

Agenda

City of Hudson Oaks
210 N. Lakeshore Drive
Hudson Oaks, Texas 76087
Special City Council Meeting
Budget Workshop
Tuesday, June 15, 2010
6:30 p.m.

SPECIAL SESSION: 6:30 p.m.

Call to order

A. ITEMS FOR INDIVIDUAL CONSIDERATION

1. First Public Hearing on voluntary annexation of the Davis property being a 1.448 acre tract of land and the Jerry Durant properties being seven tracts totaling 8.13 acres
2. Consideration of Minute Order 2010-24, excusing Councilmember Marquardt's absence from the June 24, 2010 City Council Meeting

B. EXECUTIVE SESSION-Pursuant to Chapter 551, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting to receive legal advice from its attorney on any posted agenda item as permitted by law, or to discuss the following:

- a) Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071.
- b) Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072.
- c) Deliberation regarding gifts or donations to the City pursuant to Section 551.073.
- d) Personnel matters pursuant to Section 551.074 (to deliberate the appointment, employment, evaluation, reassignment or duties, discipline or dismissal of a public officer or employee).
- e) Deliberation regarding security pursuant to Section 551.076.
- f) Deliberation regarding economic development negotiations pursuant to Section 551.087.

C. DISCUSSION/ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

Discussion/Action, if any, on items discussed in executive session.

D. ADJOURNMENT

WORKSHOP SESSION: 6:45 p.m. OR IMMEDIATELY FOLLOWING THE SPECIAL SESSION

Workshop opened

1. Budget for fiscal year 2010-2011

Workshop closed

I, Sheila Elmore do hereby certify that notice of the above meeting was posted on the bulletin board located at the City Hall of the City of Hudson Oaks, a place readily accessible to the public at all times, on the 11th day June 2010 at 5:00 p.m. and remained continuously posted for at least seventy-two (72) hours immediately preceding said meeting and that said meeting and that said notice was posted in accordance with Chapter 551 of the Texas Government Code. This facility is wheelchair accessible and accessible parking spaces are available, requests for accommodations or interpretive services must be made forty-eight (48) hours prior to this meeting, please contact the City Secretary's office at (817) 594-0302 or metro (817) 596-4899 or fax (817) 596-4899 for further information. The City Attorney reserves the right to take agenda item(s) into executive session.

Sheila Elmore
City Secretary

City Council Meeting Staff Agenda Report



| | | |
|---|----------------------------|---|
| Public Hearing regarding the petition for voluntary annexation of 8 tracts of land | | |
| Meeting date: June 15, 2010 | Agenda Item #: 1 | Action being considered: Conduct Public Hearing |

Staff Recommendation:

Conduct the public hearing regarding the petition for voluntary annexation of 8 tracts of land.

Prior Board or Council Action:

On January 15, 2010, the City of Hudson Oaks, Town of Annetta North, and the Davis Ranch entered into a development agreement. The agreement includes a request from the Davis Ranch for voluntary annexation into the City of Hudson Oaks. At its May 17, 2010, City Council adopted a resolution agreeing to consider the petitions for voluntary annexation for the Davis Ranch property and seven tracts of land that are part of the Durant Auto Group.

Background Information/Analysis:

Resolution 2010-04 was adopted in May 2010. In accordance with the Davis Ranch development agreement, the resolution began the process toward voluntarily annexing 1.448 acres of the Davis property. The resolution also included a request made by Jerry Durant to voluntarily annex 7 tracts of land totaling 8.13 acres. The Durant properties include the new Hyundai dealership, the old body shop property, and two converted residential tracts north of the new dealership. The resolution declared the Council's intent to begin the annexation process for the properties listed and called for public hearings in accordance with Chapter 6 of the Texas Local Government Code.

The Council meeting schedule below was adopted via Resolution 2010-04. It meets the State "annexation calendar" requirements for annexing all of the properties described in the resolution.

- May 27 Resolution of Intent
- June 4 Public Hearing notice published
- June 15 1st Public Hearing (Special Meeting with Budget Workshop)
- June 24 2nd Public Hearing
- July 22 Final reading on annexation ordinance

With the request for voluntary annexation, Jerry Durant specifically requested that General Commercial zoning be applied to these lots. In order to grant General Commercial zoning to the tracts described, the Planning and Zoning Commission must publish notice, hold public hearings, and make a recommendation to Council (which would have to take subsequent action). The schedule for the Planning and Zoning Commission's zoning process (assuming the properties are annexed) will be:

- June 24 Public Notice of Zoning Change
- July 13 Public Hearing and Zoning Recommendations
- July 22 Public Hearing and Zoning Approval (City Council)

City Council Meeting Staff Agenda Report



Financial Considerations:
None

Attachments:

- Resolution 2010-04 (which describes the properties being considered for annexation)

Staff Contact:

Sheri Campbell-Husband, city administrator
682-229-2407
Sheri.campbell@hudsonoaks.com

Patrick Lawler, assistant city administrator
682-229-2408
Patrick.lawler@hudsonoaks.com

City Council Meeting Staff Agenda Report



WHEREAS, on May 13, 2010, the City of Hudson Oaks received a petition for voluntary annexation of an approximate .894 acre tract of land from Jerry Durant the property owner, requesting that such property be annexed into the City of Hudson Oaks; and

WHEREAS, on May 13, 2010, the City of Hudson Oaks received a petition for voluntary annexation of an approximate 3.510 acre tract of land from Jerry Durant the property owner, requesting that such property be annexed into the City of Hudson Oaks; and

WHEREAS, pursuant to Section 43.028, Texas Local Government Code, a petition for voluntary annexation from a landowner is to be granted or refused by the governing body before the 30th day after the petition is filed; and

WHEREAS, the City Council desires to accept these petitions for voluntary annexation of the above referenced properties, and to direct staff to take the action required to accomplish such annexations; and

WHEREAS, state law requires two separate Public Hearings be held for each annexation; and

WHEREAS, the City Council desires to call these Public Hearings regarding the annexations, the first to be held at the Special City Council Meeting of June 15, 2010, and the second to be held at the Regular City Council Meeting on June 24, 2010.

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

Section 1. Acceptance of Petitions for Voluntary Annexation. The City Council hereby accepts the following petitions for voluntary annexation received by the City, and directs City staff to take the steps required to accomplish such annexations:

Approximate 1.448 acre tract out of the Davis Ranch property as more particularly described on the attached Exhibit "A";

Approximate .985 acre tract out of Crestview Acres as more particularly described on the attached Exhibit "B";

Approximate .183 acre tract out of Crestview Acres as more particularly described on the attached Exhibit "B";

Approximate 1.008 acre tract out of the Crestview Acres as more particularly described on the attached Exhibit "B";

Approximate .730 acre tract out of the Crestview Acres as more particularly described on the attached Exhibit "B";



LEGAL DESCRIPTION
EXHIBIT "A"

Being a 1.448 acres tract of land out of the C.J. EDDLEMAN SURVEY, ABSTRACT No. 439, A. PIPKIN SURVEY, ABSTRACT No. 1067 and the N. HUFFMAN SURVEY ABSTRACT No. 666, all in Parker County, Texas; being a portion of the North Tract of land on that certain survey from Brent A. Mizell R.P.L.S.#1967, dated May 19, 2004; being described by metes and bounds as follows:

BEGINNING in the south occupied right of way of Bankhead Highway (paved), for the most northerly and BEGINNING corner of this tract; WHENCE the southwest corner of the said N. HUFFMAN SURVEY is calculated to bear S 32°13'26" W 2540.82 feet.

THENCE S 52°32'35" E 10.18 feet along said Bankhead Highway to the northeast corner of this tract.

THENCE 10 feet from and parallel to the west line of said North Tract the following calls:

S 26°46'09" W 329.28 feet, to a corner of this tract.
S 59°02'10" E 85.78 feet, to a corner of this tract.
S 08°14'05" W 26.61 feet, to a corner of this tract.
S 16°06'18" E 40.80 feet, to a corner of this tract.
S 21°44'20" E 200.22 feet, to a corner of this tract.
S 07°40'23" E 228.44 feet, to a corner of this tract.
S 00°34'01" W 120.38 feet, to a corner of this tract.
S 00°51'03" E 517.16 feet, to a corner of this tract.
S 08°47'11" W 187.58 feet, to a corner of this tract.
N 68°39'45" W 387.74 feet, to a corner of this tract.
N 68°24'46" W 178.50 feet, to a corner of this tract.
N 11°29'19" E 18.82 feet, to a corner of this tract.
N 60°07'41" W 726.74 feet, to a corner of this tract.
N 43°55'58" W 601.27 feet, to a corner of this tract.
N 35°16'09" W 281.11 feet, to a corner of this tract.
S 63°19'47" W 345.80 feet, to a corner of this tract.
S 24°19'04" W 93.29 feet, to a corner of this tract.
S 17°53'52" E 83.33 feet, to a corner of this tract.
S 43°14'35" E 257.61 feet, to a corner of this tract.
N 74°07'03" E 110.81 feet, to a corner of this tract.
S 26°20'56" E 89.12 feet, to a corner of this tract.
S 06°48'07" W 203.91 feet, to a corner of this tract.
S 80°05'31" E 386.31 feet, to a corner of this tract.
SOUTH 906.26 feet more or less to the apparent north line of the ANNETTA NORTH CITY LIMITS, according to the Annetta North City Limits Map as surveyed by Cross Timbers Land Surveying on October 28, 2004, for the southeast corner of this tract.

CARTER SURVEYING
& MAPPING
Weatherford, TX 76086
110 A Polo Pinto Street
817-594-0400 FAX: 817-594-0403
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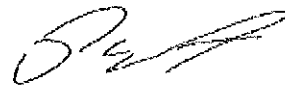
EXHIBIT "A"

PAGE 2 OF 2

Thence WEST 10.00 feet along said ANNETTA NORTH CITY LIMITS to the southwest corner of this tract.

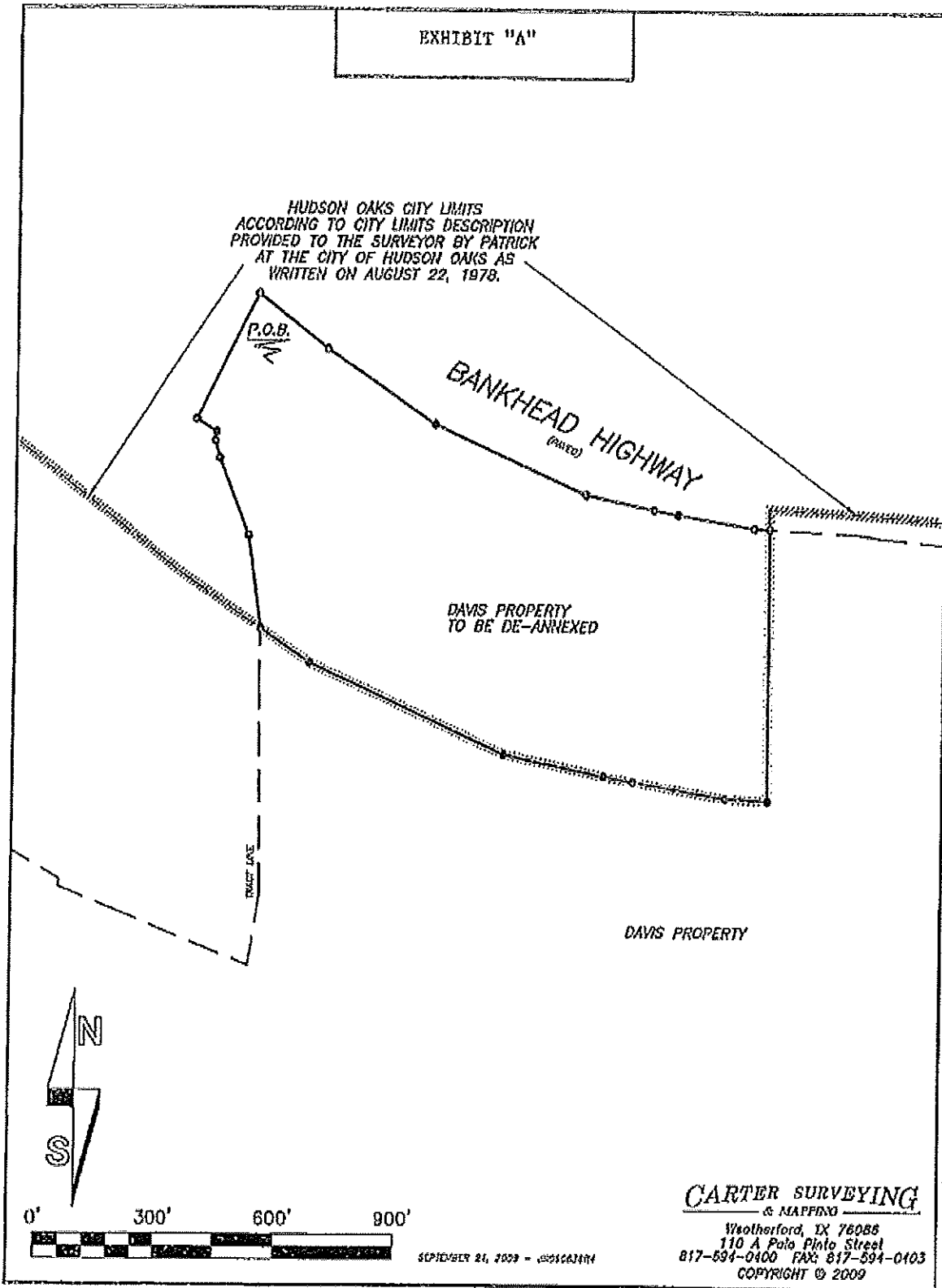
Thence along the west line of said North Tract the following calls:

- NORTH 897.85 feet more or less, to a corner of this tract.
- N 80°05'31" W 367.38 feet, to a corner of this tract.
- N 06°48'07" E 210.41 feet, to a corner of this tract.
- N 26°20'56" W 77.82 feet, to a corner of this tract.
- S 74°07'03" W 108.67 feet, to a corner of this tract.
- N 43°14'35" W 265.04 feet, to a corner of this tract.
- N 17°53'52" W 69.44 feet, to a corner of this tract.
- N 24°19'04" E 99.74 feet, to a corner of this tract.
- N 53°19'47" E 358.63 feet, to a corner of this tract.
- S 35°16'09" E 290.60 feet, to a corner of this tract.
- S 43°55'50" E 599.09 feet, to a corner of this tract.
- S 80°07'41" E 732.53 feet, to a corner of this tract.
- S 11°29'19" W 17.86 feet, to a corner of this tract.
- S 68°24'46" E 170.10 feet, to a corner of this tract.
- S 68°39'45" E 345.25 feet, to a corner of this tract.
- N 08°47'11" E 174.27 feet, to a corner of this tract.
- N 00°51'03" W 516.44 feet, to a corner of this tract.
- N 00°34'01" E 119.78 feet, to a corner of this tract.
- N 07°40'23" W 224.49 feet, to a corner of this tract.
- N 21°44'20" W 190.48 feet, to a corner of this tract.
- N 16°06'18" W 43.25 feet, to a corner of this tract.
- N 08°14'05" E 22.11 feet, to a corner of this tract.
- N 59°02'10" W 58.42 feet, to a corner of this tract.
- N 26°48'09" E 340.46 feet, to the POINT OF BEGINNING.



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City Council Meeting
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JERRY'S GM LTD.
WEATHERFORD TEXAS

EXHIBIT "B"

May 13, 2010

Patrick Lawler
Assistant City Administrator
210 N. Lakeshore Drive
City of Hudson Oaks
Hudson Oaks, TX 76087

Dear Patrick:

The following is a list of lots and blocks we would like to ask for voluntary annexation into Hudson Oaks as General Commercial.

| | | |
|---|-------------|--------------------------|
| Tract 1, Block 6 Crestview Acres | .985 acres | Properties to be annexed |
| Tract 3, Block 6 Crestview Acres | .183 acres | |
| Tract 2, Block 6 Crestview Acres | 1.008 acres | |
| Lot 1, Block 5 Crestview Acres | .730 acres | |
| Lot 1, Block 2 Crestview Acres | .820 acres | |
| Lot 4, Block 5 Crestview Acres | .894 acres | Property to be annexed |
| Lot 7, Block 2 Oakridge Addition-east 1/2 | .516 acres | |
| Lot 8, Block 2 Oakridge Addition | 1.033 acres | |
| East 140' of lot 5, block 2 Oakridge Addition | .723 acres | |
| Lot 3 and 4, block 2 Oakridge Addition | 2.020 acres | |
| Tract to J.P. Binlon and wife Nell | 3.510 acres | |

If I need to be present at any of the meetings, please let me know. Thank you for your consideration and I look forward to hearing from you.

Yours truly,


Jerry Durant

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RESOLUTION NO. 2010-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUDSON OAKS, TEXAS, ACCEPTING THE PETITION FOR VOLUNTARY ANNEXATION OF 8 TRACTS OF LAND, AND CALLING PUBLIC HEARINGS TO BE HELD ON THE PROPOSED ANNEXATIONS; ESTABLISHING PROCEDURES FOR THE PUBLIC HEARINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Hudson Oaks, Texas is a Type A general-law municipality located in Parker County, Texas, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, on or about January 15, 2010, the City of Hudson Oaks, Texas and the Town of Annetta North, Texas entered into development agreement relating to the Davis Ranch property, which includes a request by the property owner of a voluntary annexation by the City of Hudson Oaks of an approximate 1.448 acre portion of their property; and

WHEREAS, on May 13, 2010, the City of Hudson Oaks received a petition for voluntary annexation of an approximate .985 acre tract of land from Jerry Durant, the property owner, requesting that such property be annexed into the City of Hudson Oaks; and

WHEREAS, on May 13, 2010, the City of Hudson Oaks received a petition for voluntary annexation of an approximate .183 acre tract of land from Jerry Durant the property owner, requesting that such property be annexed into the City of Hudson Oaks; and

WHEREAS, on May 13, 2010, the City of Hudson Oaks received a petition for voluntary annexation of an approximate 1.008 acre tract of land from Jerry Durant the property owner, requesting that such property be annexed into the City of Hudson Oaks; and

WHEREAS, on May 13, 2010, the City of Hudson Oaks received a petition for voluntary annexation of an approximate .730 acre tract of land from Jerry Durant the property owner, requesting that such property be annexed into the City of Hudson Oaks; and

WHEREAS, on May 13, 2010, the City of Hudson Oaks received a petition for voluntary annexation of an approximate .820 acre tract of land from Jerry Durant the property owner, requesting that such property be annexed into the City of Hudson Oaks; and

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Approximate .820 acre tract out of the Crestview Acres as more particularly described on the attached Exhibit "B";

Approximate .894 acre tract out of the Crestview Acres as more particularly described on the attached Exhibit "B";

Approximate 3.510 acre tract out of the J.P. Binion Property as more particularly described on the attached Exhibit "B";

Section 2. Public Hearings are Called. Public Hearings regarding the above referenced annexations are hereby called as follows:

First public hearing to be held on June 15, 2010 at Special Council meeting.

Second public hearing to be held on June 24, 2010 at Regular Council meeting.

Section 3. Speaking at the Public Hearing. All citizens wishing to express their opinion regarding these annexations will be allowed to speak at these Public Hearings.

Section 4. Publication and Posting of Notice of Public Hearing. Notice of these Public Hearings shall be posted upon the website of the City of Hudson Oaks, Texas. Notices will also be published in the official newspaper of the City of Hudson Oaks as required by law.

Section 5. Submissions to the United States Justice Department. Upon completion of such annexations, the City Secretary or her designee is authorized to make such submissions as are necessary to the United States Justice Department regarding these annexations for voting purposes.

Section 6. Necessary Actions. The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out these Public Hearings, whether or not expressly authorized herein.

Section 7. Effective Date. This Resolution shall be effective upon its adoption.

PASSED, APPROVED AND EFFECTIVE on this ____ day of _____, 2010.

ATTEST:

City Secretary

Mayor

City Council Meeting Staff Agenda Report



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| Minute Order 2010-24, excusing Councilmember Marquardt's absence for June 24, 2010 | | |
| Meeting date: June 15, 2010 | Agenda Item #: 2 | Action being considered: Adoption of Minute Order 2010-24 |

Staff Recommendation:

Adopt Minute Order 2010-24, excusing Councilmember Tom Marquardt from the June 24, 2010 regular Council meeting.

Prior Board or Council Action:

Background Information/Analysis:

Councilmember Marquardt will be absent for the June 24 Council meeting for a scheduled family vacation.

Per Texas Local Government Code, the City Council must take action considering formally excusing absences from meetings for any reason other than a councilmember's illness.

Financial Considerations:

None

Attachments:

None

Staff Contact:

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Sheila Elmore, city secretary
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