

AGENDA

HALTOM CITY COUNCIL MEETING

February 9, 2015

CITY HALL

5024 BROADWAY AVENUE

Council Chambers – Work Session/ Regular Session

Work Session 6:00 p.m. - Regular Session 7:00 p.m.

WORK SESSION 6:00 P.M.

CALL TO ORDER (General Comments)

- Update on 2014 Parks Improvements Project.
- Review and discuss items on the regular agenda of February 9, 2015.

EXECUTIVE SESSION

Section 551.071

As authorized by Chapter 551 of the Texas Government Code, the City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the City Attorney about any matters listed on the agenda, in addition to the following matters:

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 which may conflict with the Open Meetings Act; including discussion of any item posted on the Agenda; to seek legal advice on: open meetings, open records, contracts, possible moratorium on fence permits, expenditures and oversight of the Haltom City Economic Development Corporation, litigation, and settlement offers and/or claims for the following cases:

- Donald Anthony Hains v. City of Haltom City
- Phillip Payne v. City of Haltom City
- Burkett v. City of Haltom City, et al.
- Flynn v. Haltom City EDC

Section 551.072 – Deliberations about Real Property

Deliberation regarding the purchase, exchange, lease or value of real property owned or leased by the City and the Economic Development Corporation.

Section 551.074 – Personnel

Deliberation regarding the appointment, employment, evaluation, reassignment, resignation, duties, discipline or dismissal of the Deputy Fire Chief.

Section 551.087 – Deliberations about Economic Development Incentives

Discuss or deliberate regarding commercial or financial information the City has received from business prospects the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect.

REGULAR SESSION 7:00 P.M.

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE – Council Member Marian Hilliard

ANNOUNCEMENTS/EVENTS

REGULAR AGENDA

1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of January 26, 2015.

2. **CAD/RMS** – Consideration and/or action authorizing the City Manager to execute an interlocal agreement with the cities of Haltom City, North Richland Hills, Richland Hills and Watauga for a computer-aided dispatch/records management system (CAD/RMS).
3. **Ordinance No. O-2014-036-15 (Z-007-14) – McCullar Office Warehouse** – Consideration and/or action on the application of Rod Ekern, on behalf of Kevin Khorrami, for approval of a Zoning Change request from “C-1” Commercial to “M-1” Industrial located on Tracts 12C2 and 12C1 of the George Akers Survey, Abstract 30, being 1.54 acres of land located north of McCullar Road and east of Carson Street, locally known as 6017 and 6019 McCullar Road and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan.– **2nd Reading**
4. **Ordinance No. O-2015-001-15 (Z-010-14) - Tyss Office Building** - Consideration and/or action on the application of James Pliska, on behalf of TYSS Investments LP, for approval of a Zoning Change request from “D” Duplex to “PD” Planned Development for all “C-3” uses plus office warehouse uses located on the northern half of Lot 1, Block 1 and all of Lot 18, Block 1, of the Parkdale Gardens Addition, being 0.746 acres of land located south of Wall Avenue and east of Carson Street, locally known as 2508 Carson Street, 6004 Wall Avenue, and 2433 Moneda Avenue; and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan – **2nd Reading**

REGULAR AGENDA

5. **Ordinance No. O-2015-002-15 (CU-005-14) – Conduct a public hearing and consider action on the application of Ernest Hedgcoth, on behalf of Brad Dunn, for a Conditional Use Permit request with site plan approval, for office warehouse uses located on Lot 13, Block 14 of the Clarence Jones Subdivision, being 0.385 acres located north of Carnation Street and west of Higgins Lane, locally known as 4141 Carnation Street – 1st Reading**
6. **Sidewalk Waiver/Safe Pathways Fund** – Consideration and/or action to authorize payment into the Safe Pathways Fund in lieu of the construction of a sidewalk at 2334 Pecan Court.
7. **General, Special and Joint Elections** – Consideration and/or action to amend Resolution No. R-2015-001-01 calling for a general election and authorizing a joint election with Tarrant County on May 9, 2015 to include a special election for Council Member Place 3 and a special election to determine whether the Crime Control and Prevention District (CCPD) and the CCPD sales and use tax (¼-cent) should be continued for ten (10) years.

VISITORS/CITIZENS FORUM

*This time is set-aside for any person having business before the Council that is not scheduled on the agenda to speak to the Council. Please submit a completed Speaker's Request Form to the City Secretary. All comments must be directed toward the presiding Officer rather than an individual council member or staff. Each speaker must limit his/her comments to the **subject matter** listed on the Speaker's Request Form and must refrain from personal attacks toward any individual. A three to six minute time limit will be granted. **(Six minutes with prior notification and three without prior notification)**. If a group is present and interested in the same issue, please choose a spokesperson. Council cannot discuss or debate any issue brought forth at this time, nor can any formal action be taken, as it is not a posted agenda item in accordance with the open meetings law.*

BOARDS/COMMISSIONS

8. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members.
9. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions.
10. **Board/Commission Reports** – Receive reports from Council liaisons.

EXCUSED ABSENCE OF COUNCIL MEMBERS

11. **Attendance Requirements** – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). Attendance Requirements of the Haltom City Charter.

EXECUTIVE SESSION

See Posting on Page One (1) of Agenda.

RECONVENE TO REGULAR SESSION

12. Take any action deemed necessary as a result of the Executive Session.

ADJOURNMENT

CERTIFICATION

I, ART CAMACHO, CITY SECRETARY OF THE CITY OF HALTOM CITY, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS POSTED ON THE OFFICIAL BULLETIN BOARDS IN CITY HALL ON THIS THE 6th DAY OF FEBRUARY, 2015 AT 5:00 P.M., WHICH IS A PLACE READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THAT SAID NOTICE WAS POSTED IN ACCORDANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.



ART CAMACHO, CITY SECRETARY

I CERTIFY THAT THE ATTACHED NOTICE AND AGENDA OF ITEMS TO BE CONSIDERED BY THE CITY COUNCIL WAS REMOVED BY ME FROM THE CITY HALL BULLETIN BOARD ON _____ DAY OF _____, 2015.
Name: _____ Title: _____



This facility is wheelchair accessible. Handicapped parking spaces are available. Request for sign interpretative services must be made 48 hours ahead of meeting. To make arrangements call 817-222-7754.

CITY COUNCIL MEMORANDUM

City Council Meeting: February 9, 2015
Department: City Secretary
Subject: Minutes of January 26, 2015

BACKGROUND

On January 26, 2015, a Regular Meeting was held at City Hall, 5024 Broadway Avenue.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends the City Council approve the Minutes of the Regular Meeting of January 26, 2015.

ATTACHMENTS

January 26, 2015 Minutes

**MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
January 26, 2015**

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on January 26, 2015, at 7:00 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present, to-wit:

Mayor Richard Hutchison	Mayor Pro Tem Bob Watkins
Council Place 1 Marian Hilliard	Council Place 2 Jeff Western
Council Place 3 David Averitt	Council Place 4 Trae Fowler
Council Member 6 Stephanie Davenport	Council Place 7 Dr. An Truong

Staff Present: Tom Muir, City Manager; Chuck Barnett, Assistant City Manager; Wayne Olson, City Attorney; Art Camacho, City Secretary; Justin French, Planning and Community Development Director; Keith Lane, Police Chief; Tim Cool, IT Director; Jennifer Fung, Finance Director, and Greg Van Nieuwenhuize, Public Works Director.

WORKSESSION

CALL TO ORDER

Mayor Hutchison called the Worksession to order at 6:00 p.m. City Manager Tom Muir introduced Jennifer Fung, the new Finance Director, to the Council and citizens. A discussion was held regarding an interlocal agreement with the Haltom City Police Department and area cities regarding the new hardware/software program acquisition that will be used in a shared service. Police Chief Keith Lane and IT Director Tim Cool both presented information regarding the cost and program operations, and it is scheduled for consideration at the next Council meeting. Mayor Pro Tem Bob Watkins requested the Council consider the EDC member composition to allow for more interaction and input from the Council and a discussion regarding a quorum standard and meeting absences was held. The Regular Agenda was discussed and no changes were made. A discussion was held during the Capital Improvements Report concerning Tiseo Paving receiving a project bonus. No Executive Session was held and Mayor Hutchison adjourned the Worksession at 6:53 p.m.

REGULAR MEETING

CALL TO ORDER

Mayor Hutchison called the meeting to order at 7:03 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

Council Member Dr. An Truong gave the Invocation and led the Pledge of Allegiance and the Texas Flag Pledge.

ANNOUNCEMENTS AND EVENTS

Assistant City Manager Chuck Barnett announced the following:

Library

Video Contest – Enrolled BISD students will be participating and the theme is “Every Hero Has a Story” and the deadline is February 13, 2015.

Movie Night – “Sleeping Beauty” will be showing on Monday, February 9, 2015.

Park and Recreation

Buffalo Stampede – The 29th annual Haltom City Stampede will be held on Saturday, February 14, 2015. The packets can be picked up Thursday, February 12 and Friday, February 13 from 10:00 a.m. to 6:00 p.m. at the Haltom Recreation Center. The Fun Run will start at 8:30 a.m. and the 5k at 9:00 a.m. and participants can register online at

www.haltomcitytx.com or mail the registration to the Haltom Recreation Center. Trophies will go to the first, second and third place winners in 14 different age groups. Proceeds go to benefit the BISD Back to School Health Fair, which provides school supplies, backpacks, and free health screening to students in Haltom City.

Art In The City

Evening of Swing – Art in the City will host an “Evening of Swing” on Sunday, February 16 at Don Cruz Restaurant located at 3155 Denton Highway in the Haltom Plaza Shopping Center. Music will be provided by the Jazz Monsters Big Band, performing music of the 30’s and 40’s. The event will be from 6:00 – 8:00 p.m.

The *Crossroads* newsletter, a quarterly city publication, is available to the public and is full of city information and news stories.

PRESENTATION

City Employee Long-term Service Awards – City Manager Tom Muir presented a 20 year service award to Police Sergeant Shawn Holt. Police Sergeant James Haley was not present to receive his 20 year service award.

REPORTS

1. **2014 Crime Statistics (4th Quarter)** – Presentation of Haltom City Police Department crime statistics for the fourth quarter of 2014. Police Chief Keith Lane first introduced a new command staff officer – Sergeant Cody Phillips. He then presented a report that included increases in service calls and arrests, with decreases in robbery, assault, burglary, theft, and vehicle theft. The Council commented on citizens participating in the public riding with police officers and the department’s effort on crime prevention and public safety.
2. **Capital Improvements Report** – Presentation of quarterly status report of all major capital improvement projects. PW Director Greg Van Nieuwenhuize presented the report that included road reconstruction projects, sewer replacements, Safe Route programs, on-hold projects, and water and sanitary sewer improvements.

REGULAR AGENDA

3. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of January 12, 2015. Mayor Pro Tem Bob Watkins moved, seconded by Council Member Stephanie Davenport, to approve the Minutes of January 12, 2015. ***The vote was unanimous. Motion carried.***
4. **Development Agreement** – Consideration and/or action on the approval of a development agreement with Mercantile Partners. Assistant City Manager Chuck Barnett presented the agreement and gave a review of the 380 project reconstruction on Clay Avenue. Council Member Trae Fowler moved, seconded by Council Member Jeff Western, to approve the development agreement with Mercantile Partners. ***The vote was unanimous. Motion carried.***
5. **Preliminary Plat (P019-14)** – Consideration and/or action on the application of John Andersen with Goodwin and Marshall, Inc., on behalf of ABRES III, Ltd, for a Preliminary Plat of the High Pointe Addition, being Tracts 1A1 & 1A9 of the J. Robinson Survey, Abstract 1346, a former Big Fossil Avenue right-of-way, Lots B and C, Block 3 and Lot 1R2, Block 4 of the Fossil Ridge Subdivision, located in the “PD” Planned Development for “SF-2” Single Family Residential uses, containing approximately 62.947 acres of land, locally known as 4805 Northeast

Loop 820 Highway and unaddressed property. Planning and Community Development Director Justin French presented the plat and a discussion was held regarding the adequate width of the streets in the subdivision. Council Member Marian Hilliard moved, seconded by Council Member Jeff Western, to approve Preliminary Plat (P019-14). **The vote was unanimous. Motion carried.**

6. **Ordinance No. O-2014-036-15 (Z-007-14) – McCullar Office Warehouse –** Conduct a public hearing and consideration and/or action on the application of Rod Ekern, on behalf of Kevin Khorrami, for approval of a Zoning Change request from “C-1” Commercial to “M-1” Industrial located on Tracts 12C2 and 12C1 of the George Akers Survey, Abstract 30, being 1.54 acres of land located north of McCullar Road and east of Carson Street, locally known as 6017 and 6019 McCullar Road and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan.– **1st Reading.** Planning and Community Development Director Justin French presented the ordinance and a discussion on M-1 businesses was held, along with the voting outcome of the P & Z decision. Mayor Hutchison opened the Public Hearing at 8:17 p.m. and the following citizens came forward:
1. David Chisum – Stated numerous clients operate out of an M-1 zoning.
 2. Ray Ecklund – Stated he was against the M-1 zoning and wanted to keep it commercial and the road needs immediate repair. He also stated a new car repair business in the same zoned area now has junk vehicles on their lot.
 3. Roberto Irabagon – Stated the industrial change could pose a safety issue with the children at a nearby school.
 4. Roy Sullins – Stated he was glad the land was situated for business and doesn't expect traffic congestion because of the business type and that the area should be better with a C-3 zoning.
 5. Sara Kingsley – Stated she approved the change and believes the business will help in road and drainage reconstruction on McCullar Road and the traffic will not be a problem.

Mayor Hutchison closed the Public Hearing at 8:43 P.M. A discussion was held regarding whether the applicant had filed a CUP or planned development request and whether a visual aid could be produced for a presentation. Council Member Marian Hilliard moved, seconded by Council Member Stephanie Davenport, to deny an M-1 zoning (Z-007-14) – 1st reading. **Mayor Pro Tem Bob Watkins and Council Members Marian Hilliard, Jeff Western, Stephanie Davenport, and Dr. An Truong voted aye. Council Members David Averitt and Trae Fowler voted nay. Motion carried – ordinance was denied.**

Mayor Hutchison called for a break at 8:55 p.m. and the Council recessed and then returned to Regular Session at 9:05 p.m.

The Council returned back to Agenda Item #6 and Mayor Hutchison stated that the applicants received an approval from the P & Z for a zoning change on this property from a C-1 Commercial to a C-3 Commercial and that the applicants are requesting this same approval from the Council. City Attorney Wayne Olson advised the Council that the voting would need a $\frac{3}{4}$ (super-majority) Council vote for approval. Mr. French informed the Council of the 20% objection from the nearby property owners. Council Member Jeff Western moved, seconded by Council Member Trae Fowler, to approve C-3 zoning change for (Z-007-14) – 1st reading. **The vote was unanimous. Motion carried.**

7. **Ordinance No. O-2015-01-15 (Z-010-14) - Tyss Office Building** - Conduct a public hearing and consideration and/or action on the application of James Pliska, on behalf of TYSS Investments LP, for approval of a Zoning Change request from “D” Duplex to “PD” Planned Development for all “C-3” uses plus office warehouse uses located on the northern half of Lot 1, Block 1 and all of Lot 18, Block 1, of the Parkdale Gardens Addition, being 0.746 acres of land located south of Wall Avenue and east of Carson Street, locally known as 2508 Carson Street, 6004 Wall Avenue, and 2433 Moneda Avenue; and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan – **1st Reading**. Justin French, Planning and Community Development Director, presented the ordinance and a discussion was held regarding the length of setback area and the projected fence height. Mayor Hutchison opened the Public Hearing at 9:28 p.m. and citizen Ray Ecklund came forward to state that he preferred a quality building with masonry and sidewalks, and not just metal. No other citizen came forward. David Chisum stated the building with have hardy planking up to at least 4’ toward the side of the building facing Wall and Moneda Street. Mayor Hutchison closed the Public Hearing at 9:38 p.m. Council Member Trae Fowler moved, seconded by Mayor Pro Tem Bob Watkins, to approve Ordinance No. O-2015-01-15 (Z-010-14) for the Tyss office building, with 4’ masonry wainscoting facing Wall and Moneda Street – 1st reading. **The vote was unanimous. Motion carried.**
8. **General and Joint Election** – Consideration and/or action regarding approval of Resolution No. R-2015-001-01 calling for a General Election and authorizing a Joint Election with Tarrant County on May 9, 2015. City Secretary Art Camacho presented the resolution and a discussion was held regarding the cost of using the J. D. Spicer Elementary for a second polling place and the amendment timeline. Council Member Marian Hilliard moved, seconded by Dr. An Truong, to approve Resolution No. R-2015-001-01 – calling for a General Election and Joint Election on May 9, 2015. **The vote was unanimous. Motion carried.**

VISITORS/CITIZENS FORUM

The following citizens came forward:

1. Jesse Silva, Jr. – Commented on the Capital Improvements Project status of Montreal Circle and its need for street repair and flooding control.
2. Pattie Fisher – Stated she would like to see the small city park remain at Silverlake.

BOARDS/COMMISSIONS

9. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. Mayor Hutchison submitted the resignation of Gary Nunn from the Haltom City Economic Development Committee. **The vote was unanimous. Motion approved.**
10. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. Mayor Pro Tem Bob Watkins nominated Bob Ryan for a position on the EDC Board. **The vote was unanimous. Motion carried.**

EXCUSED ABSENCE OF COUNCIL MEMBERS

11. **Attendance Requirements** – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). There were no absences.

EXECUTIVE SESSION

The Council went into Executive Session at 9:57 p.m. regarding the following:

Section 551.071

As authorized by Chapter 551 of the Texas Government Code, the City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the City Attorney about any matters listed on the agenda, in addition to the following matters:

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 which may conflict with the Open Meetings Act; including discussion of any item posted on the Agenda; to seek legal advice on: open meetings, open records, contracts, expenditures and oversight of the Haltom City Economic Development Corporation, litigation, and settlement offers and/or claims for the following cases:

- Donald Anthony Hains v. City of Haltom City
- Phillip Payne v. City of Haltom City
- Burkett v. City of Haltom City, et al.
- Flynn v. Haltom City EDC

Section 551.072 – Deliberations about Real Property

Deliberation regarding the purchase, exchange, lease or value of real property owned or leased by the City and the Economic Development Corporation.

Section 551.087 – Deliberations about Economic Development Incentives

Discuss or deliberate regarding commercial or financial information the City has received from business prospects the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect.

RECONVENE TO REGULAR SESSION

12. Take any action deemed necessary as a result of the Executive Session.
The Council returned from Executive Session at 11:02 and no action was taken.

ADJOURNMENT

Mayor Hutchison adjourned the meeting on January 26, 2015 at 11:02 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho, City Secretary

Richard Hutchison, Mayor

CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: February 9, 2015
Department: Police and Fire
Subject: Interlocal Agreement – CAD/RMS

BACKGROUND

In 2011, the cities of Haltom City, North Richland Hills, Richland Hills and Watauga executed an interlocal agreement to combine services for public safety dispatching and jail/detention services—in order to provide their residents and businesses with a more effective and efficient delivery of these key public safety services.

Initially, a contractual agreement for CAD/RMS (Computer Aided Dispatch/Records Management System) services was reached with CRIMES—an extension of Sam Houston State University. However, CRIMES has been unable to fulfill the functionality requirements of the agreement—and the process to select a new CAD/RMS provider was undertaken in January 2014.

After a lengthy selection process, a review panel consisting of representatives from all four (4) participating cities unanimously selected Spillman, Inc. to provide the hardware/software/support for CAD/RMS services. The new system will become active in December 2015.

FISCAL IMPACT

Total cost of the CAD/RMS project will be \$1,963,433. Haltom City's cost—based on a projected usage percentage of 32.5%—will be \$638,116. Spillman, Inc. has agreed to finance the costs over a seven-year period beginning in FY2015—with an average yearly cost to Haltom City of \$91,159.43. There will also be an annual maintenance cost—again based on a projected usage percentage of 32.5%—that will average \$70,190.83 (based on a six-year projection – first year's maintenance is included with the system costs).

The Crime Control and Prevention District (CCPD) will fund City's share of the CAD/RMS project. On February 2, the CCPD board was briefed on this proposed agreement.

The City of North Richland Hills is the lead agency for this project and payments will be made to them and consequently they will pay Spillman.

RECOMMENDATION

Staff recommends the City Council authorize the City Manager to execute an interlocal agreement with the cities of North Richland Hills, Richland Hills and Watauga for CAD/RMS services.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY:

That the above stated Staff recommendations are hereby approved and authorized.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Haltom City, Texas this 9th day of February, 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED

Richard Hutchison, Mayor

ATTEST:

Art Camacho, City Secretary

APPROVED AS TO FORM:

Wayne Olson, City Attorney

CITY COUNCIL MEMORANDUM

City Council Meeting: February 9, 2015

Department: Planning & Community Development

Subject: Ordinance No. O-2014-036-15
Final Reading (Z-007-14)
McCullar Office Warehouse

BACKGROUND

On January 26, 2015, the City Council denied the applicant's request to rezone to the "M-1" Industrial District by a vote of 7-0-0; then the City Council, by a vote of 7-0-0, approved to rezone the property to the "C-3" Commercial District as recommended by the Planning and Zoning Commission.

Consider action following City Council's action at first reading and the application of Rod Ekern, on behalf of Kevin Khorrami, for approval of a Zoning Change request from "C-1" Commercial to "M-1" Industrial located on Tracts 12C2 and 12C1 of the George Akers Survey, Abstract 30, being 1.54 acres of land located north of McCullar Road and east of Carson Street, locally known as 6017 and 6019 McCullar Road; and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan.

FISCAL IMPACT

None.

RECOMMENDATION

On December 9, 2014, the Planning and Zoning Commission (P&Z) recommended denial of Z-007-14 by a vote of 5-0-0.

On December 22, 2014, the City Council motion to continue the public hearing for Z-007-14 at the applicant's request failed with a vote of 2-4-0.

On December 22, 2014, the City Council motion to send Z-007-14 back to the P&Z for reconsideration was approved by a vote of 6-0-0.

On January 13, 2015, the P&Z recommended approval of rezoning the subject site to the "C-3" Commercial District with amendment to the 2010 Future Land Use Plan accordingly, rather than the requested "M-1" Industrial District, by a vote of 3-2-0.

The City's Comprehensive Land Use Plan (CLUP) designates the west half of the subject site as Office - Retail - Service Commercial, while east half of the subject site is designated as Mixed Use. The requested zoning change is inconsistent with the uses suggested by the CLUP; however, the requested zoning is consistent with the "M-1" zoning presently located north of the subject site and north of the Carson Head Start and Child Development Center. The P&Z recommendation to rezone the property to the "C-3" Commercial District is consistent with the west with the uses suggested by the CLUP for the west portion of the subject site, though inconsistent with the uses suggested by the east portion of the subject site. An amendment to the Future Land Use Plan shall accompany a rezoning to the applicant's requested "M-1" or the P&Z's recommended "C-3".

The CLUP states "In granting a zoning change that differs from the Plan, the Planning and Zoning Commission and the City Council should consider whether an amendment to the Future Land Use Plan should also be approved. This requires careful consideration to be sure that the change is in accordance with the principles, goals and objectives of the Land Use Element of the Comprehensive Plan".

ATTACHMENTS

Provided in the City Council packet of January 26, 2015
Ordinance No. 0-2014-036-15 as per City Council's motion

ORDINANCE NO. O-2014-036-15

CASE NO. Z-007-14

AN ORDINANCE AMENDING THE COMPREHENSIVE LAND USE PLAN AND FUTURE LAND USE MAP IN ORDINANCE NO. O-2010-011-15, AS AMENDED, AND AMENDING ORDINANCE NO. O-2002-032-15, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF HALTOM CITY, TEXAS, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN THE CITY OF HALTOM CITY, TEXAS; AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; 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 Haltom City is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Haltom City heretofore adopted Ordinance No. O-2010-011-15, as amended, the Comprehensive Land Use Plan 2010, which is the primary document on which to base all zoning, platting and other land use decisions; and

WHEREAS, the Comprehensive Land Use Plan provides guidance for future development in conformance with the adopted Future Land Use Map; and

WHEREAS, the City Council now deems it necessary to update the Haltom City Comprehensive Land Use Plan as provided herein, and that such amendment is in accordance with the growth goals, objectives and planning principles set forth in the Comprehensive Land Use Plan as well as health, safety, traffic and environmental considerations; and

WHEREAS, the City Council of the City of Haltom City heretofore adopted Ordinance No. O-2002-032-15, as amended, the Zoning Ordinance of the City of Haltom City, Texas, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, in accordance with Section 39 of the Zoning Ordinance, the owner of property consisting of approximately 1.54 acres of land located on Tracts 12C2 and 12C1 of the George Akers Survey, Abstract 30, locally known as 6017 and 6019 McCullar Road (hereinafter-referenced as the "Property"), has filed an application to rezone the property from its present classification of "C-1" Commercial District to "C-3" Commercial District; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on January 13, 2015 and made a recommendation to rezone the Property to "C-3" Commercial District; and

WHEREAS, the City Council of the City of Haltom City, Texas held a public hearing on January 26, 2015 with respect to the Zoning Change and amendments described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 and 213 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the rezoning of the property and the amendment of the Comprehensive Land Use Plan.

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

SECTION 1.

Ordinance No. O-2002-032-15, as amended, is hereby amended by rezoning approximately 1.54 acres of land from "C-1" Commercial District to "C-3" Commercial District, located north of McCullar Road and east of Carson Street, locally known as 6017 and 6019 McCullar Road and being Tracts 12C1 and 12C2 of the George Akers Survey, Abstract 30.

SECTION 2.

The City of Haltom City Comprehensive Land Use Plan 2010, dated July 26, 2010, is hereby amended and a new Future Land Use Plan, attached hereto as Exhibit "A" and fully incorporated by reference, are adopted.

SECTION 3.

The zoning district as herein established has been made in accordance with a comprehensive land use plan for the purpose of promoting the health, safety, morals and general welfare of the community.

SECTION 4.

The official zoning map of the City of Haltom City is hereby amended and the City Secretary is directed to revise the zoning map to reflect the zoning classification as set forth above.

SECTION 5.

The use of the Property described above shall be subject to all the applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances of the City of Haltom City, Texas.

SECTION 6.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Haltom City, Texas (1998), as amended, except where 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. Ordinance No. O-2010-011-15 is hereby amended.

SECTION 7.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, 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, clauses, 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) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9.

All rights and remedies of the City of Haltom City, Texas, are expressly saved as to any and all violations of the provisions of Ordinance No. O-2002-032-15 or 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 Haltom City, Texas, is hereby directed to publish in the official newspaper of the City of Haltom City, Texas, the caption, Section 1, penalty clause, publication clause and effective date clause of this Ordinance one (1) time within ten (10) days after the first reading of this Ordinance as required by Section 10.01 of the Charter of the City of Haltom City, Texas.

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 FIRST READING THIS 26th DAY OF January, 2015.

PASSED AND APPROVED ON SECOND READING THIS 9th DAY OF February, 2015.

Mayor
ATTEST:

City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney

CITY COUNCIL MEMORANDUM

City Council Meeting: February 9, 2015

Department: Planning & Community Development

Subject: Ordinance No. O-2015-001-15
Final Reading (Z-010-14)
TYSS Office Warehouse

BACKGROUND

On January 26, 2015, the City Council approved Z-010-14 as stipulated by the Planning and Zoning Commission by a vote of 7-0-0 with the additional stipulation that the two eastern buildings have a four-foot masonry wainscoting on the exteriors facing Wall Avenue and Moneda Avenue.

Consider action on the application of James Pliska, on behalf of TYSS Investments LP, for approval of a Zoning Change request from “D” Duplex to “PD” Planned Development for all “C-3” uses plus office warehouse uses located on the northern half of Lot 1, Block 1 and all of Lot 18, Block 1, of the Parkdale Gardens Addition, being 0.746 acres of land located south of Wall Avenue and east of Carson Street, locally known as 2508 Carson Street, 6004 Wall Avenue, and 2433 Moneda Avenue; and action on an amendment to O-2010-011-15, amending the Future Land Use Plan within the 2010 Comprehensive Land Use Plan.

FISCAL IMPACT

None.

RECOMMENDATION

On January 13, 2015, the Planning and Zoning Commission recommended approval of Z-010-15 and the accompanying 2010 CLUP amendment by a vote of 4-0-0 with the following stipulations:

- The most western building shall have a 100 percent masonry exterior facing Carson Street and a 4-foot masonry wainscoting along the exterior facing Wall Avenue. All other portions of the most western building may have a metal exterior.
- Payment be made into the Safe Pathways Fund in lieu of sidewalk construction.

The City’s Comprehensive Land Use Plan (CLUP) designates the west portion of the subject site as Office - Retail - Service Commercial, while the east portion of the subject site is designated as Low Density Residential. The west end of the proposed zoning

change is consistent with the uses suggested by the CLUP; however, the east end of the proposed zoning change is inconsistent with the uses suggested by the CLUP. A request to amend the Future Land Use Plan accompanies this zoning change.

The CLUP states, "In granting a zoning change that differs from the Plan, the Planning and Zoning Commission and the City Council should consider whether an amendment to the Future Land Use Plan should also be approved. This requires careful consideration to be sure that the change is in accordance with the principles, goals and objectives of the Land Use Element of the Comprehensive Plan".

ATTACHMENTS

Provided in the City Council packet of January 26, 2015
Ordinance No. O-2015-001-15 as per City Council's motion

ORDINANCE NO. O-2015-001-15

CASE NO. Z-010-14

AN ORDINANCE AMENDING THE COMPREHENSIVE LAND USE PLAN AND FUTURE LAND USE MAP IN ORDINANCE NO. O-2010-011-15, AS AMENDED, AND AMENDING ORDINANCE NO. O-2002-032-15, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF HALTOM CITY, TEXAS, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN THE CITY OF HALTOM CITY, TEXAS; AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; 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 Haltom City is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Haltom City heretofore adopted Ordinance No. O-2010-011-15, as amended, the Comprehensive Land Use Plan 2010, which is the primary document on which to base all zoning, platting and other land use decisions; and

WHEREAS, the Comprehensive Land Use Plan provides guidance for future development in conformance with the adopted Future Land Use Map; and

WHEREAS, the City Council now deems it necessary to update the Haltom City Comprehensive Land Use Plan as provided herein, and that such amendment is in accordance with the growth goals, objectives and planning principles set forth in the Comprehensive Land Use Plan as well as health, safety, traffic and environmental considerations; and

WHEREAS, the City Council of the City of Haltom City heretofore adopted Ordinance No. O-2002-032-15, as amended, the Zoning Ordinance of the City of Haltom City, Texas,

which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, in accordance with Section 39 of the Zoning Ordinance, the owner of property consisting of approximately 0.746 acres of land located on the northern half of Lot 1, Block 1 and all of Lot 18, Block 1, of the Parkdale Gardens Addition, locally known as 2508 Carson Street, 6004 Wall Avenue, and 2433 Moneda Avenue (hereinafter-referenced as the "Property"), has filed an application to rezone the property from its present classification of "D" Duplex District to "PD" Planned Development for all "C-3" Commercial uses plus office warehouse uses; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on January 13, 2015 and the City Council of the City of Haltom City, Texas held a public hearing on January 26, 2015 with respect to the Zoning Change and amendments described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 and 213 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the rezoning of the property and the amendment of the Comprehensive Land Use Plan.

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

SECTION 1.

Ordinance No. O-2002-032-15, as amended, is hereby amended by rezoning approximately 0.746 acres of land from “D” Duplex District to “PD” Planned Development for all “C-3” uses plus office warehouse uses, located south of Wall Avenue and east of Carson Street, locally known as 2508 Carson Street, 6004 Wall Avenue, and 2433 Moneda Avenue, and being the northern half of Lot 1, Block 1 and all of Lot 18, Block 1, of the Parkdale Gardens Addition.

SECTION 2.

The City of Haltom City Comprehensive Land Use Plan 2010, dated July 26, 2010, is hereby amended and a new Future Land Use Plan, attached hereto as Exhibit “A” and fully incorporated by reference, is adopted.

SECTION 3.

The zoning district as herein established has been made in accordance with a comprehensive land use plan for the purpose of promoting the health, safety, morals and general welfare of the community.

SECTION 4.

The official zoning map of the City of Haltom City is hereby amended and the City Secretary is directed to revise the zoning map to reflect the zoning classification as set forth above.

SECTION 5.

The use of the Property described above shall be subject to the restrictions, terms and conditions set forth in Exhibit "B" Design Standards and Exhibit "C" Development Plan attached hereto and shall further be subject to all the applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances of the City of Haltom City, Texas.

SECTION 6.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Haltom City, Texas (1998), as amended, except where 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. Ordinance No. O-2010-011-15 is hereby amended.

SECTION 7.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, 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, clauses, 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) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9.

All rights and remedies of the City of Haltom City, Texas, are expressly saved as to any and all violations of the provisions of Ordinance No. O-2002-032-15 or 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 Haltom City, Texas, is hereby directed to publish in the official newspaper of the City of Haltom City, Texas, the caption, Section 1, penalty clause, publication clause and effective date clause of this Ordinance one (1) time within ten (10) days after the first reading of this Ordinance as required by Section 10.01 of the Charter of the City of Haltom City, Texas.

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 FIRST READING THIS _____ DAY OF _____, 2015.

PASSED AND APPROVED ON SECOND READING THIS _____ DAY OF _____, 2015.

Mayor
ATTEST:

City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Exhibit "A" Future Land Use Map

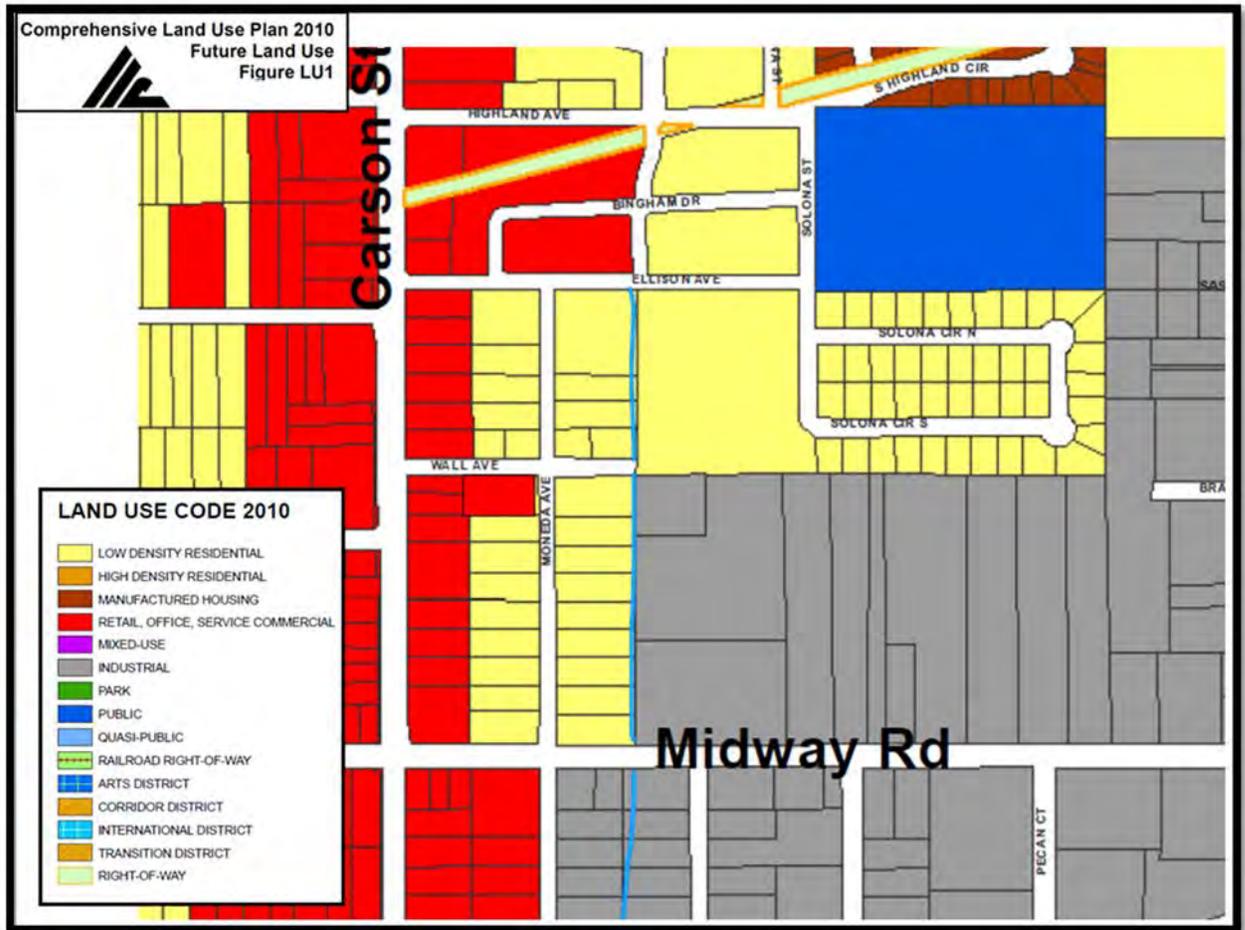


Exhibit "B" **Design Standards**

1. The landscape buffer along Wall Avenue shall vary from zero to 15' in width with trees planted in the buffer and Wall Avenue right-of-way. Newly planted trees shall be a minimum of 6 feet in height and 2 caliper inches in size at installation.
2. The interior side yard setback where adjacent to residential zoning shall be 10 feet.
3. The rear yard setback where adjacent to residential zoning shall be 10 feet.
4. The 10' landscape buffer adjacent to residential zoning is not required to have trees and may be utilized for drainage.
5. The existing R-panel fence adjacent to commercial property is to remain, and a new 8' tall R-panel fence shall be installed where the subject site is abuts residential zoning.
6. The most western building shall have a 100 percent masonry exterior facing Carson Street and a 4-foot masonry wainscoting along the exterior facing Wall Avenue. All other portions of the most western building may have a metal exterior.
7. The two other buildings shall have a 4-foot masonry wainscoting along the exteriors facing Wall Avenue and Moneda Avenue. All other portions of the most western building may have a metal exterior.
8. In the situation that any provision in Exhibit "B" Design Standards is inconsistent with any provision in Exhibit "C" Development Plan, the provision in Exhibit "B" shall control.

**Exhibit “C”
Development Plan**

(See next page)

CITY COUNCIL MEMORANDUM

City Council Meeting: February 9, 2015

Department: Planning & Community Development

Subject: Ordinance No. O-2015-002-15
First Reading (CU-005-14)
 Dunn-Rite Glass

BACKGROUND

Conduct a public hearing and consider action on the application of Ernest Hedgcoth, on behalf of Brad Dunn, for a Conditional Use Permit request with site plan approval, for office warehouse uses located on Lot 13, Block 14 of the Clarence Jones Subdivision, being 0.385 acres located north of Carnation Street and west of Higgins Lane, locally known as 4141 Carnation Street.

The applicant’s site plan proposes a deviation to a typical design standard of the “C-3” Commercial District and identifies alternate standards as summarized in the table below.

Design Standard	Required	Proposed
Landscape Buffer along Higgins Lane	15’ minimum	Varies from 15’ to allow 3 parking spaces (see site plan)
Tree Preservation	None	Preservation of three mature trees along Higgins Lane
Landscape Buffer Shrubs	A minimum of two shrubs	10 shrubs

The applicant also requests to pay into the Safe Pathways Fund in lieu of sidewalk construction. No consistent sidewalk system is present in the general vicinity.

FISCAL IMPACT

None.

RECOMMENDATION

On January 27, 2015, the P&Z recommended approval of CU-005-14 by a vote of 4-0-0.

ATTACHMENTS

P&Z Staff Report with Attachments
 Ordinance No. O-2015-002-15 with Exhibits “A” and “B”

ORDINANCE NO. O-2015-002-15

CASE NO. CU-005-14

AN ORDINANCE AMENDING ORDINANCE NO. O-2002-032-15, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF HALTOM CITY, TEXAS, BY APPROVING A CONDITIONAL USE PERMIT FOR OFFICE WAREHOUSE USES ON CERTAIN PROPERTY IN THE CITY OF HALTOM CITY, TEXAS; AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; 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 Haltom City is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Haltom City heretofore adopted Ordinance No. O-2002-032-15, as amended, the Zoning Ordinance of the City of Haltom City, Texas, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, in accordance with Section 39 of the Zoning Ordinance, the owner of property consisting of approximately 0.385 acres of land located on Lot 13, Block 14 of the Clarence Jones Subdivision, locally known as 4141 Carnation Street (hereinafter-referenced as the "Property"), has filed an application for approval of a Conditional Use Permit for Office Warehouse uses on said property; and

WHEREAS, the Planning and Zoning Commission of the City of Haltom City, Texas held a public hearing on January 27, 2015 and the City Council of the City of Haltom City, Texas held a public hearing on February 9, 2015 with respect to the Conditional Use permit described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the approval of the Conditional Use Permit.

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

SECTION 1.

Ordinance No. O-2002-032-15, as amended, is hereby amended by approving a Conditional Use Permit for Office Warehouse uses at the property consisting of approximately 0.385 acres of land located at 4141 Carnation Street and being more fully described as Lot 13, Block 14 of the Clarence Jones Subdivision.

SECTION 2.

The Conditional Use Permit as herein established has been made in accordance with a comprehensive land use plan for the purpose of promoting the health, safety, morals and general welfare of the community.

SECTION 3.

The official zoning map of the City of Haltom City is hereby amended and the City Secretary is directed to revise the zoning map to reflect the Conditional Use Permit as set forth above.

SECTION 4.

The use of the Property described above shall be subject to the restrictions, terms and conditions set forth in Exhibit "A" Design Standards and Exhibit "B" Site Plan attached hereto and shall further be subject to all the applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances of the City of Haltom City, Texas.

SECTION 5.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Haltom City, Texas (1998), as amended, except where 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 6.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, 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,

clauses, 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 7.

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) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

All rights and remedies of the City of Haltom City, Texas, are expressly saved as to any and all violations of the provisions of Ordinance No. O-2002-032-15 or 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 9.

The City Secretary of the City of Haltom City, Texas, is hereby directed to publish in the official newspaper of the City of Haltom City, Texas, the caption, Section 1, penalty clause, publication clause and effective date clause of this Ordinance one (1) time within ten (10) days after the first reading of this Ordinance as required by Section 10.01 of the Charter of the City of Haltom City, Texas.

SECTION 10.

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 FIRST READING THIS _____ DAY OF _____, 2015.

PASSED AND APPROVED ON SECOND READING THIS _____ DAY OF _____, 2015.

Mayor
ATTEST:

City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

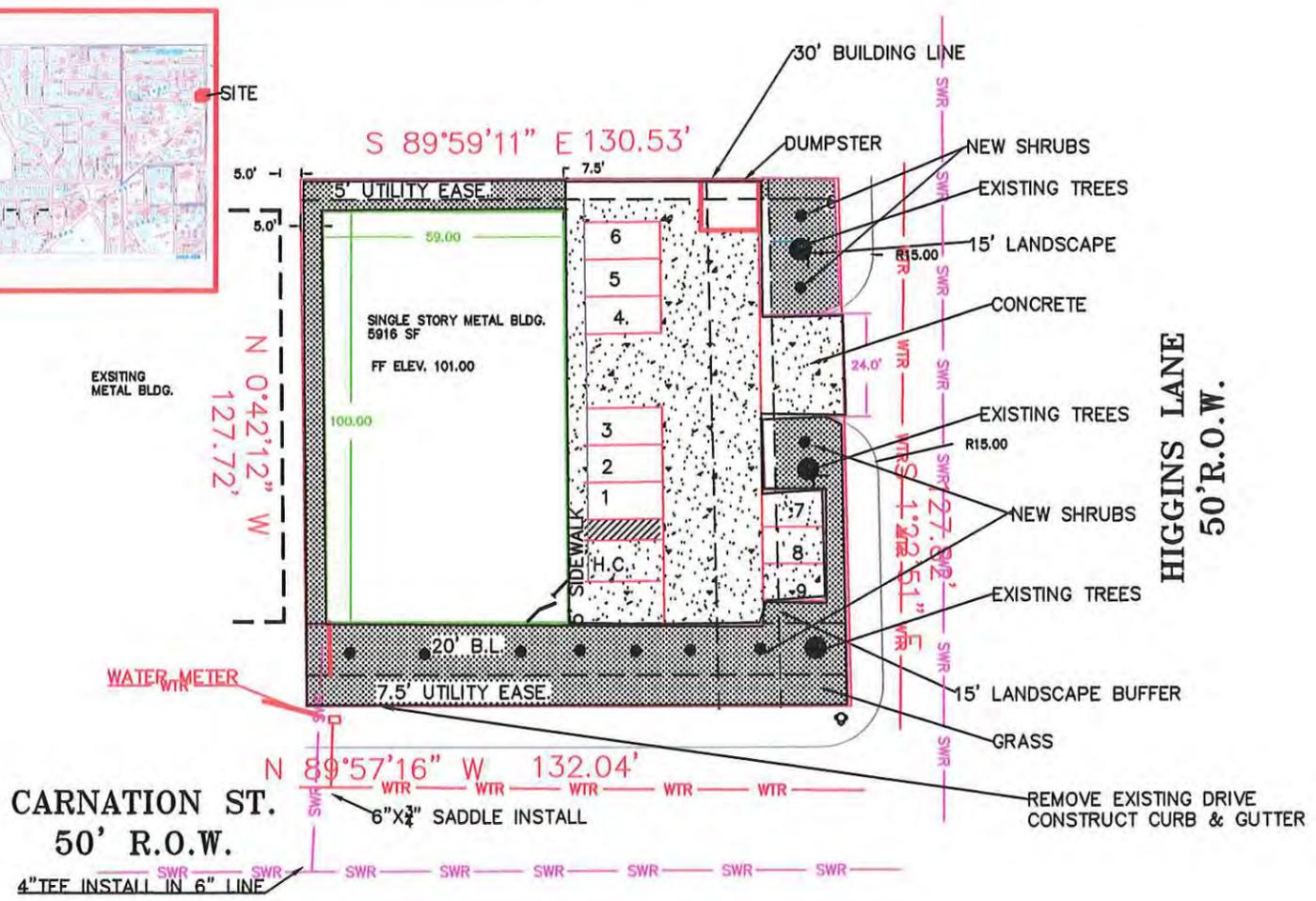
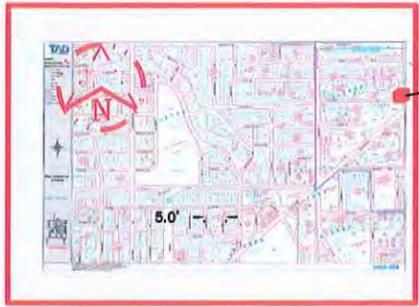
City Attorney

Exhibit 'A'
Design Standards

1. Three parking spaces are allowed to encroach into the 15-foot landscape setback along Higgins Lane as shown in Exhibit B Site Plan.
2. The three mature trees existing along Higgins Lane shall be preserved.
3. A minimum of ten (10) shrubs shall be planted in the required landscape buffer as shown in Exhibit B Site Plan.
4. If there is any conflict between Exhibit 'A' Design Standards and Exhibit 'B' Site Plan, the provisions in Exhibit 'A' Design Standards shall control.

Exhibit 'B'
Site Plan

(See next page)



SITE LAYOUT DATA	
TOTAL ACREAGE	16,770.60 SF/ 0.38 ACRES
TOTAL BUILDING AREA	5916 SF/35.3%
TOTAL REQUIRED PARKING	7 PARKING SPACES
1 SPACE PER EMPLOYEE	4 PARKING SPACES
PROVIDED PARKING	9
REQUIRED HANDICAP PARKING	1 PARKING SPACES
HANDICAP PARKING PROVIDED	1 PARKING SPACES
LANDSCAPE 15' BUFFER AREA	1916 S.F. REQUIRED
LANDSCAPE PROVIDED	1916 S.F. REQUIRED
LANDSCAPE EXISTING TREES	3 OAK-30-36" DIA.
LANDSCAPE SHRUBS	10 SHRUBS

ERNEST HEDGCOTH CONSULTING ENGINEERS, INC.
 FIRM REG. NO. 688
 5701-C MIDWAY ROAD
 FORT WORTH, TEXAS 76117
 (817) 551-7711

PROJECT # 2014-059

SEAL(S) / CONSULTANT:



9/16/14

CLIENT / PROJECT NAME:

DUNN-RITE GLASS, INC.
 4131 CARNATION STREET
 LOT 13 BLOCK 14
 CLARENCE JONES SUBDIVISION
 HALTOM CITY, TEXAS 76117

ISSUE DATE:

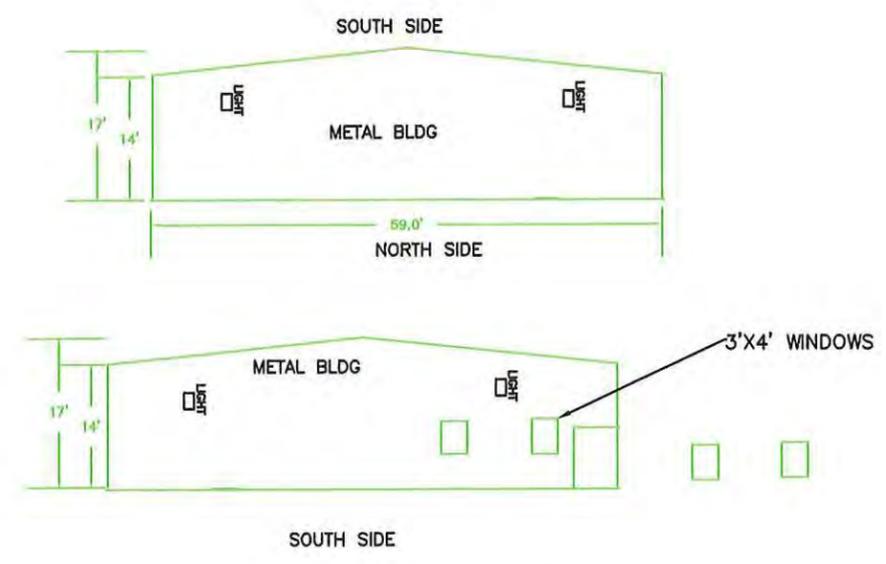
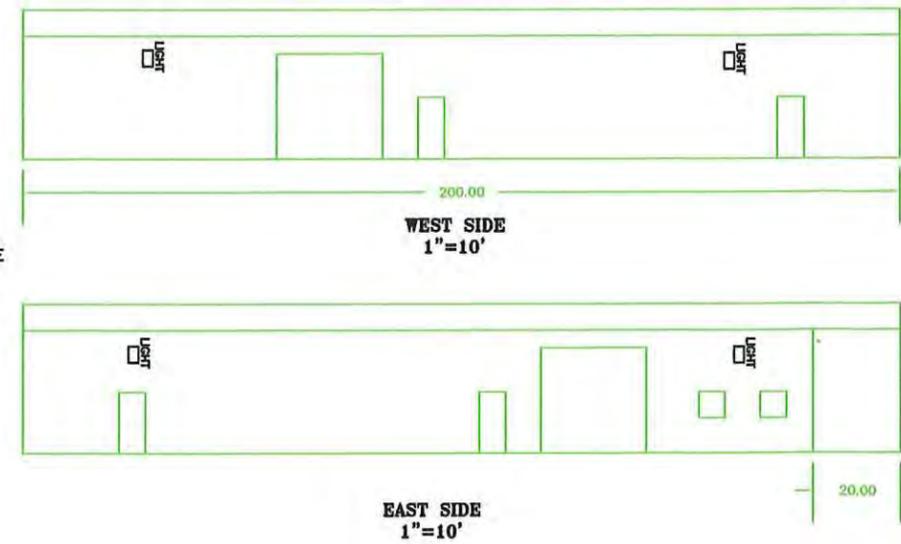
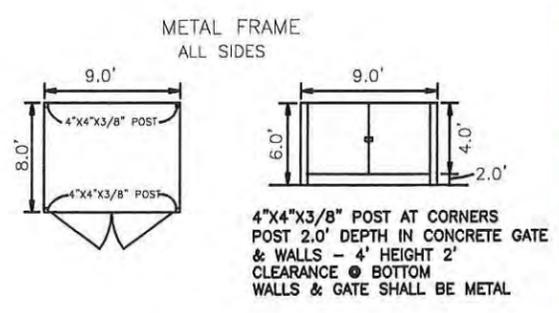
REVISION DATE:

SHEET TITLE

**SITE PLAN
 LANDSCAPE PLAN**

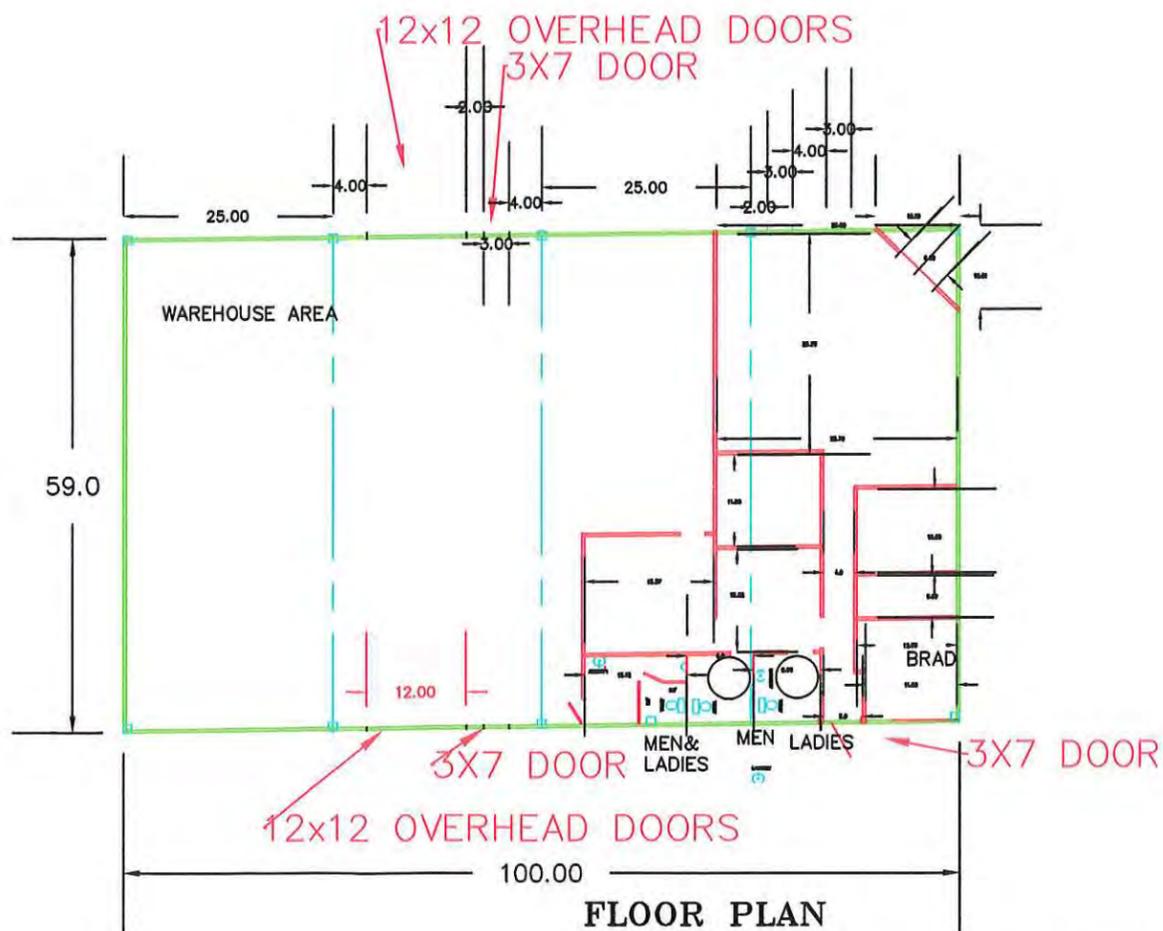
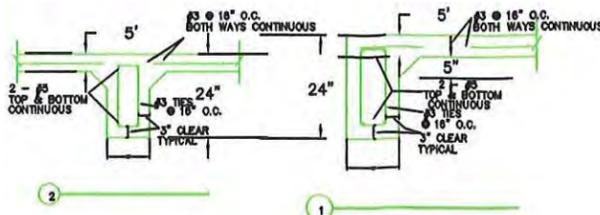
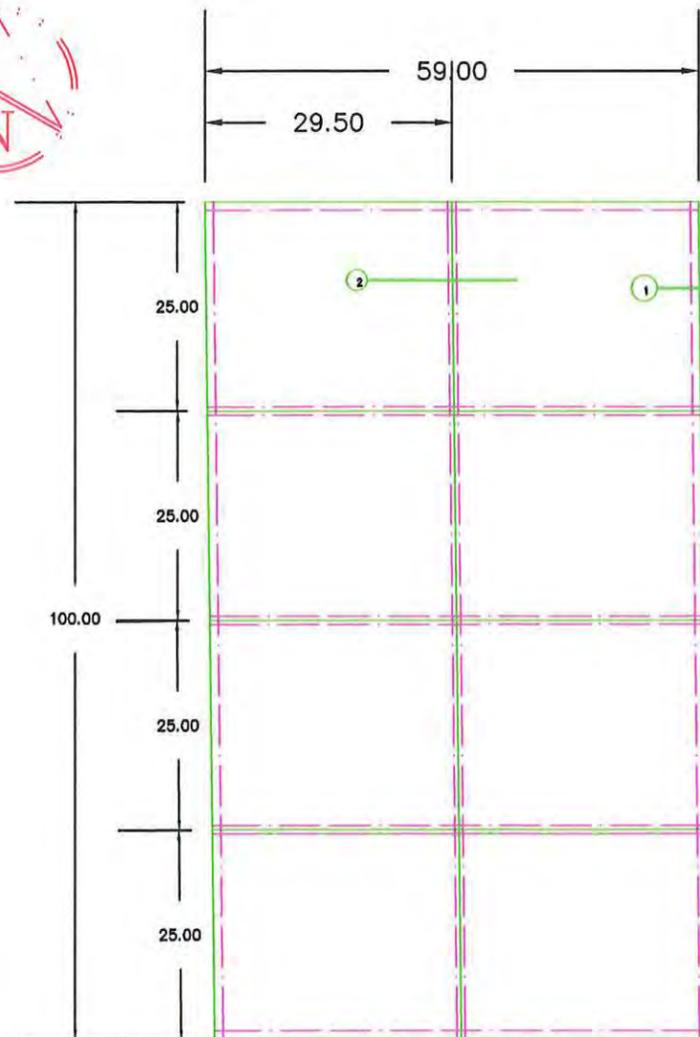
SHEET NO.

C-1



**CONDITIONAL USE PERMIT SITE PLAN
 LANDSCAPE PLAN
 LOT 13, BLOCK 14
 CLARENCE JONES SUBDIVISION**

- NOTE:
1. Water Service & San. Sewer Service Should Exist for this Site. Existing 8" Water Line And 6" Sewer Line is Serving the Property
 2. Contractor Shall Verify Water Service And Sewer Service Before Bidding On This Project.
 3. Dumpster Area Shall Be Provided.
 4. Property is Zoned "C-3"
 5. Property is to Drain from back of Site to the Street and from West Property line to the East
 6. Proposed Drive Approaches as shown on Site Plan.
 7. Parking Space 9'x18' / Handicap Space 10'x18' with 5' Access Aisle.
 8. Owner will pay into the safe pathways fund.



FOUNDATION PLAN

NOTE:

1. Water Service & San. Sewer Service Should Exist for this Site. Existing 8" Water Line And 6" Sewer Line is Serving the Property
2. Contractor Shall Verify Water Service And Sewer Service Before Bidding On This Project.
3. Dumpster Area Shall Be Provided.
4. Property is Zoned "C-3"
5. Property is to Drain from back of Site to the Street and from West Property line to the East
6. Proposed Drive Approaches as shown on Site Plan.
7. Parking Space 9'X18' / Handicap Space 10'X18' with 5' Access Aisle.
8. Owner will pay into safe pathways fund.

CONDITIONAL USE PERMIT SITE PLAN

FOUNDATION PLAN & FLOOR PLAN

LOT 13, BLOCK 14

CLARENCE JONES SUBDIVISION

**ERNEST HEDGCOTH
CONSULTING ENGINEERS, INC.**
FIRM REG. NO. 686
6701-C MIDWAY ROAD
FORT WORTH, TEXAS 76117
(817) 891-7711

PROJECT # 2014-059

SEAL(S) / CONSULTANT:



9/16/14

CLIENT / PROJECT NAME:

DUNN-RITE GLASS, INC.
4131 CARNATION STREET
LOT 13 BLOCK 14
CLARENCE JONES SUBDIVISION
HALTOM CITY, TEXAS 76117

ISSUE DATE:

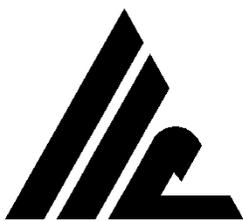
REVISION DATE:

SHEET TITLE

FOUNDATION PLAN
FLOOR PLAN

SHEET NO.

C-2



STAFF REPORT

CITY OF HALTOM CITY

MEETING DATE: 1/27/2015	TO: P&Z Commission	FROM: Justin French, AICP Director of Planning and Community Development	SUBJECT: CU-005-14 Dunn-Rite Glass 4141 Carnation Street
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CU-005-14

Application of Ernest Hedgcoth, on behalf of Brad Dunn, for a Conditional Use Permit request with site plan approval, for office warehouse uses located on Lot 13, Block 14 of the Clarence Jones Subdivision, being 0.385 acres located north of Carnation Street and west of Higgins Lane, locally known as 4141 Carnation Street.

EXISTING ZONING/LAND USE

“C-3” Commercial District / Vacant Developable

ADJACENT ZONING/USES

- North - “C-3” Commercial District / Vacant Developable, Nonconforming Accessory Building
- South - “C-3” Commercial District / Office, Retail, Commercial Service
- East - “C-5” Commercial District / Auto Dealer
- West - “C-3” Commercial District / Commercial Service

ANALYSIS

The applicant requests approval of a conditional use permit to allow for the construction of a 5,916 square-foot office warehouse in accordance with the site plan and design standards attached to the proposed ordinance. Per Section 9 of the Zoning Ordinance, office warehouse is allowed by-right in the requested “M-1” Industrial District and allowed through approval of planned development or a conditional use permit in the “C-3” Commercial District. The properties neighboring the subject site are compatible commercial developments or undeveloped property also in the “C-3” Commercial District.

The applicant’s site plan proposes a deviation to a typical design standard of the “C-3” Commercial District and identifies alternate standards as summarized in the table below.

Design Standard	Required	Proposed
Landscape Buffer along Higgins Lane	15’ minimum	Variations from 15’ to allow 3 parking spaces(see site plan)
Tree Preservation	None	Preservation of three mature trees along Higgins Lane
Landscape Buffer Shrubs	A minimum of two shrubs	10 shrubs

TRANSPORTATION

The site has access on Carnation Street and Higgins Lane today. The applicant proposes to close the drive approach on Carnation Street and replace it with curb and gutter. The proposed zoning change will increase the average daily trips to and from the subject site but is not anticipated to significantly impact the adjacent roadway systems as long as the developer complies with all relevant City ordinances.

The applicant requests to pay into the Safe Pathways Fund in lieu of sidewalk construction. No consistent sidewalk system is present in the general vicinity.

DRAINAGE

The site is located in the Little Fossil Creek drainage basin. Based on available information, no portions of the subject site are located within a FEMA designated floodplain and no significant drainage impacts are expected to result from development of this site, as long as the developer complies with all relevant City ordinances.

WATER & SANITARY SEWER

Water and sanitary sewer services are available to the subject site.

FIRE PREVENTION

Fire Station # 2, located at 5700 Midway Road, provides protection to this site. The estimated fire response time is five minutes, which is not in keeping with the City’s recommended standards.

FRANCHISE UTILITIES & STREET LIGHTS

Overhead utilities with attached street lights exist along the east side of Higgins Lane, while overhead utilities without attached street lights exist along the west side of Higgins Lane and the north side of Carnation Street, where the site has street frontage.

COMPREHENSIVE LAND USE PLAN

The City’s Comprehensive Land Use Plan (CLUP) designates the subject site as International District, which builds on the City’s international cultural and epicurean retail/restaurant developments and includes a mix of retail, office and urban residential, townhouse, loft uses. The proposed office warehouse is not consistent with the uses suggested by the CLUP; however, existing developments to the east and west are also in the International District and are not consistent with the uses suggested by the CLUP.

NOTIFICATION

The legal notice regarding the public hearing was published in the January 12, 2015, *Fort Worth Star Telegram*.

Notification was mailed to all property owners within 200 feet on January 16, 2015, and seventeen (17) property owners were notified.

- _____ In Favor / No Objections
- _____ Opposed
- _____ Returned to Sender

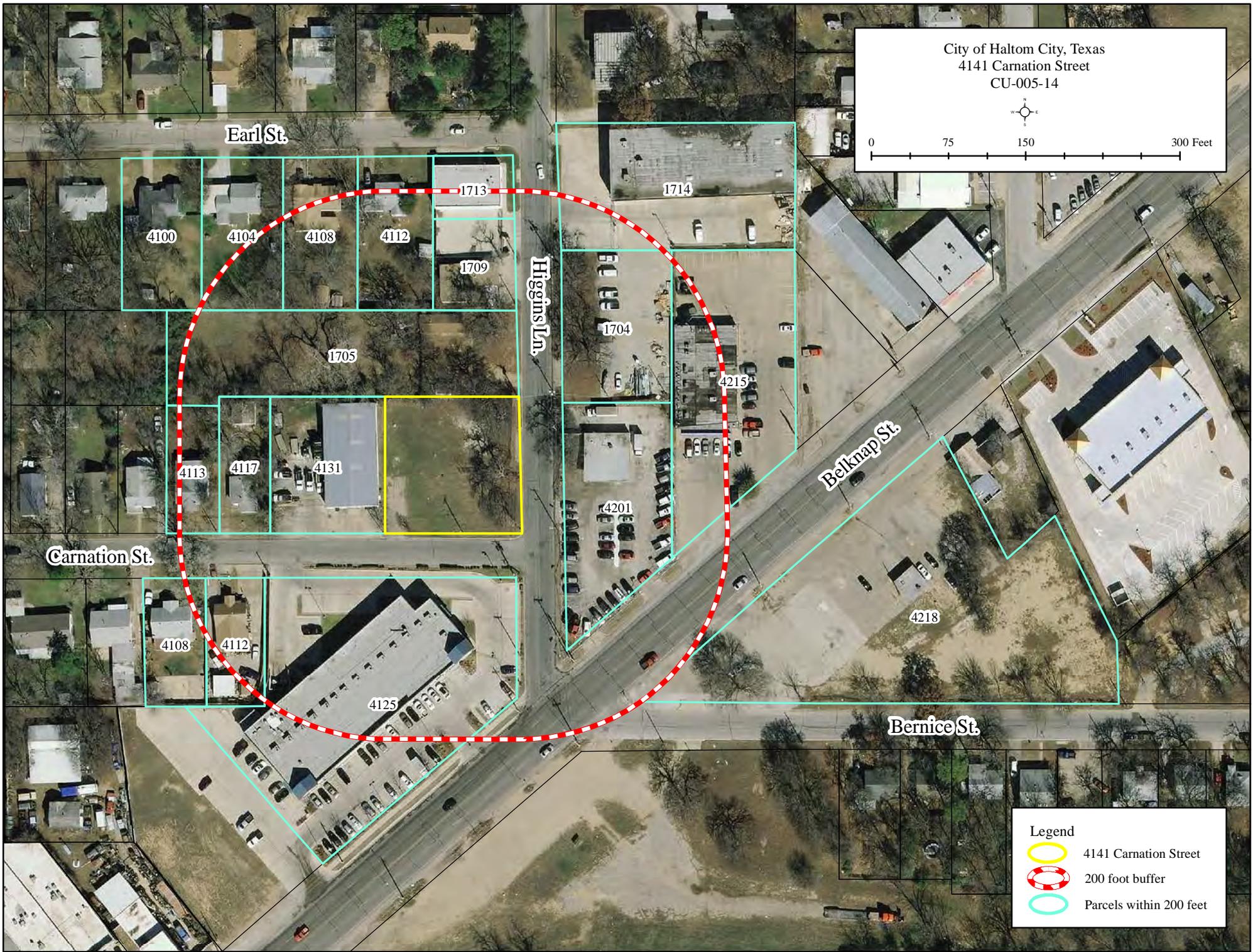
ATTACHMENTS

1. GIS Aerial Map with Zoning
2. List of Property Owners within 200'
3. Photos of Subject Site & Surrounding Properties
4. Draft Ordinance with Exhibits A & B:
 - Exhibit "A" Design Standards
 - Exhibit "B" Site Plan

City of Haltom City, Texas
4141 Carnation Street
CU-005-14



0 75 150 300 Feet



- Legend**
-  4141 Carnation Street
 -  200 foot buffer
 -  Parcels within 200 feet

TAD Parcel ID Num.	TAD Acct. Num.	Zoning Class	Zoning Alt.	Property Address	Owner Name	Owner Address	Owner City/State/Zip
21930--10	01469258	D		4117 Carnation Ave	Irma Escobedo	4117 Carnation Ave	Haltom City Tx 76111-6606
21930-14-12R	41444310	C-3		4131 Carnation Ave	Dunn-Rite Inc	4131 Carnation Ave	Haltom City Tx 76111-6606
21930--9	01469231	D		4113 Carnation Ave	Isabella G Estate Hill	403 Baylor Dr	Arlington Tx 76010-4328
27100--6B	01833499	C-3		4218 E Belknap St	Integratax	1158 Country Club Ln	Fort Worth Tx 76112-2380
5920-13-13B	00381551	D		4108 Carnation Ave	Kcs Properties Inc	3204 E Belknap St	Fort Worth Tx 76111-4764
5920-13-13C	00381578	D		4112 Carnation Ave	Jaime R Ruiz	4112 Carnation Ave	Haltom City Tx 76111-6605
5920-13-5	06560784	C-3	PD	4125 E Belknap St	Vn Plaza Management & Ig Llc	4101 E Belknap St	Haltom City Tx 76111-6612
5920-14-14B	00381608	C-3		1705 Higgins Ln	Mozelle C Hamilton	5001 Sabelle Ln	Fort Worth Tx 76117-2340
5920-21-21	04716914	C-5		4201 E Belknap St	Lieu Nguyen	5701 Brazos Dr	Fort Worth Tx 76137-5543
5920-21-21A2	04716922	C-3		4215 E Belknap St	Rana & Sukhi Inc	4215 E Belknap St	Haltom City Tx 76117-5414
7340--A	00540773	C-3		1704 Higgins Ln	Kurz Group Inc	8333 Douglas Ave Ste 1370	Dallas Tx 75225-5845
7340--B	00540781	C-3		1714 Higgins Ln	Kurz Group Inc	8333 Douglas Ave Ste 1370	Dallas Tx 75225-5845
9000-2-10-30	00684627	D		4104 Earl St	Rudis A Cruz	509 Condor Tr	Fort Worth Tx 76131-8820
9000-2-12-30	00684635	D		4108 Earl St	Bettye Harris Gilmore	4108 Earl St	Haltom City Tx 76111-6628
9000-2-13-10	00684643	C-3		4112 Earl St	Sammy Glen Jackson	2100 Higgins Ln	Fort Worth Tx 76111-6824
9000-2-13-11	04717538	C-3		1709 Higgins Ln	Eddie Creamier	2004 Cheryl Ln	Arlington Tx 76013
9000-2-13-12	04717511	C-3		1713 Higgins Ln	Rlg Enterprises Llc	1232 Brookside Dr	Hurst Tx 76053-4429
9000-2-9-30	00684619	D		4100 Earl St	Tera F Hicks	4100 Earl St	Fort Worth Tx 76111-6628

Subject Site and Surrounding Properties



Looking west down Carnation Street along subject site's street frontage



Looking northwest from Higgins Lane at adjacent property located north of subject site



Looking east to adjacent Auto Dealer from subject site



Looking southwest from subject site to multi-tenant retail building addressed on E. Belknap St.



Looking north down Higgins Lane from subject site



Looking south down Higgins Lane at street frontage of subject site

CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: February 9, 2015
Department: Planning & Community Development
Subject: Sidewalk Waiver/Safe Pathways Fund
– 2334 Pecan Court

BACKGROUND

On February 2, 2015, a representative of the owner/developer of a new 28,000 square-foot office warehouse at 2334 Pecan Court requested waiver of sidewalk construction.

Per the City's Code of Ordinances, Article I. IN GENERAL, Section 86-10(d):

Sidewalks are required to be installed on any property when:

- 1) The property is non-residentially zoned;
- 2) A building permit application is filed with the City;
- 3) Cost of improvements exceed of 50% of the fair market value of the property.

The subject site and surrounding properties are zoned "M-1" Industrial District. On January 7, 2015, the developer submitted to the City a building permit application for an office warehouse on an undeveloped lot. According to the Tarrant Appraisal District's website, the subject site has a market value of \$99,425.00. The cost of the proposed office warehouse will exceed 50 percent of this value; therefore, 349.46 linear feet of sidewalk construction is required.

In instances where it is determined that the public would not be served by the installation of sidewalks on the subject property, the City Council shall have the right to accept, in its sole discretion, the payment of cash in lieu thereof in the amount of \$10.00 per linear foot of sidewalk length that would otherwise be required to be installed. Said amount shall be reviewed by the City Council annually during the budget adoption process [Section 86-10(f)(1)].

FISCAL IMPACT

If approved by City Council, the total payment into the Safe Pathways Fund in lieu of sidewalk construction at 2334 Pecan Court shall be \$3,494.60.

RECOMMENDATION

Staff recommends the City Council grant the applicant's request for the waiver and submit payment into the Safe Pathways Fund as referenced above.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY:

That the above stated Staff recommendations are hereby approved and authorized.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Haltom City, Texas this 9th day of February 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code §551.001 *et seq.*

APPROVED

Richard Hutchison, Mayor

ATTEST:

Art Camacho, City Secretary

APPROVED AS TO FORM:

Wayne Olson, City Attorney

ATTACHMENT

Code of Ordinances, Article I. IN GENERAL, Section 86-10

Sec. 86-10. - Sidewalks—Required; location; standards; waiver.

- (a) The owner of any nonresidentially zoned property which is platted after the effective date of this section [April 10, 1995] shall install sidewalks along the entire length of the property abutting any street within the city at the time the property is developed. The design and construction details for the sidewalks shall be included in the construction plans for infrastructure improvements required to be submitted in conjunction with final platting.
- (b) The owner of any residentially zoned property which is subdivided into two or more lots after the effective date of this section shall install sidewalks along the entire length of the property abutting any street within the city at the time the property is developed. The design and construction details for the sidewalks shall be included in the construction plans for infrastructure improvements required to be submitted in conjunction with final platting.
- (c) Sidewalks shall be located within one foot of the right-of-way/property line and extend a minimum of four feet in width. Sidewalks shall be constructed in accordance with the Street and Drainage Standard Details of the City of Haltom City, the requirements of the Americans With Disabilities Act (ADA) and any other applicable federal, state or local regulations or laws.
- (d) Sidewalks shall not be required to be installed on any property platted prior to the effective date of this section unless:
 - (1) The property is nonresidentially zoned;
 - (2) An application for a building permit to make improvements to the property is filed with the city after the effective date of this section;
 - (3) The cost of the improvements is in excess of 50 percent of the fair market value of the property.
- (e) The requirements of this section, where applicable, shall apply to all properties within the City of Haltom City whether the abutting street is located within the city limits of Haltom City or any other city. Further, the requirements of this section, where applicable, shall apply to the construction of sidewalks within street rights-of-way within the city limits of Haltom City even though the adjacent property may be located within the city limits of another city.
- (f) Payment in lieu of construction.
 - (1) In instances where it is determined that the public would not be served by the installation of sidewalks on the subject property, the city council shall have the right to accept, in its sole discretion, the payment of cash in lieu thereof in the amount of \$10.00 per linear foot of sidewalk length that would otherwise be required to be installed. Said amount shall be reviewed by the city council annually during the budget adoption process.
 - (2) There is hereby established a special fund for the deposit of all sums paid in lieu of sidewalk installation under this section. This fund shall be known as the "safe pathways program" fund. The safe pathways program shall serve to enhance the safety and convenience of pedestrians through the installation of sidewalks that serve a higher number of pedestrians on more heavily traveled streets or where children typically walk to schools, parks and community centers. Monies placed in this fund may not be utilized for any other general business activity of the city. All expenditures from this fund shall be approved by the city council.
 - (3)

All funds accumulated through the payment of cash in lieu of sidewalk installation shall be identified as being attributable to the subdivision where the subject property is located, and shall be so designated in the safe pathways program fund. Such funds shall be expended only for sidewalk installation within the subdivision from which received, with the following exception:

When the city council determines that existing conditions preclude the effective installation of sidewalks, such as a lack of undeveloped sites, the funds collected from one subdivision may be expended within two miles of the subdivision.

- (4) The city shall account for all sums paid in lieu of sidewalk installation pursuant to this section with reference to the individual plats involved. Any funds paid for such purposes must be expended by the city within ten years from the date received by the city. Such funds shall be considered to be spent on a first in, first out basis. If not so expended, the subdivider, the owner of the subdivision, or the owner of the subject property ("owner") on the last day of such period shall be entitled to a pro rata refund of such sum, computed on a linear foot basis. The owner must request such refund within one year of entitlement, in writing, or such right shall be forfeited.
- (5) Any individual organization or entity desiring to make a contribution to the safe pathways program may contribute funds to be placed in this account and may designate a subdivision within which such funds must be expended. Once funds have been placed in this specific account, they are bound by the restrictions set forth in this section.

(Code 1973, § 18-11; Ord. No. O-95-011-13, § 1, 4-10-95; Ord. No. O-2003-011-15, § 1, 7-14-03)

CITY COUNCIL MEMORANDUM

City Council Meeting: February 9, 2015
Department: City Secretary
Subject: Amend Resolution No. R-2015-001-01
– Calling the May 9, 2015 General and
Special Election, and Joint Election

BACKGROUND

On January 26, 2015, the City Council approved Resolution No. R-2015-001-01 calling for a General Election on May 9, 2015 of the Mayor's position, as well as Council Member Places 1, 2 and 7.

On January 28, 2015, Council Member Place 3 David Averitt filed his candidacy for Mayor. Section 3.03 of the Charter states "if a person holding an elective office of the city becomes a candidate for nomination or election to any elective public office other than the office then held, the person automatically resigns the city office. The city council shall declare the office vacant and proceed to fill the office as provided in Section 3.06 of this charter." Therefore, since there is an additional vacancy, a Special Election for Place 3 needs to be added to the called General Election on May 9, 2015, as required by Section 3.06 of the Charter which states "in the event of a vacancy occurring in the office of mayor or city council member from any cause whatsoever, a special election shall be held at the next state uniform election date that allows time for holding the election as provided in state law."

The positions in the General Election, Mayor and Council Member Places 1, 2 and 7, will be for two- (2) year terms and the Special Election for Council Member Place 3 will be for the remainder of the unexpired term (approximately one (1) year).

On February 2, 2015, the Crime Control and Prevention District (CCPD) approved Resolution R-2015-01 calling for a Special Election to be held on May 9, 2015 to determine whether the CCPD and the CCPD sales and use tax (¼-cent) should be continued for ten (10) years.

An amended Resolution R-2015-001-01 is presented for City Council consideration and action adding the above referenced Special Elections to the called General Election.

FISCAL IMPACT

Election costs will be shared between participating political subdivisions, but the County does not yet know how many entities will be participating.

RECOMMENDATION

Staff recommends the City Council amend Resolution No. R-2015-001-01, authorizing a joint election with Tarrant County and calling for the General and Special elections to be held on May 9, 2015.

ATTACHMENTS

Amended Resolution R-2015-01-01

RESOLUTION NO. R-2015-001-01
Joint Election Agreement
For General and Special Election

A RESOLUTION AND ELECTION ORDER BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS CALLING FOR A GENERAL ELECTION AND SPECIAL ELECTION TO BE HELD ON MAY 9, 2015; APPROVING A JOINT ELECTION AGREEMENT BETWEEN TARRANT COUNTY AND THE CITY OF HALTOM CITY, TEXAS; PROVIDING PROCEDURES FOR THE CONDUCT OF THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the General Election for City Council Members of the City of Haltom City, as set forth by the City of Haltom City Home Rule Charter and the Texas Election Code, is required to be held on May 9, 2015, at which time the voters will elect persons to fill the offices of City Council Places 1, 2, 7 and the Mayor on the City Council of the City of Haltom City, Texas with all places to be elected for two year terms; and

WHEREAS, a vacancy exists in the un-expired term of Place 3 of the City Council of the City of Haltom City, Texas, which must be filled for the remainder of the term pursuant to the Election Code, and the City of Haltom City Home Rule Charter, in a Special Election to be held in conjunction with the General Election on May 9, 2015; and

WHEREAS, the Board of Directors of the Haltom City Crime Control and Prevention District (CCPD) of the City of Haltom City, Texas (the City) has ordered a Special Election be held on May 9, 2015 for the purpose of having voters vote for or against continuing the Crime Control and Prevention District for 10 years and the crime control and prevention district sales and use tax of $\frac{1}{4}$ of one cent for 10 years for the support of crime reduction programs of the Crime Control and Prevention District created pursuant to Chapter 363, of the Texas Local Government Code; and

WHEREAS, it is in the best interest of the citizens of Haltom City for all three elections to be conducted together through a joint election agreement with Tarrant County; and

WHEREAS, by this Resolution, it is the intention of the City Council to adopt all requirements of an Election Order in accordance with state law, and authorize a contract with Tarrant County for joint election services.

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

Section 1. That a General Election is hereby called to elect City Council Places 1, 2, 7 and the Mayor to serve until May 2017 or until their successors are duly elected and qualified. Such election shall take place on the 9th day of May 2015, between the hours of 7:00 a.m. and 7:00 p.m.

Section 2. That a Special Election is hereby called to fill the vacancy of City Council Place 3 to serve until May 2016 or until a successor is duly elected and qualified. Such election shall take place in conjunction with the general election on the 9th day of May 2015, between the hours of 7:00 a.m. and 7:00 p.m.

Section 3. Qualified persons may file as candidates for the General Election by filing an application with the City Secretary between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, beginning January 28, 2015 and ending not later than 5:00 p.m. on Friday, February 27, 2015. Each application for a place on the ballot shall be accompanied by either a filing fee of fifty (\$50.00) dollars payable to the City, or as an alternate procedure to payment of this fee, a person may submit a petition in favor of his or her candidacy, signed by at least fifty (50) registered voters.

Section 4. Qualified persons may file as candidates for the Special Election by filing an application with the City Secretary between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, beginning Tuesday, February 10, 2015 and ending not later than 5:00 p.m. on Friday, February 27, 2015. Each application for a place on the ballot shall be accompanied by either a filing fee of fifty (\$50.00) dollars payable to the City, or as an alternate procedure to payment of this fee, a person may submit a petition in favor of his or her candidacy, signed by at least fifty (50) registered voters.

Section 5. That a Special Election shall be held on May 9, 2015 for the purpose of submitting the following proposition to the qualified voters of the City:

PROPOSITION

“Whether the Haltom City Crime Control and Prevention District should be continued for ten years and the Crime Control and Prevention District sales tax of one-quarter of one cent should be continued for ten years.”

Section 6. The city council hereby approves a joint election agreement and contract between Tarrant County and the City of Haltom City (the “Contract”) for the purpose of conducting the General Election and the two Special Elections described above. The Contract will be forthcoming and the City Manager or his designee is authorized to execute the Contract. In the event of a conflict between this Resolution and the Contract, the Contract shall control.

Section 7. The Election Day polling places for this joint election are designated pursuant to Section 271.003 of the Texas Election Code, and the Council finds that the following locations can most adequately and conveniently serve the voters in this election, and that these locations will facilitate the orderly conduct of the election:

Polling	Location	County Precincts Include
Place #1	Haltom Northeast Center 3201 Friendly Lane Haltom City, TX	1199, 1622, 4042, 4102, 4141 4159, 4218, 4239, 4290, 4328, 4362, 4399, 4483, 4485, 4620 4632
Place #2	John D. Spicer Elementary 4300 Estes Park Road Haltom City, TX	4191, 4410, 4533

For purposes of this election, the County precincts voting at Polling Place #1 shall be designated City Precinct #1, and the County Precincts voting at Polling Place #2 shall be designated City Precinct #2.

- Section 8.** The Presiding Election Judge and Alternate Presiding Election Judge shall be appointed by Tarrant County as indicated in the Contract and authorized by Chapter 271 of the Texas Election Code.
- Section 9.** Frank Phillips, the Tarrant County Elections Administrator, (“Elections Administrator”) is hereby designated as the Early Voting Clerk for the election as indicated in the Contract. Early voting by personal appearance shall commence April 27, 2015 and shall continue until May 5, 2015. On at least two weekdays during the early voting period, the location for early voting shall be open for at least twelve (12) hours as mandated by state law. Early voting main location will be at Tarrant County Elections Center, 2700 Premier Street, Fort Worth, Texas and the Haltom City Early Voting location will be at the Haltom City Northeast Center, 3201 Friendly Lane, Haltom City, Texas.
- Section 10.** The Elections Administrator shall be responsible for the Early Voting applications and ballots. Applications for early voting by mail may be delivered to Frank Phillips, County of Tarrant, Elections Administrator, 2700 Premier Street, Fort Worth, Texas 76111. Early voting ballots shall be mailed to the Elections Administrator at the same address. The City Secretary is directed to forward applications and ballots he may receive to the Elections Administrator as provided in the Contract.
- Section 11.** All resident qualified electors of the City shall be permitted to vote at said election and, on the day of the election, such electors shall vote at the polling place designated for the Election Precinct in which they reside.
- Section 12.** All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Contract and the Code.

Section 13. Should a runoff election be required following the canvass of the May 9, 2015 election, the Council hereby orders that a runoff election be held on Saturday, June 13, 2015. The polling place on Election Day for the runoff election shall be at the same polling places as those of the original election, and the hours of voting shall be between 7:00 a.m. and 7:00 p.m.

Should a runoff election be necessary, early voting by personal appearance for the runoff election shall be held at the Haltom City Northeast Center, 3201 Friendly Lane, Haltom City Texas between the hours of 8:00 a.m. to 5:00 p.m., beginning on a date to be determined and announced in the future.

PASSED AND APPROVED by the City Council of the City of Haltom City, Texas this 9th day of February, 2015.

Richard Hutchison, Mayor

ATTEST:

Art Camacho, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: February 9, 2015
Department: City Secretary
Subject: Boards and Commissions
Resignation of Members

BACKGROUND

The City Council will consider action regarding the resignations from Boards and Commissions. Lyn Shimmin submitted her letter of resignation from the Park and Recreation Board. Blakely Cabano submitted his letter of resignation from the Economic Development Corporation.

FISCAL IMPACT

None

RECOMMENDATION

None

ATTACHMENT

Lyn Shimmin's letter of resignation.
Blakely Cabano's letter of resignation.

CITY COUNCIL MEMORANDUM

City Council Meeting: February 9, 2015
Department: City Secretary
Subject: Boards and Commissions
Appointments/Reappointments

BACKGROUND

The City Council will consider action regarding the appointment/reappointment of board and commission members.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

Appointment applications: Willis O'Dell, Anthony Bennett, and David Wood.

Vacancies:

Planning and Zoning Commission (Places 5)
Zoning Board of Adjustment (Place 4)

Reappointments:

Beautification (Place 3)
CCPD/Redlight Camera (Places 3 and 5)