range of mixed uses that include potential historical structures, older single-family residences and existing new single-family residences, duplexes, multifamily, institutional, and commercial uses. This area has been in transition for over thirty (30) years and will continue to redevelop with a mix of uses on the remaining undeveloped lots. The purpose of the regulations in this section is to promote a central place for civic activity in Kennedale as well as to preserve and expand the original old town area to serve as a gateway into the center of Kennedale, in a manner that distinguishes it from neighboring communities. The regulations in this section are intended to encourage a relatively dense mix of residences and businesses that create a built environment which is both aesthetically pleasing, and which encourages walkability and public gatherings.

(b) *District regulations.* Properties within the "OT" district shall be governed by regulations approved by the city council either as a planned development or as one of four subdistricts that have been created for this district. Unless governed by a planned development district, all properties within this district shall be zoned as one of the following subdistricts:

Subdistrict 1 (SD-1) shall preserve the existing single family residential uses and promote historic residential building designs in this area.

Subdistrict 2 (SD-2) shall promote a mix of single family residential and low intensity retail in this area, to be housed in residential structures that are similar to the building designs and materials allowed in subdistrict 1.

Subdistrict 3 (SD-3) shall promote mainly institutional uses in historical or the modern interpretation of storefront type building designs in the area.

Subdistrict 4 (SD-4) shall promote a mix of residential and non-residential uses in historical or the modern interpretation of storefront type building designs in the area.

These subdistricts are envisioned to be created in the general areas depicted in exhibit A; however individual properties may be zoned as one of the other subdistricts or as a planned development district as deemed appropriate by the city council. Existing planned development districts within the boundaries of the "OT" district shall remain in effect until rezoned.

(c) *Permitted uses.* The uses permitted in the "OT" district include those listed in the "schedule of uses" found in section 17-421 hereof. Any use not expressly authorized and permitted therein is expressly prohibited in this district, unless otherwise allowed as a planned development or in conformance with section 17-427 of this article dealing with new and unlisted uses.

(d) *Special exception uses.* In order to allow for certain uses which, because of their nature or unusual character, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the board of adjustment may, after public hearing thereon, authorize and grant the issuance of a special use permit for such special exception uses allowed in the "schedule of uses" in section 17-421 of this article. The issuance of the permit by the board shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time, so as to properly protect any adjacent property, use or neighborhood character, as well as insure

the appropriate conduct of the special exception use of the land and buildings granted. See section 17-422 of this article.

- (e) *Area; yard; height; lot coverage; and building size.* The requirements regulating the minimum lot size, minimum yard sizes (front, side and rear), maximum building height, maximum percent of lot coverage by buildings and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "schedule of district regulations" found in subsection 17-405(d) and any other applicable regulations as herein provided.
- (f) *Building Design.* The requirements regulating building design for all new structures and substantial (50% or more of existing square footage) renovations to existing structures in this district are as follows:

A.) ***Subdistrict 1 and Subdistrict 2 -- Single Family Residential subdistrict and Single Family Residential and Retail Mixed Use subdistrict respectively.*** In these subdistricts the building designs shall conform to one of the following five architectural styles provided below:

a. Architectural Styles.

- (i) **Prairie Style (1900s to 1920)** If choosing this style the following elements shall be followed:



1. Building Form Elements required:

- (I) Maximum two (2) stories in height.
- (II) Exhibit solid geometric forms with minimal ornamentation.
- (III) Complex massing, usually two (2) stories with one-story wings.
- (IV) Horizontal lines and massing (intended to unify the structure with the native prairie landscape) with masonry belt-courses between the stories.
- (V) Oversized front entry porch minimum of eighty (80) square feet in area and covering eighty (80) percent of the front façade. Minimum depth of the porch shall be five (5) feet.
- (VI) Masonry or stucco with cast stone accents on exterior. Clad Lap siding or shingles (Cementitious Fiber Boards such as HardiePlank, Matrix, ExoTec, Villaboard etc. shall be permitted) may be used on rest of the façade.
- (VII) Massive central chimney constructed of kiln-fired masonry is optional.
- (VIII) Windowless doors shall be prohibited for primary entries.

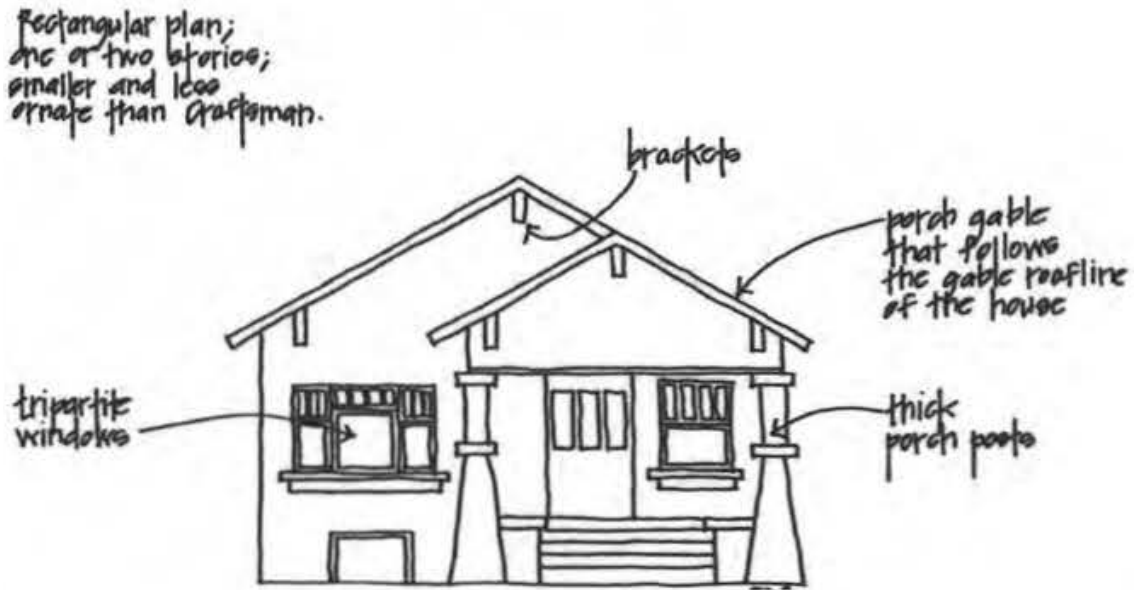
2. Roof Elements required:

- (I) Hipped or gabled roof.
- (II) Roof pitch - Max. = 5:12, Min. = 2:12.
- (III) Wide, over-sized eaves extending up to forty-eight (48) inches out from exterior wall. These eaves are allowed within the required setback.

3. Windows and Door Elements required:

- (I) Casement-style windows (as defined in Sec. 17-431 of Kennedale city code) grouped in bands with shared projecting sills that appear to wrap around the building. Large plate glass in these windows are encouraged but optional.
- (II) Clerestory windows, (as defined in Sec. 17-431 of Kennedale city code).
- (III) Windows and doors surrounded by large four-inch (4") to six-inch (6") moldings that set them apart from the plane of the wall.
- (IV) Doors stained in a natural color and punctuated with a glass opening.

(ii) **Bungalow (1900s to 1925).** If choosing this style the following elements shall be followed:



1. Building Form Elements required:

- (I) Maximum two (2) stories in height.
- (II) Clad Lap siding or shingles (Cementitious Fiber Boards such as HardiePlank, Matrix, ExoTec, Villaboard etc. shall be permitted) may be used on eighty (80) percent of the façade.
- (III) Prominent entrance with a covered porch containing a minimum of sixty square feet (60 SF) in area and covering minimum forty percent (40%) of the front façade. Minimum depth of the porch shall be five (5) feet.
- (IV) Porch columns shall be optional features. If such are provided, at least two street facing columns, in which at least the lower forty (40) percent of said column height is clad in brick masonry or stone at a finished thickness at column of no less than 16 inches in width.

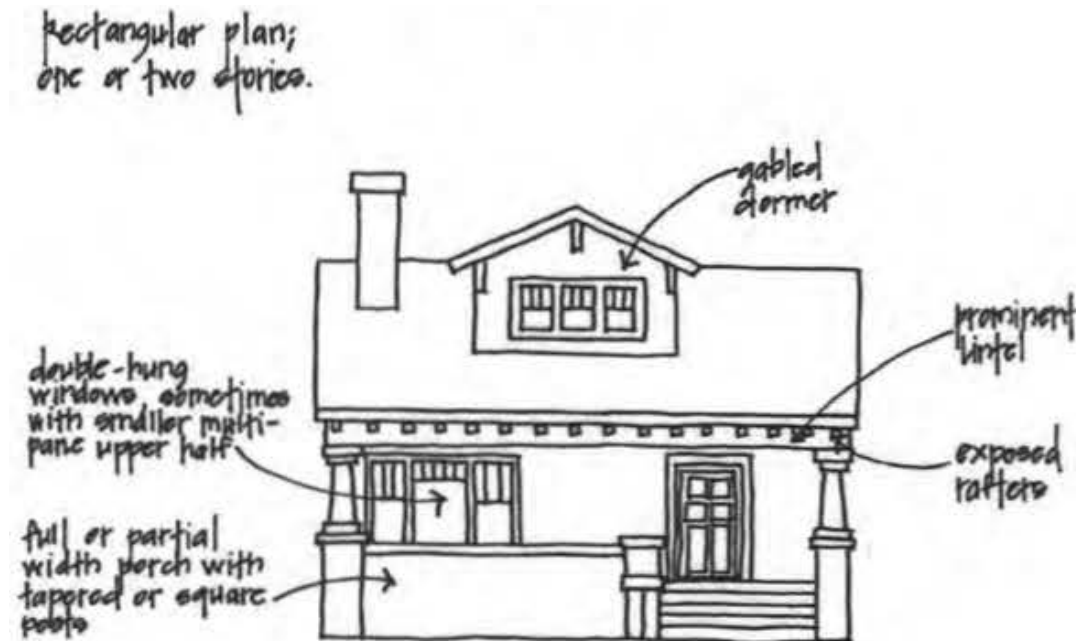
2. Roof Elements required:

- (I) Hip roof with overhang.
- (II) A gable pediment or roof dormer feature shall be above the porch structure.
- (III) Roof pitch max. = 6:12, min. = 2:12.
- (IV) Gabled dormers (as defined in Sec. 17-431 of Kennedale city code).
- (V) Painted exposed roof rafters at eave.

3. Windows and Door Elements required:

- (I) Symmetrical placement of doors and windows.
- (II) Entrance door located in the center of wide houses, or at the side corner of narrow houses
- (III) Double hung windows depicting multiple panes.
- (IV) At least one tripartite window used on front façade.
- (V) Windows and doors shall match the Bungalow style.

(iii) **Craftsman (1900s to 1930).** If choosing this style the following elements shall be followed:



1. Building Form Elements:

- (I) Maximum two (2) stories in height.
- (II) Clad lap siding or shingles (Cementitious Fiber Boards such as HardiePlank, Matrix, ExoTec, Villaboard etc. shall be permitted) shall be allowed over eighty (80) percent of the façade.
- (III) Decorative corbels (bracket work).
- (IV) Prominent entrance with a covered porch containing a minimum of eighty (80) square feet in area and covering minimum ninety (90) percent of the front façade. Minimum depth of the porch shall be five (5) feet.
- (V) Porch shall be supported by tapered square columns or pedestals extending to ground level of porch floor.
- (VI) At least two-thirds (2/3) of the street facing edge(s) of the porch structure shall be enclosed with vertical wood or iron railing, or solid masonry bulkhead that has a minimum height of thirty six (36) inches.
- (VII) At least two street facing columns, in which at least the lower forty (40) percent of said column height is clad in brick masonry or stone at a finished thickness at column of no less than sixteen (16) inches in width.

- (VIII) Dormer window consistent with the Craftsman style and the overall design of the structure is encouraged but optional.

2. Roof Elements required:

- (I) Hip roof type with overhang.
- (II) 12"—24" maximum overhang.
- (III) Roof pitch Max. = 8:12, Min. = 3:12.
- (IV) Gabled or single pitched dormers. Low-pitched, gabled roof (occasionally hipped) with wide, unenclosed eave overhang.
- (V) Roof Rafters to be exposed; or provide false decorative beams or braces under gables.

3. Windows and Door Elements required:

- (I) Asymmetrical placement of doors and windows.
- (II) Double-hung (tripartite) windows (as defined in Sec. 17-431 of Kennedale city code) with decorative crowns depicting multiple panes.

(iv) American Foursquare (1900s to 1930) If choosing this style the following elements shall be followed:



1. Building Form Elements required:

- (I) Minimum two (2) stories in height.
- (II) Square shape in plan and usually symmetrical façades.
- (III) Brick, stone, cast stone used at base of structure minimum of five (5) feet in height. The remaining façade shall be masonry except simulated or engineered wood (with a fire rating complying with the adopted building code) siding and shakes may be used on forty (40) percent of the second story exterior (Cementitious Fiber Boards such as HardiePlank, Matrix, ExoTec, Villaboard etc. shall be permitted).
- (IV) A water table composed of a 2" x 12" board, or cast stone string course element, with a continuous drip cap which separates the masonry base from the upper cladding materials.
- (V) Prominent entrance with a covered porch containing a minimum of eighty (80) square feet in area and covering minimum fifty (50) percent of the front façade. Minimum depth of the porch shall be five (5) feet.
- (VI) At least three (3) street-facing (as defined in Sec. 17-431 of Kennedale city code) columns, in which at least the lower forty (40) percent of said column height is clad

in brick masonry or stone at a finished thickness at column of no less than sixteen (16) inches in width.

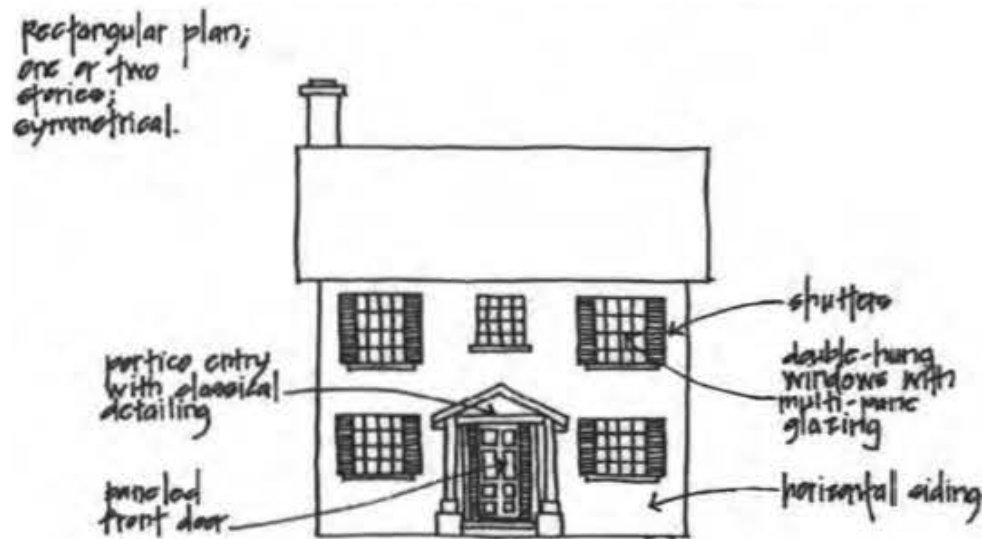
2. Roof Elements required:

- (I) Hipped roof (as defined in Sec. 17-431 of Kennedale city code) with dominant projecting dormers.
- (II) Minimum of one roof dormer with a minimum base width of five (5) feet.
- (III) Composition, wood shingle, slate or cementitious tile (such as Hardi Shingle or Maxi Shingle) roof.

3. Windows and Door Elements required:

- (I) Double-hung windows (as defined in Sec. 17-431 of Kennedale city code) with various patterns of glazing.
- (II) Boxed or bay windows (as defined in Sec. 17-431 of Kennedale city code) shall be permitted.
- (III) Dormer (as defined in Sec. 17-431 of Kennedale city code) window is encouraged but optional.

(v) **Colonial Revival (1910s to 1935)** If choosing this style the following elements shall be followed:



1. Building Form Elements required:

- (I) One (1), one and a half (1-1/2), or two (2) stories in height.
- (II) Façade shall be symmetrical, but may have side porches or sunrooms on either or both sides.
- (III) Rectangular building mass.
- (IV) Dominant, masonry chimney on side façade is optional.
- (V) Entrance is centered and accented with columns, pilasters, pediment, and/or hooded cover to create a covered porch minimum of forty (40) square feet in area and covering minimum thirty (30) percent of the front façade. Minimum depth of the porch shall be five (5) feet.
- (VI) Simulated or engineered wood (with a fire rating complying with the adopted building code) clapboard (6") siding most common exterior wall material

(Cementitious Fiber Boards such as HardiePlank, Matrix, ExoTec, Villaboard etc. and brick masonry shall be permitted as well).

(VII) Classical columns, two-story pilasters, dentils under eaves.

2. Roof Elements:

- (I) Steep roof, with side-facing gables.
- (II) 6"—18" max overhang.
- (III) Roofpitch Max. = 12:12, Min.= 6:12.
- (IV) Hipped roof and dormers (as defined in Sec. 17-431 of Kennedale city code) are occasionally evident and are optional.

3. Windows and Door Elements:

- (I) Fanlight or transom (as defined in Sec. 17-431 of Kennedale city code), sidelights built with paneled door.
- (II) Multi-pane, double-hung windows with shutters.
- (III) Palladian accent windows (as defined in Sec. 17-431 of Kennedale city code) shall be permitted.

B.) ***Subdistrict 3 and Subdistrict 4 - Town Center subdistrict – and Mixed Use subdistrict respectively.*** In these subdistricts the building design shall conform to the following regulations:

a. **Architectural Styles.** An applicant shall choose one of the following architectural styles. A modern interpretation of these styles using clean lines and newer materials will be allowed as long as the massing and façade articulation follows the style elements below:

(i) **The Vernacular Commercial Storefront (1860s to 1920).** This style maybe used for nonresidential buildings, condominiums, multifamily apartment buildings, and for live/work units. If choosing this style the following elements shall be followed:



- 1. Vertical ordering of front façade into a definitive base, body and bap, where:
 - (I) Base: Is the ground level, where the building makes contact with the earth,
 - (II) Body: Is the upper middle portion of the architecture, forming the majority of the structure, and
 - (III) Cap: Is the parapet, entablature or roofline, where the building meets the sky.
- 2. Larger display windows with a window pediment or base.
- 3. First floor transom windows.
- 4. Recessed street entry.
- 5. Double street entry doors.

6. Tall second-story windows.
7. Cornice molding and accents at roof parapet.

(ii) Italianate (1850s to 1885). This style maybe used for nonresidential buildings, multifamily apartment buildings, and for live/work units. If choosing this style the following elements shall be followed:



1. Double-hung, narrow windows, often with round arch heads.
2. Window panes are either one-over-one or two-over-two.
3. Ornate treatment of the eaves, including the use of brackets, medallions and dentil courses.
4. Quoins (projecting square surface pattern) (as defined in Sec. 17-431 of Kennedale city code) at building corners.
5. Flat roof or sloped with a maximum 3:12 pitch.
6. Exaggerated roof parapet molding.
7. Transom, often curved, above the front door.
8. Brackets, modillions and dentil (as defined in Sec. 17-431 of Kennedale city code) courses.
9. Overall, a vertical emphasis in building proportions.

(iii) Art Deco/Moderne (1930s to 1950). This style maybe used for nonresidential buildings and for live/work units. If choosing this style the following elements shall be followed:



1. Variety of colors and textures.
2. Molded metal panels or grills.
3. Stucco and tile combined.
4. Stylized floral patterns.
5. Rounded corner windows.
6. Repetitive geometric forms.

7. Colored brick or tile.
8. Zigzag or chevron moldings.

b. Building Façades.

- (i) Any building located on a lot with frontage on the public right-of-way ("ROW"), must place the primary surface of the front wall of the building on the front building line for at least 60 percent of the length of the frontage.
- (ii) Building façades that face a public ROW shall contain the primary building entrance and shall be designed to reflect all required elements of the selected architectural style on that facade. Building façades that face internal parking and alley may contain a secondary or rear entrance and shall be designed to reflect at least four (4) of the required elements of the selected architectural style.
- (iii) The proportions of walls, windows, and portions of walls shall be predominately vertical. Areas that are predominately horizontal shall be subdivided by pilasters, mullions, columns, trim work, or other architectural elements to achieve a balanced or vertical appearance. Vertical stripes, however, are undesirable.
- (iv) Pilasters and columns should be used as an expression of the actual or imaginary structural system on the exterior of the building. These elements shall divide the horizontal façade into smaller, more vertical panels. Pilasters should be placed no farther apart than they are tall and should extend to the eave or above the parapet.
- (v) The major entry to the building is required to be placed on the public ROW façade and requires at least one entry into the building for each fifty (50) feet of frontage on the property line.
- (vi) One-story buildings shall be a maximum of one-half block long with a single building façade design. Two or more stories may be unlimited in length. No more than ten (10) feet length of the building façade may be a "blank wall" (as defined in Sec. 17-431 of Kennedale city code).
- (vii) Corner Treatment:



1. Buildings shall reinforce a strong protruding corner condition at street intersections.
2. Angled corner clips (or other building conditions which do not form a protruding corner) are not permitted at street intersections, but shall be permitted where such building corner contains a minimum of three (3) of the following five (5) architectural elements:
 - (I) Stone appliqués, masonry banding features or attaching architectural building elements that are constructed with a stone finish of a different color and surface texture used for the main structure.
 - (II) Architectural canopy above the sidewalk with masonry canopy supports or pilasters that extend outward a minimum of eight (8) inches from the base of the building.

- (III) Public doorway entrance feature with a glazed transom window above doorway, with said transom being substantially equal in width with the door frame, with glazed portion of transom measuring a minimum sixteen (16) inches in height.
 - (IV) A cornice element at the parapet wall that is either constructed integrally with the parapet structure, or attached to the surface of the parapet, and shall extend above the parapet a minimum of eighteen inches (18") higher than those parapets that are attached to exterior walls that are built parallel to the street. EFIS/Stucco shall be a permitted material for the parapet cornice specified herein.
 - (V) Variations to the roof profile for those sections of a corner façade that contain at least one or more curvilinear, domed or arched formations at the roofline.
3. Buildings will be designed to accommodate City of Kennedale's required visibility triangles without compromising the corner design.
- (viii) Storefront - Storefront regulations apply to type A facades and are optional for type B façades.
1. Base (where building makes contact with the earth) shall be a part of all storefronts and shall establish a visible base for the material above.
 2. Window pediment (a section of wall under the display window elevating the glass above the sidewalk) materials may include any materials from the materials section of these standards except glass. The minimum height of a window pediment shall be six (6) inches and maximum height shall be thirty-six (36) inches.
 3. The intent of the regulations is to provide as much opportunity for observation as possible, achieving the maximum visibility into the display window. Clear, single pane glass shall be permitted, insulated glass is permitted, light tinting for UV protection is permitted, and heavy tinting is prohibited. Glass panels should have a generally vertical proportion.
 4. Display Window sills must be sloped to drain over the window pediment.
 5. The minimum return from the primary wall surface to the display window jamb shall be three inches. A trim or panning shall be permitted.
 6. The design of the display window incorporating transom window elements above door height shall be permitted. Above the glass and frame, unit masonry walls must have a visible masonry lintel above the glass. Stucco-style walls do not require a visible masonry lintel.
 7. Awnings on all street level windows are required. Awnings are to be made of predominantly natural or natural-appearing fabric. The bottom of the awning must be placed below the top of the window. Awnings may project into the public ROW but may not interfere with the pedestrian activity on the sidewalk or the public ROW. Materials of the awning shall follow the regulations of Chapter 17 Article VII Signs and any other applicant sign regulations.
 8. An awning or canopy over the entry doors may extend into the public R.O.W. and may be supported on columns. However, the columns may not interfere with the accessible route of the sidewalk.
 9. Entry doors shall be a minimum of thirty (30) percent glass, and may be 100 percent glass.
 10. Trim, panning, or a section of wall is required between the entry door jamb and the adjacent jamb of the display window.
 11. A transom or transom-type panel shall be permitted above the entry door(s).
- (ix) Sign band. Sign band regulations only apply to building facades facing a public ROW and do not apply to façades that do not face a public ROW (i.e. facades facing internal parking lots or alleys). The sign band is designed to display the identity of the business within and express in graphic form the character of the business. Highly expressive graphics are

encouraged; a sign band that is too long or too tall is not consistent with the intended character.

1. *Location.* The top of the head of the display window is the bottom of the sign band, and the bottom of the second floor window sills or the bottom of the cornice is the top of the sign band. The band ends horizontally either at a pilaster, a tower, or an adjacent façade.
 2. The maximum height allowed that is uninterrupted by a change in plane, change in material or a change in color shall be five feet.
 3. The maximum length allowed that is uninterrupted by a change in plane, change in color or a change in material is fifty (50) feet on a one story building, unlimited on two or more stories.
 4. Indirect lighting of the signage and identity graphics shall be permitted.
- (x) Upper stories. The regulation of the façade design of the building above the first floor allows for wide latitude to encourage dignified, beautiful, creative, and gracious design. The following shall apply to all upper story facades:
1. *Windows.* Window sizes may range from eight (8) percent of the wall surface area to eighty (80) percent of the wall surface area as measured from the head of the first floor windows to the bottom of the eave or cornice across the length of the façade facing a public ROW. Windows shall align with windows above or below and left to right, creating a regular pattern within each façade design.
 2. *Windows, sills.* Permitted materials shall include masonry, metal or wood, sloped to drain away from the window.
 3. *Windows, jambs.* Trim or panning shall be permitted. The jamb must be recessed from the primary wall plane a minimum of three inches unless trim or panning is used.
 4. *Window, heads.* In unit masonry construction, a visible masonry header is required. Stucco does not require a masonry header.
 7. *Balconies, floors.* Floors must be a solid, concrete surface; metal grates are prohibited. Floors may project up to twenty four (24) inches into the public ROW.
 8. *Balconies, railings.* Ornamental railings are required and should be consistent with the architectural character of the façade. The top of the railing shall be convex shaped to prevent placement of objects on the railing.
 9. *Cornice/eave/parapet.* Shall be tall enough to conceal the rooftop equipment, otherwise an added screen compatible with the façade design will be required behind the parapet to do so.
- (xi) Roof.
1. *Roofing materials.* Materials used on flat roofs with parapet façades are not restricted. Sloping roofs visible from the front of the building may be standing seam metal, slate, simulated slate, tile or simulated tile. Asphalt shingles are prohibited on roofs over 3,000 square feet in area. Mansard roofs are generally prohibited unless allowed by special exception.
 2. *Eaves.* The surface of the soffit under the overhang is to be treated as a finished surface. Trim is required at least at the intersection of the soffit and wall surfaces. Paint or other finish is required. Venting is to be incorporated into the design of the soffit surface.
 3. *Gutters and downspouts.* If gutters and downspouts are to be visible on the façade facing a public ROW, they must be incorporated into the façade design.
- (xii) Visible interior. The portion of the building interior that is, or is intended to be, part of the pedestrian experience visible from the public ROW.
1. *Window display.* The window display is to be visible at least one foot into the interior. The display should be lighted, clean and organized.

2. *Window display floor.* A raised floor shall be permitted.
 3. *Window display lighting.* Lighting should be warm in color and either LED or metal halide bulbs. Fluorescent lighting and neon are prohibited.
 4. *Window display window coverings.* No coverings should be applied that eliminate visibility into the display space such as blinds, medium or heavy tinting or draperies.
- c. **Materials.** The material lists are divided into materials that are unrestricted, materials that are desirable in small quantities, and materials that are undesirable unless used in an unusual or artistic fashion.
- (i) **Unrestricted siding materials.** These materials may be used, in a manner consistent with the chosen architectural style, without limits on building façades: brick, stone, cast stone, ceramic tile and stucco.
 - (ii) **Restricted siding materials.** These materials may be used without limits on building façades, provided the architecturally appropriate detailing is used in a manner consistent with the chosen architectural style and is consistent with high quality construction: concrete tilt-wall, and exterior insulation and finish system (EIFS). The following materials may be used for buildings subject to a conditional use permit: aluminum siding, vinyl siding, vertical wood siding, and corrugated metal siding. All other material not specifically listed elsewhere in this section shall fall into this category.
 - (iii) **Limited siding materials.** The use of the following materials is encouraged provided the material is appropriate with the chosen architectural style: Simulated or engineered wood (with a fire rating complying to the adopted building code), cementitious fibre clapboard siding, fiberglass, and ceramic-faced concrete block.
 1. Decorative or stamped architectural metal wall panels shall be utilized as an accent surface material for no more than fifteen (15) percent of any single building façade.
 - (iv) **Siding material for building facades not facing a public ROW.** The following material may be used on these building façades: concrete masonry units, and EIFS.
 - (v) **Colors for siding material** shall be low reflectance, neutral, or earth tone colors. The use of high intensity primary, metallic, or fluorescent colors is prohibited. Painted trim colors may be selected from the list of colors for historic structures recommended by the National Trust for Historic Preservation. Bright colors may be used on trim or decorative elements.

(g) **Site Design.**

A.) ***Subdistrict 1 and Subdistrict 2 - Single Family Residential subdistrict and Single Family Residential and Retail Mixed Use subdistrict respectively.*** In these subdistricts the site design for all parcels shall conform to the following standards below:

- a. **Building placement.** Main entrance of all structures shall be oriented towards the primary street. For the purposes of locating the main entrance, if a street has 60% of the existing structures with a main entryway facing it then that street shall be considered a primary street.
 - (i) porch entrance, steps, and stoops must also be oriented to the primary street.
- b. **Parking requirements.** Off-street parking space requirements shall be in accordance with the parking schedule found in section 17-421 hereof. Except for:
 - (i) parking spaces for a maximum of three (3) motor vehicles shall be provided on-site in an enclosed garage or under a carport for structures constructed after May 2015. Additional on-site parking shall require a conditional use permit.
 - (ii) additional off-street parking space requirements for retail uses found in section 17-421 shall be provided through shared parking agreements and off street parking spaces within 1,000 feet of the property.
 - (iii) carport or garage shall be no closer to the street than the face of the enclosed air-conditioned space of the main structure, or when the carport and the front porch have a common roof, then the carport can extend as far as the foundation of the porch.

- c. Landscape requirements. Landscaping shall be in accordance with Chapter 17. Article VIII. Landscape Standards of the Kennedale Code of Ordinances. Requirements for single family residential districts shall apply to single family residential or duplex uses, except that no part of any required front yard for single family residential or duplex uses shall be paved, drip irrigation is required for all landscaping, and artificial turf shall be prohibited. All other uses shall comply with the requirements in Chapter 17. Article VIII. Landscape Standards of the Kennedale Code of Ordinances. Except for:
 - (i) all uses other than single family residential uses, the Planning Director may substitute the requirements in Chapter 17. Article VIII. Landscape Standards of the Kennedale Code of Ordinances in lieu of one of the following - public park, courtyard, or public plaza that have:
 - 1. a combination of at least three of the following amenities: seating, water feature, landscaping, decorative paving or patterned concrete paving, sculptures and/or other public art; and
 - 2. minimum five hundred (500) square feet in size or twenty five (25) percent of the total property square feet, whichever is greater, with public access and visibility from the street.
- d. Sales displays prohibited.
 - (i). Garage sales shall be permitted for single family residential uses in accordance with section 11-5 of the Kennedale Code of Ordinances.
 - (ii) It shall be unlawful for any person to display or allow to be displayed for sale or lease on any lot any motor vehicle, boat or vessel subject to registration under V.T.C.A., Parks and Wildlife Code, ch. 31, or camper shell designed for use on a motor vehicle unless such vehicle is owned by the actual occupant of the premises. However, no person or family shall at any time be permitted to display more than two (2) of the following, or combination thereof, per lot: motor vehicles, boats or other similar vessels subject to registration under V.T.C.A., Parks and Wildlife Code, ch. 31, or camper shells per lot at any time.

B.) Subdistrict 3 and Subdistrict 4 - - Town Center subdistrict and Mixed Use subdistrict respectively. In these subdistricts the site design for all parcels shall conform to the following standards below:

- a. Building placement.
 - (i) Main entrance of all structures shall be oriented towards the primary street. For the purposes of locating the main entrance, if a street has 60% of the existing structures with a main entryway facing it then that street shall be considered a primary street.
 - (ii) Buildings shall be located on the property line along the primary street.
- b. Parking requirements. Off-street parking requirements shall be in accordance with the parking schedule found in section 17-421 hereof. Except for:
 - (i) Off-site parking requirements for non-residential uses found in section 17-421 may be provided through shared parking agreements and off street parking spaces within 1,000 feet of the property.
 - (ii) Off-site parking that exceeds the minimum requirements in the parking schedule found in section 17-421 shall require a conditional use permit.
 - (iii) Off-street parking shall not be located adjacent to the primary street.
 - (iv) Off-street parking shall be located behind or between structures such that only the driveways are visible from the street.
- c. Landscape requirements. Landscaping shall be in accordance with Chapter 17. Article VIII. Landscape Standards of the Kennedale Code of Ordinances. Requirements for single family residential districts shall apply to single family residential or duplex uses, except that no part of any required front yard for single family residential or duplex uses shall be paved, drip irrigation is required for all landscaping, and artificial turf shall be prohibited. All other uses shall comply with the requirements in Chapter 17. Article VIII. Landscape Standards of the Kennedale Code of Ordinances. Except for:

- (i) all uses other than single family residential uses, the Planning Director may substitute the requirements in Chapter 17. Article VIII. Landscape Standards of the Kennedale Code of Ordinances in lieu of one of the following - public park, courtyard, or public plaza that have:
 - 1. a combination of at least three of the following amenities: seating, water feature, landscaping, decorative paving or patterned concrete paving, sculptures and/or other public art; and
 - 2. minimum five hundred (500) square feet in size or twenty five (25) percent of the total property square feet, whichever is greater, with public access and visibility from the street.
 - d. Sales displays prohibited.
 - (i). Garage sales shall be permitted in accordance with section 11-5 of the Kennedale Code of Ordinances.
 - (ii) It shall be unlawful for any person to display or allow to be displayed for sale or lease on any lot any motor vehicle, boat or vessel subject to registration under V.T.C.A., Parks and Wildlife Code, ch. 31, or camper shell designed for use on a motor vehicle unless such vehicle is owned by the actual occupant of the premises. However, no person or family shall at any time be permitted to display more than two (2) of the following, or combination thereof, per lot: motor vehicles, boats or other similar vessels subject to registration under V.T.C.A., Parks and Wildlife Code, ch. 31, or camper shells per lot at any time.
- C.) Public land and rights-of-way (ROW). If required to upgrade or construct streets, sidewalks or other public amenities as a part of the development in the Old Town District, the following requirements shall apply:
- a. Drive lanes. The paving section of a roadway supporting the travel lanes for vehicles.
 - (I) Number of lanes. All roads will be built in accordance with the thoroughfare plan.
 - (II) Material specifications. Street construction specifications shall comply with the city standards.
 - (III) Width. The intent to calm traffic and the desire of motorists to use on-street parking or to tour the town requires slower speeds. The use of slightly narrowed street widths helps to slow traffic. Lane widths may be reduced to eleven (11) feet where appropriate subject to city review and approval.
 - b. Parking lanes. The paving section of roadways supporting parking for automobiles, motorcycles, or bicycles.
 - (I) Material specifications. Street construction specifications shall comply with the city standards for parking areas.
 - (II) Dimensions. Parking spaces shall comply with the city standards.
 - c. Curbs. The vertical separation between the roadway and the pedestrian section of the public ROW.
 - (I) Accessibility. Standards shall comply with city regulations, Texas Accessibility Standards (TAS) and the Americans with Disabilities Act (ADA).
 - (II) Material specifications. Construction specifications shall comply with the city standards for parking areas.
 - (III) Dimensions. Height shall comply with city standards. Steps may be required to transition between sidewalk and the street.
 - d. Parkways. The part of the pedestrian section of the public ROW that supports plantings, green-space and open-space.
 - (I) Width. The parkway is a continuous or intermittent strip of land between the street and the sidewalk to allow for planting. The parkway and the sidewalk together must be at least ten (10) feet wide.
 - (II) Landscape materials. In the absence of sidewalk paving, the minimum planting schedule requires trees evenly spaced over the length of the block, approximately forty (40) feet apart

with grass or ground cover. Tree species must comply with the permitted species list in Chapter 17. Article VIII. Landscape standards.

- (III) Street lights. The streetlights must be of historical design and approved by the Planning Director to maintain similar/compatible streetlight design in a subdistrict. All light fixtures must be full cut-off fixtures. Streetlights shall have a minimum output of three hundred (300) lumens per fixture and maximum output of six hundred (600) lumens per fixture. The fixtures are to be evenly spaced over the length of the block, but not more than fifty (50) feet apart and shall be a maximum of twenty (20) feet in height. Fixtures must be equipped with two banner arms on each pole, placed perpendicular to the street.
- (IV) Street furniture. Benches, trash receptacles and drinking fountains must be maintained by the owner of the street furniture.
- (V) Displays. Temporary displays are permitted for seasonal or commercial activity, with the approval of the Planning Director.
- e. Sidewalks. The part of the pedestrian section of the public ROW that supports the hard surfaced sidewalks for pedestrian use.
 - (I) Width. The sidewalks plus parkway shall not be less than ten (10) feet wide. Sidewalk widths must conform to requirements of the commercial activity within the building: restaurants need wide sidewalks for dining areas, retailers need medium width sidewalks to permit window-shopping without impeding pedestrian traffic, and office areas only require minimal width to accommodate the pedestrian traffic. In no case shall sidewalk width be less than five (5) feet.
 - (II) Accessibility. Standards shall comply with city regulations, Texas Accessibility Standards (TAS) and the Americans with Disabilities Act (ADA).
 - (III) Material specifications. Construction specifications shall comply with the city standards for sidewalks. Sidewalk pavers may be used subject to approval by the Public Works Director.
- f. Public amenities. Green space and open space owned and operated by the public for the use and enjoyment of the public are desirable amenities for the residents and patrons of the town. They are subject to review and approval by the City Council and are reviewed individually as required.
- g. Alleys. Public ROW roadways for vehicles to access the sides and rear of buildings and parking lots.
 - (I) Width. Commercial alley ROW widths shall be between twenty (20) feet and thirty (30) feet. Paving may cover entire ROW width.
 - (II) Material specifications. Alley construction specifications shall comply with the city standards.

SECTION 2.

Section 17-421 of the Zoning Ordinance of the City of Kennedale, Texas, as amended, is hereby amended by replacing the uses permitted in the “OT” Old Town district with the following four sub-districts as follows:

Use	OT			
	SD-1	SD-2	SD-3	SD-4
	SF residential	SF residential & retail in SF design	Town Center	Mixed Use
Residential Uses:				
Single-family dwelling	X	X		
Two-family dwelling	X	X		
Three-family dwelling		X		
Four-family dwelling		X		X
Apartment or multi-family building				
Manufactured home				
Industrialized housing				
Manufactured home park				
Townhouse				X
Condominiums				X
Recreational vehicle park				
Boarding (rooming) house		X		X
Child day care home	X	X		
Group home				
Group day care home				
Halfway house				
Guest house/servants quarters	X	X		
Accessory building	X	X	X	X
Basketball court (private)	X	X	X	X
Tennis court (private)	X	X	X	X
Swimming pool (private)	X	X	X	X
Home occupation (2)	X	X		X
Agricultural/Ranch Uses:				
Farm or ranch				
Farmer's market		CUP	CUP	CUP
Use	OT			

	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Grainery or gin			CUP	CUP
Micro-winery, with vineyard		CUP		CUP
Orchard				
Produce stand		X	S	X
Rodeo ground, arena (public)				
Stable, private	CUP	CUP		
Stable, public				
Vineyard		CUP		CUP
Winery, with vineyard		CUP		CUP
Utility/Solid waste uses:				
Cable TV lines	X	X	X	X
Electric substations	S	S	S	S
Gas regulations/gate station	S	S	S	S
Gathering station	S	S	S	S
Microwave tower	S	S	S	S
Radio & television tower	S	S	S	S
Railroad freight terminal	S	S	S	S
Railroad yard	S	S	S	S
Recycling collection facility				
Refuse transfer station	S	S	S	S
Sewer lift station	X	X	X	X
Telephone exchange	S	S	S	S
Utility poles and lines	X	X	X	X
Utility mains and lines	X	X	X	X
Wastewater treatment plant	S	S	S	S
Water pump station	X	X	X	X
Water storage tank	X	X	X	X
Water treatment plant	S	S	S	S
Water well	S	S	S	S

Use	OT			
	SD-1	SD-2	SD-3	SD-4
	SF residential	SF residential & retail in SF design	Town Center	Mixed Use
Government & Institutional Uses:				
Athletic field or stadium	S	S	S	S
Auditorium or amphitheater	S	S	S	S
Basketball courts (public)	S	S	S	S
Baseball/softball (public)	S	S	S	S
Cemetery or mausoleum	S	S	S	S
Church or rectory	X	X	X	X
College or university	S	S	X	S
Community center	S	S	X	S
Convalescent center	S	S	S	X
Fire station	S	S	X	X
Government office	S	S	X	X
Hospital	S	S	X	X
Library	S	X	X	X
Museum or art gallery	S	X	X	X
Park or playground	X	X	X	X
Police station	S	X	X	X
Post office	S	X	X	X
Prison or penitentiary				
Sanitarium	S	X	S	X
School (nursery or kindergarten)	S	S	X	X
School (trade or business)	S	S	X	X
School (elementary or middle)	S	S	X	X
School (high school)	S	S	X	X
Soccer fields (public)	S	S	S	S
Swimming pool (public)	S	S	S	S
Tennis court (public)	S	S	S	S
Commercial Uses:				
Amusement park (outside)				
Animal shelter				

Use	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Antique shop		X	X	X
Apparel or clothing store		X	X	X
Appliance repair shop		X	X	X
Appliance store (retail)		X	X	X
Arcade			X	X
Art supply store		X	X	X
Athletic or fitness club		X	X	X
Auction		X	X	X
Audio store (retail)		X	X	X
Auto inspection station				X
Auto paint & body shop				S
Auto parts store		X		X
Auto rental				X
Auto repair garage				S
Auto sales lot				
Bakery (retail)		X	X	X
Bank or financial institution ⁵		X	X	X
Bed & breakfast accommodations		X	S	X
Barber or beauty shop		X	X	X
Bicycle sales and repair		X	X	X
Boat sales				
Boat storage				
Book store		X	X	X
Bowling alley				S
Brewery		S	S	S
Building materials/lumber yard				
Bus terminal				S
Business office		X	X	X
Cabinet shop		S	S	S
Camera store (retail)		X	X	X

Use	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Car wash			S	S
Carnival or circus			S	S
Carpet store (retail)		X	X	X
Cemetery monument sales		X	X	X
Child care center or facility		X	X	X
Christmas tree sales		S	S	S
Computer store (retail/service)		X	X	X
Contractor yard (outside storage)				
Convenience stores		X	X	X
Dental clinic or office		X	X	X
Department store			CUP	CUP
Electrical sales & service		S	X	X
Electronics store (retail)		X	X	X
Employment agency		X	X	X
Farm implement sales				X
Feed store				X
Feed store with animal sales				S
Firewood sales				S
Florist shop		X	X	X
Flea market (inside)		S	S	S
Flea market (outside)				
Fraternity/sorority lodge		X	X	X
Furrier				
Furniture store (retail)		X	X	X
Game hall		X	X	X
Gift or novelty shop		X	X	X
Golf course				
Golf course, miniature				S
Golf driving range				S
Grocery store		X	X	X

Use	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Gun shooting range (indoor)				S
Gunsmith shop		S	S	X
Hardware store		X	X	X
Heating/AC sales and service		X	X	X
Heavy equipment sales				S
Hobby shop		X	X	X
Hotel or motel			X	X
Impounded vehicle storage facility				
Insurance sales office		X	X	X
Jewelry store		X	X	X
Kennel				S
Laboratory, medical or dental				X
Large retail facility ⁴			CUP	CUP
Laundry or dry cleaners		X	X	X
Lawnmower sales & service			X	X
Leather goods shop (retail)		X	X	X
Lithographic shop		X	X	X
Locksmith shop		X	X	X
Meat, poultry & fish market		X	X	X
Medical clinic or office		X	X	X
Micro-brewery		X	X	X
Micro-winery, without vineyard		X	X	X
Mini-warehouse				
Manufactured home sales lot				
Massage establishment		S	X	X
Mortuary or funeral home			X	X
Motorcycle sales				
Movie theater (drive-in)		S	S	S
Movie theater (indoor)			X	X
Musical instrument store		X	X	X

Use	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Newspaper office		X	X	X
Newsstand			X	X
Nightclub or dance hall			X	X
Office supply store			X	X
Optical clinic or office		X	X	X
Optical dispensary store		X	X	X
Paint sales store(retail)		X	X	X
Paintball sports, survival games		S	S	S
Parking lot (commercial, for fee)			S	S
Pawnshop			S	S
Pet grooming shop		X	X	X
Pet shop		X	X	X
Pharmacy or drug store		X	X	X
Photography studio		X	X	X
Picture framing shop		X	X	X
Plant nursery		X	X	X
Plumbing sales and service		X	X	X
Pool or billiard hall			X	X
Print shop		X	X	X
Private club (serving alcohol)		X	X	X
Professional offices		X	X	X
Racquetball court			S	S
Real estate or leasing office		X	X	X
Recording studio		X	X	X
Recreational vehicle sales				
Recreational vehicle storage				
Rental store		S	S	S
Restaurant or cafe (inside)		X	X	X
Restaurant (drive-in)				
Restaurant (kiosk)		X	X	X

Use	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Retail sales, alcohol		X	X	X
Secondhand store		X	X	X
Service station			S	S
Sexually oriented business				
Shoe or boot store		X	X	X
Sign shop		X	X	X
Skating rink			X	X
Snow cone stand		X	X	X
Sporting goods store			X	X
Tack store				
Tailor or seamstress shop		X	X	X
Tanning salon		X	X	X
Tattoo shop		S	X	X
Taxidermist				
Tire sales, repair, & installation				X
Title & abstract office		X	X	X
Tool & equipment rental		X	X	X
Trailer sales & rental				
Travel agency		X	X	X
Truck rental				
Truck repair				
Truck sales				
Truck wash				
Upholstery shop		X	X	X
Vehicle storage facility				
Vehicular racing facility				
Veterinary clinic		X	X	X
Veterinary hospital				X
Video store		X	X	X
Washateria (self-service)			X	X

Use	OT			
	SD-1	SD-2	SD-3	SD-4
	SF residential	SF residential & retail in SF design	Town Center	Mixed Use
Winery, without vineyard		X	X	X
Industrial Uses:				
Airport				
Ammonia manufacturing				
Amusement complex				
Apparel manufacturing				
Appliance manufacturing				
Artificial limb manufacturing				
Asphalt batching plant				
Bakery, commercial				X
Bleach manufacturing				
Bookbinding & publishing				
Bottling plant				
Box manufacturing				
Brick or tile manufacturing				
Canning operation		S	S	X
Carpet manufacturing				
Chemical storage or manufacturing				
Chlorine manufacturing				
Cold storage plant				
Composite manufacturing				
Composting (commercial)				
Concrete batching plant				
Concrete product casting plant				
Contractor yard (outside storage)				
Creamery		S	S	X
Creosote manufacturing				
Distribution center (small)				
Distribution center (large)				
Distillation plant				

Use	OT			
	SD-1	SD-2	SD-3	SD-4
	SF residential	SF residential & retail in SF design	Town Center	Mixed Use
Dyeing plant				
Electrical components manufacturing				
Electroplating				
Envelope manufacturing				
Explosives manufacturing				
Fertilizer manufacturing				
Fiberglass manufacturing				
Fireworks manufacturing				
Food processing				
Foundry				
Freight terminal, motor				
freight terminal, railroad				
Furniture manufacturing				
Garment manufacturing				
Glass manufacturing				
Glue manufacturing				
Grainery or gin				
Gypsum manufacturing				
Heliport or helistop				
Ice cream plant				
Ice plant				
Incinerator				
Insecticide processing				
Junk yard				
Laundry plant				
Light fabrication plant				
Machine shop			S	X
Marble manufacturing				
Mattress manufacturing				
Meat, poultry & fish processing				
Use	OT			
	SD-1	SD-2	SD-3	SD-4

	SF residential	SF residential & retail in SF design	Town Center	Mixed Use
Metal fabrication				
Metal plating				
Metal stamping and extrusion				
Mining, extraction operation				
Monument works				
Packaging operation				
Paint manufacturing				
Pallet manufacturing				
Paper mill				
Paper products manufacturing				
Pesticide processing				
Petroleum products (wholesale)				
Petroleum refinery or storage				
Pharmaceutical manufacturing				
Planing mill				
Plastic product manufacturing				
Pottery manufacturing				
Recycling processing plant				
Rendering plant				
Rock crushing plant				
Salvage yard				
Smelter plant				
Tanning plant				
Television transmitting station				
Temporary construction office				
Textile manufacturing				
Tire manufacturing				
Tire recapping plant				
Vehicle conversion facility				
Warehouse				
Welding shop			S	S

SECTION 3.

Section 17-405(d) of the Zoning Ordinance of the City of Kennedale, Texas, as amended, is hereby amended by revising the district regulations for the “OT” Old Town district and the table footnotes to read as follows:

	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center ^(l)	SD-4 Mixed Use ^(l)
Lot Area (sq. ft.)	8,000	5,000	5,000	5,000
Minimum lot width (feet) ^(d)	60	50	50	50
Minimum lot depth (feet)	120	80	100	100
Front yard setback (feet)	20	10	5	5
Rear yard setback (feet), interior lot	15	15	5	5
Side yard setback (feet), interior lot	5	5	5	5
Side yard setback (feet), corner lot (street side only)	5	5	5	5
Maximum height (stories)	2.5	2.5	3.0	3.0
Maximum height (feet)	35	35	50	50
Maximum lot coverage	50%	70%	75%	75%
Masonry requirement ^(f)	See sec.17-410 (e)(A.): (a.)(i)(6); (b.)(i)(2); (c.)(i)(2); (d.)(i)(3); & (e.)(i)(6)	See sec.17-410 (e)(A.): (a.)(i)(6); (b.)(i)(2); (c.)(i)(2); (d.)(i)(3); & (e.)(i)(6)	See sec.17-410 (e)(B.)(c.)	See sec.17-410 (e)(B.)(c.)
Minimum Main building living area (square feet) ^{(h) (i) (j)}	1,500 ^(k)	1,500 ^(k)	1,000	1,000

** Require minimum 8 ft. with a total of 20 ft. side yard.

- (a) The minimum lot area for multifamily dwellings shall be two thousand seven hundred fifty (2,750) square feet per apartment unit. There shall be a maximum of sixteen (16) units per acre.
- (b) For manufactured home parks, the minimum lot area shall be not less than five thousand (5,000) square feet per manufactured home lot when a public sewer system serves the park. Where no public sewer system is available and septic tanks are used for sewage disposal, the minimum lot area shall be one (1) acre per manufactured home. The minimum size of any manufactured home park shall be five (5) acres.
- (c) The minimum living area per unit or apartment shall be six hundred (600) square feet for an efficiency, eight hundred (800) square feet for one (1) bedroom, nine hundred (900) square feet for two (2) bedrooms, and one thousand one hundred (1,100) square feet for three (3) or more bedrooms. However, the average living area for all apartments in an apartment building must be a minimum of seven hundred (700) square feet.
- (d) Whenever any lot is located on a cul-de-sac, the lot width shall not be less than eighty (80) percent of the required lot width at the building line.
- (e) Whenever any lot is located on a cul-de-sac, the rear yard setback shall be fifteen (15) feet.
- (f) For the purposes of this requirement, the following materials shall be considered "masonry": glass, natural stone, face brick, face tile, concrete, split face concrete masonry units (haydite block), decorative pattern concrete block masonry unit, masonry veneer, and cement stucco. In determining the percentage of masonry required, the surface of the exterior walls exclusive of the doors and windows shall be measured, up to the eave area or up to a maximum of twelve (12) feet in height, whichever is less.
- (g) The minimum setback for one (1) side yard of an interior lot may be ten (10) feet, however the total side yard setback for both side yards must equal thirty (30) feet.
- (h) The minimum living area excludes garage, porch, and breezeways.
- (i) Accessory buildings are those structures that are subordinate to the main residence, on the same lot. Accessory buildings may not exceed fifteen (15) feet in height and include detached garages, bathhouses, greenhouses, bomb/fallout shelters, and barns. Storage buildings that contain more than one hundred seventy-five (175) square feet of space are included in this category. Accessory buildings shall be located at least five (5) feet from the residence, eight (8) feet from the side lot line and eight (8) feet from the rear yard line, public easement or drainage easement. Accessory buildings shall be of new construction and have exterior walls made of masonry, wood, stone, brick, or vinyl siding, except in OT district where an accessory building shall be located only in the rear yard and may be built on the property lines when not adjacent to a primary street. If adjacent to a street the accessory building will be setback 5 feet from the property line. Accessory buildings shall be compatible in design and materials to the primary structure.
- (j) The water's edge of swimming pools must be located at least eight (8) feet from the main building, eight (8) feet from the side lot lines, and eight (8) feet from the rear lot line. Swimming pools may not be placed in the required front yard, public utility easements, or drainage easements.
- (k) The maximum main building living area in subdistricts 1 and 2 of OT district shall be 5,000 square feet.
- (l) The zoning administrator shall be authorized to permit a ten (10) percent reduction in any required setbacks for irregular-shaped parcels less than one (1) acre in size, provided that all intersection visibility requirements and other development regulations are met.

SECTION 4.

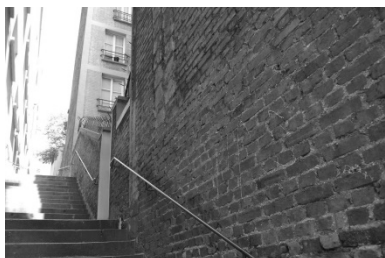
Section 17-428(c) of the Zoning Ordinance of the City of Kennedale, Texas, as amended, is hereby amended by revising the nonconforming use regulations to read as follows:

- (c) Nonconforming buildings. Repairs and alterations may be made to a nonconforming building, provided that no structural alterations shall be made except those required by law or ordinance, unless the building is brought into conformity with the provisions of this section.
 - i. Notwithstanding the above, for buildings in the "OT" district all repairs, alterations, and one-time enlargement of the building up to fifty (50) of the existing (at the time the building became nonconforming) floor area of the building may be made to a nonconforming building without the building being brought into conformity with the provisions in section 17-405(d) and section 17-410.

SECTION 5.

Section 17-431 Definitions of the Zoning Ordinance of the City of Kennedale, Texas, as amended, is hereby amended to add the following definitions:

Blank wall. A building façade with no openings and/or architectural elements (such as columns, pilasters, awnings, balconies, porches etc.



Brackets. A projection from a vertical surface providing structural or visual support under cornices, balconies, or any other overhanging member.



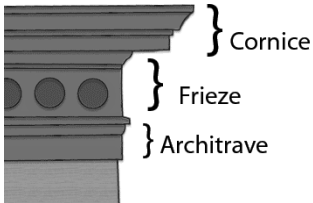
Cementitious Fiber Board. is a building material used to cover the exterior of a building in both commercial and domestic applications. Fiber cement is a composite material made of sand, cement and cellulose fibers. In appearance it most often consists of overlapping horizontal boards, imitating wooden siding, clapboard and imitation shingles. Fiber cement siding is also manufactured in a sheet form.



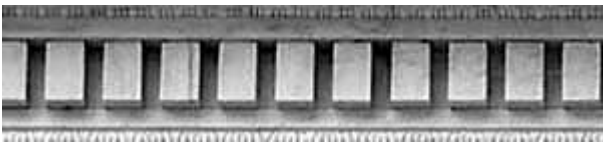
Clad lap siding. Wall and roof covering of thin horizontal boards.



Cornice. The projection that forms the top band of an entablature (horizontal band of elements above the column capitals in classical architecture) or wall.



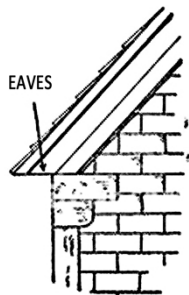
Dentils. A small rectangular block - a tooth-like cube - used in a series forming a molding under a cornice. Dentil molding is the exact shape of a toothy dental smile on a jack-o'-lantern.



Dormer. A dormer is a structural element of a building that protrudes from the plane of a sloping roof surface. Dormers are used, either in original construction or as later additions, to create usable space in the roof of a building by adding headroom and usually also by enabling addition of windows.



Eaves. The projecting overhang at the lower edge of a roof.



Fanlight. A semi-circular (fan shaped) window placed atop a door, commonly seen in Federal and Colonial Revival style buildings



Gable. That part of the wall immediately under the end of a pitched roof, cut into a triangular shape by the sloping sides of the roof.



Gabled roof. A pitched roof having a gable at each end.



Hipped Roof. It is a type of roof where all sides slope downwards to the walls, usually with a fairly gentle slope. Thus it is a house with no gables or other vertical sides to the roof.



Massing. The exterior shape and volumetric view of a building is called massing. It refers to the general shape and size of a building. Example - The Arts Tower in Sheffield shown below can be considered as a simple upright cuboid shape.



Pilasters. A pilaster is a narrowly protruding column attached to a wall, giving the illusion of a real free standing support column.



Quoin. A large rectangular block of stone or brick (sometimes wood) used to accentuate an outside corner of a building; typically in a toothed form with alternate quoins projecting and receding from the corner.



Sidelights. Narrow windows flanking an entry door.



Solid geometric forms. Refers to three dimensional geometric forms.

Street facing. Any element (such as door, window, porch, facade etc.) of a building/structure facing the public right of way (ROW).

Transom. See, Window, transom.

Window, bay. A window that sticks out from the outer wall of a house and usually has three sides.



Window, casement. A casement window (or casement) is a window that is attached to its frame by one or more hinges. Casement windows are hinged at the side. They are used singly or in pairs within a common frame, in which case they are hinged on the outside.



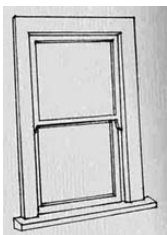
Windows, clerestory. An upperstory row of windows; windows in the part of a wall rising above the adjacent roof with windows admitting light.



Window, dormer. A window in a gabled extension built out from a sloping roof.



Window, double hung. Windows divided into two main sections. One section can slide up and down past the other one.



Window, Palladian. A three-part, round-arched window, named for the 15th century Italian architect Andreas Palladio, also known as a Venetian Window and common in the Georgian and Colonial Revival styles.



Window, tripartite. A window composed of three parts.



Window, transom. A small window placed above a door or window.



Window head. A brick oriented with the smaller end exposed on the face of the wall and smaller dimension vertical placed over window openings.



SECTION 6.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Kennedale, Texas (1991), as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 7.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clause, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause, or phrase.

SECTION 8.

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 10.

The City Secretary of the City of Kennedale is hereby directed to publish in the official newspaper of the City of Kennedale the caption, penalty clause, publication clause and effective date clause of this ordinance as provided by Section 3.10 of the Charter of the City of Kennedale.

SECTION 11.

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 15th DAY OF JUNE 2015.

MAYOR

ATTEST:

CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

Exhibit A

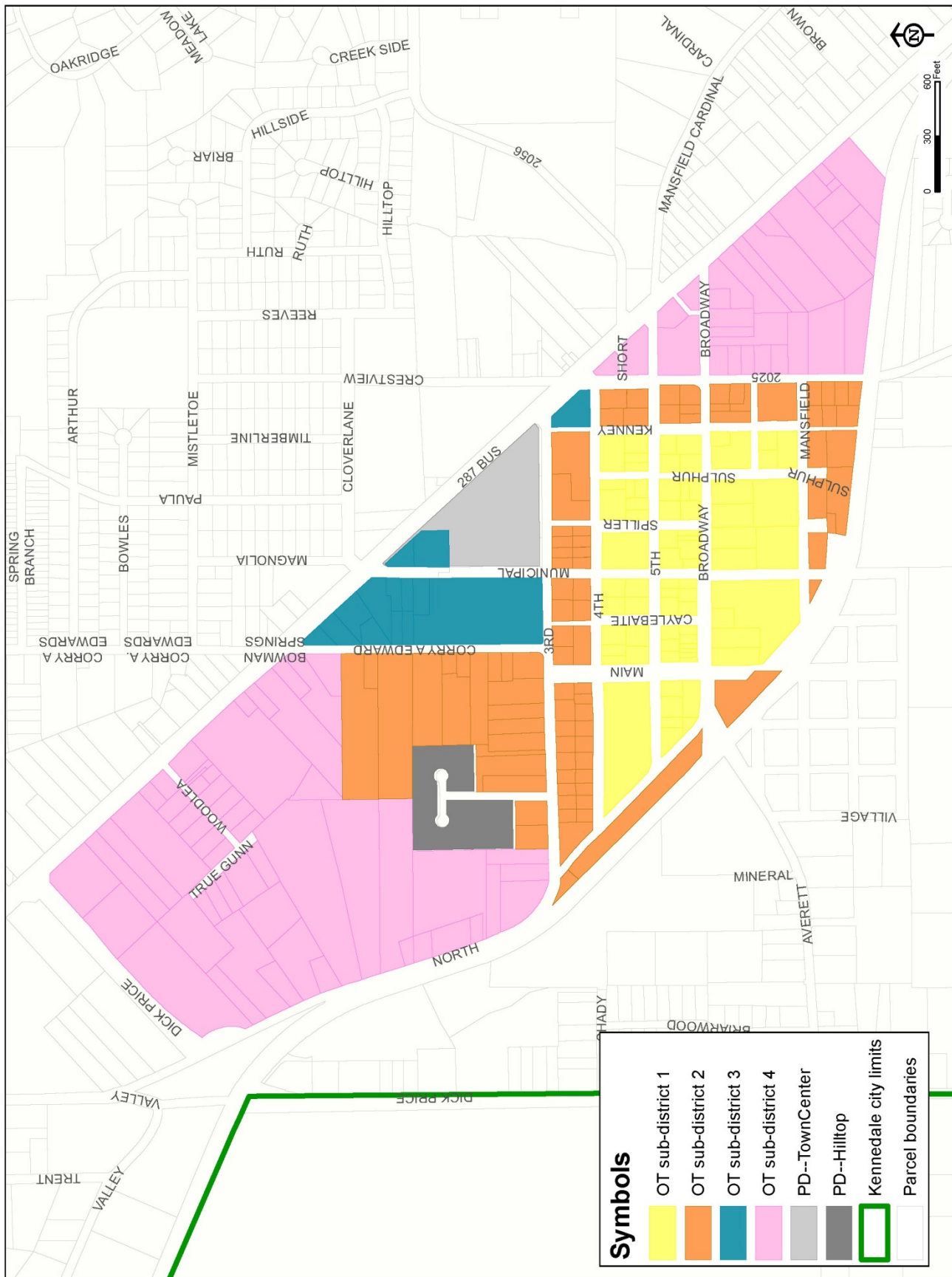


Exhibit B**Sub-district 1:****City of Kennedale Addition**

Blocks 36, 37, & 38 & Vacate Alley per 11414-1569

Block 39 Lots 1, 2, 3, 4, 5R, 7, 8

Block 40 Lots 1R, 3R, 5R, 7R

Block 41 Lot 1R

Block 42 Lots 1 & Pt Closed Alley, 2R, 5 & Pt Closed Alley, 6 - 8 & Pt Closed Alley, Block 42 N40'4 & N40'E40'3 & Pt Closed Alley, Block 42 S80'4 & S80'E40'3

Block 43 Lots 1 & Vacated Alley per 11414/1569, 2 & Vacate Alley Per 11414/1569, 3 & 4 & Vacate Alley Per 11414/1569, 5R

Block 46 Lots 1 - 4, 5 - 8, 9R, & 13 - 16

Block 47 Lots 1R, N 1/2 5 To 8, 9 - 12, & 13 - 16, E1'S52'4 & S 1/2 5 To 8

Block 48 Lots 1, 2, 3 - 6 & Pt of Alley, 7 & Pt of Alley, 8 & Pt of Alley, 9R, 13R

Block 49 Lots 1 - 3 & Pt of Closed Alley, 4R, 8R & Pt of Closed Alley, 9R, 11R, 13 - 16 & Pt of Closed Alley

Block 50 Lots 1 & Pt of Closed Alley, 2 & Pt of Closed Alley, 3 & Pt of Closed Alley, 4 & Pt of Closed Alley, 5 & 6 & Pt of Closed Alley, 7R, 9 - 11 & Pt of Closed Alley, 12 & 13 & E 1/2 14 & Pt of Closed Alley, 15 & 16 W 1/2 14 & Pt of Closed Alley

Block 51 Lots 1 - 8 & Pt of Closed Alley, 9 - 12 & Pt of Closed Alley, 13 - 16

Block 52 Lot 3, 4, 5 & Pt of Closed Alley & St, 6 - 10 & E18'11

Block 61 Lots 1-4 & 13-16 & Pt of Closed Alley

Block 63 Lot 1R, 2R

Block 64 Lots 1R & Pt Closed St, 2R & Pt Closed Sts

Block 65 Lots 1 - 8 & 12 - 16 & Pt of Closed Alley, 9 - 11 & Pt of Closed Alley

Block 68 Lots 1 - 4 & Pt of Closed Alley, 5 - 8 & Pt of Closed Alley, 9 - 12 & Pt of Closed Alley

Block 69 Lots 1 - 12 & Pt Closed Street & Alley

Block 70 & Pt Closed Streets & Alley

George A Lowery

Tracts Block Lots A & B1A, B1, B2

Sub-district 2:**City of Kennedale Addition**

Block 24 Lot 1R

Block 25 Lot 1R

Block 26 Lot 1R1, 1R2, 2R1, 2R2, 3R1, 3R2, 4R1, 4R2

Block 27 Lots 1R, 2R, 3R, 4R

Block 28 Lots 1, 2, 3, 4

Block 29 Lots 1R, 2R, 3 & E5'4 E Pt Lt 4, 4R, E 60' Lt 2

Block 30R Lots 1, 2, 3, 4, 5, 6

Block 32 Lots 2 - 4 Less Row

Block 33 Lot 2A

Block 44 Lots 1, 2, 3 & 4, 5 & 6 & Vacated Alley Per 11414/1569, S 20' 7 & 8, N 100' 7 & 8

Block 45 Lots 1R, 3R, 5 - 8 & Pt Closed Alley, 9 - 12 & Pt Closed Alley, 13 - 16 & Pt Closed Alley

Block 60 Lot 1R

Block 66 Lots 1, 2, 15 & 16 & Pt of Closed Alley, 3, 4B, 5B, 6B, 7B, 8B & Pt of Closed Alley, S 35' Lts 5 Thru 8 & 4 Les Nec, 9 - 12, 13A & Pt of Closed Alley E 10' of Lot 13, 5A, 4A, 6A, 7A, 8A & Pt of Closed Alley, N 55' Lts 4-8 & E 10' Lt 4, 14 & 13B & Pt of Closed Alley W 15' of Lot 13

Block 67 Lots 1 – 12 & Closed Alley

Block 84

Block 85 Lots 1 & 2

Block 86 Lots 1 & 2 & W Pt Closed St

Block 87 Lots 1 & 2 & A1506 Trs 2A1 & 2A4, 3 & 4

Block 88 Lots 1R, 2R, 3R, 4R, 5R, 6R, 7R

Gregory Addition

Block 1 Lot 1

Prather Subdivision

Block Lots 1, 2, 3, 4, 5, 6, 7, 8

Jacob Prickett Survey

A 1225 Tracts 5C & 5F, 5D, 5E, 6B, 6C, 6D, 7, 7A, 7B, 8, 8B, 8C & 8E, 10B01, 12A 12B & 12C

Roberson Addition

Block 1 Lot 1

The Sather Addition

Block 1 Lot 1R

Soto Addition

Block 1 Lot 1R

C B Teague Survey

A 1506 Tracts 2A & 2A3, 2A02, 2A1 & 2A4

Woodlea Acres Addition

Block 2 Lots 1, 2B Bal Of 2 Blk 2, 2A, SE Pt Of Lot 2

Sub-district 3:

City of Kennedale Addition

Block 23 Lot 1A

James A Arthur Addition

Block Lots 1R1, 1R2, 7B

Block 4 Lots 4, 5A & 6

Cazanda Rose Suvey

A 1285 Tracts 1A, 1D, 2C, 2B & 2D1

B T Webb Subdivision

Block A Lot 1, 2, 3, 4

Municipal Addition

Block 1 Lot 1

Sub-district 4:

C A Boaz Subd Of J B Renfro Survey

Block Lots 31, 32B, 32C, 32D2A, 32Dr, 32E, 32R, 33 Portion With Exception, 34A, 34B, 35A W 1/2 of Lot 35, 35B E 1/2 Lot 35, 36A, 36A1, 36A2 & NE Pt 37, 36A3, 36A4 & 36D, 36A5 & 36E, 36B, 36C, 37A, 37B, 37B1, 38, 39

Carol Heights

Block Lots 1, 2, 3 & S 15' 4, 5R, 6R, 7R, 8R1 1980 28 X 48, 9R 1987 Oak Creek 28 X 64, 8R2

Jacob Prickett Addition

Block 1 Lot 1

Jacob Prickett Survey

A 1225 Tracts 3A, 3A1 & 3A3, 3A04, 10A, 11, 11A, 11B

Jesse B Renfro Survey

A 1260 Tracts 3E, 5E, 5E1, 5E2, 5E4 & 5H, 5E03, 5E05, 5F, 5F1 & 5J

Woodlea Acres Addition

Block 2 Lots 3A, 3B, 3C, 4A, 4B, 5R1A, 5R1R, 5R2, 7Ar, 7BR2, 7C, 7D, 7E, 7F, 8A1 & 8B1, 8A2 N 150' Lot 8A, 8B2 N 150' Lot 8B, 8C, 8D, 8E, 8F, 9, 10A SE Pt of 10, 10B NW Pt of 10, 11R, 12R, 22R, 24A N Pt of 24, 24B W Pt of S Pt Lot 24, 24R1, 24R2, 27, 29A, 28R, 29B SW Corner Lot 29



Date: May 21, 2015

Agenda Item No: REGULAR ITEMS - B.

I. Subject:

CASE # PZ 15-06 Public hearing and consideration of Ordinance approval regarding a city-initiated zoning change for various properties within an approximately 170-acre tract in the City of Kennedale Addition, George A Lowery Addition, Gregory Addition, Prather Subdivision, Jacob Prickett Survey A-1225, Roberson Addition, Sather Addition, Soto Addition, C B Teague Survey A-1506, Woodlea Acres Addition, James A Arthur Addition, Cazanda Rose Survey A-1285, B T Webb Subdivision, Municipal Addition, C A Boaz Subd of J B Renfro Survey, Carol Heights, Jacob Prickett Addition, and Jesse B Renfro Survey A-1260, Tarrant County, Texas, to a sub-district with the "OT" Old Town zoning district.

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Request: rezone 259 properties (approx. 170 acres) in and around Old Town to a sub-district within the Old Town zoning district

Requested by: city-initiated

Location: see map (attached)

This case is the next step in implementing the new zoning regulations for the area described as the Downtown Village in the comprehensive plan. The Commission considered the regulations for the district in the previous case, and this case will rezone properties into sub-districts under the new regulations.

Compliance with the comprehensive land use plan.

The comprehensive plan classifies each part of the city into a type of character district. The character districts incorporate multiple compatible land uses in an attempt to create dynamic places that advance the plan's principles and goals.

The plan identifies the area under consideration as Downtown Village. The Downtown Village is intended to preserve and expand the original downtown street grid and block pattern. Uses should include a relatively dense mix of residences and businesses. The Village should be easily accessible by pedestrians from the Towncenter and other nearby areas.

Sample development types include, but are not limited to:

- Professional office
- Specialized retail
- Live-work units
- Café/coffee shop

- Small-lot single family
- Attached single-family
- Townhome/rowhouse
- Accessory dwelling unit
- Plazas/pocket parks
- Community theater

The regulations for this area (considered under PZ 15-05) were written specifically for the purpose of establishing the Downtown Village character district, and the properties proposed for rezoning are within the areas designated as Downtown Village in the Future Land Use Plan.

Also included are properties identified as TownCenter in the Future Land Use plan but not included in the existing TownCenter planned development district. The intent of the TownCenter character district is to provide a central place for civic activity in Kennedale. Rather than establish a separate zoning category, the new Old Town sub-district 3 (if approved under PZ 15-05) was established to implement the TownCenter character district.

Staff considers the rezoning to be in compliance with the comprehensive land use plan.

Compliance with the strategic plan.

The strategic plan calls for establishing a historic district. Generally, historic districts have two main components: preservation of existing historic structures and creation of architectural guidelines that ensure new development fits the district character. Establishment of the architectural standards in the ordinance considered under the previous case meets that second component. Rezoning would apply those standards to the properties within the Old Town area.

Staff considers the rezoning to be in compliance with the strategic plan.

Compliance with City Council priorities.

The proposed ordinance would help ensure new development is attractive and suitable for the area, as well as more pedestrian- and family-friendly, which is in line with the council's priorities.

Staff considers the rezoning to be in compliance with City Council priorities.

Staff Recommendation.

The rezoning is in compliance with the city's comprehensive land use plan and with other planning and policy documents. Staff recommends approval.

Action by the Planning & Zoning Commission.

City code describes the Commission's authority in approving requests for rezoning.

You may:

- * recommend granting the requested zoning change; or
- * recommend denying the requested zoning change; or
- * recommend changing the zoning designation on a portion of the property for which zoning is requested; or

- * recommend initiating a request to consider changing all or a portion of such property to a district other than that requested and of a different character; or
- * consider and recommend approval of any zoning classification in the adopted zoning ordinance having a lesser intensity and being more restrictive than the zoning designation requested by the applicant.
(from Sec. 17-429 of the City Code)

Sample Motions.

The motions provided below are examples, and you are not required to use them.

Approval

I find the rezoning to be in compliance with the comprehensive land use plan [or state other reason] and make a motion to recommend approval of Case PZ 15-06.

Denial

I find the rezoning to be in conflict with the comprehensive land use plan [or state other reason] and make a motion to recommend denial of Case PZ 15-06.

Postponement

I make a motion to postpone Case PZ 15-06 until _____ (state date).

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

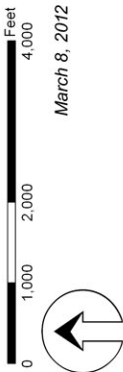
KENNEDALE COMPREHENSIVE PLAN UPDATE

FUTURE LAND USE PLAN

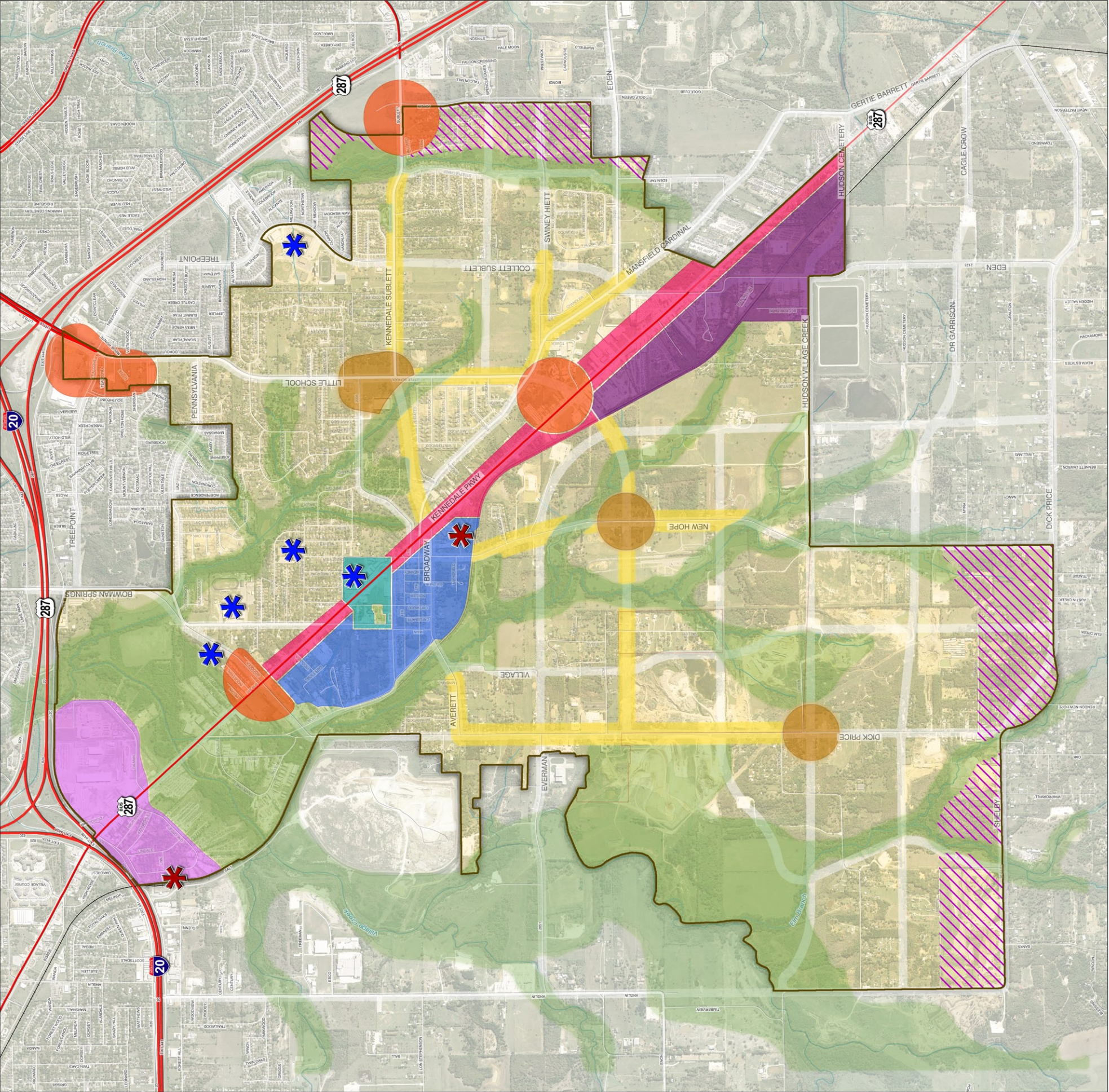
CATEGORIES

- Town Center
- Downtown Village
- Urban Village
- Urban Corridor
- Neighborhood Village
- Neighborhood Corridor
- Neighborhoods
- Employment Center
- Light Industrial District
- Park & Open Space
- Conservation Overlay
- Potential Commuter Train or Park & Ride Station
- Schools

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



KENNEDALE
You're Here, Your Home



ORDINANCE NO. 576

AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED; REZONING CERTAIN PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF KENNEDALE TO SUB-DISTRICTS WITHIN THE OLD TOWN ZONING DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Kennedale Texas is a Home Rule municipality acting under its charter adopted by the electorate pursuant to Article XI, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential, or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, the City of Kennedale adopted a comprehensive land use plan that designates a certain art of the city as a character district called the Downtown Village; and

WHEREAS, the City Council has adopted regulations to establish sub-districts in the Old Town zoning district and to regulate property in the City of Kennedale in keeping with the Downtown village character district; governing the areas identified in the comprehensive land use plan

WHEREAS, the City Council has determined that Old Town zoning district sub-districts are the most appropriate zoning district to facilitate the development of the properties described below; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on the 21st day of May 2015 and by the City Council of the City of Kennedale on the 15th day of June 2015 with respect to the zoning changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code; and

WHEREAS, the City Council does hereby deem it advisable and in the public interest to amend the City's Zoning Ordinance as described herein.

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

SECTION 1:

The Comprehensive Zoning Ordinance is hereby amended so that the zoning classification and the uses in the hereinafter described area shall be changed and or restricted as shown and described below:

An approximately 170 acre tract in the City of Kennedale, Tarrant County, Texas ("the Property"), in the City of Kennedale Addition, George A Lowery Addition, Gregory Addition, Prather Subdivision, Jacob Prickett Survey A-1225, Roberson Addition, Sather Addition, Soto Addition, C B Teague Survey A-1506, Woodlea Acres Addition, James A Arthur Addition, Cazanda Rose Survey A-1285, B T Webb Subdivision, Municipal Addition, C A Boaz Subd of J B Renfro Survey, Carol Heights, Jacob Prickett Addition, and Jesse B Renfro Survey A-1260, Tarrant County, Texas, more particularly described on Exhibit A, to a sub-district with the "OT" Old Town zoning district, as also described on Exhibit A.

SECTION 2.

The zoning districts and boundaries as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 4.

The City Secretary is hereby directed to amend the official zoning map to reflect the changes in classifications approved herein.

SECTION 5.

The use of the properties hereinabove described shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City of Kennedale, Texas.

SECTION 6.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of

Ordinances of the City of Kennedale, Texas (1991), as amended, including but not limited to all Ordinances of the City of Kennedale affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 7.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

All rights or remedies of the City of Kennedale Texas are expressly saved as to any and all violations of any ordinances governing zoning or of any amendments thereto that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation both civil and criminal same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

SECTION 9.

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

SECTION 10.

The City Secretary of the City of Kennedale is hereby directed to publish in the official newspaper of the City of Kennedale the caption, penalty clause, publication clause and effective date clause of this ordinance as provided by Section 3.10 of the Charter of the City of Kennedale.

SECTION 11.

This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

PASSED AND APPROVED ON THIS 15th DAY OF JUNE 2015.

APPROVED:

Mayor, Brian Johnson

ATTEST:

City Secretary, Leslie Galloway

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney, Wayne K. Olson

Exhibit A

Legal Descriptions

From “OT” Old Town to “OT S-1” Old Town Sub-District 1

City of Kennedale Addition

Blocks 36, 37, & 38 & Vacate Alley per 11414-1569

Block 39 Lots 1, 2, 3, 4, 5R, 7, 8

Block 40 Lots 1R, 3R, 5R, 7R

Block 41 Lot 1R

Block 42 Lots 1 & Pt Closed Alley, 2R, 5 & Pt Closed Alley, 6 - 8 & Pt Closed Alley, Block 42 N40'4 & N40'E40'3 & Pt Closed Alley, Block 42 S80'4 & S80'E40'3

Block 43 Lots 1 & Vacated Alley per 11414/1569, 2 & Vacate Alley Per 11414/1569, 3 & 4 & Vacate Alley Per 11414/1569, 5R

Block 46 Lots 1 - 4, 5 - 8, 9R, & 13 - 16

Block 47 Lots 1R, N 1/2 5 To 8, 9 - 12, & 13 - 16, E1'S52'4 & S 1/2 5 To 8

Block 48 Lots 1, 2, 3 - 6 & Pt of Alley, 7 & Pt of Alley, 8 & Pt of Alley, 9R, 13R

Block 49 Lots 1 - 3 & Pt of Closed Alley, 4R, 8R & Pt of Closed Alley, 9R, 11R, 13 - 16 & Pt of Closed Alley

Block 50 Lots 1 & Pt of Closed Alley, 2 & Pt of Closed Alley, 3 & Pt of Closed Alley, 4 & Pt of Closed Alley, 5 & 6 & Pt of Closed Alley, 7R, 9 - 11 & Pt of Closed Alley, 12 & 13 & E 1/2 14 & Pt of Closed Alley, 15 & 16 W 1/2 14 & Pt of Closed Alley

Block 51 Lots 1- 8 & Pt of Closed Alley, 9 - 12 & Pt of Closed Alley, 13 - 16

Block 52 Lot 3, 4, 5 & Pt of Closed Alley & St, 6 - 10 & E18'11

Block 61 Lots 1-4 & 13-16 & Pt of Closed Alley

Block 63 Lot 1R, 2R

Block 64 Lots 1R & Pt Closed St, 2R & Pt Closed Sts

Block 65 Lots 1 - 8 & 12 - 16 & Pt of Closed Alley, 9 - 11 & Pt of Closed Alley

Block 68 Lots 1 - 4 & Pt of Closed Alley, 5 - 8 & Pt of Closed Alley, 9 - 12 & Pt of Closed Alley

Block 69 Lots 1 - 12 & Pt Closed Street & Alley

Block 70 & Pt Closed Streets & Alley

George A Lowery

Tracts Block Lots A & B1A, B1, B2

From “OT” Old Town to “OT S-2” Old Town Sub-District 2

City of Kennedale Addition

Block 26 Lots 1R1, 1R2, 2R1, 2R2, 3R1, 3R2, 4R1, 4R2

Block 27 Lots 1R, 2R, 3R, 4R
Block 28 Lots 1, 2, 3, 4
Block 29 Lots 1R, 2R, 3, 4R, E 60' Lt 2

Block 30R Lots 1, 2, 3, 4, 5, 6
Block 32 Lots 2 Thru 4 Less Row
Block 33 Lot 2A

Block 45 Lots 1R, 3R, 5 Thru 8 & Pt Closed Alley, 9 - 12 & Pt Closed Alley, 13 - 16 & Pt Closed Alley

Block 60 Lot 1R
Block 66 Lots 1, 2, 15 & 16 & Pt of Closed Alley, 14 & 13B & Pt of Closed Alley,
3,4B,5B,6B,7B,8B & Pt of Closed Alley, 5A,4A,6A,7A,8A & Pt of Closed Alley,
9,10,11,12,13A & Pt of Closed Alley
Block 67 Lots 1 - 12 & Closed Alley

Block 84
Block 85 Lots 1&2
Block 86 Lots 1 & 2 & W Pt Closed St
Block 87 Lots 1 & 2, 3 & 4
Block 88 Lots 1R, 2R, 3R, 4R, 5R, 6R, 7R

Gregory Addition

Block 1 Lot 1

Prather Subdivision

Block Lot 1, 2, 3, 4, 5, 6, 7, 8

Jacob Prickett Survey A-1225

Tracts 3A1 & 3A3, 5C & 5F, 5D, 5E, 6B, 6C, 6D, 7, 7A, 7B, 8, 8B, 8C & 8E,
10B01, 12A 12B & 12C

Roberson Addition

Blk 1 Lot 1

The Sather Addition

Block 1 Lot 1R

Soto Addition

Block 1 Lot 1R

C B Teague Survey

A 1506 Tracts 2A02, 2A & 2A3, 2A1 & 2A4

From “C-1” Restricted Commercial to “OT S-2” Old Town Sub-District 2

City of Kennedale Addition

Block 24 Lot 1R

Block 25 Lot 1R

Block 44 Lots 1, 2, S20' 7 & 8, 3 & 4, 5 & 6 & Vacate Alley Per 11414/1569, N 100' 7 & 8

From “C-2” General Commercial to “OT S-2” Old Town Sub-District 2

Woodlea Acres Addition

Block 2 Lots 1, 2B Bal Of 2 Blk 2, 2A SE Pt Of Lot 2

From “MH” Manufactured Housing to Old Town Sub-District 2

Woodlea Acres Addition

Block 2 Lot 28R

From “C-1” to “OT S-3” Old Town Sub-District 3

City of Kennedale Addition

Block 23 Lot 1A

James A Arthur Addition

Block Lot 1R1, 1R2, 7B

Block 4 Lots 4, 5A & 6

Municipal Addition

Block 1 Lot 1

Cazanda Rose Survey A-1285

Tract 1A, 1D, 2C

B T Webb Subdivision

Block A Lot 1, 2, 3, 4

From “C-2” General Commercial to “OT S-3” Old Town Sub-District 3

Cazanda Rose Survey A-1285

Tracts 2B & 2D1

From “OT” Old Town to “OT S-4” Old Town Sub-District 4

Jacob Prickett Addition

Block 1 Lot 1

Jacob Prickett Survey A-1225

Tracts 33A1 & 3A3, A04, 10A, 11, 11A, 11B

Woodlea Acres Addition

Block 2 Lot 29B

Roberson Addition

Block 1 Lot 1

From “C-1” Restricted Commercial to “OT S-4” Old Town Sub-District 4

C A Boaz Subd of J B Renfro Survey

Block Lot 36A1

Jesse B Renfro Survey A-1260

Tract 3E

From “C-2” General Commercial to “OT S-4” Old Town Sub-District 4

C A Boaz Subd of J B Renfro Survey

Block Lots 29 & 30, 31, 32B, 32C, 32D2A, 32Dr, 32E, 32R, 33, 34A, 34B, 35A, 35B, 36A, 36A2 & NE Pt 37, 36A3, 36A5 & 36E, 36A4 & 36D, 36B, 36C, 37A, 37B, 37B1, 38, 39,

Jacob Prickett Survey A -1225

Tract 3A

Jesse B Renfro Survey A-1260

Tracts 5E, 5E01, 5E02, 5E03, 5E04, 5E05, 5F, 5F1, 5H, 5J

Woodlea Acres Addition

Block 2 Lots 1, 2B, 3A, 3B, 3C, 4A, 4B, 5R1A, 5R1R, 5R2, 7Ar, 7Br1C, 7Br2, 7C, 7Br1A, 7Br1B, 8A1 & 8B1, 8A2, 8B2, 8C, 9, 10A, 10B, 11R, 12R, 22R, 24A, 24B, 29A

From “MH” Manufactured Home District to “OT S-4” Old Town Sub-District 4

Carol Heights

Block Lot 8R1, 8R2, 9R

Woodlea Acres Addition

Block 2 Lots 24R2, 27, 28R

**From “R-3” Single Family Residential to “OT S-4” Old Town Sub-District 4
Carol Heights**

Block Lots 1, 2, 3 & S 15' 4, 5R, 6R, 7R,

Woodlea Acres Addition

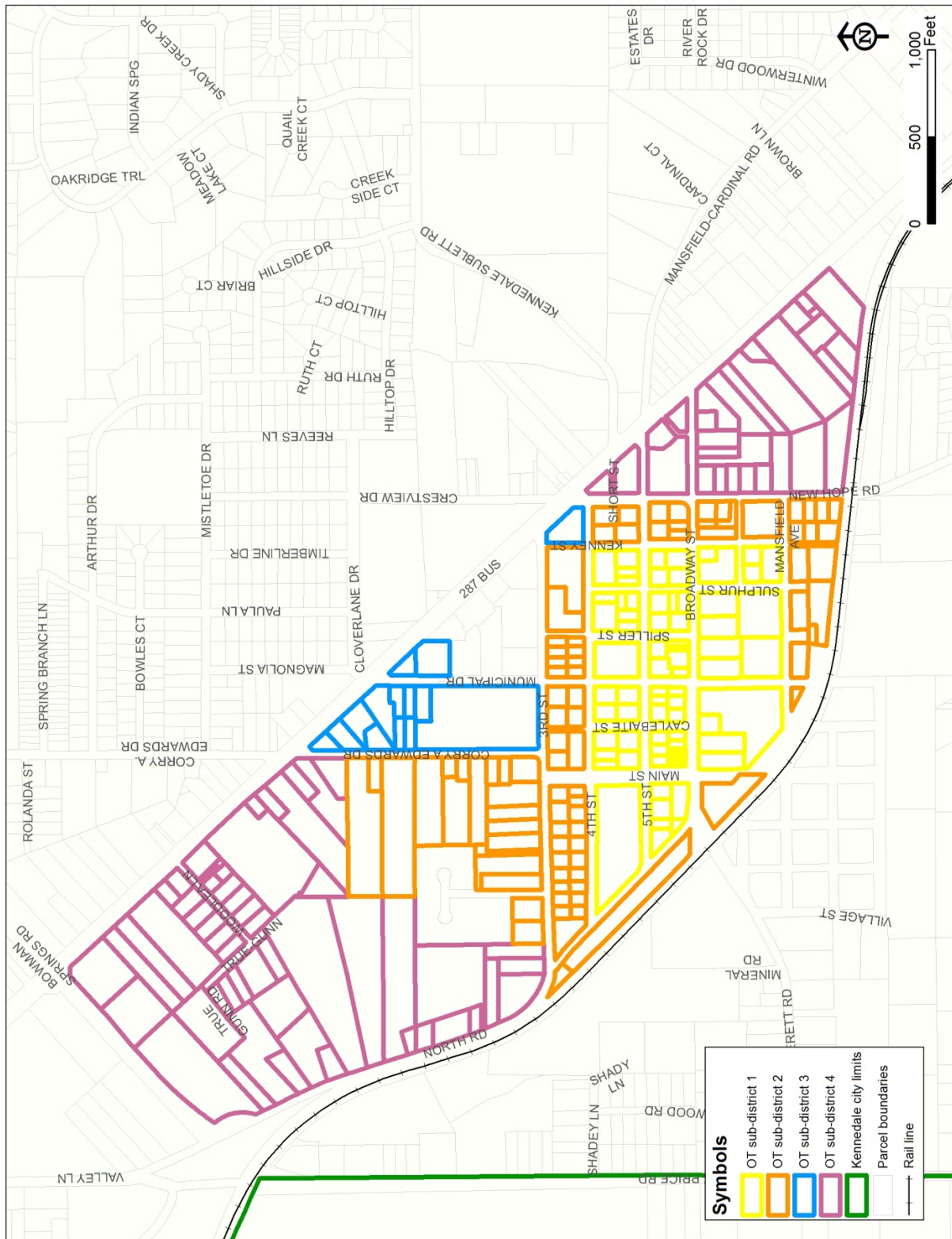
Block 2 Lots 7D, 7E, 7F, 8D, 8E, 8F

From “MH” Manufactured Home & “C-2” General Commercial to “OT S-4” Old Town Sub-District 4

Woodlea Acres Addition

Block 2 Lot 24R1

Exhibit B Map of the Property



Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: REGULAR ITEMS - D.

I. Subject:

Consider authorizing the Mayor to sign a Letter of Agreement with the Tax Increment Reinvestment Zone for two Professional Service Agreements

II. Originated by:

III. Summary:

In order to comply with provisions of the development agreement with Texas Raceway, the City needs to move forward with the preliminary engineering design on the sewer line extension and the New Hope Road alignment. The alignment is also important to the TxDOT plan to rebuild the bridge near the Texas Raceway property. The actual planning is the responsibility of the TIRZ; however, since the TIRZ has no funds at this point, the city will need to provide the funding through a loan. This has been placed on the agenda in order for the Council to consider requesting the City Attorney to prepare a Letter of Agreement between the TIRZ and the City of Kennedale to loan funds for two professional engineering agreements and authorizing the Mayor to sign the agreement.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: EXECUTIVE SESSION - A.

I. Subject:

The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1. City Manager's Annual Evaluation

II. Originated by:

III. Summary:

At this time the City Council will meet in executive session.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	City Manager Annual Evaluation Form	City Manager Evaluation.doc
2.	2014 Ends Statement with Sub-ends	Ends Statement with subends 2014.docx
3.	Governance Policies	governance policies.docx

Manager Performance Evaluation¹

INSTRUCTIONS

This evaluation form presents ten categories of evaluation criteria. Each category contains a statement to describe a behavior standard in that category. For each statement, use the following scale to indicate your rating of the manager's performance.

5 = Excellent (almost always exceeds the performance standard)

4 = Above average (generally exceeds the performance standard)

3 = Average (generally meets the performance standard)

2 = Below average (usually does not meet the performance standard)

1 = Poor (rarely meets the performance standard)

Any item left blank will be interpreted as a score of "3 = Average"

This evaluation form also contains a provision for entering narrative comments, including responses to specific questions and any observations you believe appropriate and pertinent to the rating period.

Please write legibly. Leave all pages of this evaluation form attached. Initial each page. Sign and date the cover page. On the date space of the cover page, enter the date the evaluation form was submitted. All evaluations presented prior to the deadline identified on the cover page will be summarized into a performance evaluation to be presented by the elected body to the manager as part of the agenda for the meeting indicated on the cover page.

PERFORMANCE CATEGORY SCORING

1. INDIVIDUAL CHARACTERISTICS

_____ Diligent and thorough in the discharge of duties, "self-starter"

_____ Exercises good judgment

_____ Displays enthusiasm, cooperation, and willingness to adapt

_____ Exhibits mental and physical stamina appropriate for the position

_____ Exhibits composure, appearance, and attitude appropriate for executive position

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

2. PROFESSIONAL SKILLS AND STATUS

_____ Maintains knowledge of current developments affecting the practice of local government management

¹ Adapted from City Manager Performance Evaluation, University of Tennessee Institute for Public Service

- _____ Demonstrates a capacity for innovation and creativity
- _____ Anticipates and analyzes problems to develop effective approaches for solving them
- _____ Willing to try new ideas proposed by elected body members and/or staff
- _____ Sets a professional example by handling affairs of the public office in a fair and impartial manner

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

3. RELATIONS WITH MEMBERS OF THE ELECTED BODY

- _____ Carries out directives of the body as a whole as opposed to those of any one member or minority group
- _____ Sets meeting agendas that reflect the guidance of the elected body and avoids unnecessary involvement in administrative actions
- _____ Disseminates complete and accurate information equally to all members in a timely manner
- _____ Assists by facilitating decision making without usurping authority
- _____ Responds well to requests, advice, and constructive criticism

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

4. POLICY EXECUTION

- _____ Implements elected body actions in accordance with the intent of council
- _____ Supports the actions of the elected body, both inside and outside the organization, after a decision has been reached
- _____ Understands, supports, and enforces local government's laws, policies, and ordinances
- _____ Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness
- _____ Offers workable alternatives to the elected body for changes in law or policy when an existing policy or ordinance is no longer practical

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

5. REPORTING

- _____ Provides regular information and reports to the elected body concerning matters of importance to the local government, using the charter as guide
- _____ Responds in a timely manner to requests from the elected body for special reports
- _____ Takes the initiative to provide information, advice, and recommendations to the elected body on matters that are non-routine and not administrative in nature

_____ Produces reports that are accurate, comprehensive, concise, and written to their intended audience

_____ Produces and handles reports so as to convey the message that affairs of the organization are open to public scrutiny

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

6. CITIZEN RELATIONS

_____ Is responsive to requests from citizens

_____ Demonstrates a dedication to service to the community and its citizens

_____ Maintains a nonpartisan approach in dealing with the news media

_____ Meets with and listens to members of the community to discuss their concerns, and strives to understand their interests

_____ Makes an appropriate effort to maintain citizen satisfaction with services

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

7. STAFFING

_____ Recruits and retains competent personnel for staff positions

_____ Applies an appropriate level of supervision to improve any areas of substandard performance

_____ Stays accurately informed and appropriately concerned about employee relations

_____ Manages the compensation and benefits plan professionally

_____ Promotes training and development opportunities for employees at all levels of the organization

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

8. SUPERVISION

_____ Encourages heads of departments to make decisions within their jurisdictions with minimal manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff

_____ Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level

_____ Develops and maintains a friendly and informal relationship with the staff and workforce in general, yet maintains the professional dignity of the manager's office

_____ Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback

_____ Encourages teamwork, innovation, and effective problem solving among the staff members

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

9. FISCAL MANAGEMENT

_____ Prepares a balanced budget to provide services at a level directed by council

_____ Makes the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively

_____ Prepares a budget and budgetary recommendations in an intelligent and accessible format

_____ Ensures that actions and decisions reflect an appropriate level of responsibility for financial planning and accountability

_____ Monitors and manages fiscal activities of the organization appropriately

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

10. COMMUNITY

_____ Shares responsibility for addressing the difficult issues facing the community

_____ Avoids unnecessary controversy

_____ Cooperates with neighboring communities and the county

_____ Helps the council address future needs and develop adequate plans to address long-term trends

_____ Cooperates with other regional, state, and federal government agencies

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

NARRATIVE EVALUATION

What would you identify as the manager's strength(s), expressed in terms of the principal results achieved during the rating period?

What performance area(s) would you identify as most critical for improvement?

What constructive suggestions or assistance can you offer the manager to enhance performance?

What other comments do you have for the manager (e.g., priorities, expectations, goals, or objectives for the new rating period)?

Ends Statement

Kennedale is a family-oriented community (1.0) providing a refuge (2.0) from the hectic pace of the Dallas/Fort Worth Metroplex. Open spaces, green belts, and trails enhance our serenity (3.0), quality of life (4.0) and community (5.0). With easy access (6.0) from major roadways, Kennedale is economically prosperous, business friendly and conveniently located, providing opportunities to shop, work and play (7.0).

Sub-ends

1.0 Residents are engaged in community, civic activities, & events.

- 1.1 Kennedale TownCenter is a community gathering point for events and retail services
- 1.2 Residents proactively receive accurate, timely dissemination of general information and emerging issues
- 1.3 Services are in place to support families
- 1.4 Kennedale is promoted locally, regionally, and nationally as desirable for home and work
- 1.5 Well planned community following sustainable principles
 - 1.5.1 Kennedale has excellent neighborhoods and a wide range of home options
 - 1.5.2 Residents have views of natural landscapes
 - 1.5.3 Residents have access to adequate medical care, healthy foods, and opportunities to incorporate physical activity as part of their daily routines
 - 1.5.4 Residents enjoy community based activities
- 1.6 Business uses are compatible with residential areas
- 1.7 Kennedale has excellent educational services
 - 1.7.1 Residents enjoy excellent library services

- 1.7.2 KISD is an exemplary school system
- 1.7.3 Fellowship Academy is a highly regarded private school within a Christian atmosphere
- 1.7.4 Home-school opportunities and networks are available

2.0 Kennedale entry points are pastoral and serene

- 2.1 The north entry point is defined by Village Creek as a natural open space
- 2.2 Kennedale Parkway is physically attractive
 - 2.2.1 Annexation activity
- 2.3 Sidewalks and landscaping are integral to the community
- 2.4 Trees and natural spaces are preserved

3.0 Kennedale has an outstanding parks system that includes neighborhood parks, a comprehensive linear park system, and recreational facilities located throughout town.

- 3.1 Hike and bike trails run throughout Kennedale and are connected to the regional trail system

4.0 Kennedale residents receive excellent municipal services with a staff that is proactive and responsive to residents needs

- 4.1 The Kennedale municipal government is well governed
- 4.2 Residents and stakeholders feel safe at home and at work in Kennedale.
 - 4.2.1 Fire and EMS, police, and animal control services are provided promptly and skillfully

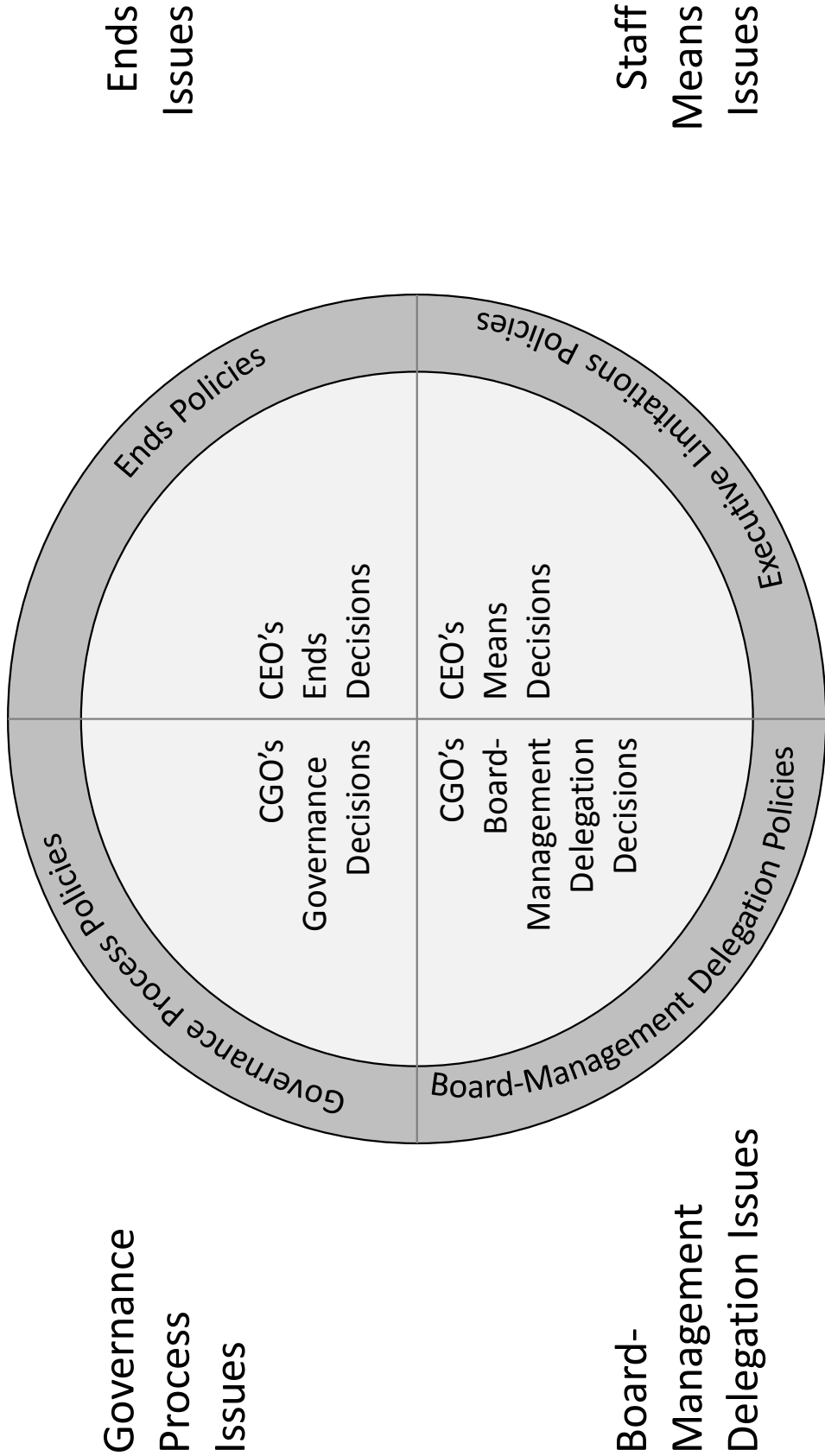
- 4.2.2 Residents enjoy a safe environment free from the threat of natural, technological, or man made threats
- 4.3 Fiscal Resources are managed productively, responsibly, and ethically.
- 4.4 Kennedale has a quality water, sewer, stormwater drainage, and solid waste utility system
- 4.5 Residents and visitors receive fair treatment through the municipal court system
- 4.6 Buildings are constructed and maintained in compliance with national codes
- 4.7 Kennedale city government is financially responsible and sustainable
- 4.8 City staff maintains cooperative and collaborative working relationships based on an Integrative work culture consistent with the core values of integrity, accountability, teamwork, innovation, and commitment
 - 4.8.2 Intergovernmental relationships

5.0 Kennedale is a well planned community based on principles of a connected city, economic prosperity, and a thriving community

6.0 Kennedale is a connected city with a multi-modal transportation system designed and maintained to reduce auto congestion, increase accessibility, and accommodate pedestrians and cyclists safely and comfortably.

7.0 Kennedale is economically prosperous with an excellent business climate to support light industrial, employment centers, and distribution facilities which are compatible with the Kennedale vision.

Board Policies Completed in All Four Categories



EXECUTIVE LIMITATIONS

Global Executive Constraint.....	1
Treatment of Customers of City Services.....	1
Treatment of Staff.....	1
Financial Planning/Budgeting.....	2
Financial Condition and Activities.....	2
Asset Protection.....	3
Emergency City Manager Succession.....	3
Compensation and Benefits.....	4
Communication and Support to the City Council.....	4

GOVERNANCE PROCESS

Global Governance Process.....	6
Governing Style.....	6
Council Job Description.....	7
Council Members' Code of Conduct.....	7
City Council Engagement.....	8
Annual Planning.....	9
Mayor's Role.....	9
Council Committee Principles.....	10
Cost of Governance.....	11

BOARD-MANAGEMENT DELEGATION

Global Board-Management Delegation.....	12
Unity of Control.....	12
Accountability of the City Manager.....	12
Delegation to the City Manager.....	12
Monitoring Executive Performance.....	13
Reporting schedule.....	14

POLICY TYPE: EXECUTIVE LIMITATIONS
POLICY TITLE: GLOBAL EXECUTIVE CONSTRAINT

The City Manager shall not cause or allow any organizational practice, activity, decision, or circumstance that is either unlawful, imprudent, or in violation of commonly accepted business and professional ethics.

POLICY TYPE: EXECUTIVE LIMITATIONS
POLICY TITLE: TREATMENT OF CUSTOMERS OF CITY SERVICES

With respect to interactions with customers, the City Manager shall not cause or allow conditions, procedures, or decisions that are unsafe, untimely, undignified, or unnecessarily intrusive.

The City Manager will not

1. Elicit information for which there is no clear necessity.
2. Use methods of collecting, reviewing, transmitting, or storing customer information that fail to protect against improper access to the material.
3. Operate facilities without appropriate accessibility and privacy.
4. Operate without establishing with customers a clear understanding of what may be expected and what may not be expected from the service offered.
5. Operate without informing customers of this policy or providing a way to be heard for persons who believe that they have not been accorded a reasonable interpretation of their rights under this policy.

POLICY TYPE: EXECUTIVE LIMITATIONS
POLICY TITLE: TREATMENT OF STAFF

With respect to the treatment of paid and volunteer staff, the City Manager shall not cause or allow conditions that are unfair, undignified, disorganized, or unclear.

The City Manager will not

1. Operate without written personnel rules that (a) clarify rules for staff, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions, such as nepotism and grossly preferential treatment for personal reasons.
2. Retaliate against any staff member for nondisruptive expression of dissent.
3. Allow staff to be unaware of City Manager's interpretations of their protections under this policy.
4. Allow staff to be unprepared to deal with emergency situations.

POLICY TYPE: EXECUTIVE LIMITATIONS
POLICY TITLE: FINANCIAL PLANNING/BUDGETING

The City Manager shall not cause or allow financial planning for any fiscal year or the remaining part of any fiscal year that deviates materially from Council Ends priorities, risks financial jeopardy, or is not derived from a multiyear plan.

The City Manager will not allow budgeting which:

1. Risks incurring those situations or conditions described as unacceptable in the Executive Limitations policy entitled “Financial Condition and Activities.”
2. Omit credible projection of revenues and expenses, separation of capital and operational items, cash flow analysis, and disclosure of planning assumptions.
3. Provide less than the amount determined annually by the Council for the Council’s direct use during the year.

POLICY TYPE: EXECUTIVE LIMITATIONS
POLICY TITLE: FINANCIAL CONDITION AND ACTIVITIES

With respect to the actual, ongoing financial condition and activities, the City Manager may not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from Council priorities established in Ends policies.

The City Manager will not

1. Expend more funds than have been received in the fiscal year to date unless the Council’s debt guideline is met.
2. Incur debt in an amount greater than can be repaid by certain and otherwise unencumbered revenue within 60 days.
3. Use any long-term reserves.
4. Conduct inter-fund shifting in amounts greater than can be restored to a condition of discrete fund balance within 30 days.
5. Allow payables or receivables not to be settled within a reasonable time frame.
6. Allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.
7. Make a single purchase or commitment of greater than \$50,000. Splitting orders to avoid this limit is not acceptable.
8. Acquire, encumber or dispose of real estate.

9. Issue expense checks to himself or herself without the signature of a Council-approved signatory who has been provided with appropriate documentation and receipts.

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: ASSET PROTECTION

The City Manager may not allow the City's assets to be unprotected, inadequately maintained, or unnecessarily risked.

The City Manager will not

1. Insure the organization's assets for less than one hundred percent of replacement value against theft, fire and casualty losses or insure against liability losses to Council members, staff, volunteers and the organization itself for less than the average for comparable organizations.
2. Allow personnel access to material amounts of funds.
3. Subject facilities and equipment to improper wear and tear or insufficient maintenance.
4. Unnecessarily expose the organization, its Council, or staff to claims of liability.
5. Receive, process or disburse funds under controls that are insufficient to meet the Council-appointed auditor's standards.
6. Make any purchase: (a) wherein normally prudent protection has not been given against conflict of interest; (b) of more than \$3,000 without having obtained comparative process and quality; (c) of more than \$10,000 without a stringent method of assuring the balance of long-term quality and cost. Orders shall not be split to avoid these criteria.
7. Allow property, information and files to be unprotected from loss or significant damage.
8. Invest or hold operating capital in insecure instruments, including uninsured checking accounts and bonds of less than an acceptable rating, or in non-interest bearing accounts except where necessary to facilitate ease in operational transactions.

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: EMERGENCY CITY MANAGER SUCCESSION

In order to protect the Council from sudden loss of the City Manager Services, the City Manager shall not permit there to be less than one other person familiar enough with Council and City Manager issues and procedures to be able to maintain organization services.

POLICY TYPE: EXECUTIVE LIMITATIONS
POLICY TITLE: COMPENSATION AND BENEFITS

With respect to employment, compensation, and benefits to employees, consultants, contract workers and volunteers, the City Manager shall not cause or allow jeopardy to fiscal integrity or public image.

The City Manager will not

1. Change the City Manager's own compensation and benefits, except as those benefits are consistent with a package for all other employees.
2. Promise or imply permanent or guaranteed employment.
3. Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.
4. Create obligations over a longer term than revenues can be safely projected.
5. Establish or change pension benefits so as to cause unpredictable or inequitable situations, including those that:
 - a) Incur unfunded liabilities,
 - b) Provides less than some basic level of benefits to all full-time employees, though differential benefits to encourage longevity are not prohibited,
 - c) Allow any employee to lose benefits already accrued from any foregoing plan, and
 - d) Treat the City Manager differently from other key employees.

POLICY TYPE: EXECUTIVE LIMITATIONS
POLICY TITLE: COMMUNICATION AND SUPPORT TO THE CITY COUNCIL

The City Manager shall not cause or allow the city council to be uniformed or unsupported in its work.

The City Manager will not

1. Neglect to submit monitoring data required by the Council according to its policy "Monitoring CM Performance" in a timely, accurate, and understandable fashion, directly addressing provisions of Council policies being monitored, and including City Manager interpretations consistent with the "Delegations to the City Manager" policy, as well as relevant data.
2. Let the Council be unaware of any significant incidental information it requires including anticipated adverse media coverage, threatened or pending lawsuits, and material internal and external changes.
3. Allow the Council to be unaware that, in the City Manager's opinion, the Council is not in compliance with its own policies on Governance Process and Council-Management Delegation,

particularly in the case of Council behavior which is detrimental to the work relationship between the Council and the City Manager.

4. Allow the Council to be without decision information required periodically by the council or let the council be unaware of relevant trends.
5. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and other.
6. Allow the Council to be without a workable mechanism for Council, officer, or committee communications.
7. Deal with the Council in a way that favors or privileges certain Council members over others, except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the board.
8. Allow the Council to be unaware of any actual or anticipated noncompliance with any Ends or Executive Limitations policy of the Council regardless of the Council's monitoring schedule.
9. Endanger the city's public image, credibility, or its ability to accomplish Ends.

POLICY TYPE: GOVERNANCE PROCESS
POLICY TITLE: GLOBAL GOVERNANCE PROCESS

The purpose of the City Council, on behalf of the residents of Kennedale, is to see to it that the City of Kennedale (a) achieves appropriate results for appropriate persons at an appropriate cost (as specified in council Ends policies), and (b) avoids unacceptable actions and situations as prohibited in Council Executive Limitations policies.

POLICY TYPE: GOVERNANCE PROCESS
POLICY TITLE: GOVERNING STYLE

The City Council will govern lawfully, observing the principles of the Policy Governance model, with an emphasis on (a) outward vision rather than an internal preoccupation, (b) encouragement of diversity in viewpoints, (c) strategic leadership more than administrative detail, (d) clear distinction of Council and city manager roles, (e) collective rather than individual decisions, (f) future rather than past or present, and (g) proactivity rather than reactivity.

Accordingly,

1. The Council will cultivate a sense of group responsibility. The council, not the staff, will be responsible for excellence in governing. The Council will normally be the initiator of policy, rather than reacting to staff's proposals. The Council will not use the expertise of individual members to substitute for the judgment of the Council, although the expertise of individual members may be used to enhance the understanding of the Council as a body.
2. The Council will direct, control, and inspire the organization through the careful establishment of broadly written policies reflecting the Council's values and perspectives. The Council's major policy focus will be on the intended long-term external impacts of the organization.
3. The Council will enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policy-making principles, respect of roles, and ensuring the continuance of governance capability. Although the council can change its governance process policies at any time, it will scrupulously observe those currently in force.
4. Continual Council development will include orientation of new members in the Council's governance process and periodic Council discussion of process improvement. The Council will provide mechanisms for educating others about their governance process.
5. The Council will monitor and discuss the Council's strategic (rather than administrative) process and performance at each meeting. Self-monitoring will include comparison of Council activity and discipline to policies in the Governance Process and Council-Management Delegation categories.
6. The Council will allow no officer, individual or committee of the Council to hinder or be an excuse for not fulfilling group obligations.

POLICY TYPE: GOVERNANCE PROCESS
POLICY TITLE: COUNCIL JOB DESCRIPTION

Specific job outputs of the City Council, as an informed agent of the ownership, are those that ensure appropriate organizational performance.

Accordingly, the Council will provide

1. The linkage between the ownership and the operational organization.
2. Written governing policies that realistically address the broadest levels of organizational decisions and situations.
 - a. *Ends*: Organizational impacts, benefits, outcomes, recipients, beneficiaries, impacted groups, and their relative cost or priority.
 - b. *Executive Limitations*: Constraints on executive authority that establish the prudence and ethical boundaries within which all executive activity and decisions must take place.
 - c. *Governance Process*: Specification of how the Council conceives, carries out, and monitors its own tasks.
 - d. *Council-Management Delegation*: How power is delegated and its proper use monitored; the City Manager's role, authority, and accountability.
3. Assurance of successful organizational performance on Ends and Executive Limitations.

POLICY TYPE: GOVERNANCE PROCESS
POLICY TITLE: COUNCIL MEMBERS' CODE OF CONDUCT

The Council commits itself and its members to ethical, businesslike and lawful conduct, including proper use of authority and appropriate decorum when acting as Council members.

1. Members must have loyalty to the resident's ownership, un-conflicted by loyalties to staff, other organizations, and any personal interest as a consumer.
2. Members must avoid appearance of impropriety conflict of interest with respect to their fiduciary responsibility.
 - a. There must be no self-dealing or business by a member with the organization. Members will annually disclose their involvements with other organizations, with vendors, or any associations that might be or might reasonably be seen as being a conflict.
 - b. When the Council is to decide upon an issue about which Council member has an unavoidable conflict of interest, that member shall withdraw without comment not only from the vote, but also from the deliberation.

- c. Council members will not use their positions to obtain employment in the organization for themselves, family members or close associates. A Council member who applies for employment must wait two years following their service on the Council.
- 3. Council members may not attempt to exercise individual authority over the organization.
 - a. Members' interaction with the City Manager or with staff must recognize the lack of authority vested in individuals except when explicitly Council authorized.
 - b. Members' interaction with public, press or other entities must recognize the same limitation and the inability of any Council member to speak for the Council except explicitly stated Council decisions.
 - c. Except for participation in Council deliberation about whether the City Manager has achieved any reasonable interpretation of Council policy, members will not express individual judgments of performance of employees of the City Manager.
- 4. Members will respect the confidentiality appropriate to issues of a sensitive nature.
- 5. Members will be properly prepared for Council deliberation.
- 6. Members will support the legitimacy and authority of the final determination of the Council on any matter, irrespective of the members' personal position on the issue.

POLICY TYPE: GOVERNANCE PROCESS
POLICY TITLE: CITY COUNCIL ENGAGEMENT

Based upon the necessity of regional, statewide and national involvement the council shall engage/participate in external organizations and activities which promote the ends of the City.

Accordingly,

- 1. The Mayor shall at minimum, participate in the following activities: Mayor's Council, SETTP
- 2. The Mayor Pro-Tem shall at a minimum, participate in the following activities:
 - a. Mayor's Council and SETTP in place of Mayor when not available, NLC policy committee or council, TRTC
- 3. Councilmember's based upon availability shall participate in regional and national activities such as NLC, TML Regional meetings, TRTC, TML legislative policies, State legislative activities, NCTCOG, City Chamber Luncheon, Fort Worth Builders Association, North Texas Commission, Vision North Texas, Tex 21.

POLICY TYPE: GOVERNANCE PROCESS
POLICY TITLE: ANNUAL PLANNING

To accomplish its job with a governance style consistent with Council policies, the Council will follow an annual agenda that (a) Completes a re-exploration of Ends policies annually (b) Continually improves Council performance through Council education and enriched input and deliberation.

1. The cycle will conclude each year no later than the last day of May so that administrative planning and budgeting can be based on accomplishing a one-year segment of the most recent statement of long-term Ends.
2. The cycle will start with the Council's development of its agenda for the next full year.
 - a. Consultations with selected groups in the ownership or other methods of gaining ownership input will be determined and arranged in the first quarter, to be held during the balance of the year.
 - b. Governance education and education related to Ends determination (e.g. presentations by industry experts, advocacy groups, staff and so on) will be arranged in the third quarter, to be held during the balance of the year.
 - c. Upon the request of two Council members, a request for an item for Council discussion may be submitted to the Mayor no later than ten days before the council meeting.
3. Throughout the year, the Council will attend to consent agenda items as expeditiously as possible.
4. City Manager compensation and evaluation will be decided during the month of March after a review of monitoring reports received in the previous year.
5. City Manager monitoring will be on the agenda based upon reports received since the previous meeting, or if plans must be made for direct inspection monitoring, or if arrangements for third-party monitoring must be prepared.

POLICY TYPE: GOVERNANCE PROCESS
POLICY TITLE: MAYOR'S ROLE

The Mayor, a specially empowered member of the City Council, assures the integrity of the Council's process and, secondarily, represents the Council to outside parties.

1. The assigned result of the Mayor's job is that the Council behaves consistently with its own rules and those legitimately imposed upon it from outside the organization.
 - a. Meeting discussion content will be only those issues which, according to board policy, clearly belong to the Council to decide or to monitor.
 - b. Deliberation will be fair, open, and thorough, but also timely, orderly, and kept to the point.

- c. Information that is for neither monitoring performance nor Council decisions will be avoided or minimized and always noted as such.
- 2. The authority of the Mayor consists of making decisions that fall within the topics covered by Council policies on Governance Process and Council-Management Delegation with the exception of (a) Employment or termination of the City Manager (b)Where the Council specifically delegates portions of this authority to others. The Mayor is authorized to use any reasonable interpretation of the provisions in these policies. The Mayor is authorized to use any reasonable interpretation of the provisions in these policies.
 - a. The Mayor is empowered to chair Council meetings with all the commonly accepted power of that position (e.g. ruling, recognizing).
- 3. The Mayor has no authority to make decisions about policies created by the Council within Ends and Executive Limitations policy areas. Therefore, the Mayor has no authority to supervise or unilaterally direct the City Manager.
 - a. The Mayor may represent the Council to outside parties in announcing Council-stated positions and in stating Mayoral decisions and interpretations within the areas delegated to him or her. It is expected that this latter authority would be exercised sparingly and only in such times as the Council cannot timely deliberate the issue and is subject ultimately to Council review.
 - b. The Mayor may delegate this authority, but will remain accountable for its use.

POLICY TYPE: GOVERNANCE PROCESS
POLICY TITLE: COUNCIL COMMITTEE PRINCIPLES

Council committees, when used, will be assigned to help the Council do its job, to reinforce the wholeness of the Council's job and so as never to interfere with delegation from Council to City Manager.

- 1. Council committees are to help the Council do its job, not to help or advise the staff. Committees ordinarily will assist the Council by preparing policy alternatives and implications for Council deliberation. In keeping with the Council's broader focus, Council committees will normally not have direct dealings with current staff operations.
- 2. Council committees may not speak or act for the Council except when formally given such authority for specific and time-limited purposes. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the City Manager.
- 3. Council committees cannot exercise authority over staff. The City Manager works for the full Council, and will therefore not be required to obtain approval of a Council committee before an executive action.
- 4. Committees will be used sparingly and ordinarily in an ad-hoc capacity.
- 5. This policy applies to any group that is formed by Council action whether or not it is called a committee and regardless of whether the group includes Council members. It does not apply to committees formed under the authority of the City Manager.

POLICY TYPE: GOVERNANCE PROCESS
POLICY TITLE: COST OF GOVERNANCE

The Council will invest in its governance capacity.

1. Council skills, methods, and supports will be sufficient to ensure governing with excellence.
 - a. Training and retraining will be used liberally to orient new Council members and candidates for Council membership, as well as to maintain and increase existing Council member skills and understandings.
 - b. Outside monitoring assistance will be arranged so that the Council can exercise confident control over organizational performance. This includes, but is not limited to, financial audit.
 - c. Outreach mechanisms will be used as needed to ensure the Council's ability to listen to owner viewpoints and values.
2. Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior capability.
3. The Council will establish its cost of governance budget for the next fiscal year during the month of August.

POLICY TYPE: COUNCIL-MANAGEMENT DELEGATION
POLICY TITLE: GLOBAL BOARD-MANAGEMENT DELEGATION

The Council's sole official connection to the operational organization, its achievements, and conduct will be through a chief executive officer, titled the City Manager.

POLICY TYPE: COUNCIL-MANAGEMENT DELEGATION
POLICY TITLE: UNITY OF CONTROL

Only officially passed motions of the Council are binding on the City Manager.

1. Decisions or instructions of individual Council members, officers, or committees are not binding on the City Manager except in rare instances when the Council has specifically authorized such exercise of authority.
2. In the case of Council members or committees requesting information or assistance without Council authorization, the City Manager can refuse such requests that require, in the City Manager's opinion, a material amount of staff time or funds, or are disruptive.

POLICY TYPE: COUNCIL-MANAGEMENT DELEGATION
POLICY TITLE: ACCOUNTABILITY OF THE CITY MANAGER

The City Manager is the Council's only link to operational achievements and conduct, so that all authority and accountability of staff, as far as the Council is concerned, is considered the authority and accountability of the City Manager.

1. The board will never give instructions to persons who report directly or indirectly to the City Manager.
2. The Council will not evaluate, either formally or informally, any staff other than the City Manager or other direct Council Appointees.
3. The Council will view City Manager performance as identical to organizational performance, so that organizational accomplishment of Council-stated Ends and avoidance of Council-proscribed means will be viewed as successful City Manager performance.

POLICY TYPE: COUNCIL-MANAGEMENT DELEGATION
POLICY TITLE: DELEGATION TO THE CITY MANAGER

The Council will instruct the City Manager through written policies that prescribe the organizational Ends to be achieved, and describe organizational situations and actions to be avoided, allowing the City Manager to use any reasonable interpretation of these policies.

1. The Council will develop policies instructing the City Manager to achieve specified results, for specified recipients, at a specified cost. These policies will be developed systematically from the broadest, most general level to more defined levels, and will be called Ends policies. All issues that are not ends issues as defined here are means issues.

2. The Council will develop policies that limit the latitude the City Manager may exercise in choosing the organizational means. These limiting policies will describe those practices, activities, decisions, and circumstances that would be unacceptable to the board even if they were to be effective. Policies will be developed systematically from the broadest, most general level to more defined levels, and they will be called Executive Limitations policies. The Council will never prescribe organizational means delegated to the City Manager.
3. As long as the City Manager uses *any reasonable interpretation* of the Council's Ends and Executive Limitations policies, the City Manager is authorized to establish all further policies, make all decisions, take all actions, establish all practices, and develop all activities. Such decisions of the City Manager shall have full force and authority as if decided by the Council.
4. The Council may change its Ends and Executive Limitations policies, thereby shifting the boundary between Council and City Manager domains. By doing so, the Council changes the latitude of choice given to the City Manager. But so long as any particular delegation policy is in place, the Council and its members will respect and support the City Manager's choices.

POLICY TYPE: COUNCIL-MANAGEMENT DELEGATION
POLICY TITLE: MONITORING EXECUTIVE PERFORMANCE

Systematic and rigorous monitoring of City Manager job performance will be solely against the only expected City Manager job products: organizational accomplishment of Council policies on Ends and organizational operation within the boundaries established in Council policies on Executive Limitations.

1. Monitoring is simply to determine the degree to which Council policies are being met. Information that does not do this will not be considered to be monitoring data.
2. The Council will acquire monitoring information by one or more of three methods:
 - a. By INTERNAL REPORT: in which the City Manager discloses interpretations and compliance information to the Council.
 - b. By EXTERNAL REPORT: in which an external, disinterested third party selected by the council assess compliance with Council policies.
 - c. By DIRECT COUNCIL INSPECTION: in which a designated Council member or members of the Council assess compliance with the City Manager's interpretation of the appropriate policy criteria.
3. In every case, the Council will judge (a) the reasonableness of the City Manager's interpretation and (b) whether data demonstrate accomplishment of the interpretation.
4. The standard for compliance shall be *any reasonable City Manager interpretation* of the Council policy being monitored. The Council is final arbiter of reasonableness, but will always judge with a "reasonable person" test rather than with interpretations favored by Council members or by the Council as a whole.
5. All policies that instruct the City Manager will be monitored at a frequency and by a method chosen by the Council. The Council can monitor any policy at any time by any method, but will ordinarily depend on a routine schedule as follows:

Policy	Method	Frequency	Month
<i>Global Executive Constraint</i>	Internal	Annually	March
<i>Emergency City Manager Succession</i>	Internal	Annually	March
<i>Treatment of Customers</i>	Internal	Annually	May
<i>Treatment of Staff</i>	Internal	Annually	May
<i>Ends</i>	Internal Balanced Scorecard reporting	Quarterly & Annually	May
<i>Communication and Support</i>	Direct Inspection	Annually	June
<i>Financial Planning/ Budgeting</i>	Internal	Quarterly	June - August
<i>Compensation and Benefits</i>	Internal External	Annually	June - August
<i>Asset Protection</i>	Internal	Annually	August
<i>Financial Condition and Activities</i>	Internal (Budget)	Annually	August
	External (Audit)	Annually	March



Staff Report to the Honorable Mayor and City Council

Date: June 15, 2015

Agenda Item No: EXECUTIVE SESSION - B.

I. Subject:

The City Council will meet in closed session pursuant to Section 551.072 of the Texas Government Code to deliberate the purchase, lease, or value of real property

1. Land acquisition at 925 E. Kennedale Parkway

II. Originated by:

III. Summary:

At this time the City Council will meet in executive session.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments: