

KENNEDALE CITY COUNCIL AGENDA
SPECIAL MEETING | MAY 14, 2019 AT 5:00 PM
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

I. CALL TO ORDER

NOTE: Pursuant to Texas Government Code §551.071, the City Council reserves the right to adjourn into Executive Session at any time during this meeting to discuss posted Executive Session items or to seek legal advice from the City Attorney on any item posted on the agenda.

II. ROLL CALL

III. REPORTS AND ANNOUNCEMENTS

- A. Outgoing Councilmembers' closing statements

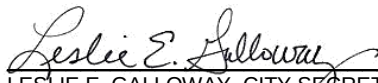
IV. ELECTION BUSINESS

- A. Certification of official returns by the City Secretary
- B. Resolution 549, canvassing the returns and declaring the results of the General Election held on May 4, 2019, for the purpose of electing Council Members Places 1, 3, and 5 for the City of Kennedale and the Special Election for three Charter Amendment propositions

V. ADJOURNMENT

CERTIFICATION

I DO HEREBY CERTIFY THAT THE MAY 14, 2019 KENNEDALE CITY COUNCIL AGENDA WAS POSTED INSIDE THE MAIN ENTRANCE OF CITY HALL (405 MUNICIPAL DRIVE), IN A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES; AND THAT SAID AGENDA WAS POSTED AT LEAST SEVENTY-TWO (72) HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING, IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.



LESLIE E. GALLOWAY, CITY SECRETARY

In compliance with the Americans with Disabilities Act (ADA), the City of Kennedale will provide for reasonable accommodations for persons attending meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meeting by calling 817-985-2104 or (TTY) 1-800-735-2989.



Date: May 14, 2019

Agenda Item No: REPORTS AND ANNOUNCEMENTS - A.

I. Subject:

Outgoing Councilmembers' closing statements

II. Originated by:

III. Summary:

At this time, any and all outgoing Councilmembers may make statements regarding their time in office and/or offer a general farewell.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Date: May 14, 2019

Agenda Item No: ELECTION BUSINESS - A.

I. Subject:

Certification of official returns by the City Secretary

II. Originated by:

Leslie E. Galloway, City Secretary & Communications Coordinator

III. Summary:

The City Secretary's presentation to the City Council of the official election results for canvassing of the May 4, 2019 election. Official returns are expected to be received from Tarrant County Elections by Monday, May 13.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Date: May 14, 2019

Agenda Item No: ELECTION BUSINESS - B.

I. Subject:

Resolution 549, canvassing the returns and declaring the results of the General Election held on May 4, 2019, for the purpose of electing Council Members Places 1, 3, and 5 for the City of Kennedale and the Special Election for three Charter Amendment propositions

II. Originated by:

Leslie E. Galloway, City Secretary & Communications Coordinator

III. Summary:

The attached version of Resolution 549, canvassing the returns and declaring the results of the election held Saturday, May 4, 2019 is a draft. Staff expects to receive the official results from Tarrant County Elections by Monday, May 13, 2019. The City Council will receive an updated version of this resolution at or before the meeting.

The unofficial returns show City Council Place 3 ending in a tie. If this race officially ends in a tie, there will be a runoff on Saturday, June 8, 2019, with Early Voting held Tuesday, May 28 through Tuesday, June 4.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	R549 Canvassing Election 2019_TOASE	R549 Canvassing Election 2019_TOASE.pdf
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**STAFF EXPECTS TO RECEIVE THE OFFICIAL RETURNS FROM
TARRANT COUNTY ELECTIONS MONDAY, MAY 13, 2019. THE CITY COUNCIL
WILL RECEIVE AN UPDATED VERSION OF THIS RESOLUTION BEFORE THE MEETING.**

RESOLUTION NO. 549

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF A GENERAL AND SPECIAL ELECTION HELD ON MAY 4, 2019 FOR THE PURPOSE OF ELECTING COUNCILMEMBERS PLACES 1, 3 AND 5 AND AMENDING THE HOME RULE CHARTER OF THE CITY OF KENNEDALE, TEXAS; DECLARING AMENDMENTS TO THE CHARTER ADOPTED; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, on January 15, 2019, the City Council approved Resolution No. 545, calling for and ordering a general election to be held on May 4, 2019, for the purpose of electing three Councilmembers; and

WHEREAS, on February 11, 2019, the City Council approved Ordinance No. 658, calling for and ordering a special election to be held on May 4, 2019, for the purpose of amending the City Charter with three (3) propositions; and

WHEREAS, said elections were duly held at the time and place specified after due notice as required by law had been given by posting and publication; and

WHEREAS, pursuant to Chapter 67, of the Texas Election Code, the City Council of the City of Kennedale is required to canvass the returns and declare the results of the elections;

WHEREAS, the general election returns, duly and legally made, showed that there were cast at said election a total of ##### valid and legal votes, of which ##### were cast early, and ##### were cast on election day; and that each of the candidates in said election received the following votes:

CITY COUNCILMEMBER, PLACE 1

CANDIDATE	ABSENTEE	EARLY VOTING	ELECTION DAY	TOTAL	PERCENTAGE
Jeff Nevarez	XXXX	XXXX	XXXX	XXXX	XX.XX%
Josh Altom	XXXX	XXXX	XXXX	XXXX	XX.XX%

CITY COUNCILMEMBER, PLACE 3

CANDIDATE	ABSENTEE	EARLY VOTING	ELECTION DAY	TOTAL	PERCENTAGE
Cesar Guerra	XXXX	XXXX	XXXX	XXXX	XX.XX%
Sandra Lee	XXXX	XXXX	XXXX	XXXX	XX.XX%

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CITY COUNCILMEMBER, PLACE 5

CANDIDATE	ABSENTEE	EARLY VOTING	ELECTION DAY	TOTAL	PERCENTAGE
Chad Wandel	XXXX	XXXX	XXXX	XXXX	XX.XX%
Idin Deljavan	XXXX	XXXX	XXXX	XXXX	XX.XX%

;and

WHEREAS, the returns of said special election having been duly canvassed by the City Council, it is declared that the below propositions received the following votes:

PROPOSITION A – Vacancies for Three Year Terms

Shall the Kennedale Home Rule Charter be amended to delete Section 3.06(a)(1) regarding filling vacancies for three (3) year terms as unnecessary, because the charter only provides for two (2) year terms?

	ABSENTEE	EARLY VOTING	ELECTION DAY	TOTAL	PERCENTAGE
FOR	XXXX	XXXX	XXXX	XXXX	XX.XX%
AGAINST	XXXX	XXXX	XXXX	XXXX	XX.XX%

The Proposition **was/was not** approved.

PROPOSITION B – Indebtedness

Shall the Kennedale Home Rule Charter be amended to revise Section 6.05 regarding the issuance of indebtedness by retaining the first sentence thereof (which authorizes the City to issue all forms of indebtedness permitted by state law), retaining the existing additional authority to enter into short term borrowings (less than one year), and deleting all other provisions thereof since they are otherwise provided by state law?

	ABSENTEE	EARLY VOTING	ELECTION DAY	TOTAL	PERCENTAGE
FOR	XXXX	XXXX	XXXX	XXXX	XX.XX%
AGAINST	XXXX	XXXX	XXXX	XXXX	XX.XX%

The Proposition **was/was not** approved.

PROPOSITION C – Initiative, Referendum and Recall

Shall the Kennedale Home Rule Charter be amended to revise Article XI by increasing the signature requirements for initiative, referendum and recall to thirty percent (30%) of the votes cast in the last regular election but not less than five hundred (500) by amending Section 11.01; and to allow for a public hearing prior to calling a recall election by amending Section 11.03?

	ABSENTEE	EARLY VOTING	ELECTION DAY	TOTAL	PERCENTAGE
FOR	XXXX	XXXX	XXXX	XXXX	XX.XX%
AGAINST	XXXX	XXXX	XXXX	XXXX	XX.XX%

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WILL RECEIVE AN UPDATED VERSION OF THIS RESOLUTION BEFORE THE MEETING.**

The Proposition was/was not approved.

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

SECTION 1.

The declarations and findings contained in the preamble of this Resolution are hereby found to be true and correct and shall be made a part hereof.

SECTION 2.

The City Council hereby finds and declares that the said City Council election for Places 1, 3, and 5 was held on May 4, 2019, at which election qualified voters were given the opportunity to vote for the purpose of electing City Council Members.

SECTION 3.

The City Council further finds and declares that such returns are correct, and adopts them as the returns of the election held May 4, 2019, together with the tabulation of the total number of votes received.

SECTION 5.

The City Council further finds the following persons be declared elected to the office of City Council:

That [REDACTED] is hereby declared to be elected to the Office of City Council - Place 1 of the City of Kennedale, Texas for a term of office for two years.

That [REDACTED] is hereby declared to be elected to the Office of City Council - Place 3 of the City of Kennedale, Texas for a term of office for two years.

That [REDACTED] is hereby declared to be elected to the Office of City Council - Place 5 of the City of Kennedale, Texas for a term of office for two years.

SECTION 6.

The City Council further finds that the results of the special election as set forth above are correct and the canvass of votes is hereby approved.

SECTION 7.

The City Council hereby declares the amendments to the charter, approved by the voters, to be adopted, and directs the City Secretary to enter this Resolution as an Order of the Council into the records of the City.

**STAFF EXPECTS TO RECEIVE THE OFFICIAL RETURNS FROM
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WILL RECEIVE AN UPDATED VERSION OF THIS RESOLUTION BEFORE THE MEETING.**

SECTION 8.

The Mayor, pursuant to Section 9.007, Texas Local Government Code, is hereby authorized to certify to the Secretary of State an authenticated copy of the charter amendments under the City's seal showing the approval by the voters of the City.

SECTION 9.

This resolution shall be in full force and effect from and after its passage and it is so resolved.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
KENNEDEALE ON THE 14th DAY OF MAY, 2019.**

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY DREW LARKIN