

KENNEDALE CITY COUNCIL
AGENDA
SPECIAL SESSION – PUBLIC HEARING
March 13, 2013
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

SPECIAL SESSION - 5:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. REGULAR ITEMS

A. Public Hearing to discuss the annexation of 0.723 acres of land located at the site of the previous Bowman Springs Bridge near the intersection with Winding Creek Drive.

1. Staff Presentation
2. Public Hearing
3. Staff Response and Summary

IV. ADJOURNMENT

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

CERTIFICATION

I certify that a copy of the March 13, 2013, agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.



Amethyst G. Cirno, City Secretary

Date: March 13, 2013

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

Public Hearing to discuss the annexation of 0.723 acres of land located at the site of the previous Bowman Springs Bridge near the intersection with Winding Creek Drive. 1. Staff Presentation
2. Public Hearing
3. Staff Response and Summary

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Public Hearing only. No action at this time.

The site service plan is attached.

The land for proposed annexation is identified as follows:

These public hearings are to discuss the annexation of the site of the previous Bowman Springs Bridge, specifically described as follows: Being a tract of land located in the E.R. Mingus Survey, Abstract No. 1114, Tarrant County, Texas, and being more particularly described as follows: BEGINNING at a point in the North line of said Mingus Survey, lying N88°47'52"E, a distance of 294.94 feet from the Northwest corner of said Mingus Survey, said point by City of Kennedale ordinance dated January 13, 1949, Lying East 100 yards from said Northwest corner of Mingus Survey; THENCE N88°47'52"E, a distance of 403.23 feet along said North line of Mingus Survey to a point in the Northerly line of the 62.156 acre tract of land described in the deed to Riverview Development Corporation recorded in Volume 13850, Page 316, Deed Records, Tarrant County, Texas, as shown on exhibit in City of Kennedale Ordinance No. 176; THENCE along said Northerly line of 62.156 acre tract as follows: 1. Southwesterly, 19.64 feet along a non tangent curve to the right, having a radius of 229.63 feet, a central angle of 04°53'58" and a chord bearing S65°33'05"W, 19.63 feet to a point; 2. S67°55'20"W, passing the Northwest corner of said 62.156 acre tract, and the Northeast corner of a 12.691 acre tract described in said deed to Riverview Development, in all continuing along the Northerly line of said 12.691 acre tract a distance of 414.38 feet to an 1/2" iron rod found at the Northwest corner of said 12.691 acre tract, said iron rod being in the West line of said tract described in City of Kennedale ordinance dated January 13, 1949; THENCE N00°28'11"W, a distance of 155.42 feet along said West line to the point of beginning, containing 0.723 acres of land. The bearings recited hereon are oriented to NAD 83 North Central Texas zone.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

1.	Service Plan	Bowman Springs Annexation Service Plan.docx
----	--------------	---

MUNICIPAL SERVICE PLAN

Annexation of the site of the previous Bowman Springs Bridge, approximately 0.723 acres of land which is currently owned by Tarrant County.

Services to be Provides upon the Effective Date of Annexation

FIRE AND AMBULANCE SERVICE

The City of Kennedale, Texas will provide, or cause to be provided, fire protection and ambulance service to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Kennedale, Texas, with similar topography, land use, and population.

POLICE AND ANIMAL CONTROL

The City of Kennedale, Texas will provide, or cause to be provided, police protection and animal control service to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Kennedale, Texas, with similar topography, land use, and population.

WATER AND WASTEWATER AND MAINTENANCE OF SAME

The City of Kennedale will provide, or cause to be provided, water and wastewater service to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Kennedale, Texas, with similar topography, land use, and population. Any and all water or wastewater facilities owned or maintained by the City of Kennedale, Texas at the time of the proposed annexation shall continue to be maintained by the City of Kennedale, Texas. Any and all water and wastewater facilities, which may be acquired subsequent to the annexation of the proposed area, shall be maintained by the City of Kennedale, Texas, to the extent of its ownership.

ROADS AND STREETS AND MAINTENANCE OF SAME

Any and all roads, streets, or alleyways that have been dedicated to the City of Kennedale, Texas, or which are owned by the City of Kennedale, Texas shall be maintained to the same degree and extent that other roads, streets, and alleyways are maintained in areas with similar topography, land use, population, and density. Any and all lighting of roads, streets, and alleyways that may be positioned in a right-of-way, roadway, or utility company easement shall be maintained by the applicable utility company servicing the City of Kennedale, Texas pursuant to the current rules, regulations, and fees of the City of Kennedale, Texas.

SOLID WASTE

The City of Kennedale will provide, or cause to be provided, solid waste service to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Kennedale, Texas, with similar topography, land use, and population, to the extent that the City has access to the area to be serviced.

MAINTENANCE OF LIBRARIES, PARKS, PLAYGROUNDS, AND SWIMMING POOLS

No libraries, parks, playgrounds, or swimming pools are now located in the area proposed for annexation. In the event any park, playground, or swimming pool is created and is a public facility, the City of Kennedale, Texas, will maintain such areas to the same extent and degree that it maintains parks, playgrounds, and swimming pools and other similar areas of the City now incorporated in the City of Kennedale, Texas.

STORM WATER

The City of Kennedale will provide, or cause to be provided, storm water maintenance to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Kennedale, Texas, with similar topography, land use, and population.

MAINTENANCE OF PUBLIC OWNED FACILITY, BUILDING, OR MUNICIPAL SERVICE

The City Council of the City of Kennedale, Texas is not aware of the existence of any publicly owned facilities, buildings, or other municipal service now located in the area proposed for annexation. In the event any such publicly owned municipal facility, building, or municipal service does exist and are public facilities, the City of Kennedale, will maintain such areas to the same extent and degree that it maintains publicly owned facilities, buildings, or municipal services of the City now incorporated in the City of Kennedale, Texas.

CAPITAL IMPROVEMENTS

GENERAL

The City policy for extending water and wastewater service is to extend service on an as required basis when development applications or subdivision plans are submitted to the City in accordance with the City's subdivision and development ordinances.

Landowners may be required to fund capital improvements necessary to provide service in a manner consistent with law. Nothing in this plan shall be interpreted to require a landowner with newly annexed area to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Local Government Code, unless otherwise agreed to by the landowner.

POLICE PROTECTION, FIRE PROTECTION, AND EMERGENCY MEDICAL SERVICES

The City Council of the City of Kennedale, Texas finds and determined it to be unnecessary to acquire or construct any capital improvements for the purposes of providing police protection, fire protection, or emergency medical service. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind, and level of protection and service which is presently being administered to other areas already incorporated in the City of Kennedale, Texas, with the same or similar topography, land use, and population density, without reducing by more than the negligible amount of the level of fire, police, and without reducing by more than the negligible amount of the level of fire, police, and emergency medical services provided within the corporate limits of the City.

WATER FACILITIES AND SERVICES

The City Council of the City of Kennedale, Texas, has determined it to be unnecessary to acquire or construct any capital improvements for the purposes of providing water service. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind, and level of water service which is presently being administered to other areas already incorporated in the City of Kennedale, Texas, with the same or similar topography, land use, and population density, without reducing by more than the negligible amount of the level of water service provided within the corporate limits of the City.

SEWER SERVICE

The City Council of the City of Kennedale, Texas, has determined it to be unnecessary to acquire or construct any capital improvements for the purposes of providing sewer service. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind, and level of sewer service which is presently being administered to other areas already incorporated in the City of Kennedale, Texas, with the same or similar topography, land use, and population density, without reducing by more than the negligible amount of the level of sewer service provided within the corporate limits of the City.

ROADS AND STREETS

The City Council of the City of Kennedale, Texas, has determined it to be unnecessary to acquire or construct any capital improvements for the purposes of providing roads and streets. The area to be annexed has no structures, will not have structures built upon it, and is already accessible by existing roads and streets at the same level of service presently being administered to areas already within the corporate limits of the City.

SPECIFIC FINDINGS

The City Council of the City of Kennedale, Texas finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

Because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from the services provided in other areas of the City of Kennedale, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of Kennedale, Texas will undertake to perform consistent with this contract as to provide the newly annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City of Kennedale, Texas who reside in areas of similar topography, land utilization and population.