



KENNEDALE CITY COUNCIL AGENDA

REGULAR MEETING | MARCH 17, 2026 AT 5:30 PM
CITY HALL COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE, KENNEDALE, TX 76060

I. CALL TO ORDER

- A. ROLL CALL
- B. INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS
"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State under God; One and Indivisible."

II. PUBLIC COMMENT

The Kennedale City Council welcomes comments from the public. Those wishing to speak must sign in prior to the start of the meeting. Speakers may speak on any topic, whether on the agenda or not. The Kennedale City Council cannot act upon, discuss issues raised or make any decisions at this time. Speakers under citizens' comments shall observe a three-minute time limit. Inquiries regarding matters not listed on this agenda may be referred to staff for research and/or possible future action by the board.

III. PRESENTATIONS

- A. Swearing in of two new Police Officers, Officer Stone and Officer Whitehead
- B. Proclamation for Women's History Month
- C. TCAP Presentation Drew Shores
- D. 2025 City of Kennedale Annual Fire Department Report
- E. 2025 City of Kennedale Annual Library/ Senior Center & Communications Report
- F. 2025 City of Kennedale Annual Court Report
- G. 2025 City of Kennedale Annual Finance/ I.T. Report

IV. PUBLIC HEARING

- A. Community Development Block Grant (CDBG) Proposed Project ADA Compliant Sidewalks
- B. To Conduct a Public Hearing and Consider, PZ Case 26-01; a PROPOSED ZONING CHANGE FROM "OT-4 OLD TOWN sub-district 4" TO "C-2 General commercial district" for 444 E. Kennedale Pkwy, BOAZ, CA SUBD OF J B RENFRO Lot 31 OF THE CITY OF KENNEDALE, Tarrant County, Texas, 76060.

V. REGULAR SESSION

A. REPORTS AND ANNOUNCEMENTS

In addition to any items below, the Kennedale City Council, the presiding officer, and/or staff may give or receive reports regarding items of community interest, including, but not limited to, recognition of officials, citizens, staff, or departments; information regarding holiday schedules; and upcoming or attended events.

1. Updates for the City of Kennedale Mayor and City Council
 - a. Jeff Nevarez Certified Municipal Official Designation
2. Updates from the City of Kennedale City Manager
 - a. EverBridge
3. Financial Reports for the City and for the EDC

B. CONSENT AGENDA

These matters have appeared on previous agendas, require little or no deliberation, or are considered routine or ministerial tasks. If discussion is desired, items may be removed for separate consideration.

1. February 17, 2026 City Council Minutes
2. 2025 Racial Profiling Report
3. Ordinance 585 Amending the Water Bill Termination from 5 days to 30 days

C. ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION

1. Kennedale FD Contract providing Fire and EMS Services to Tarrant County ESD1 - FY 2026
2. Multipurpose Fields Contract with Speed Fab Concrete
3. To Consider Ordinance # 797 a proposed zoning change from "OT-4" Old Town District to "C-2" Commercial District for 444 . Kennedale Pkwy , BOAZ, CA SUBD OF J B RENFRO LOT 31 OF THE CITY OF KENNEDALE, Tarrant County, Texas, 76060.
4. Resolution #645 To Consider Authorizing Members of ATMOS, payment of four cents per capita
5. Briar Court Hillside Sanitary Sewer Improvement Project

VI. EXECUTIVE SESSION

IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. If, during the course of the meeting and discussion of any items covered by this notice, the Kennedale City Council determines that a Closed or Executive session of the Board is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 consultation with counsel on legal matters; Section 551.074 personnel matters (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee. (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing. Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 - deliberation regarding a prospective gift; Section 551.087 - deliberation regarding economic development negotiation; Section 551.089 - deliberation regarding security devices or security audits, and/or other

matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the Kennedale City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

A. Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property;

Description: Potential Land Purchase

B. Section 551.087- Deliberation regarding Economic Development Negotiations, Section 551.071 Consultation with Council on Legal Matters.

Description: Potential Use of EDC Property located at 811 W Kennedale Parkway

VII. RECONVENE INTO OPEN SESSION, AND TAKE ANY ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

VIII. ADJOURNMENT



CERTIFICATION: I DO HEREBY CERTIFY THAT THE MARCH 17, 2026 KENNEDALE CITY COUNCIL AGENDA WAS POSTED INSIDE THE MAIN ENTRANCE OF CITY HALL (405 MUNICIPAL DRIVE), IN A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES; AND THAT SAID AGENDA WAS POSTED AT THREE (3) DAYS PRECEDING THE SCHEDULED TIME OF SAID MEETING, IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), THE CITY OF KENNEDALE WILL PROVIDE FOR REASONABLE ACCOMMODATIONS FOR PERSONS ATTENDING MEETINGS. THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR SIGN INTERPRETER SERVICES MUST BE MADE FORTY-EIGHT (48) HOURS PRIOR TO THE MEETING BY CALLING 817-985-2104 OR (TTY) 1-800-735-2989.

A QUORUM OF THE KENNEDALE EDC, THE KENNEDALE PLANNING AND ZONING COMMISSION, BOARD OF ADJUSTMENT, KEEP KENNEDALE BEAUTIFUL COMMISSION, PARKS AND RECREATION BOARD, BUILDING BOARD OF APPEALS, TOWNCENTER DEVELOPMENT DISTRICT, OR TAX INCREMENT REINVESTMENT DISTRICT MAY BE PRESENT. NO ACTION WILL BE TAKEN BY THE ABOVE-LISTED BOARDS.



PROCLAMATION
Women's History Month

WHEREAS ,The City of Kennedale serves to honor the contributions of women in American History; Highlighting their roles in Education, Leadership, Business, Science, Public Services and Social Movements. and:

WHEREAS, It encourages Americans to celebrate, the achievements of women and to reflect on the their impact on society; and

WHEREAS, We are honoring women and their impact on generations while acknowledging their leadership and the way that they influence in shaping this great nation. ; and

WHEREAS, Today, Women's History month is celebrated all across this nation through Community Events, Museum exhibits, educational programs ; and

WHEREAS,In 1987, Congress passed Public Law 100-9, officially designating March as Women's History Month in the United States.

NOW, THEREFORE, I, BRAD HORTON, MAYOR OF THE CITY OF KENNEDALE, TARRANT COUNTY, TEXAS, do hereby proclaim March 2026 as:

~ ***Women's History Month*** ~

IN TESTIMONY, WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kennedale, Texas to be affixed this 17th day of March 2026.

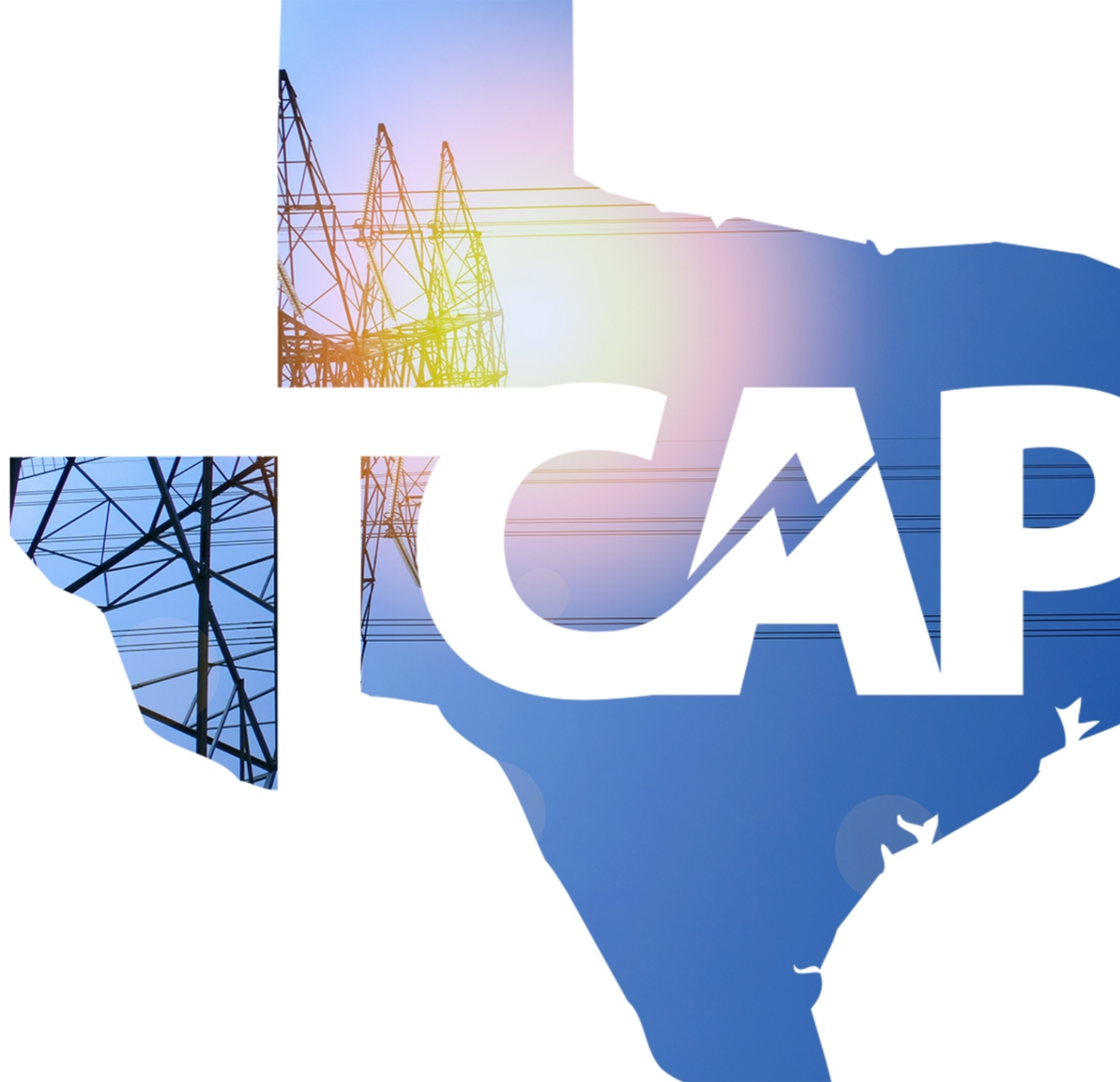
Mayor, Brad Horton

Attest;

City Secretary, Barbara Dahl

FOR CITIES, BY CITIES.

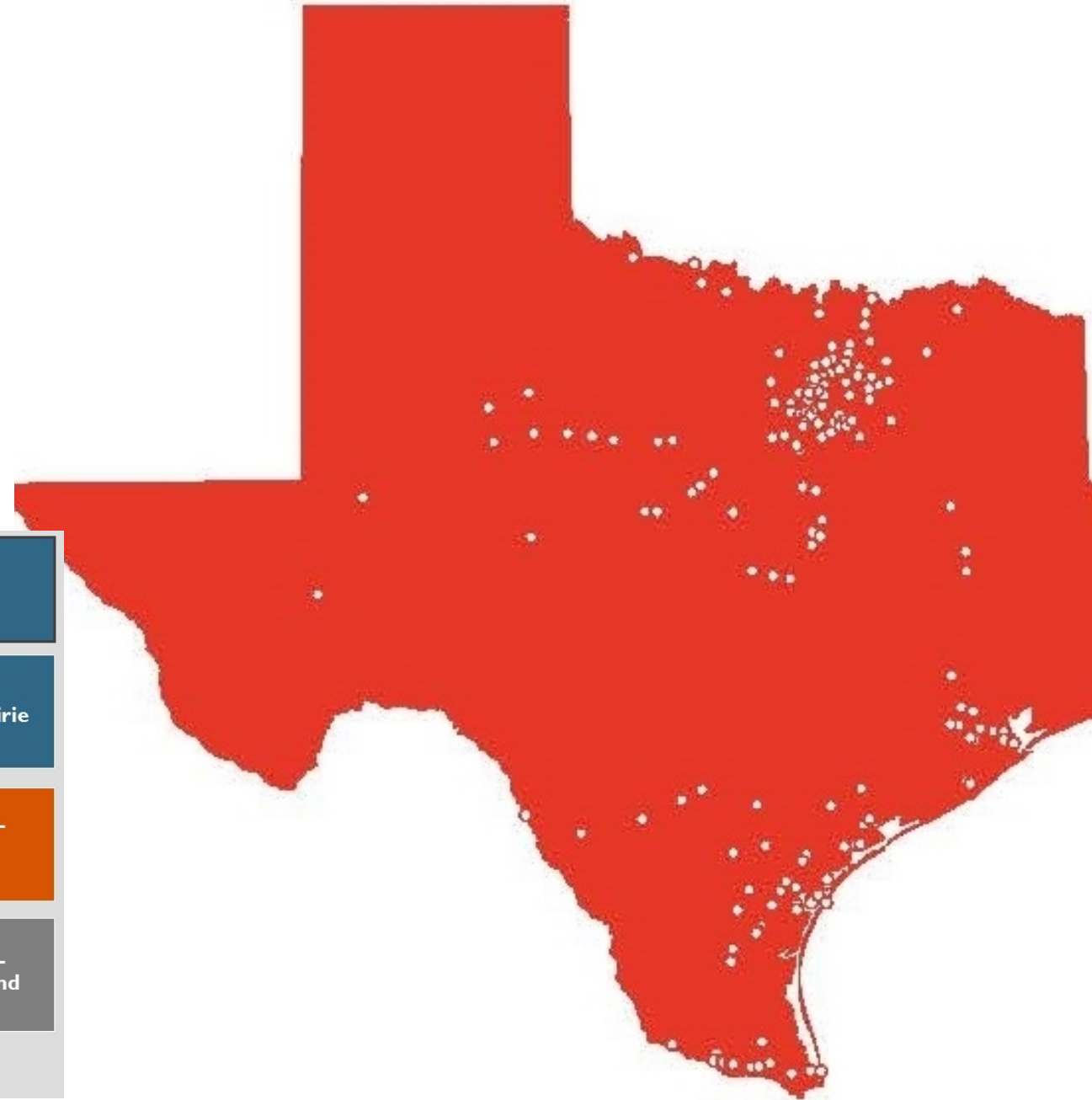
Making a Powerful Choice



Who is TCAP?

173 Members

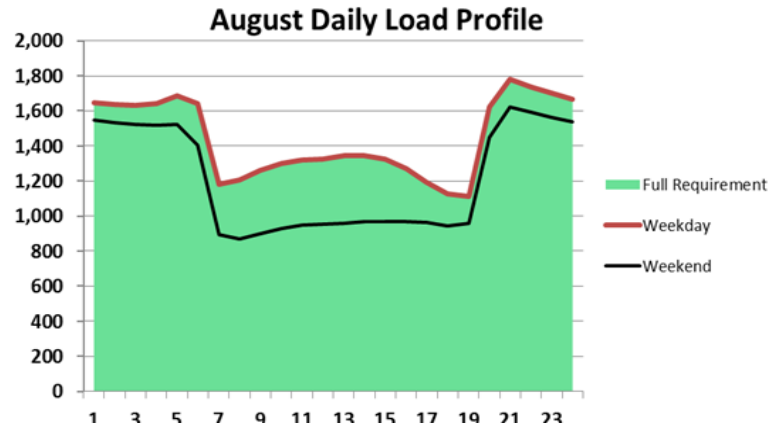
- 95 Members – North Zone
- 50 Members – South Zone
- 13 Members – West Zone
- 15 Members – Houston Zone



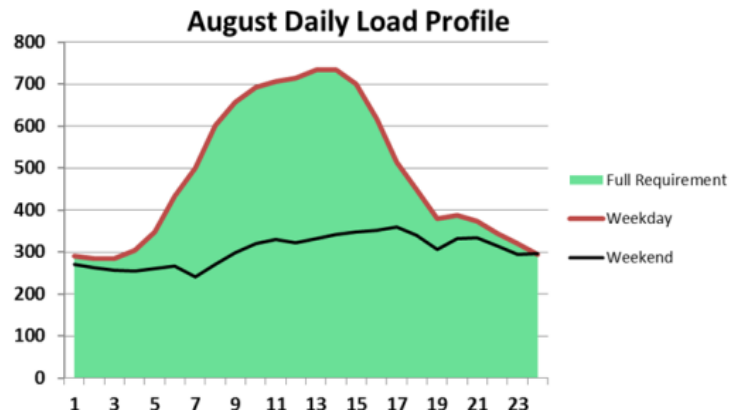
TCAP BOARD				
Place 1- Lewisville (North)	Place 2- McAllen (South)	Place 3- Victoria (South)	Place 4- Wichita Falls (West)	Place 5- Grand Prairie (North)
Place 6- Odessa (West)	Place 7- Hurst (North)	Place 8- Kingsville (South)	Place 9- Lancaster (North)	Place 10- Edna (South)
Place 11- Fate (North)	Place 12- Tomball (Houston)	Place 13- South Texas Water Authority (South)	Place 14- Deer Park (Houston)	Place 15- Sugar Land (Houston)
Large Members	Medium Members	Small Members	At Large	

Why TCAP?

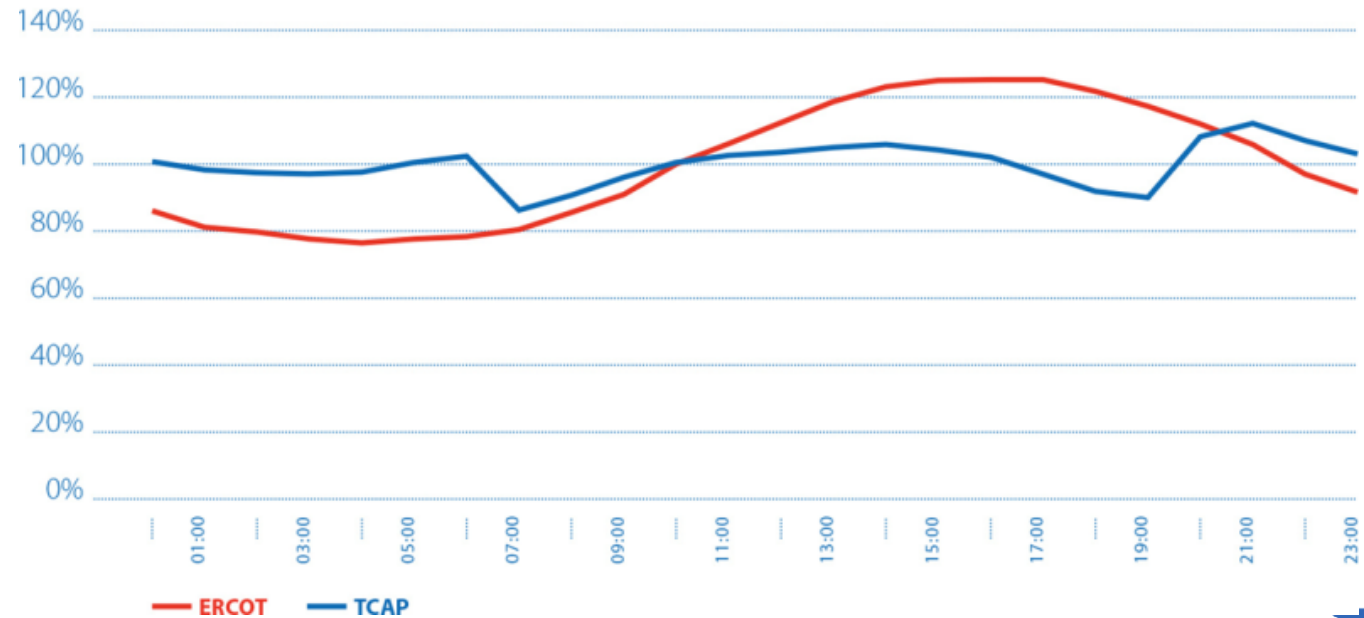
- Non-profit political subdivision organization
- Pool over 1 billion kWh of energy to negotiate low rates
- Wholesale Market Contract
- Attractive Load Profile = lower rates
- Combined – TCAP load flattens out
- The flatter the load – the better the pricing
- **Average August Day Load—ERCOT vs. TCAP** (Hourly Demand % of Average)



Member A



Member B



Uniquely Different

Local Government Code

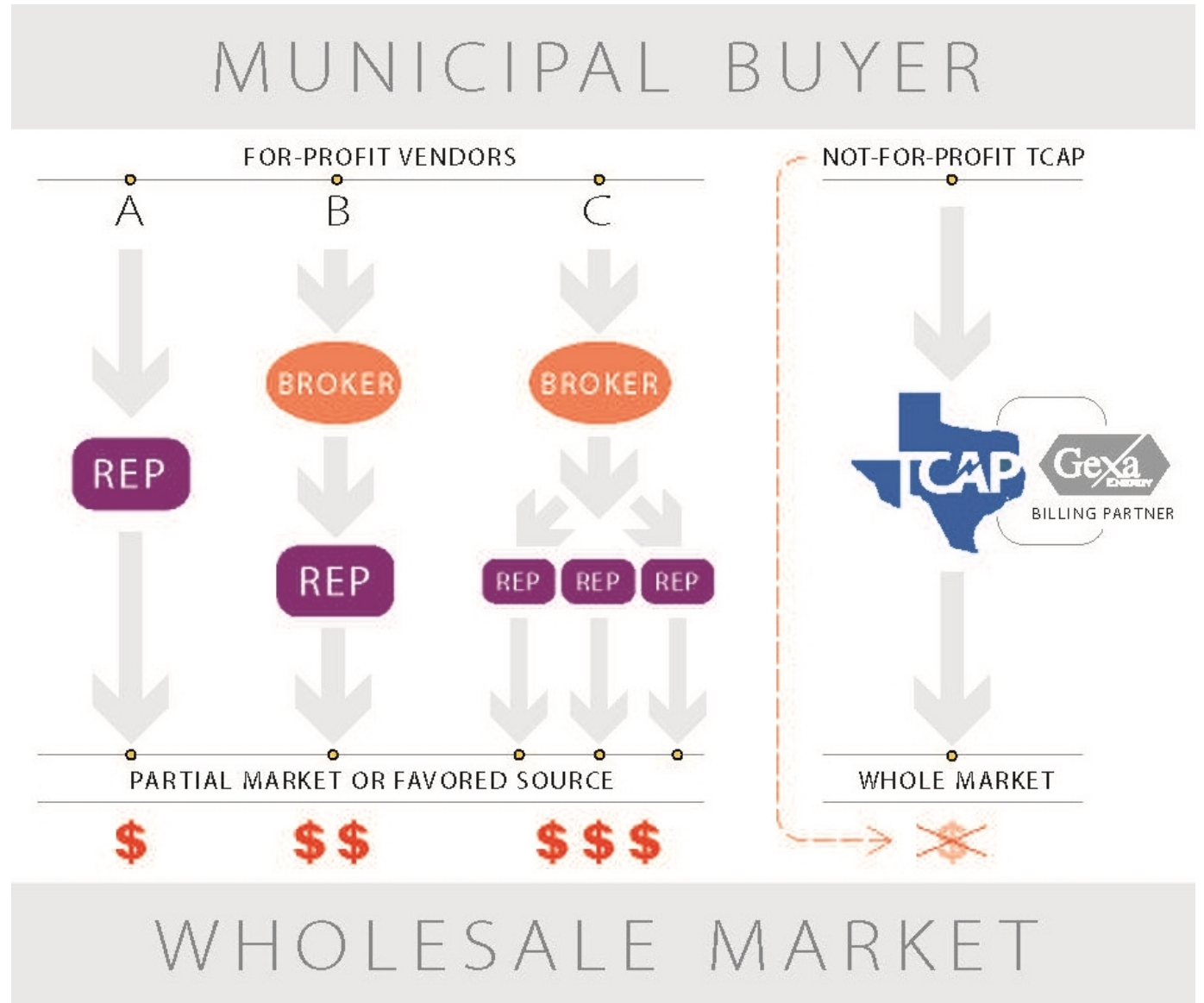
- Section 304 - Energy Aggregation for Local Governments

Bifurcated Contract

- Buys in wholesale market
- REP only a billing partner
- Can change REP and not lose price

Membership Services

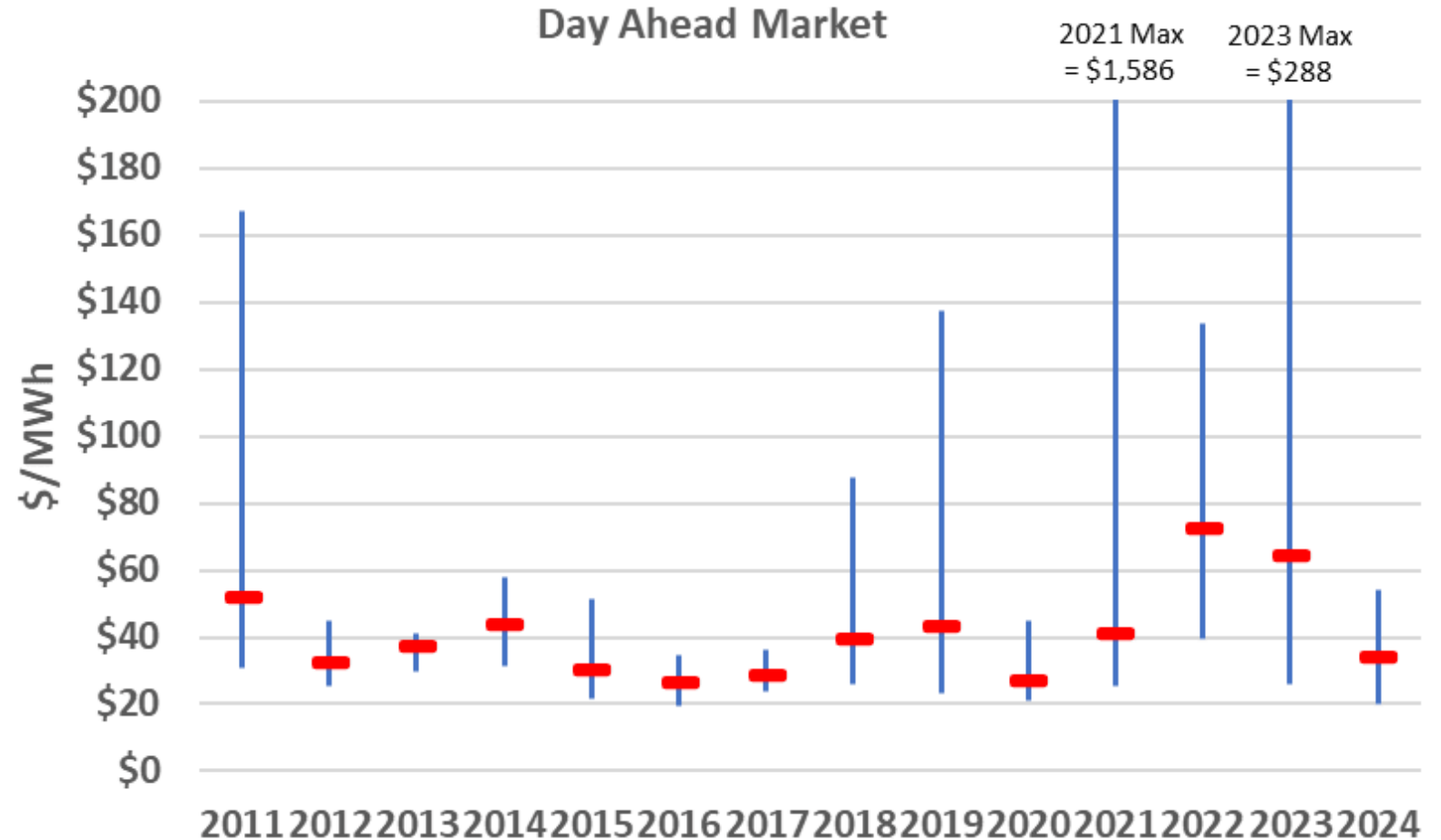
- Annual Budget estimates
- Assistance with state reporting
- Access to Energy consultants
- Review of renewable contracts
- Energy conservation programs
- TCAP billing portal
- Monthly Webinars
- Peer elected Board of Directors
- TCAP has a voice at the Legislature, PUC ,ERCOT and RRC
 - HB 2962 introduced to exempt gross receipts taxes
 - Working with PUC on commercial service standards



Strategic Purchasing

- The average is much **more stable. (red)**
- Price range **varies greatly by year. (blue)**
- But average pricing is **much less volatile.**
- **RFPs monthly** for a portion of the total contract
- May go up but **can take advantage of falling prices**

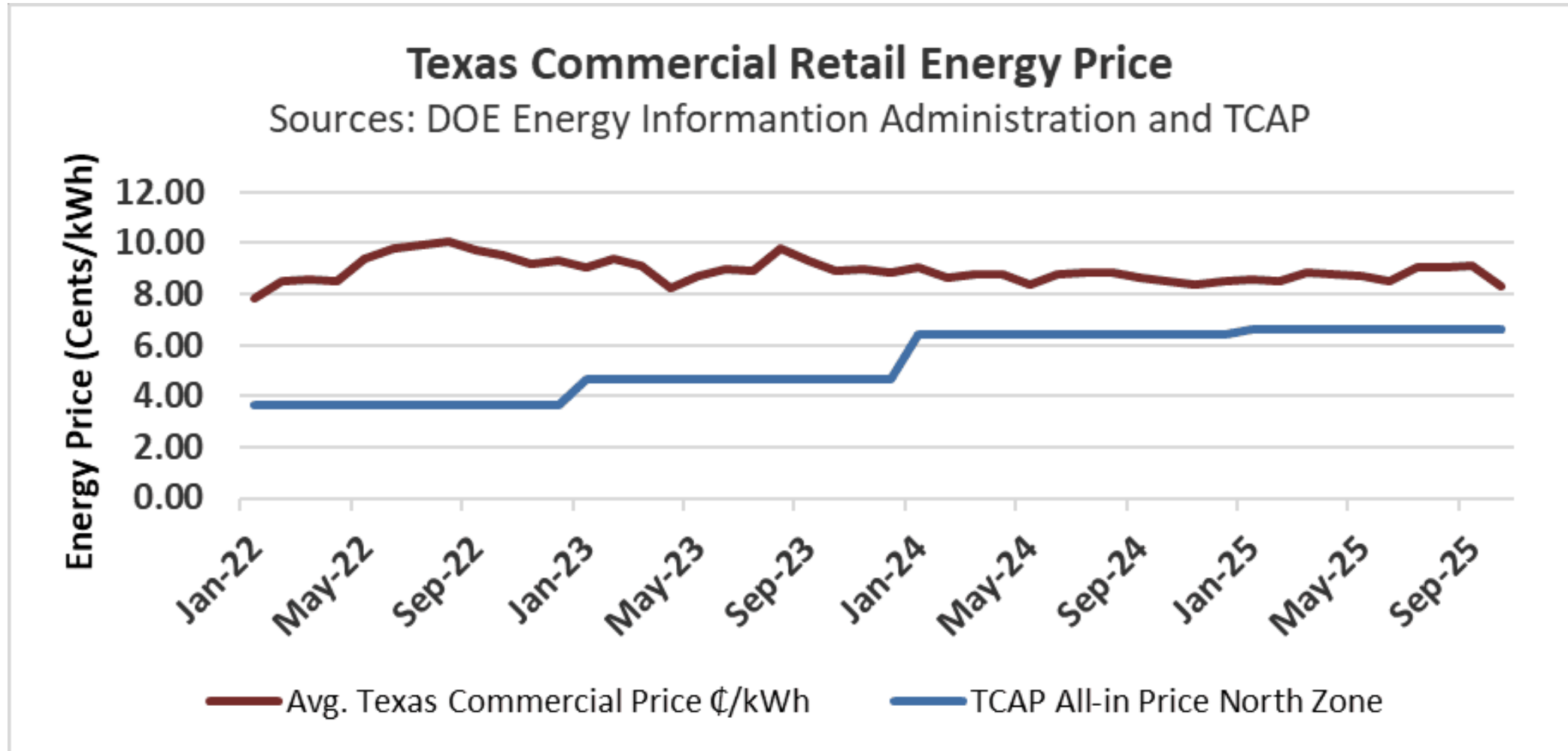
Monthly High/Low/Average Price



2021 Max Price was \$1,586/MWh due to Winter Storm Uri
2021 Average Price Excludes Winter Storm Uri Impacts



SHP Works



Contracts—

- ✓ **Electricity is Exempt from bidding – Chapter 252.022 (15)**
 - This is because the rate is also about the contract
 - Have to understand the fine print in the contract and how it can affect the rate
- ✓ **Contract Language could include costs not included in price**
 - A low RFP price could actually be higher because of how the contract is written
 - Different brokers and REP call the same things different names leading to misleading pricing
- ✓ **Off the shelf contracts don't help cities**
 - Cities are not commercial businesses and standard contracts don't take city functions into consideration.
- ✓ **Don't be fooled by a Fixed Price**



What TCAP is seeing – More, More, More

SITE DETAILED CHARGES

	QUANTITY	RATE	AMOUNT
Contract Charges			
Broker Aggregation Fee	28,692.94 kWh	\$0.0004500	\$12.91
Energy-Fixed Price	28,692.90 kWh	\$0.0362300	\$1,039.55
Subtotal Contract Charges			\$1,052.46
Market Charges			
Additional Ancillary Services Costs	28,692.94 kWh	\$0.0013516	\$38.78
ERCOT Firm Fuel Supply Costs	28,692.94 kWh	\$0.0003935	\$11.29
ERCOT Securitization Default Charges	28,692.94 kWh	\$0.0000061	\$0.18
ERCOT Securitization Uplift Charges	28,692.94 kWh	\$0.0006651	\$19.08
Subtotal Market Charges			\$69.33
Tax Charges			
City Sales Tax	1,611.57 EXEMPT		\$0.00
Reimbursement of MGRT	1,611.57 Base	\$0.0199700	\$32.18
Reimbursement of PUCA	1,611.57 Base	\$0.0016670	\$2.69
State Sales Tax	1,611.57 EXEMPT		\$0.00
Subtotal Tax Charges			\$34.87
UDC Charges			
Subtotal UDC Charges			\$507.38
Total New Charges			\$1,664.04

ESI ID Detail:

Service Address:

Product:

Fixed Price

ESI ID

Meter ID	Days	Read Type	Previous Read Date	Previous Meter Read	Current Read Date	Current Meter Read	Multiplier	Usage (kWh)	Actual kW/kVA	Billed kW/kVA
	29	Actual	08/01/2024	18916	08/29/2024	19276	600.00	216000	570.0 00000	605.0 00000
TOTAL								216000	570.0 00000	605.0 00000

Electric Service Commercial

Service Period: 08/01/2024 to 08/29/2024

Energy Fixed Price - Current Period

Base Usage	213840 kWh @	\$ 0.0383	\$8,190.07
Hub to Load Zone Pass-Through			\$229.21
Other Charges			\$5.44
Market Securitization (Debt) Financing			\$94.59
Other ERCOT Incremental AS Charges			\$70.07
PUC Assessment			\$14.37

Total Commercial Charges

\$8,603.75

Account Summary

Billing Date: Jul 5, 2024

Previous Amount Due	\$2,719.90
Payment 06/10/2024	-2,719.90
Balance Forward	0.00
Current Charges	2,654.90
Amount Due	\$2,654.90

Current Electric Charges Detail

30 Day Billing Period From 05/12/2024 To 06/11/2024

Fixed Price

Actual Consumption * Price	2,500 kWh @ \$0.034090/kWh	85.23
Nodal Congestion Charge		1.27
Market Securitization (Debt) Financing- Default - May		0.05
Prior Period Pass-Thru Charges	From 04/11/2024 To 05/12/2024	
ERCOT Cont Reserve Serv (ECRS)		11.63
Market Securitization-Uplift		2.92
Ancillary Services Obligation Adj		9.65
TX-ERCOT Admin Fees - CIL		0.38
Total Prior Period Pass-Thru Charges		24.58

TDSP Pass-Through Charges

From 05/13/2024 To 06/11/2024

TDSP Customer Charge		11.13
Delivery Point Charge		21.30
Rate Case Expenses Surcharge		2.49
Distribution Cost Recovery Factor		92.36
Energy Efficiency Cost Recovery Factor(EECRF)		1.02
Distribution Charge (DUOS)	204 kW @ \$7.144928/kW	1,457.57
Nuclear Decommissioning Fee	204 kW @ \$0.045000/kW	9.18
Transmission Cost Recov Factor	204 kW @ \$4.369967/kW	891.47

- There are only 2 groups of charges – Ancillary and Congestion
- The more the name changes the more they can exempt them from a bid sheet to make the price look lower.
 - More exemptions
 - More line items
 - More ways to add money to the bill
 - More profits

QUESTIONS?

Margaret Somereve

msomereve@tcaptx.com

972-725-4114



City of
KENNEDALE.
Texas
EST. 1887

YOU'RE HERE  YOUR HOME

FIRE DEPARTMENT

2025 ANNUAL REPORT



Our Mission

The mission of our fire department is the protection of life and property of the citizens of Kennedale through public education, fire prevention code enforcement, and the response of highly trained professional emergency response personnel.

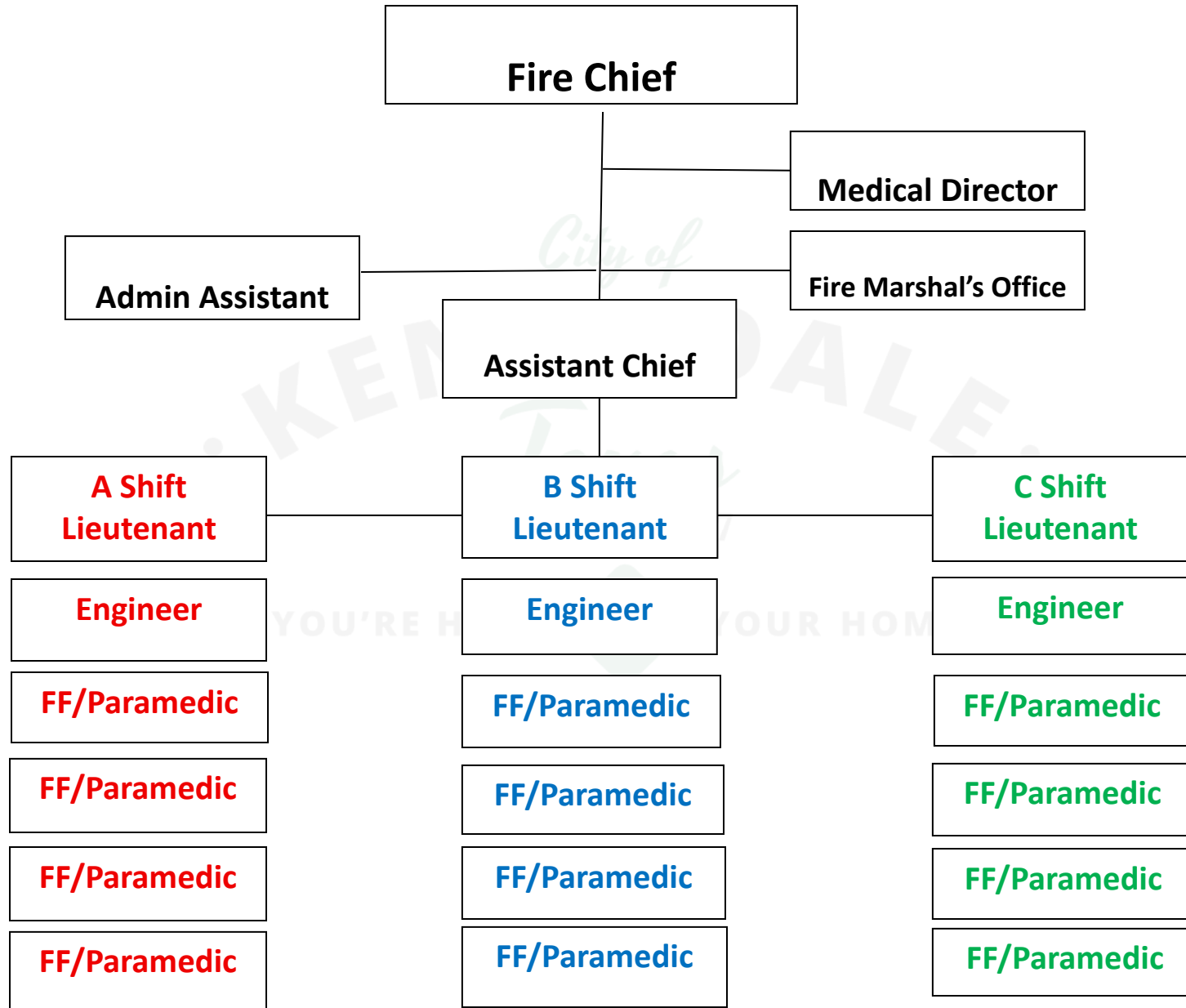
Our Vision

To be a progressive, innovative, and dynamic organization, committed to excellence in the delivery of all its services.

Core Values

Dedication * Respect * Integrity * Vision * Excellence

KFD Organizational Chart



New Personnel

Becca Lee



Joey Craddock



New Personnel

Ethan Conlin

Ryals Powell



Fire Station Apparatus / Ambulances

Engine 59 - 2022 Spartan fire apparatus

Brush 59 - 2024 Ford F550

Medic 59 - 2023 Ford F550 ambulance

Engine 259 - 2011 Pierce fire apparatus (reserve status)

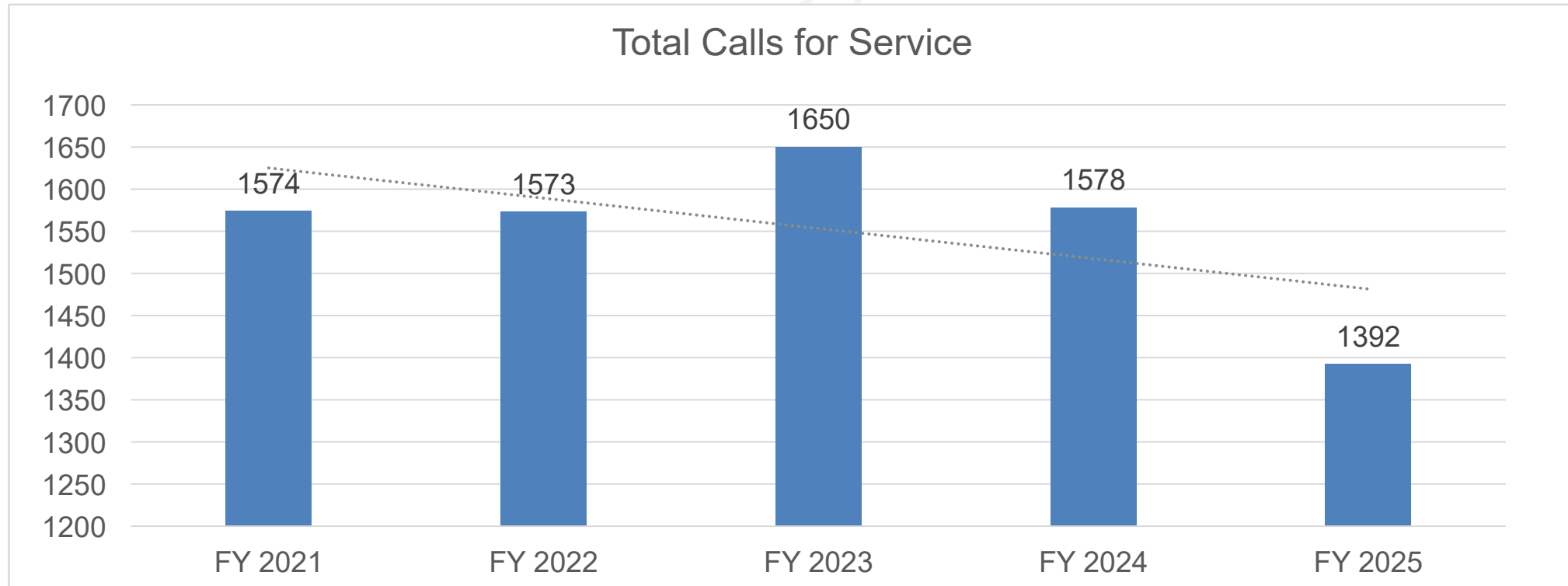
Medic 259 - 2021 Ford F550 ambulance (reserve status)

Utility 59 - 2024 Polaris (special event unit)

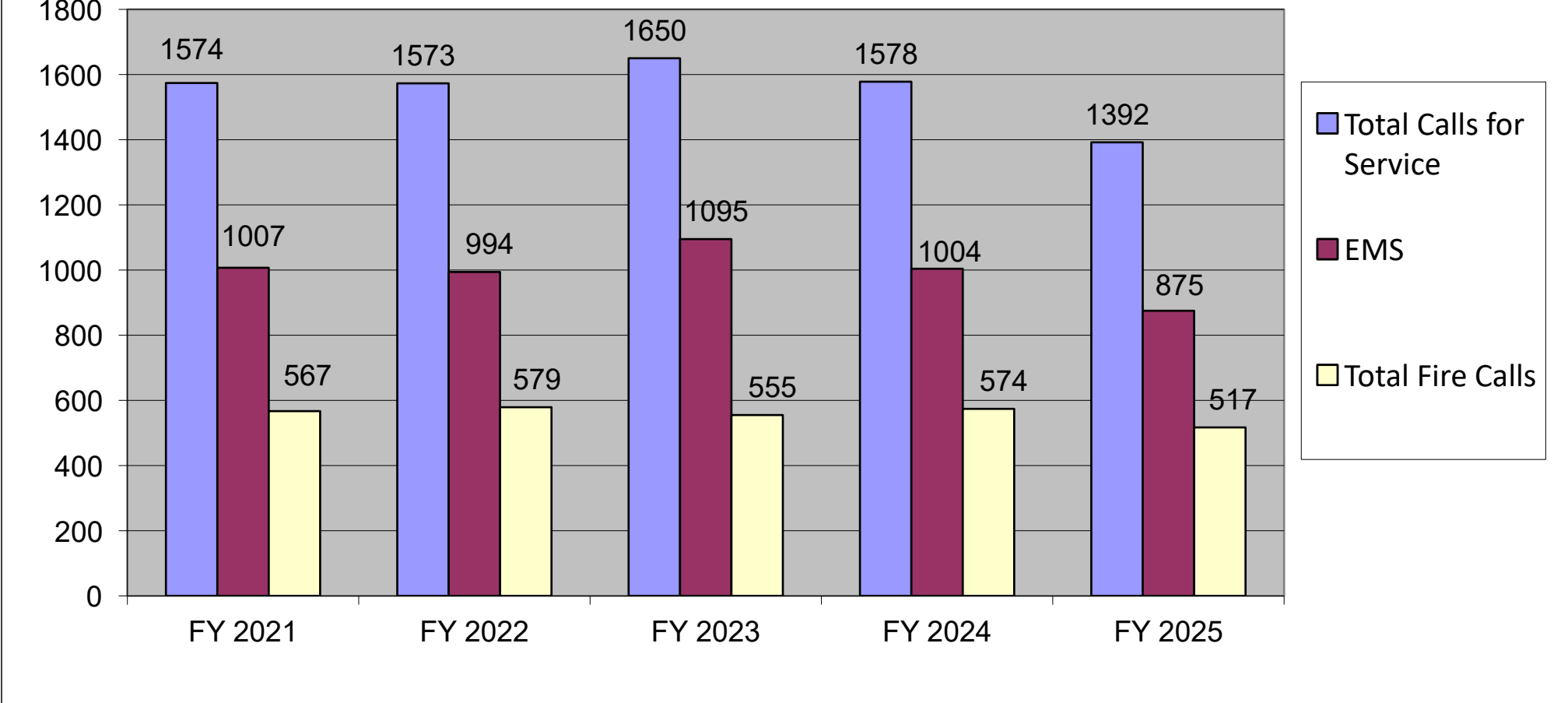
Total Calls for Service

Calls for service refer to the requests made to the fire department by members of the public for assistance with various issues or emergencies. In FY 2025 our total calls for service have decreased by 11.8%.

Total calls for service this year decreased to 1392.

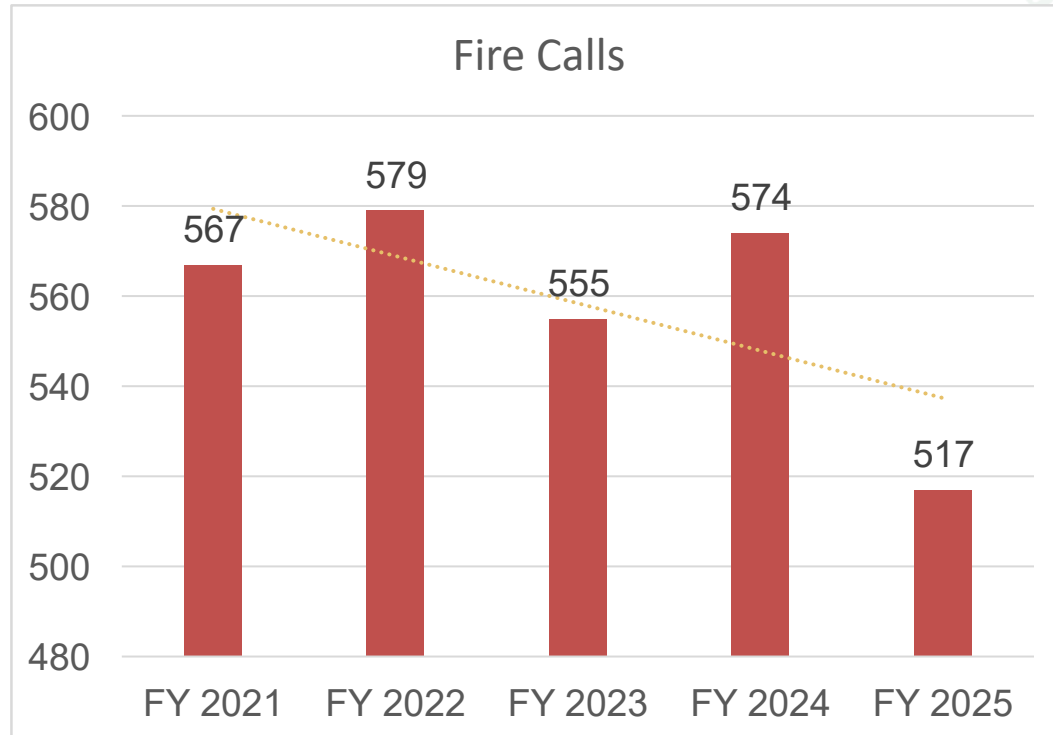


Calls for Service

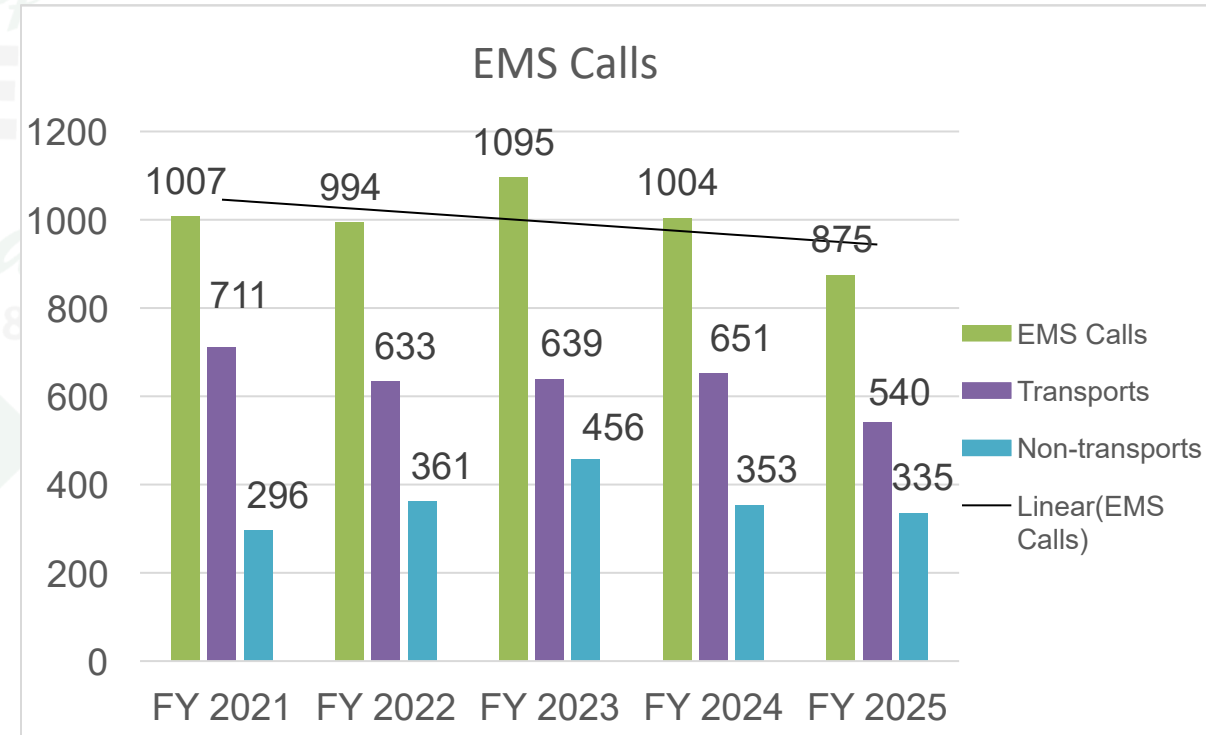


Calls for Service

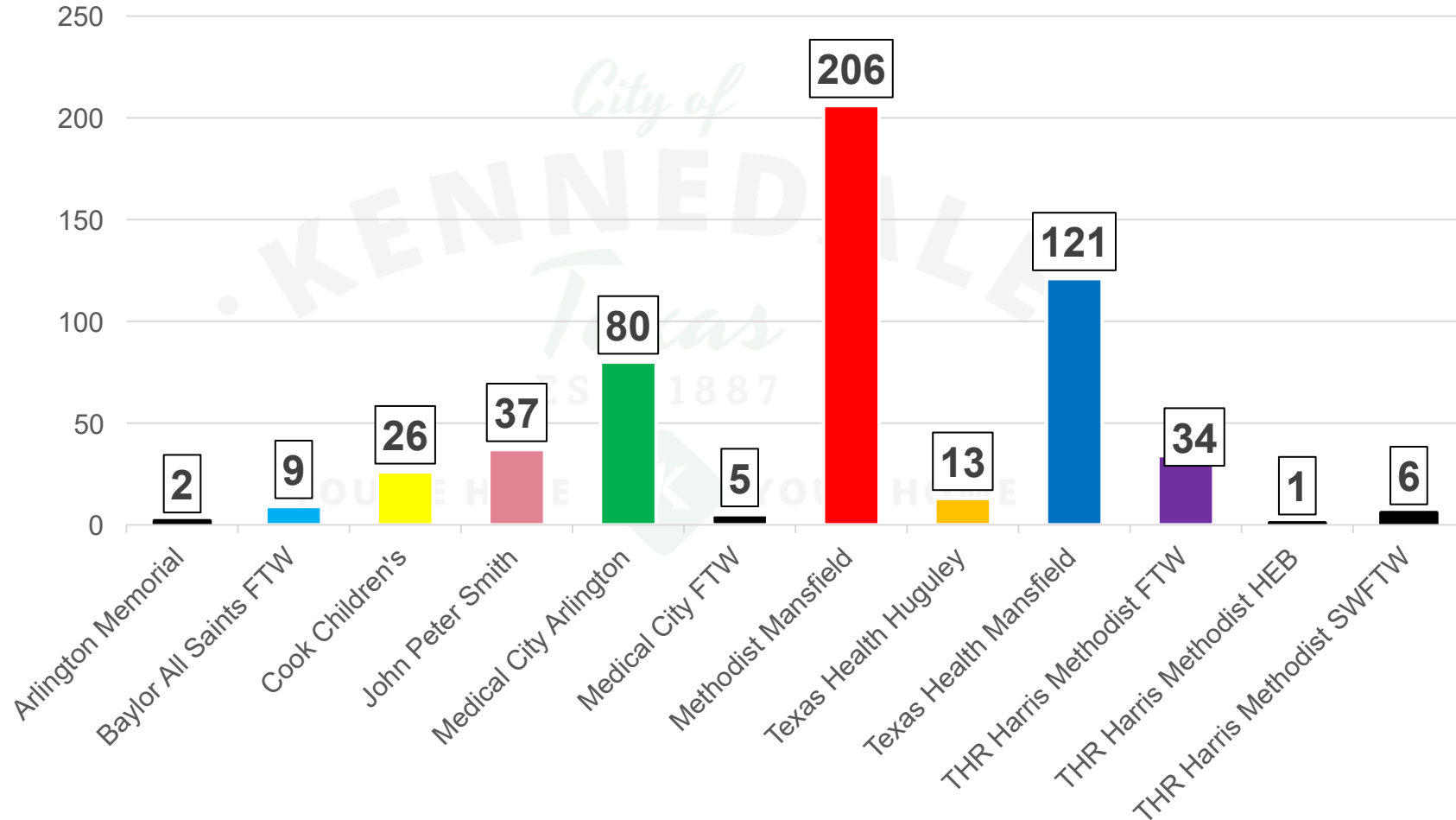
Fire Calls for Service have decreased by 12%



Emergency Medical Services calls decreased by 12.8%, and transports decreased by 17%



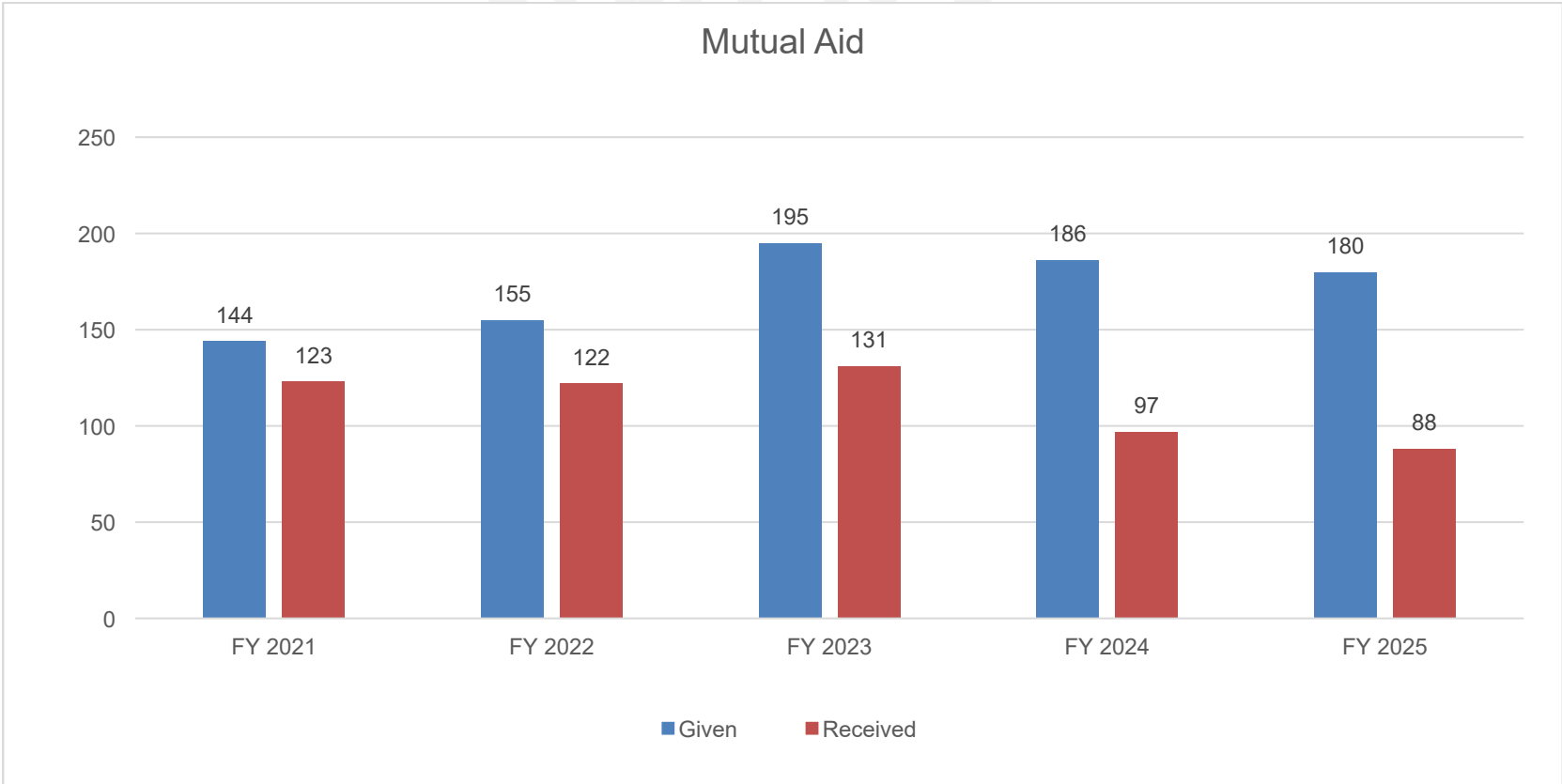
Ambulance Transport Destinations



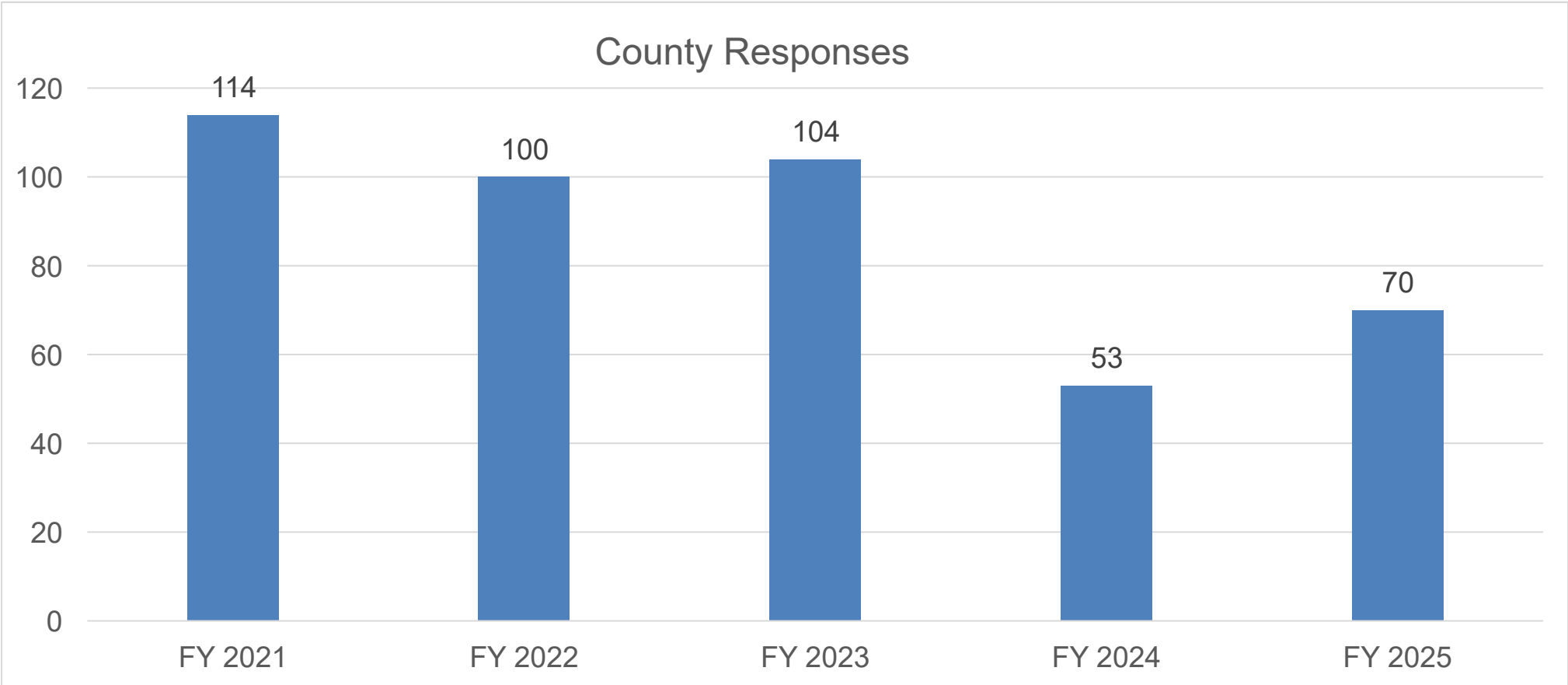
Total Transports - 540

Mutual Aid Responses

Mutual aid is a vital component of firefighting and emergency response. It refers to the practice of sharing resources and personnel between different fire departments and emergency services organizations in order to respond to a large or complex incident.

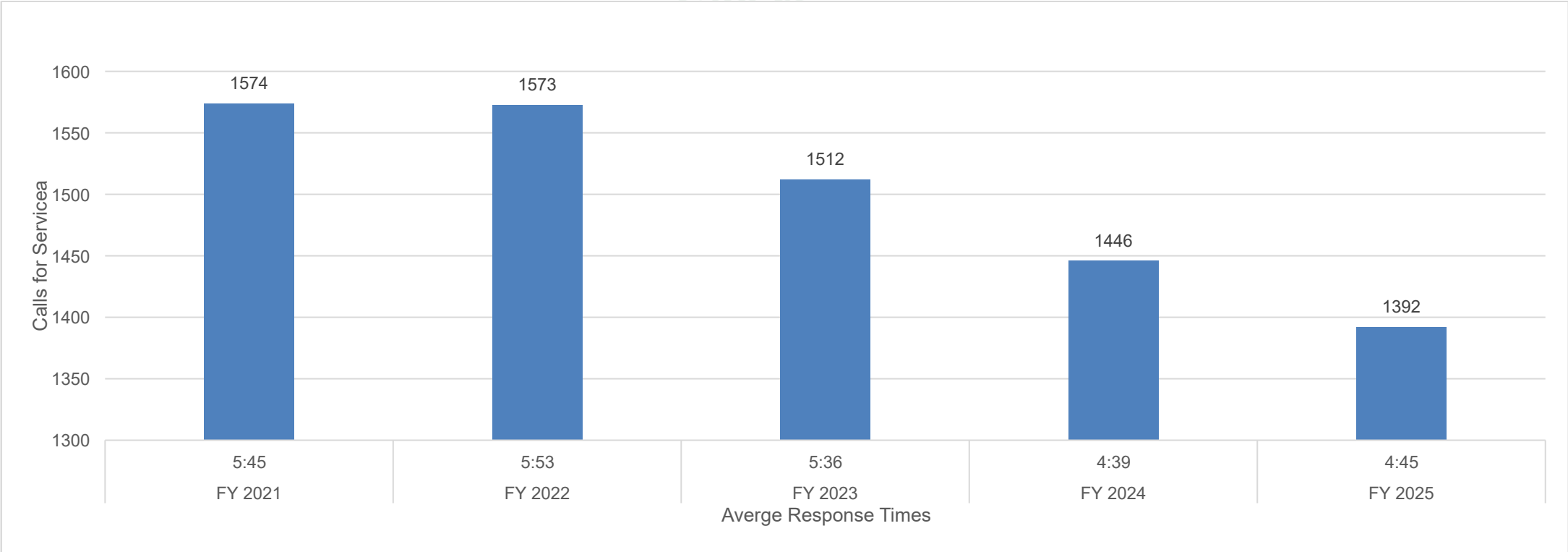


County Mutual Aid Responses (Given)

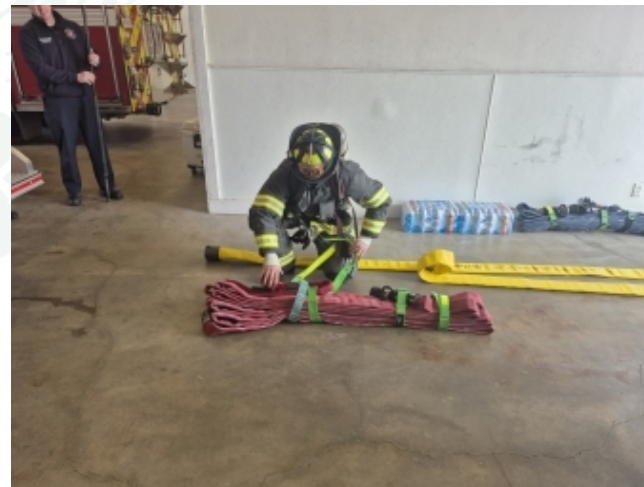


Response Times

Response time of emergency units is a measure of three individual components of the response sequence and can reveal a great deal of valuable information relating to service delivery.



Fire and EMS Training



YOU'RE HERE

Fire Prevention

Fire Prevention efforts are an essential and effective strategy to minimize injuries and property loss in our community. The Fire Prevention Division is responsible for fire inspections, plans review, substandard housing, fire and arson investigations, and public education.



Fire Prevention Inspections - 506

Plans Reviewed - 88

Code & Fire Investigations - 76

Fire Safety Programs

- Public Safety Event
- School and Daycare Visits
- AHA CPR Training Site
- Stop the Bleed Educational Facility
- Smoke Detectors



Revenue

Revenue is generated by the fire department through various methods. Listed are what was generated during this reporting period.

- Ambulance Fees – \$303,698.27
- Fire Responses Fees- under \$2,000.00
- County Fire Response - \$63,000.00
- County Ambulance Responses - \$8010.20
- Grants – \$580,000 (New Ambulance)
- Grants - \$25,000 (Communication equipment)

New Equipment

Chief 259



Brush 59



Community Involvement



- Hometown Christmas - Fireworks
- Angel Tree
- Santa Around Town
- Kennedale BBQ Showdown
- Public Safety Open House
- Career Day
- Bark in the Park



- Kid Fish
- National Night Out
- 9-11 Memorial Event
- Trunk or Treat
- Veteran's Day Celebration
- Salvation Army Red Kettle
- Juneteenth Parade



Upcoming 5 year Goals

- Best Practices certification for Kennedale Fire Department – FY26 – Improve to recommended NFPA standards and safety measures
- Acquire a Ladder truck / Quint – 105” aerial ladder – FY27
- Increase Operations and Prevention staffing
- Increase Fire Officer / Leadership training
- Increase Community Fire Safety events
- Implement annual Citizens Fire Academy – Create Alumni group



ANY QUESTIONS?



Library, Senior Center, and Communications

2025 Activities and Accomplishments



Library Mission

The Kennedale Public Library serves as a thriving community center that provides access to information and resources to educate, empower, enrich, and welcome our community.

Library Vision

The Kennedale Public Library connects the community with library services for personal enjoyment, growth, and enrichment through:

- ▶ Diverse resources in multiple and accessible formats;
- ▶ Innovative programs and technology that increase knowledge, awareness, and quality of life for all members of the community;
- ▶ Support for local educational programs and self-directed, lifelong learning opportunities;
- ▶ Community gathering spaces;
- ▶ And the preservation of local history.

Library Goals

- ▶ Provide superior customer service to all library users.
- ▶ Be the first choice for information needs.
- ▶ Anticipate and meet changing community needs.
- ▶ Guarantee equitable access to Library resources and services.
- ▶ Be a strong and effective partner in the community.

Library Staff

- ▶ Elizabeth Partridge – Library Director
- ▶ Laura Smith – Library Assistant II – cataloging/facility rentals (retired January 31, 2026)
- ▶ Kelly Skiles – Library Assistant II – children’s services
- ▶ Sara Hooser – Adult Services Librarian
- ▶ Lucy Shonkwiler – Library Assistant I – circulation
- ▶ Ai’mee Baza – Library Assistant I – circulation
- ▶ Madyson Ramirez – Collection and Tech Services Librarian (3/2/2026 start)

Library Activity

TexShare Databases
TexShare Card
Interlibrary Loan (ILL)
eReads Texas
ILL Reimbursement Grant



Library Activity

Achievement of Excellence in Libraries Award

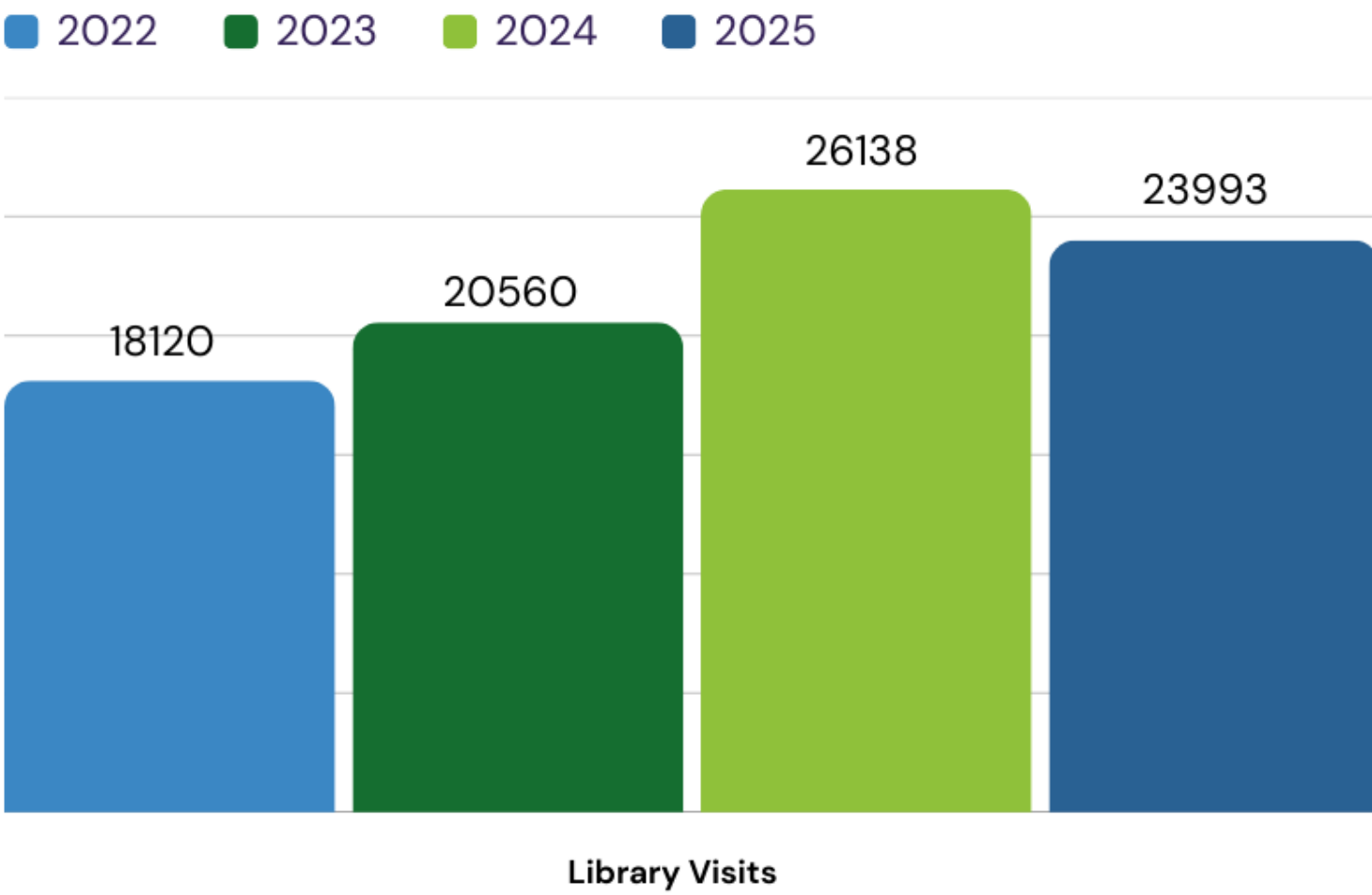
Presented to:

**KENNEDALE
PUBLIC LIBRARY**

 Awarded by
**Texas Municipal Library
Directors Association**

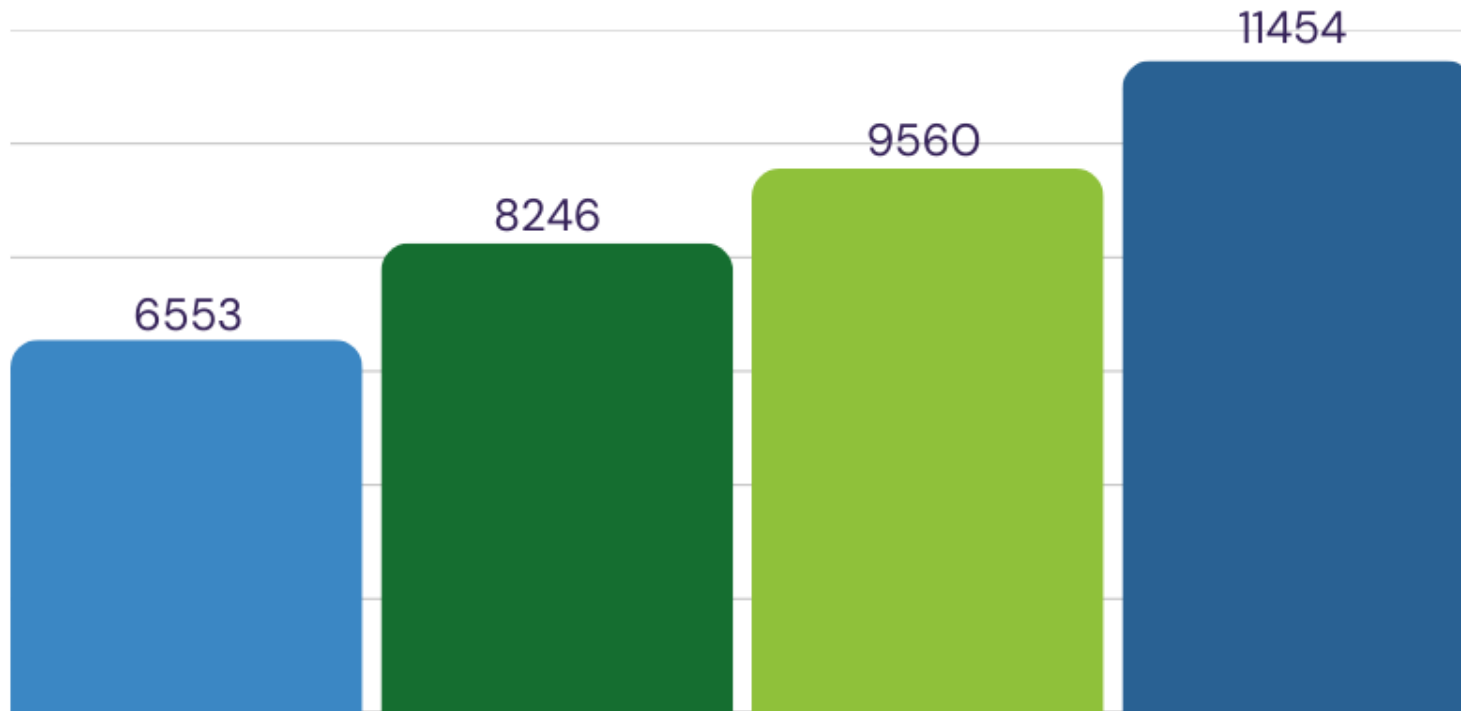


Library Activity



Library Activity

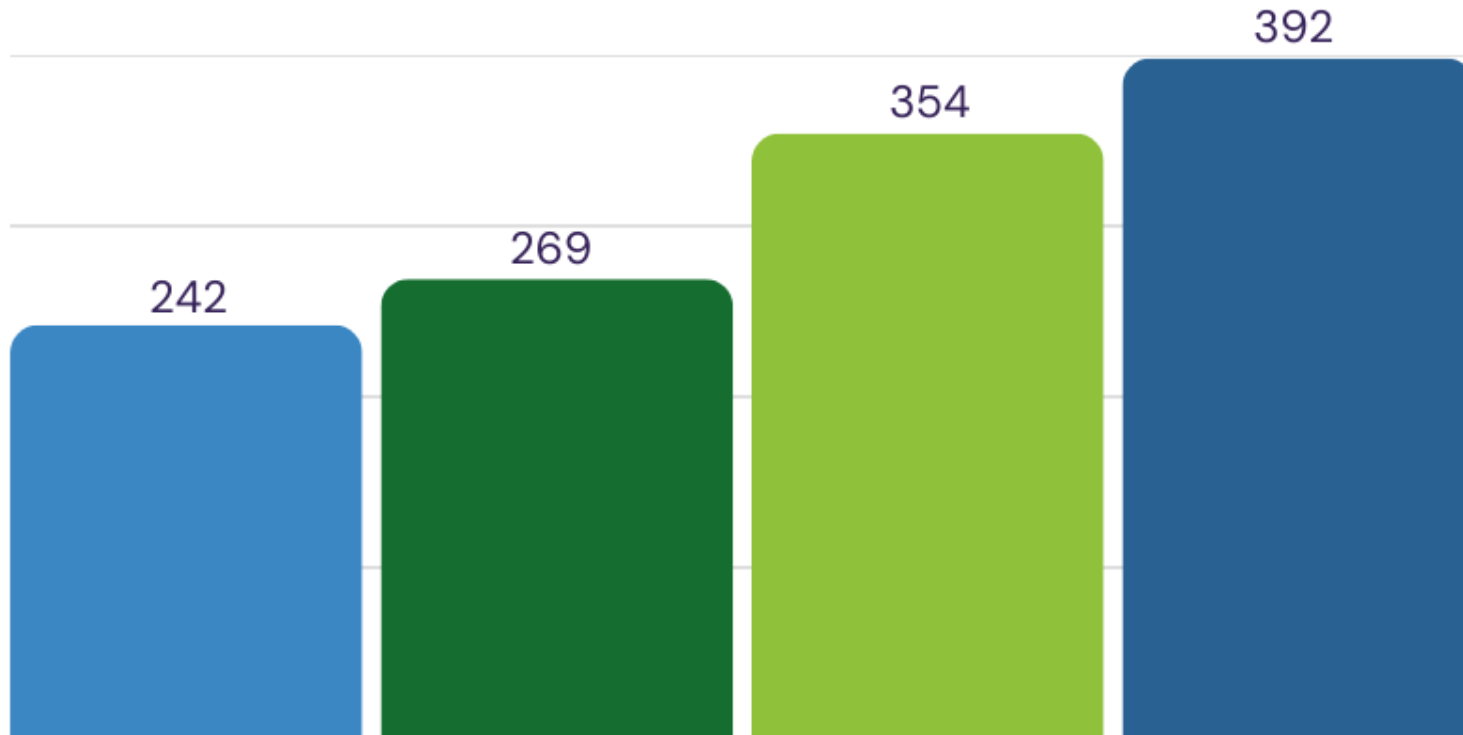
■ 2022 ■ 2023 ■ 2024 ■ 2025



Electronic Material Checked out

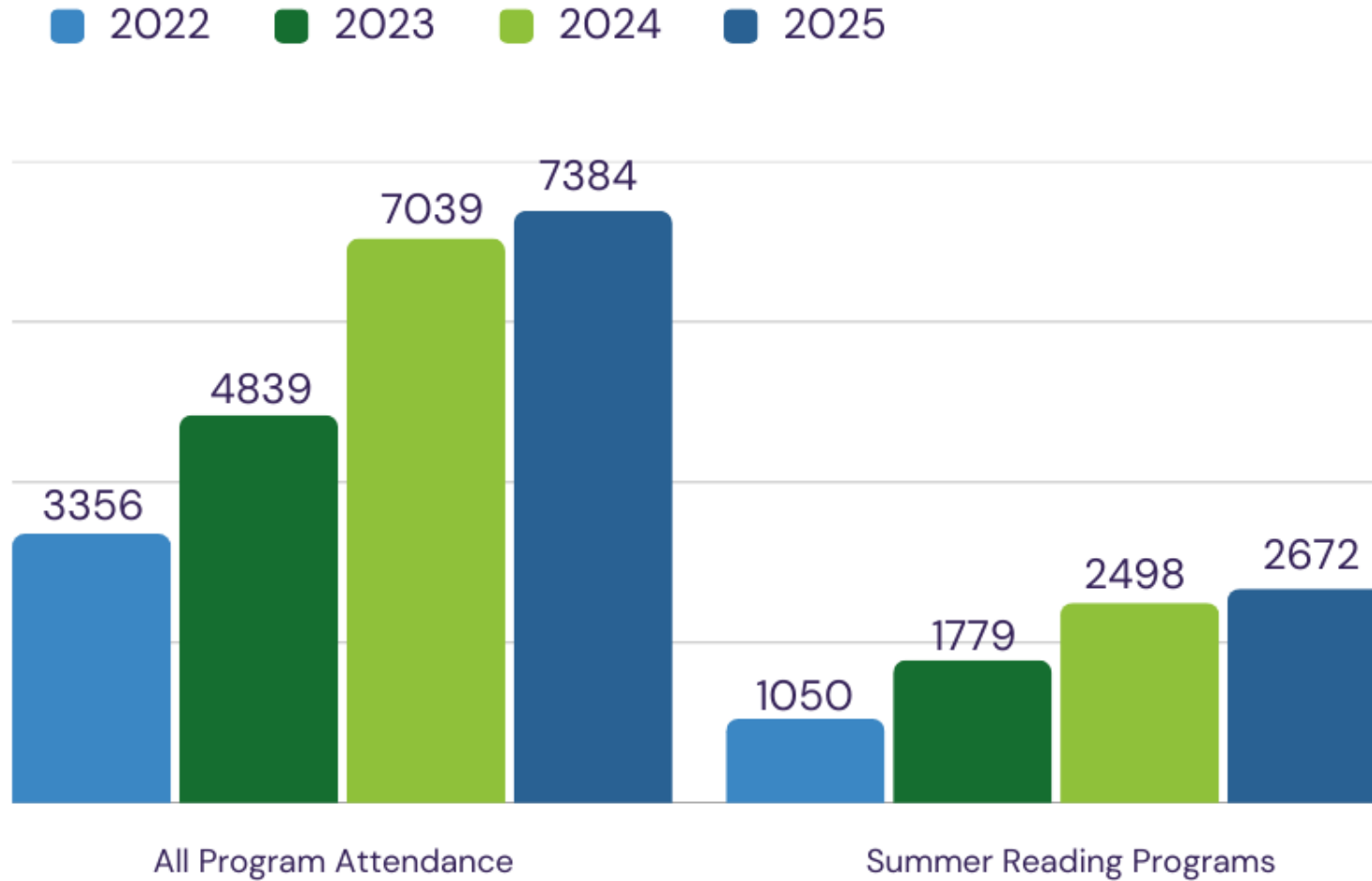
Library Activity

■ 2022 ■ 2023 ■ 2024 ■ 2025



New Cards Issued

Library Activity

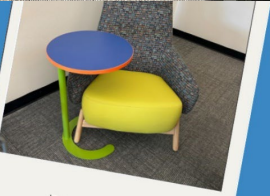
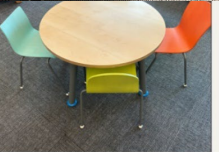
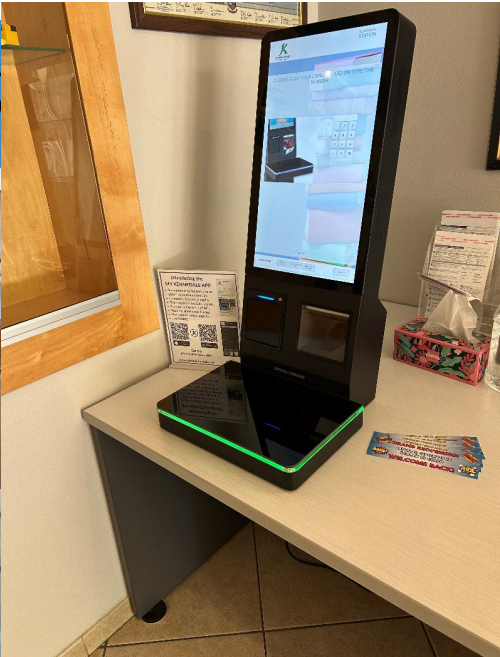


Library Activity

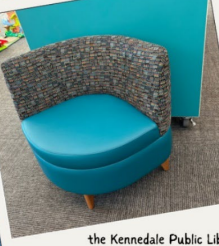
- ▶ Received accreditation through TSLAC
- ▶ Received TMLDA Achievement of Excellence in Libraries Award 2025
- ▶ Received \$50,000 Tocker Transformation 2025 Grant
- ▶ Received \$20,000 from FOLK
- ▶ Received \$12,500 from Atmos for Summer Reading and Makerspace
- ▶ Received \$4,000 from HEB for Summer Reading
- ▶ Received \$3,000 from community fundraisers
- ▶ Installed all new shelving
- ▶ Completed RFID conversion and tagging
- ▶ Completed library renovation
- ▶ Created Adult Services Librarian position

Library Activity

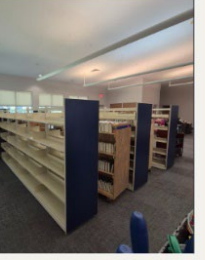
<https://www.youtube.com/watch?v=eR8z3BINhHA>



Children's area



the Kennedale Public Library Transformation 2025



Kennedale Public Library Transformation 2025

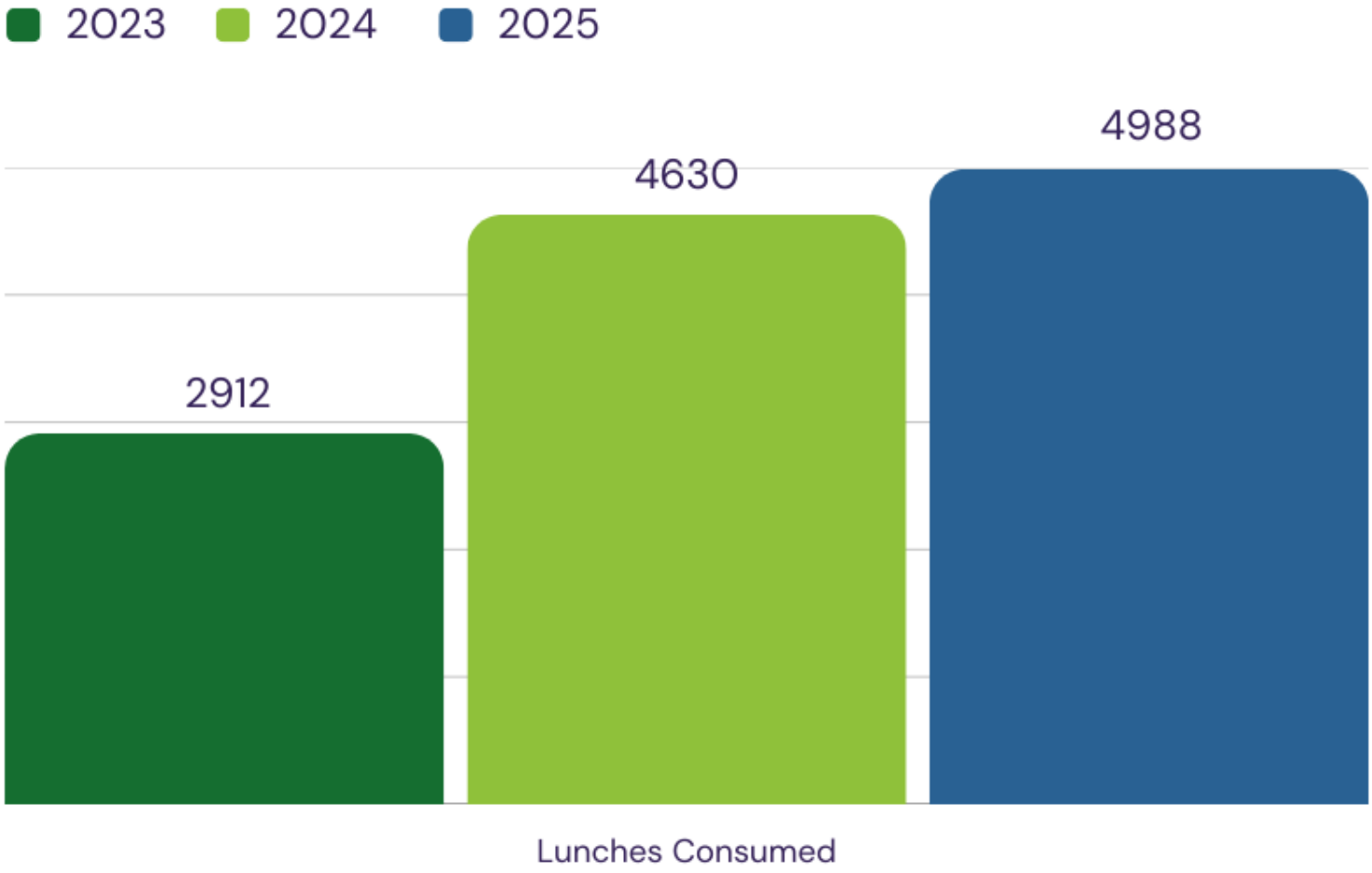
New adult shelves



Senior Center Mission

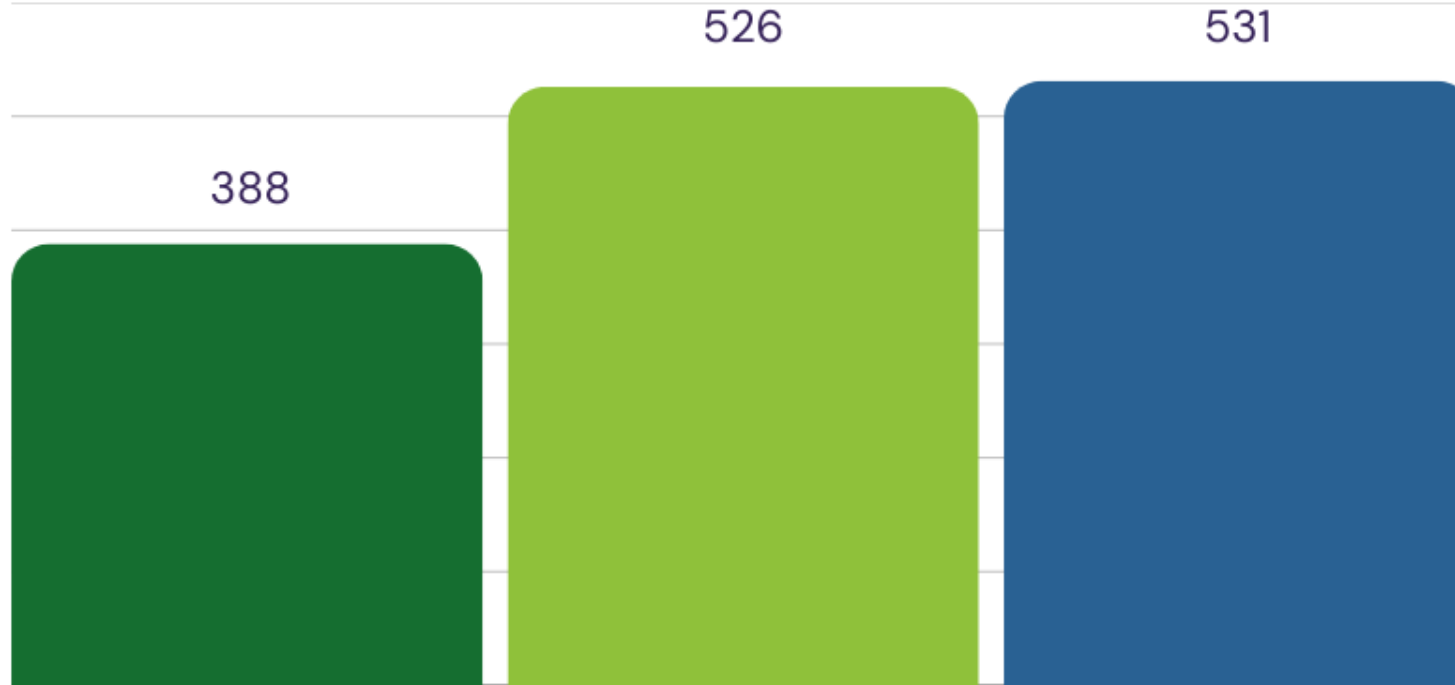
The Kennedale Senior Center provides access to community resources, nutrition, health and entertainment activities that promote social connection, vibrant aging, and life-long learning and enable the emotional and physical well-being of independent adults over 55. Our goal is to provide opportunities for seniors that meet their changing needs, improve their quality of life, and empower them to live life to the fullest.

Senior Center Activity



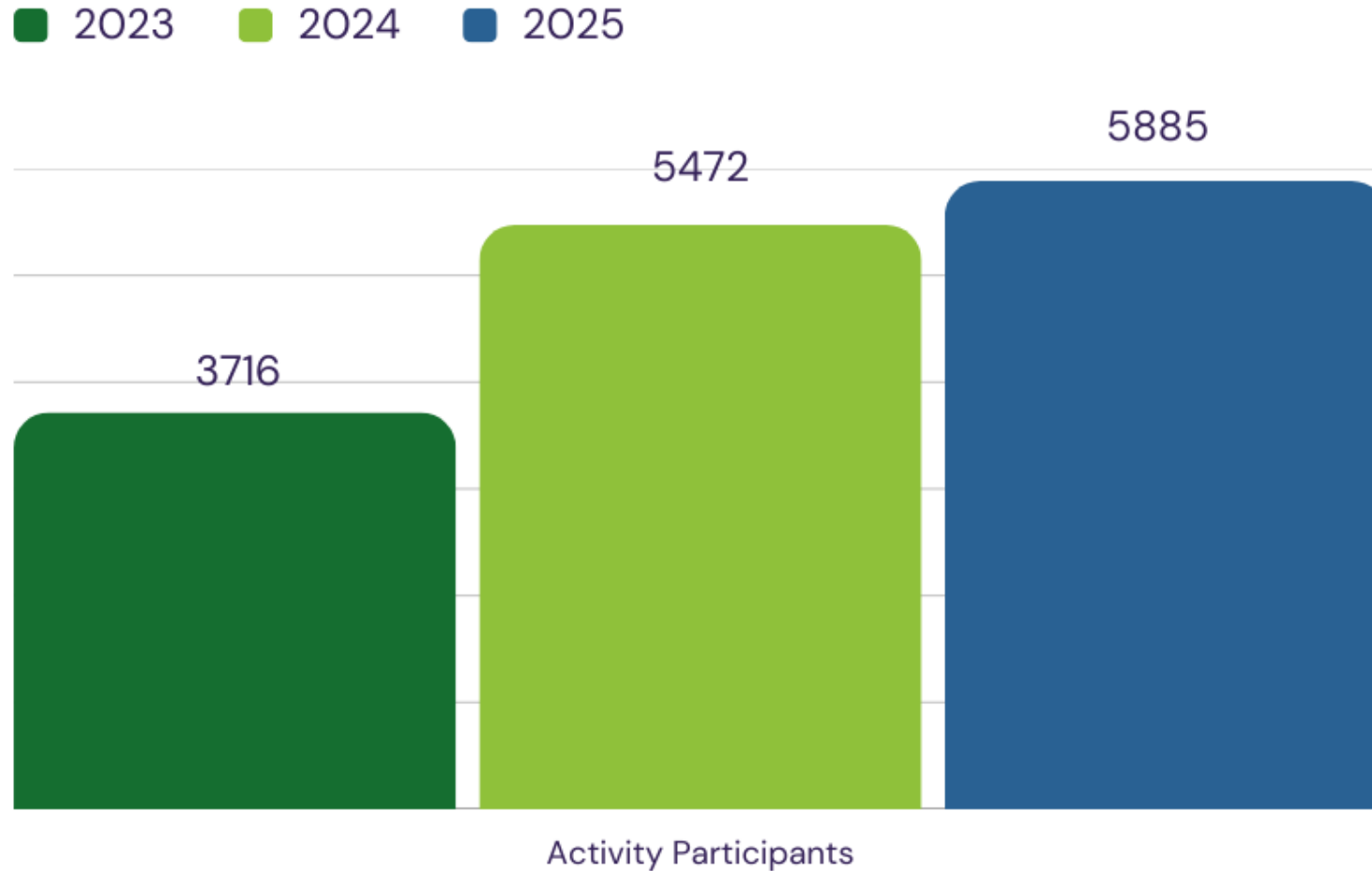
Senior Center Activity

■ 2023 ■ 2024 ■ 2025



Center Activities

Senior Center Activity





Communications Mission

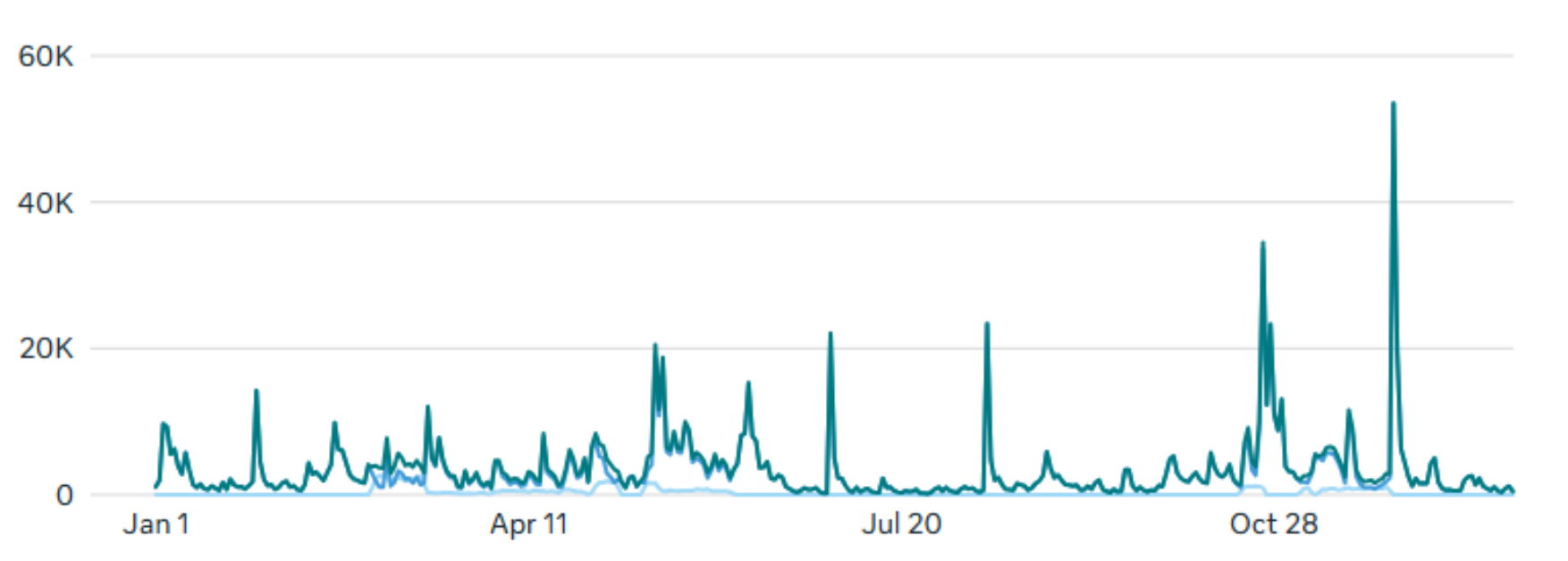
The Communications Department provides transparency through innovative and creative communications solutions. It promotes the City's mission, programs, and initiatives efficiently and effectively. The vision of the Communications Department is to consistently create and distribute effective messaging that is recognized as the best, most accurate, and dependable source of City information.

Communications and Event Coordination Activity

- ▶ Inform and communicate with citizens of Kennedale
- ▶ Create and distribute monthly newsletter
- ▶ Create and manage on-brand marketing, public awareness, and graphic design
- ▶ Engage in media and community relations through presentations, press releases, and announcements
- ▶ Direct and manage City online presence:
 - ▶ Web page,
 - ▶ Facebook,
 - ▶ Instagram,
 - ▶ X,
 - ▶ Nextdoor
 - ▶ Linked In
- ▶ Special Events coordination, collaboration, and promotion
- ▶ Continuously showcase and promote a positive image of the City of Kennedale

Communications and Event Coordination Activity

Views ⓘ	3-second views ⓘ	1-minute views ⓘ	Content interactions ⓘ	Watch time ⓘ
1.3M	34.8K ↑ 219.9%	1.8K ↑ 67.8%	14.7K ↓ 0.7%	9d 3h ↑ 141.8%



Communications and Event Coordination Activity

2024

Views [?] 242K
 Event count [?] 844K

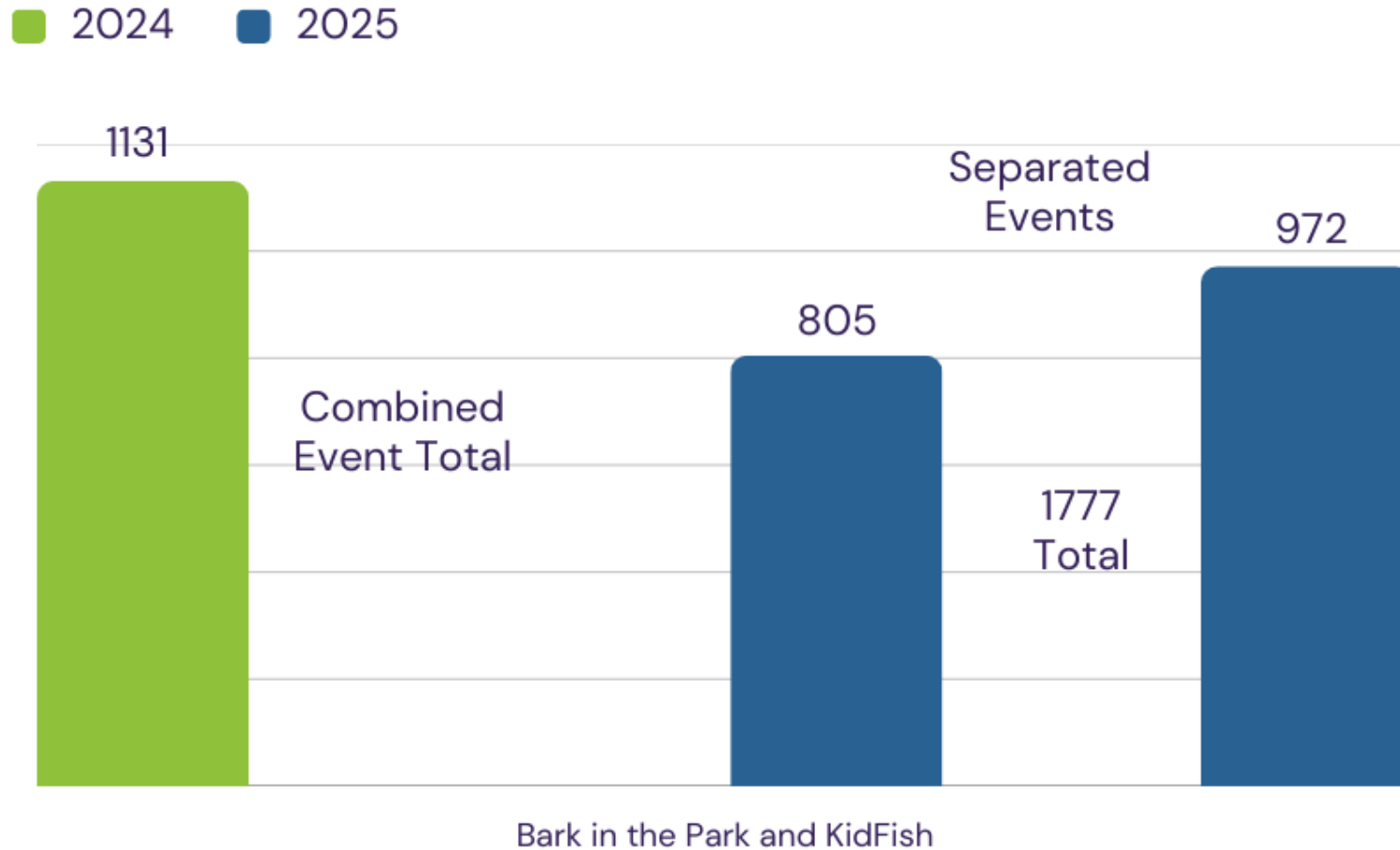
<input type="checkbox"/>	Page title and screen class	+ <input type="checkbox"/>	↓ Views
<input checked="" type="checkbox"/>	Total		241,944 100% of total
<input checked="" type="checkbox"/>	1 Kennedale, TX - Official Website Official Website		28,076
	2 (not set)		13,423
<input checked="" type="checkbox"/>	3 Employment Opportunities Kennedale, TX - Official Website		10,604
<input checked="" type="checkbox"/>	4 Search • Kennedale, TX • CivicEngage		9,608
<input checked="" type="checkbox"/>	5 Library Kennedale, TX - Official Website		9,407
<input checked="" type="checkbox"/>	6 Police Department Kennedale, TX - Official Website		6,836
<input type="checkbox"/>	7 Community Development Kennedale, TX - Official Website		5,076
<input type="checkbox"/>	8 Citation Payment Methods Kennedale, TX - Official Website		4,877
<input type="checkbox"/>	9 Elections Kennedale, TX - Official Website		4,785
<input type="checkbox"/>	10 Custom404 • Kennedale, TX • CivicEngage		3,952

2025

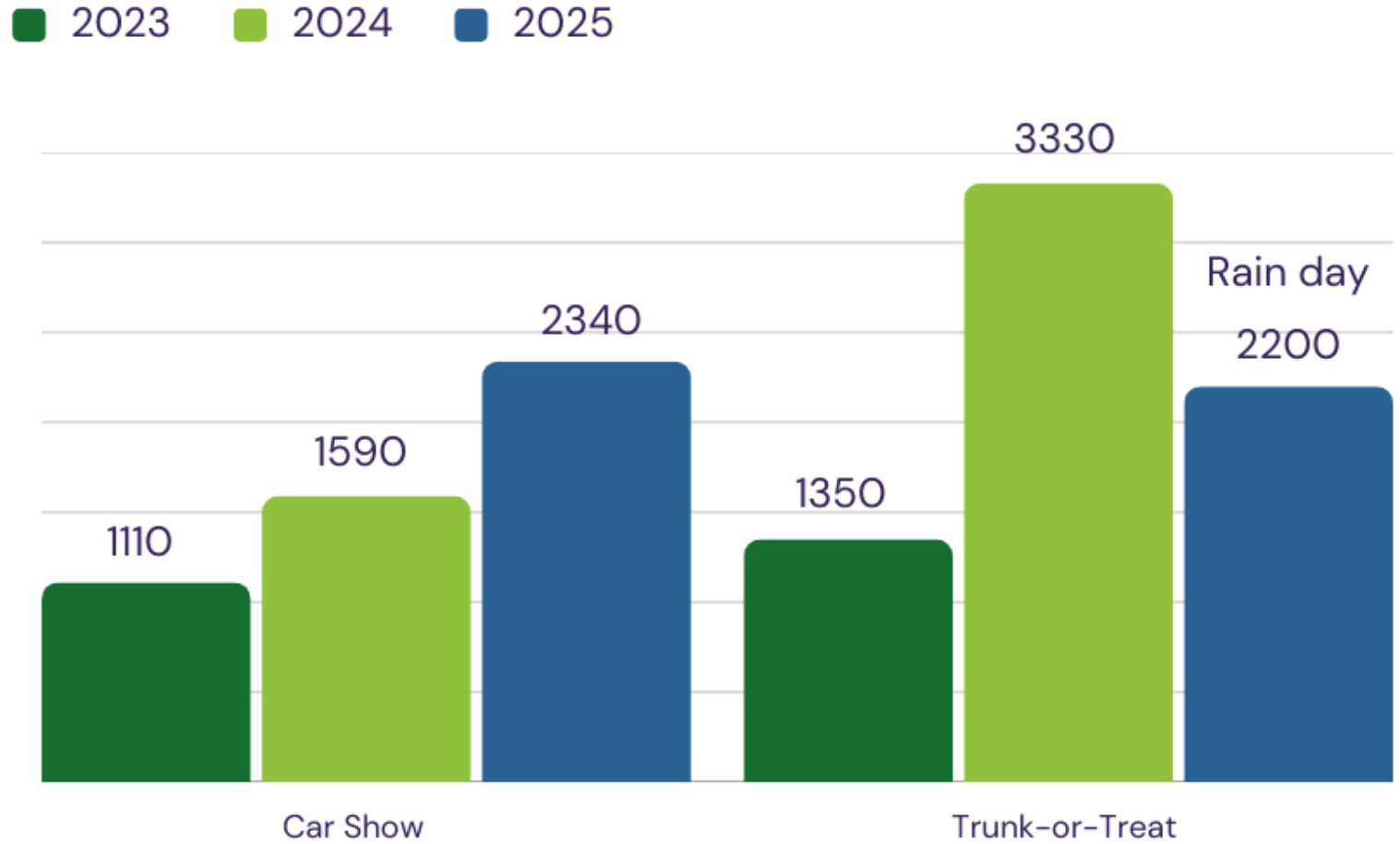
Views [?] 254K
 Event count [?] 1.1M

<input type="checkbox"/>	Page title and screen class	+ <input type="checkbox"/>	↓ Views
<input checked="" type="checkbox"/>	Total		253,719 100% of total
<input checked="" type="checkbox"/>	1 Kennedale, TX - Official Website Official Website		28,709 (11.32%)
	2 (not set)		12,073 (4.76%)
<input checked="" type="checkbox"/>	3 Employment Opportunities Kennedale, TX - Official Website		11,701 (4.61%)
<input checked="" type="checkbox"/>	4 Search • Kennedale, TX • CivicEngage		10,092 (3.98%)
<input checked="" type="checkbox"/>	5 Library Kennedale, TX - Official Website		8,898 (3.51%)
<input checked="" type="checkbox"/>	6 Calendar • Kennedale, TX • CivicEngage		6,870 (2.71%)
<input type="checkbox"/>	7 Police Department Kennedale, TX - Official Website		6,571 (2.59%)
<input type="checkbox"/>	8 Citation Payment Methods Kennedale, TX - Official Website		4,973 (1.96%)
<input type="checkbox"/>	9 Elections Kennedale, TX - Official Website		4,715 (1.86%)
<input type="checkbox"/>	10 Agendas & Packets Kennedale, TX - Official Website		4,578 (1.8%)

Communications and Event Coordination Activity



Communications and Event Coordination Activity

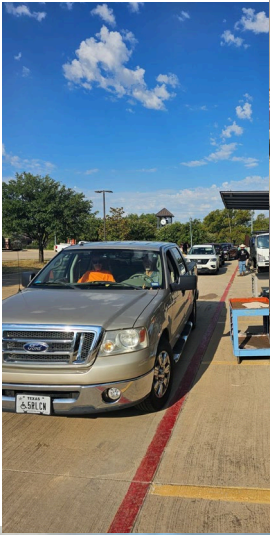


Communications and Event Coordination Activity

■ 2022 ■ 2023 ■ 2024 ■ 2025



Hometown Christmas





Kennedale Municipal Court

Bertha Vindel
Court Administrator





OUR MISSION STATEMENT

The Kennedale Municipal Court and its personnel are committed to protecting the rights and liberties of all by providing equal access to justice, upholding the integrity of the court, and serving the citizens of Kennedale in a courteous, efficient, and professional manner.

WHAT WE DO

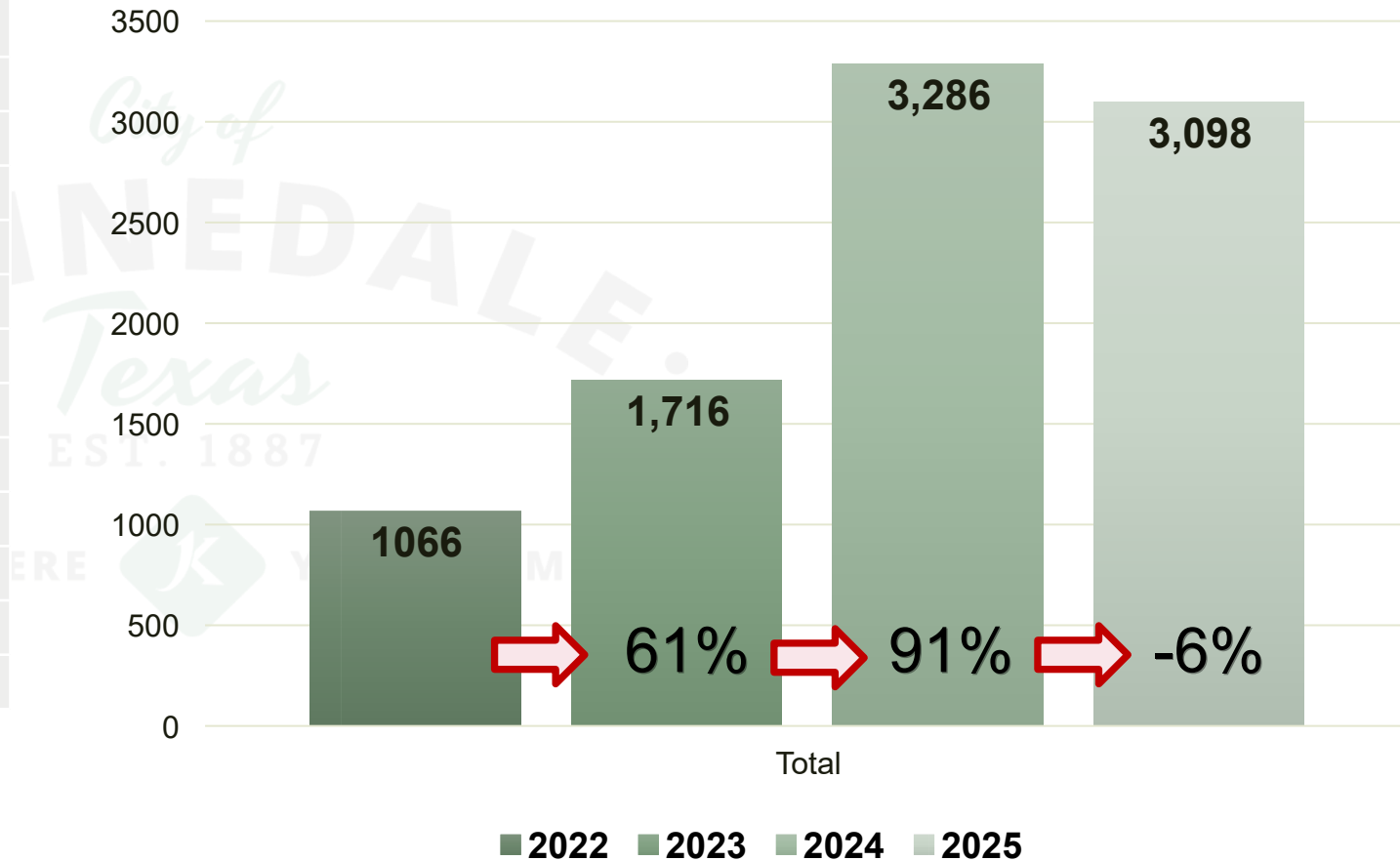


- The Municipal Court interprets and adjudicates applicable state laws and supports the local community by providing efficient and effective services through the promotion of justice.
- The Municipal Court Handles all Class C misdemeanors issued by Kennedale Police officers, Code Compliance officers, Animal Control officers, and the Fire Marshal.
- The Municipal Court holds Hearings for Property, Animal Seizure, Dangerous Dog, and Expunction. The court also conducts Bench and Jury Trials.
- We serve as a buffer between citizens and police.

CASES SET FOR COURT

CASES

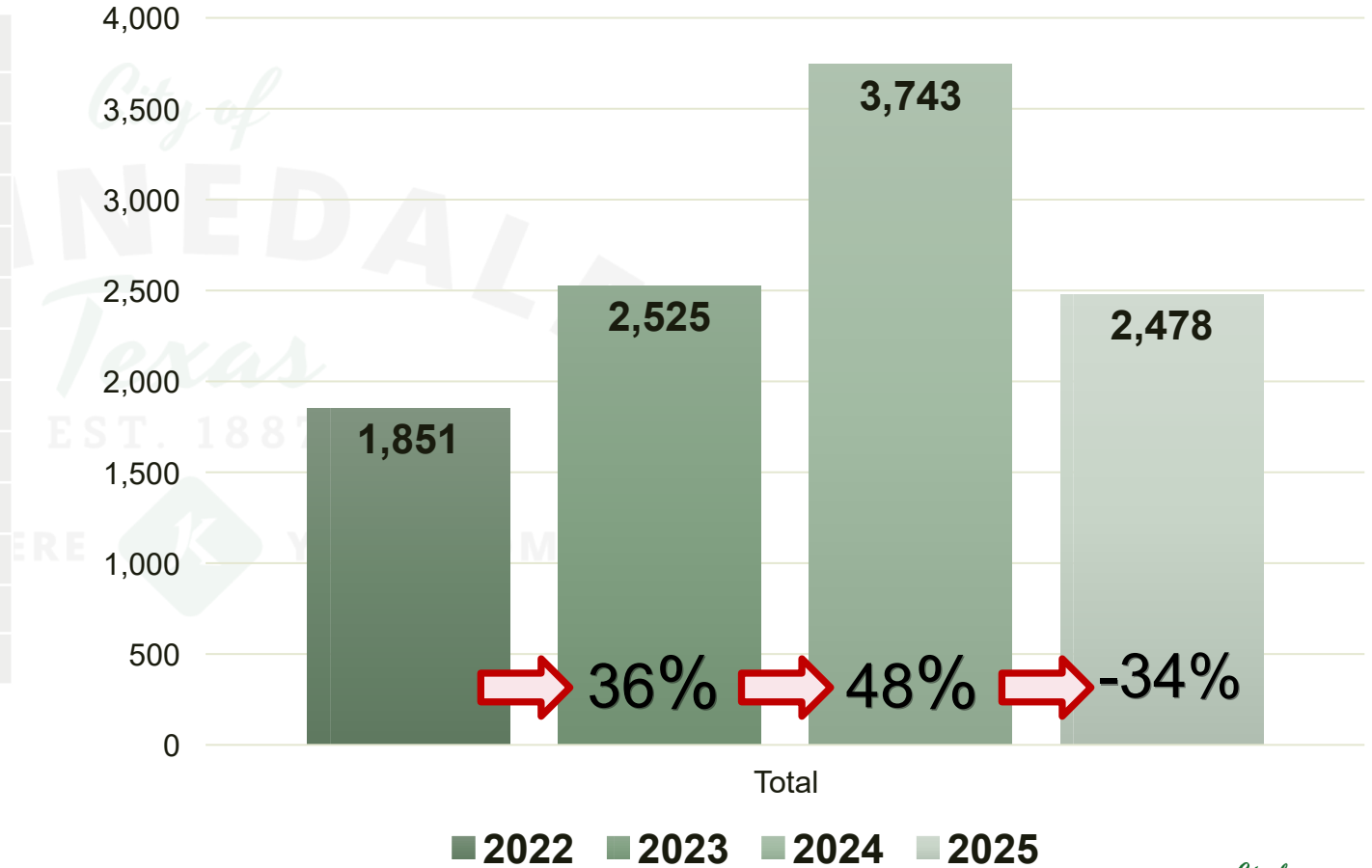
	2022	2023	2024	2025
January	165	176	304	346
February	94	122	159	338
March	91	121	304	303
April	94	143	289	236
May	70	139	272	320
June	55	67	301	201
July	87	183	300	271
August	112	191	298	275
September	118	175	285	195
October	90	192	286	274
November	90	204	190	168
December	0	0	298	171



COURT FILINGS

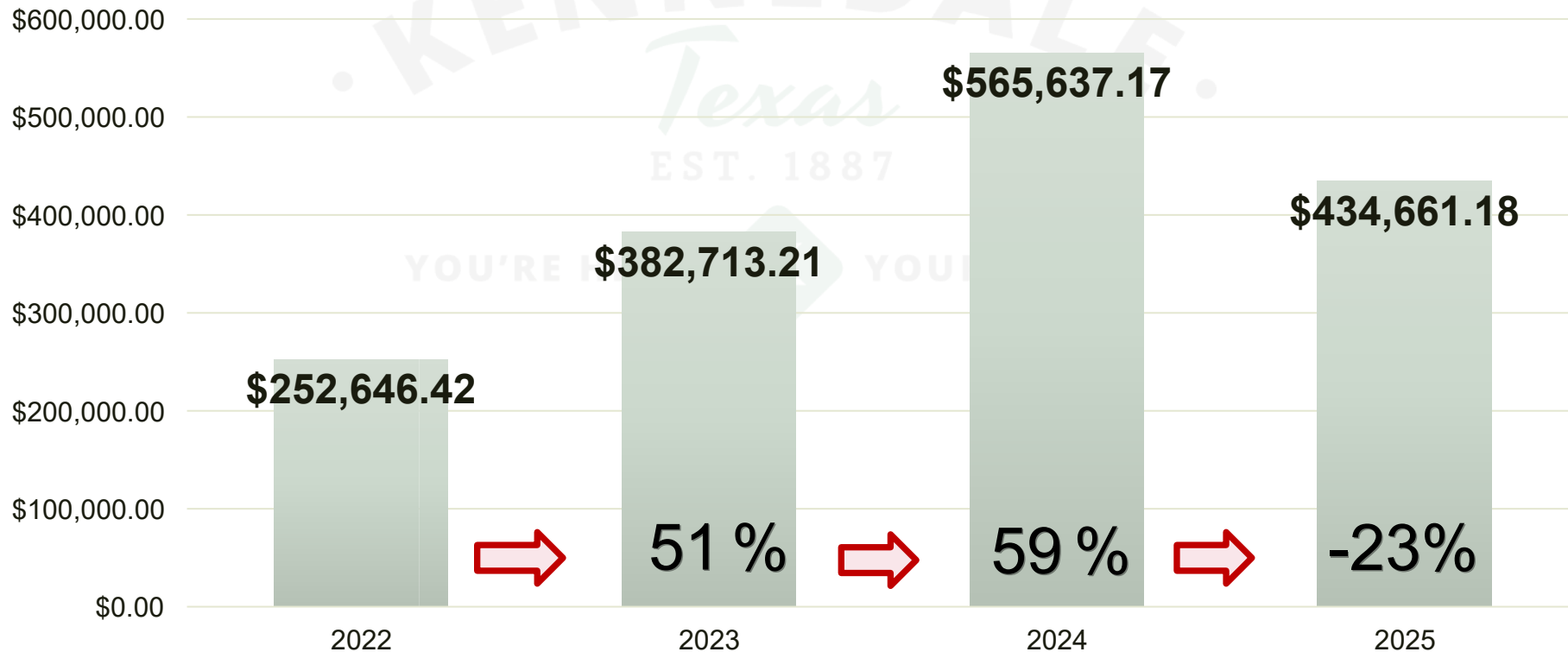
COURT FILINGS

	2022	2023	2024	2025
January	104	126	283	257
February	197	181	270	207
March	251	196	325	166
April	123	233	348	243
May	148	208	264	224
June	165	231	319	182
July	181	208	380	281
August	133	267	327	154
September	174	220	389	216
October	134	225	332	118
November	111	218	285	206
December	130	212	221	224



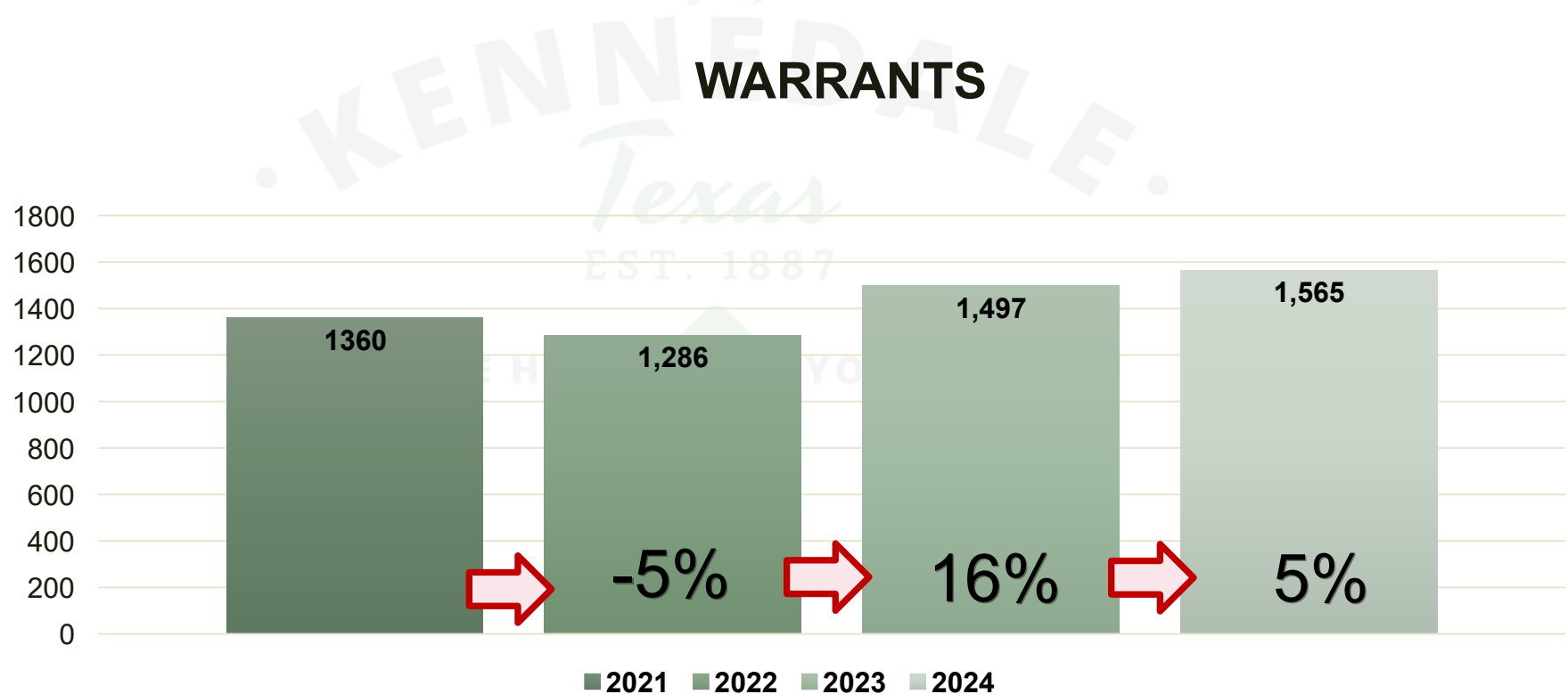
FINANCIALS

	2022	2023	2024	2025
State Costs	\$76,480.20	\$106,609.53	\$149,182.87	\$106,018.80
City Cost & Fines	\$176,166.22	\$276,103.68	\$416,454.30	\$328,642.38



WARRANTS ISSUED

	2022	2023	2024	2025
Warrants	1,100	1,164	1377	1325
Capias	260	122	152	240



WHAT WE DID IN 2025

- Assisted 2,276 customers at the service window.
- The court received 3,077 calls and made 2,534 Calls
- Awarded the 2025 TMCEC Traffic Safety Initiative Award (Low Volume Category).
- Successfully implemented a new court software system through collaborative, multi-department efforts.
- Improved case management and efficiency with upgraded technology
- Engaged with community through the Public Safety Event, Trunk or Treat, and National Night Out.
- Launched a Diversion Program to support at-risk individuals and reduce recidivism.




405 MUNICIPAL DRIVE
KENNE DALE, TX 76060




**Kennedale
Municipal Court**


Office: 817-985-2140
Fax: 817-478-4309
Email: court@cityofkennedale.com
www.cityofkennedale.com




**Scan QR Code
For Citation
Options**




Request A Court Date



**Request Deferred
Disposition**



**Request Driving
Safety Class**



Pay Your Fine

<https://www.cityofkennedale.com/102/Municipal-Court>



YOU'RE HERE  YOUR HOME

Department of Finance 2025 Year In Review

Presented by Jon Horton, CPA
Director

Department of Finance

- ◆ Jon Horton, CPA
 - ◆ Director
- ◆ Debby Scott
 - ◆ Senior Accounting Associate
- ◆ BRigete Davenport
 - ◆ Accounting Associate II
- ◆ Felicia Diggs
 - ◆ Accounting Associate II

This team has been together since 11/13/2023

Department of Finance

The City's Finance Department has three main objectives:

- ◆ Provide timely and materially correct financial reports
- ◆ Safeguard the financial assets of the City
- ◆ Ensure those who do business with the City are paid in a timely manner.

Major Projects in 2025

- ◆ Fiscal year(FY) 24 Annual Comprehensive Financial Report
 - ◆ Unmodified Opinion issued by Forvis Mazars
- ◆ FY26 Budget
 - ◆ Adopted in August 2025
- ◆ External Storage Elimination
 - ◆ All eligible contents from offsite storage were destroyed.
- ◆ Payroll Shift from ADP to Tyler
 - ◆ Move all outgoing payments onto a single platform
- ◆ Policy Updates
 - ◆ The Investment Policy was reviewed per the PFIA
 - ◆ Purchasing Policy update to modify the City Manager's spending authority

Goals Check-In

- ◆ As presented in the FY25 Budget:

SHORT-TERM (FY25) GOALS

- Increase payments made by ACH to 15% of payments initiated through the City's operating account
- Remove all boxes from our offsite storage facility. Scan all documents within the retention period provided by the Texas State Records Retention Schedule
- Earn the Certificate of Achievement for Excellence in Financial Reporting, and the Distinguished Budget Presentation Award. Both are issued by the GFOA

Goals Check-In

◆ As presented in the FY25 Budget:

PERFORMANCE MEASURES					
Measure	Type	FY24 Actual	FY25 Target	FY25 Actual	FY26 Target
Total Vendor Payments	Output	1,556	1,600	1,779	1,600
ACH Payments (%)	Efficiency	15%	15%	28%	15%
Financial Policies Reviewed	Output	9	9	9	9
Boxes In Offsite Storage	Efficiency	190	0	0	0
GFOA Award - Budget	Effectiveness	Denied	Awarded	Awarded	Awarded
GFOA Award - ACFR	Effectiveness	Awarded	Awarded	Awarded	Awarded
Bond Rating (S&P Global)	Effectiveness	AA-	AA-	AA	AA

Recognized Efforts

- ◆ Certificate of Achievement for Excellence in Financial Reporting from the Government Financial Officers Association (second year in a row)

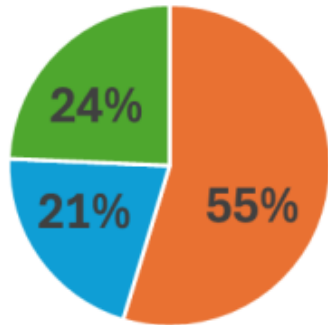


- ◆ Distinguished Budget Presentation Award from the Government Financial Officers Association



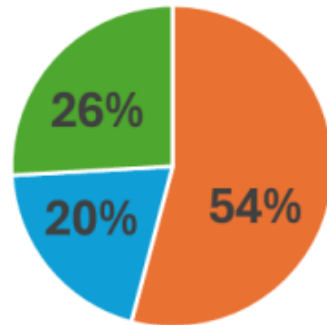
General Fund Revenue Analysis

FY23 General Fund Revenue



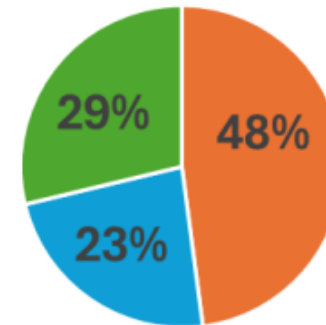
■ Property Tax ■ Sales Tax ■ Other

FY24 General Fund Revenue



■ Property Tax ■ Sales Tax ■ Other

FY25 General Fund Revenue



■ Property Tax ■ Sales Tax ■ Other

FY25 Figures are unaudited

General Fund Revenue Analysis

	FY23		FY24		FY25*	
Property Tax	\$5,777,979	55%	\$ 6,197,098	54%	\$6,341,829	48%
Sales Tax	2,218,382	21%	2,284,206	20%	3,087,020	23%
Other	2,570,473	24%	2,963,495	26%	3,805,044	29%
Total	10,566,835	100%	11,444,799	100%	13,233,894	100%
Budget	10,542,352		10,466,198		12,409,117	
Difference	\$ 24,483		\$ 978,601		\$ 824,777	
Reserve Growth	\$ 870,393		\$ 997,978		\$ 566,635	
Reserve Amount	\$3,151,195		\$ 4,149,173		\$4,715,808	
Reserve In days	116		135		135	

*FY25 figures are unaudited

Other includes Licenses and Permits, Fines and Fees, Chargers for Services, Intergovernmental, Transfers, Investment Income, and Miscellaneous Revenue Sources

General Fund Revenue Analysis

- ◆ Additional resources from General Fund revenue sources between FY22 and FY26 budgets
 - ◆ 9 new personnel
 - ◆ Court – 2
 - ◆ Community Development – 1
 - ◆ Library – 1
 - ◆ Fire Department – 2
 - ◆ Public Works – 3
 - ◆ New software for Court, Community Development, and Finance
 - ◆ Pavement Management System for Public Works
 - ◆ Vehicles Purchased (new): 5 Patrol Vehicles, 1 Animal Control Vehicle, 1 Truck for Community Development, 1 Truck for the Fire Department



YOU'RE HERE  YOUR HOME

Information Technology 2025 Year In Review

Presented by Jon Horton, CPA

In partnership with NetGenius



netGenius
Managed IT and InfoSec Services

- ◆ Service Statistics:
 - ◆ 756 user submitted tickets, all closed
 - ◆ 247 automated system tickets, all closed
 - ◆ 7 hours and 29 minutes of phone calls
 - ◆ 3 hours and 15 minutes of inbound calls
 - ◆ 3 hours and 39 minutes of outbound calls

Major Projects in 2025

- ◆ Tyler deployment assistance
- ◆ Temporary Fire Station setup
- ◆ Library cabling moves and fixes
- ◆ Moving the server room to a secure and structurally sound area
- ◆ Shift to Microsoft 365
- ◆ Participation in Emergency Management tabletop exercises



MEETING DATE: FEBRUARY 26, 2026

AGENDA ITEM NUMBER: III B 1

SUBJECT

PZ CASE #26-01 TO CONDUCT A PUBLIC HEARING AND CONSIDER A PROPOSED ZONING CHANGE FROM “OT-4 OLD TOWN SUB-DISTRICT 4” TO “C-2 GENERAL COMMERCIAL DISTRICT” FOR 444 E KENNEDALE PKWY, BOAZ, CA SUBD OF J B RENFRO Lot 31 OF THE CITY OF KENNEDALE, TARRANT COUNTY, TEXAS, 76060.

ORIGINATED BY Edward McRoy

AREA SUMMARY

Current Zoning	Proposed Zoning	Comprehensive Plan Designation
OT-4/CCOD	C-2/CCOD	TOD Transit Oriented Development

Nearby Zoning/Use			
Northwest	OT4	Northeast	C2
Southeast	C2	Southwest	Railroad and R3

BACKGROUND / ANALYSIS / REVIEW

This is a straight zoning request from OT-4 to C-2. The location of the request is at the outside southeastern edge of the current Old Town Zoning District (See Attachment #12).

History: City records indicate the property was previously the home of a machine shop. A CO was issued at the site for the current business on 12/016/2003 with the zoning being listed as C2. It appears the site was rezoned sometime after that to its current OT-4 designation. It is staff's assumption that this rezoning was intentional at the time it occurred.

Area Description: The area near this request is predominantly commercial in nature with a scattering of vehicle and vehicle service-related businesses being heavily represented. Visually the area features a scattering of single-story utilitarian buildings. These buildings are characterized by mostly flat or low-pitched roofs, many large vehicle bay doors facing the street, ample exterior parking of vehicles and equipment, a noticeable lack of landscaping, a mixture of metal and thin masonry veneer exteriors, and little in the way of architectural enhancements.

Current/Proposed Use & Nonconformities: The applicant has indicated the reason for the request is to build a new approximately 3,000 square foot rectangular building on the site to expand

operations and provide for inside storage of materials. The current user is a business called W. Two Plus. They provide a variety of environmental services and testing related to fueling systems, underground storage tanks (UST's), pipelines and similar services.

Staff has determined the current operation falls under the use definition of "General Office Offices and Services Construction and Building Services". This is a non-conforming use in the OT-4 District. Non-conforming uses have limitations on expansion that the proposed new building would exceed.

Zoning Comparison: Although there are some instances to the contrary, the proposed zoning change would significantly increase the potential intensity of uses allowable on this site. In addition, the change in zoning would also modify the spatial standards applicable allowing slightly higher buildings, buildings closer to the street, and a bit more allowable site coverage. The most notable impact of the zoning change, however, would likely be the removal of architectural standards found in Section 4.5 of the UDC and currently applicable to new construction on the site due to its OT-4 District classification.

Comprehensive Plan & Pending UDC Actions This site is in the center of an area designated for establishment of a future Transit Oriented Development or TOD. (See Attachment #13) This is one of two potential TOD locations shown in the City's Future Land Use Plan. This area was likely identified for possible TOD development due to its proximity to rail on the west, its adjacency to Bus Hwy 287, and a reasonable amount of undeveloped and potentially re-developable property. TOD developments typically feature somewhat higher intensity/density of uses, more tightly spaced buildings, and an emphasis on walkability, vs. auto centric land uses. TOD sites often incorporate new urbanism and form-based codes. These are typically intended to create a unique option for more urban style living with mixed uses in a constrained location typically limited to about a ¼ - ½ mile radius. Such developments can increase housing choice, reducing pressures on communities to densify undeveloped or more suburban or rural areas.

Kennedale's UDC does not currently have a TOD Zoning District that directly corresponds to the FLUP. Some specific uses allowed with the C-2 District would likely be considered compatible with and support a TOD development. These uses would be those associated with retail, personal services, entertainment or office use. The C2 District itself, however, would not be considered generally compatible with a TOD due to the much broader nature of uses currently allowed. Another problem is simply the fact that this site is in the center of the designated TOD area rather than at the periphery. The standard zoning district currently in the UDC most closely aligned with a TOD designation is the Urban Village (UV) District. The business at this site, however, would not be allowed in the UV District. A review of the pending UDC update and its proposed TOD District also reveals that this business would not be allowed if this pending action were approved as written.

NOTIFICATIONS AND REPONSES

REQUIRED NOTIFICATIONS

Newspaper Advertisement 200' Ownership Letters Signs City Hall Posting

Responses received – None

FINDINGS & CONCLUSIONS

Staff finds the proposed rezoning:

- Does not conform to the Future Land Use Plan TOD designation.
- Could negatively affect the future establishment of TOD development. in this area.
- Is compatible with current land uses in the area.
- May dilute or affect future redevelopment of OT-4 District properties to the northwest.

RECOMMENDATIONS

P&Z recommends **denial (5-0)**

Staff recommends **denial.**

(Note) Staff's recommendation at this time and in this case is based on an assessment of future development intent for this area as indicated in the FLUP and the establishment of an OT-4 district status on the property.

ATTACHMENTS

1.	Owner's Affidavit
2.	Legal Description
3.	Survey Information
4.	200' Buffer Map
5.	Address List
6.	Address Labels
7.	Buffer Letter A.
8.	Buffer Letter B.
9.	Publishers Affidavit
10.	Location Map
11.	Zoning Map
12.	FLUP Map
13.	Proposed Ordinance (See Agenda Item VI C.5)



KENNEDALE
Planning Department
www.cityofkennedale.com

CITY OF KENNEDALE
PLANNING & ZONING
OWNER AFFIDAVIT (Only required if applicant is applying on behalf of the owner)

Case # PZ 26-000018

Property Address: 444 E. Kennedale PKWY

Legal Description: _____

Applicant: James McCormick

Type of PZ request: Zoning Change

I, Kimberly Herdman, current owner of above mentioned property, authorize the applicant or his authorized representative to make application for the Kennedale Planning & Zoning Commission to consider granting the above reference request on my behalf and to appear before the Commission.

Owner Signature: [Signature] Manager

Date: 2/2/20

SWORN TO and Subscribed before me by Karla Zamora

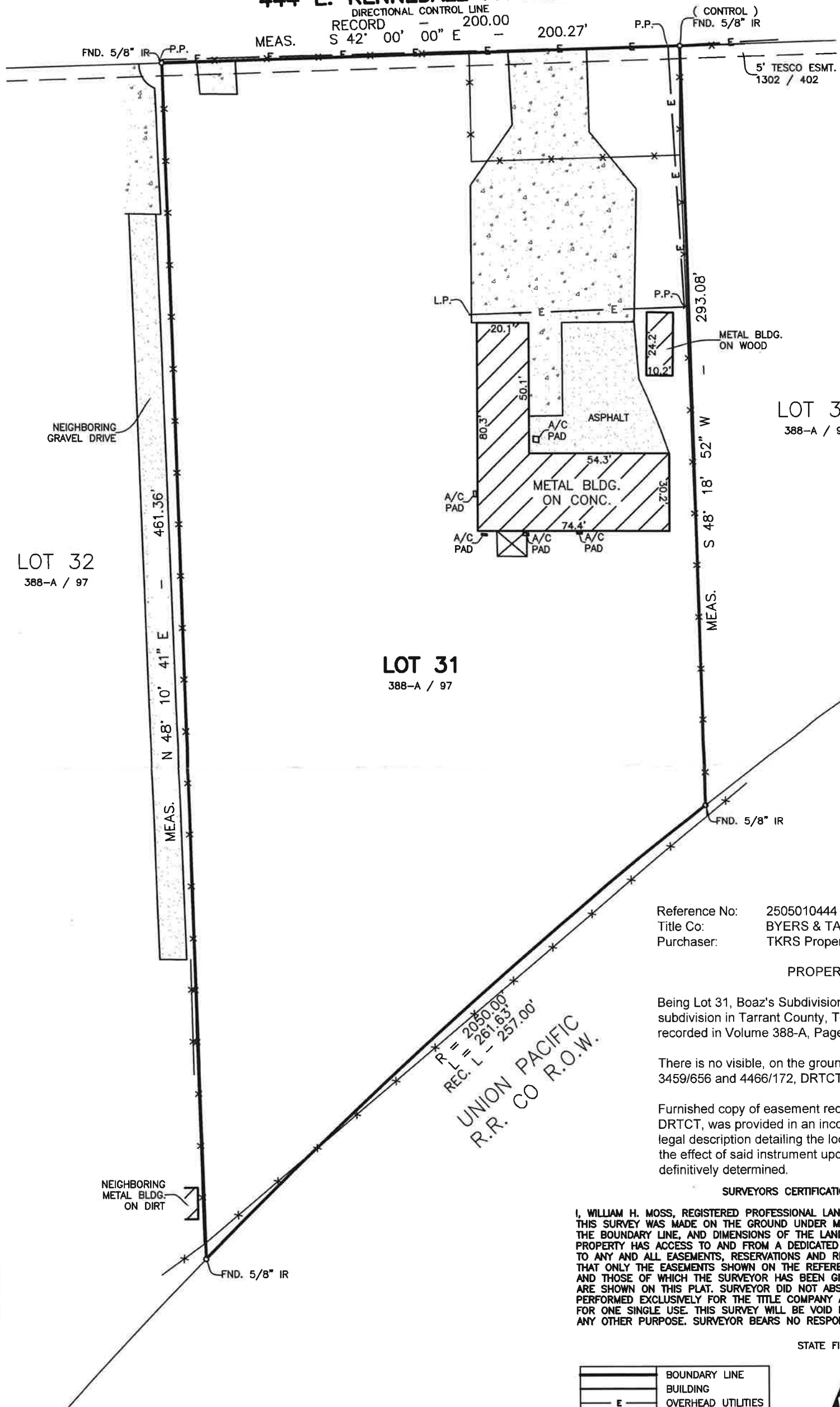
ON THIS 2nd DAY OF February, 2020

[Signature]
Notary Public, Tarrant County, Texas



BEING LOT 31, BOAZ'S SUBDIVISION OF THE J. B. RENFRO SURVEY IN
TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN
VOLUME 389-A PAGE 97, PLAT RECORDS, TARRANT COUNTY, TEXAS
And commonly known as **444 E Kennedale Pkwy., Kennedale, TX 76060.**

444 E. KENNEDALE PARKWAY

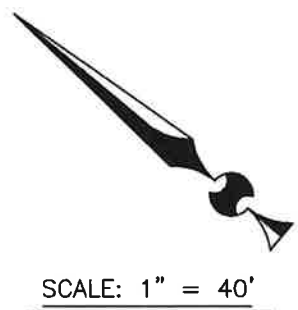


This survey is hereby
accepted and approved.

Purchaser

Purchaser

Date



Reference No: 2505010444 G.F. No: BTM252654
Title Co: BYERS & TAYLOR
Purchaser: TKRS Properties

PROPERTY DESCRIPTION

Being Lot 31, Boaz's Subdivision of Part of the J.B. Renfro Survey, a subdivision in Tarrant County, Texas, according to the map or plat thereof recorded in Volume 388-A, Page 97, Plat Records, Tarrant County, Texas.

There is no visible, on the ground evidence of the following easement: 3459/656 and 4466/172, DRTCT.

Furnished copy of easement recorded under Instrument No. D209003614, DRTCT, was provided in an incomplete format and lacks a discernible legal description detailing the location of said easement. Consequently, the effect of said instrument upon the subject property cannot be definitively determined.

SURVEYORS CERTIFICATION

I, WILLIAM H. MOSS, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND CORRECTLY SHOWS THE BOUNDARY LINE, AND DIMENSIONS OF THE LAND INDICATED THEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, SAID PROPERTY BEING SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS AND RESTRICTIONS THAT MAY BE OF RECORD, AND THAT ONLY THE EASEMENTS SHOWN ON THE REFERENCED PLAT OF RECORD, VISIBLE EASEMENTS AND THOSE OF WHICH THE SURVEYOR HAS BEEN GIVEN WRITTEN NOTICE FROM TITLE COMPANY ARE SHOWN ON THIS PLAT. SURVEYOR DID NOT ABSTRACT THIS PROPERTY. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR THE TITLE COMPANY AND PURCHASER SHOWN AND IS LICENSED FOR ONE SINGLE USE. THIS SURVEY WILL BE VOID IF USED BY ANY OTHER PERSON OR FOR ANY OTHER PURPOSE. SURVEYOR BEARS NO RESPONSIBILITY FOR SAID USE.

STATE FIRM REGISTRATION NUMBER 10193797

	BOUNDARY LINE
	BUILDING
	OVERHEAD UTILITIES
	FENCE
	BRICK
	WOOD DECK
	CONCRETE

LEGEND



PROLINE
SURVEYING LTD.
www.prolinesurveyors.com

Ph# 817-276-1148 info@prolinesurveyors.com
© Proline Surveying, LTD. 2025



DRAWN BY: DCM DATE: 5/13/25

William H. Moss

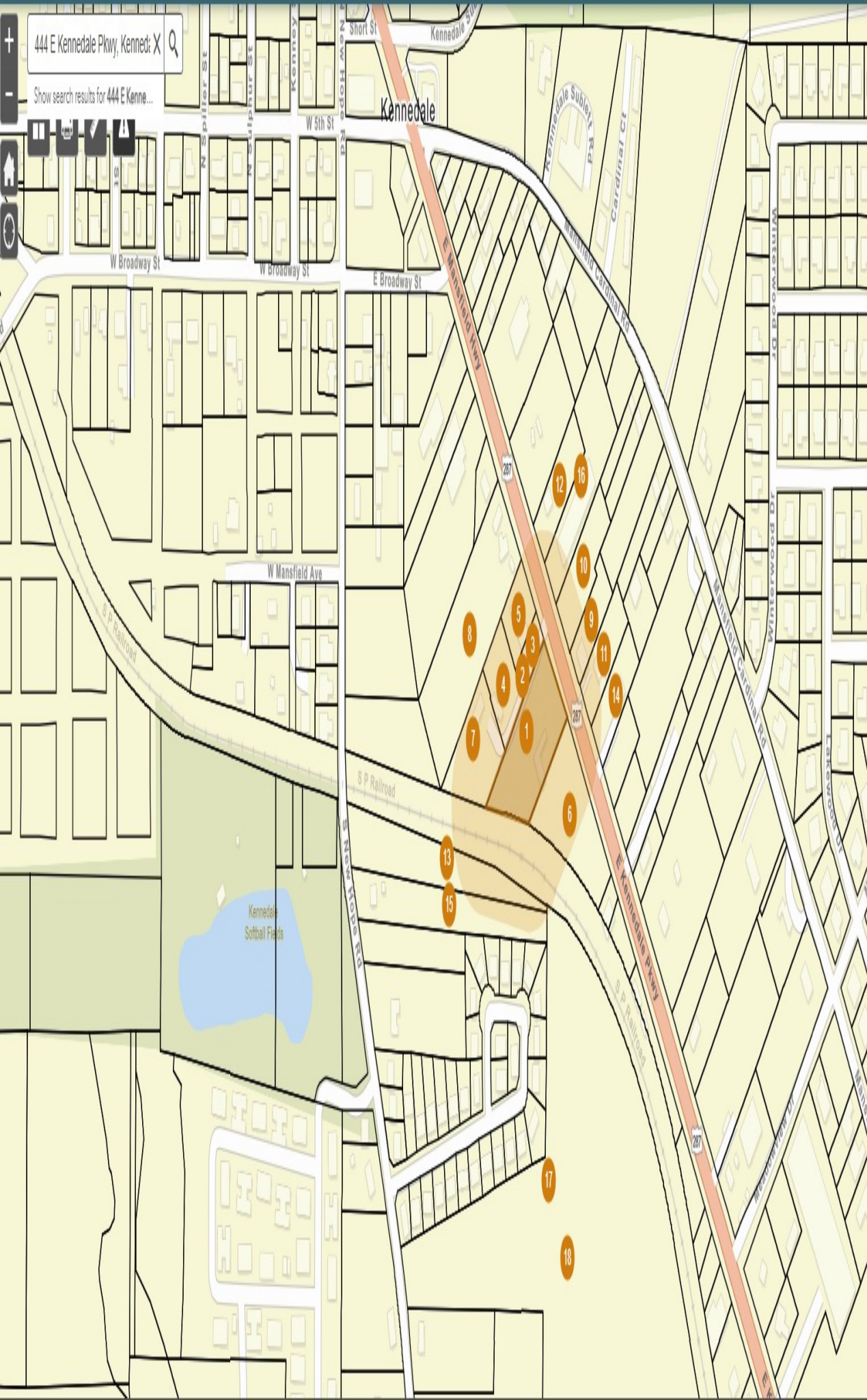
SURVEY CAN BE UPDATED FOR DISCOUNTED PRICE

City of Kennedale Zoning Map

City of Kennedale TAD (Tarrant County Appraisal District)

444 E Kennedale Pkwy, Kenned: X

Show search results for 444 E Kenne...



Layer List

Layers

- Overlay Districts - Floodplain
- Overlay Districts - Business 287 and Interstate 20/820 Loop
- Zoning (View)
- KennedaleCityLimits
- TAD Parcels
- Aerials2019

displayname	owner address	city	state	zip
TKRS PROPERTIES LLC	1367 FM 66 PO BOX 147	ITASCA	TX	76055
LEE JOONG, LEE YUN SUN	416 E KENNEDALE PKWY	KENNEDALE	TX	76060
LEE JOONG, LEE YUN SUN	416 E KENNEDALE PKWY	KENNEDALE	TX	76060
RIDDLE CHRISTIAN M	432 E KENNEDALE PKWY	KENNEDALE	TX	76060
LEE JOONG, LEE YUN SUN	416 E KENNEDALE PKWY	KENNEDALE	TX	76060
JAMIL MOHMMAD	917 DUNKIRK	ARLINGTON	TX	76017
LITTLEJOHN CYNTHIA G	436 E KENNEDALE PKWY	KENNEDALE	TX	76060
515 CORSICANA PROPERTIES LLC	515 W 7TH AVE	CORSICANA	TX	75110
TRINH HUNG D	108 S NEW HOPE RD	KENNEDALE	TX	76060
INDUSTRIAL INVESTMENTS SQUAR	373 N BOWEN ST	ARLINGTON	TX	76112
AJIBOLA ATANDA	540 WINDY KNOLL RD	BURLESON	TX	76028
INDUSTRIAL INVESTMENTS SQUAR	108 S NEW HOPE RD	KENNEDALE	TX	76060
KENNEDALE CITY OF	405 MUNICIPAL RD	KENNEDALE	TX	76060
ADEYEYE EDWARD	4302 MERIDEN CT	GRAND PRAIRIE	TX	75052
HERNANDEZ JOSE, HERNANDEZ M/	5330 N HAMPSHIRE BLVD	FORT WORTH	TX	76112
INDUSTRIAL INVESTMENTS SQUAR	108 S NEW HOPE RD	KENNEDALE	TX	76060
SOUTHERN PACIFIC RR CO	1400 DOUGLAS STOP 1640 ST	OMAHA	NE	68179
RMC CAPITAL LLC C/O RONNIE MC	4801 ESCO DR	FORT WORTH	TX	76140
KENNDAL ISD	120 W KENNEDALE PKWY	KENNEDALE	TX	76060

Parcel #	situsaddress
00241784	444 E KENNEDALE PKWY
04874137	426 E KENNEDALE PKWY
00241814	420 E KENNEDALE PKWY
06771572	432 E KENNEDALE PKWY
04984293	
00241776	446 E KENNEDALE PKWY
00241806	436 E KENNEDALE PKWY
42785659	
00241210	445 E KENNEDALE PKWY
00241199	441 E KENNEDALE PKWY
00241229	
00241164	
41450760	221 S NEW HOPE RD
00241261	
04104919	225 S NEW HOPE RD
07285604	
06239617	213 S NEW HOPE RD
04104897	317 S NEW HOPE RD

TKRS PROPERTIES LLC
1367 FM 66 PO BOX 147
ITASCA, TX 76055

LEE JOONG, LEE YUN SUN
416 E KENNEDALE PKWY
KENNEDEALE, TX 76060

RIDDLE CHRISTIAN M
432 E KENNEDALE PKWY
KENNEDEALE, TX 76060

JAMIL MOHMMAD
917 DUNKIRK
ARLINGTON, TX 76017

LITTLEJOHN CYNTHIA G
436 E KENNEDALE PKWY
KENNEDEALE, TX 76060

515 CORSICANA PROPERTIES LLC
515 W 7TH AVE
CORSICANA, TX 75110

TRINH HUNG D
108 S NEW HOPE RD
KENNEDEALE, TX 76060

INDUSTRIAL INVESTMENTS SQUARE
373 N BOWEN ST
ARLINGTON, TX 76112

AJIBOLA ATANDA
540 WINDY KNOLL RD
BURLESON, TX 76028

KENNEDALE CITY OF
405 MUNICIPAL RD
KENNEDEALE, TX 76060

ADEYEYE EDWARD
4302 MERIDEN CT
GRAND PRAIRIE, TX 75052

HERNANDEZ JOSE, MARTHA
5330 N HAMPSHIRE BLVD
FORT WORTH, TX 76112

SOUTHERN PACIFIC RR CO
1400 DOUGLAS STOP 1640 ST
OMAHA, NE 68179

RMC CAPITAL LLC C/O RONNIE
MCGLOTHLIN
4801 ESCO DR
FORT WORTH, TX 76140

KENNDAL ISD
120 W KENNEDALE PKWY
KENNEDEALE, TX 76060



PLANNING AND ZONING COMMISSION NOTICE OF PUBLIC HEARING

Kennedale ISD
120 W. Kennedale Parkway
Kennedale, TX 76060

February 6, 2026

The Kennedale Planning and Zoning Commission will hold a public hearing for the following case on Thursday, February 26, 2026 at 6 P.M. in the City Council Chambers, located at 405 Municipal Drive, Kennedale, Tarrant County, Texas 76060:

PZ CASE #26-01 TO CONDUCT A PUBLIC HEARING AND CONSIDER A PROPOSED ZONING CHANGE FROM "OT-4 OLD TOWN SUB-DISTRICT 4" TO "C-2 GENERAL COMMERCIAL DISTRICT" FOR 444 E KENNEDALE PKWY, BOAZ, CA SUBD OF J B RENFRO Lot 31 OF THE CITY OF KENNEDALE, TARRANT COUNTY, TEXAS, 76060.

A second public hearing for this case will be held before City Council on Tuesday, March 17, 2026 at 5:30 PM in the City Council Chambers, located at 405 Municipal Drive, Kennedale, Tarrant County, Texas 76060.

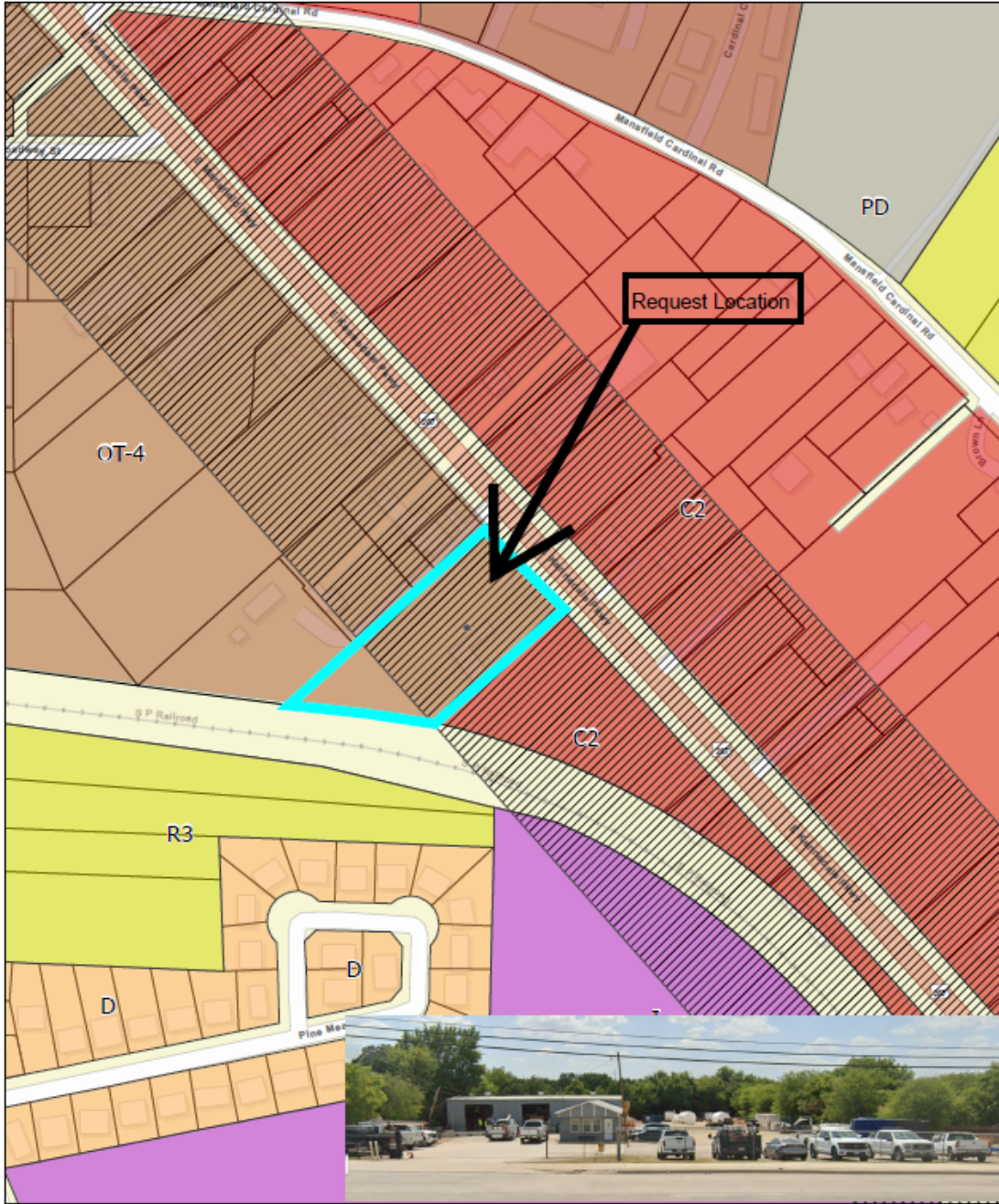
We are sending this notification to you in case you wish to attend the public hearings or provide written comments. You are not required to attend the public hearing, but if you choose to attend, you will have the opportunity to speak either in favor of or against the request(s). Written comments may be provided prior to the meeting to the City Secretary's Office, 405 Municipal Drive, Kennedale, TX 76060. If you would like more information about the case or public hearing process, please contact Community Development Director, Edward McRoy at 817-985-2135 or emcroy@cityofkennedale.com.

The agenda will be posted at 72 hours before the meeting at www.cityofkennedale.com/agendas and the meeting calendar is published at www.cityofkennedale.com/cal.











Sincerely,

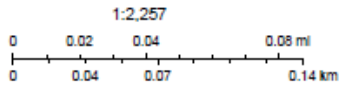
Tina Cox
Deputy City Secretary
City of Kennedale
405 Municipal Dr
Kennedale, TX 76060
tcox@cityofkennedale.com
(817)985-2105

PZ 26-01 Rezoning Map



2/2/2026, 11:37:30 AM

- | | |
|---|---|
|  Overlay Districts - Business 287 and Interstate 20/820 Loop |  OT-4 - Old Town Sub-District 4 |
| Zoning (View) |  R3 - Single Family Residential District |
|  C2 - General Commercial District |  PD - Planned Development District |
|  D - Two Family (Duplex) Residential District |  City Limits |
|  I - Industrial District |  TAD Parcels |
|  MF - Multi-Family District | |



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community



PLANNING AND ZONING NOTICE OF PUBLIC HEARING

February 6, 2026

The Kennedale Planning and Zoning Commission will hold a public hearing for the following case on Thursday, February 26, 2026 at 6 P.M. in the City Council Chambers, located at 405 Municipal Drive, Kennedale, Tarrant County, Texas 76060:

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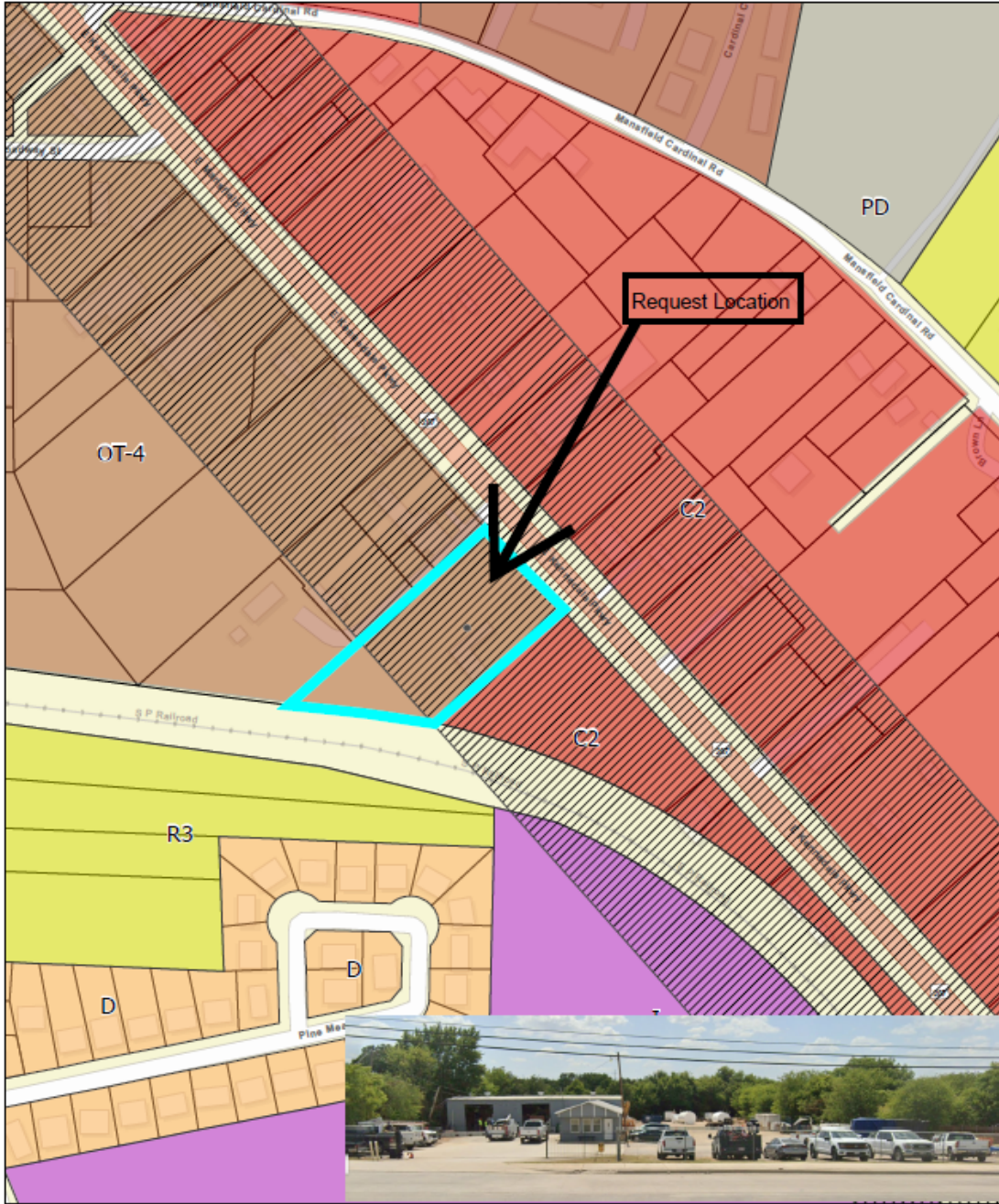
We are sending notification to those who own real property(ies) within 200 feet of the request in case they wish to attend the public hearings or provide written comments. You are not required to attend the public hearing, but if you choose to attend, you will have the opportunity to speak either in favor of or against the request(s). Written comments may be provided prior to the meeting to the City Secretary's Office, 405 Municipal Drive, Kennedale, TX 76060. If you would like more information about the case or public hearing process, please contact Community Development Director, Ed McRoy at 817-985-2135 or emcroy@cityofkennedale.com.

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


Sincerely,






Tina Cox
Deputy City Secretary
City of Kennedale
405 Municipal Dr
Kennedale, TX 76060
tcx@cityofkennedale.com
(817)985-2105

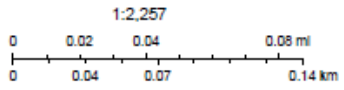
PZ 26-01 Rezoning Map



2/2/2026, 11:37:30 AM

-  Overlay Districts - Business 287 and Interstate 20/820 Loop
- Zoning (View)
-  C2 - General Commercial District
-  D - Two Family (Duplex) Residential District
-  I - Industrial District
-  MF - Multi-Family District

-  OT-4 - Old Town Sub-District 4
-  R3 - Single Family Residential District
-  PD - Planned Development District
-  City Limits
-  TAD Parcels



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
42572	93778	Legal Ad - IPL0310613	Public Hearings	1.0	40.0L

ATTENTION: CITY OF KENNEDALE IP
 405 MUNICIPAL DR
 KENNEDALE, TX 76060-2249
 citysecretary@cityofkennedale.com;bdahl@cityofkennedale.com;tcoc@cityofkennedale.com

City of Kennedale Notice of Public Hearings

The Kennedale PLANNING AND ZONING COMMISSION will hold public hearing(s) for the following case(s) on Thursday, February 26, 2026 at 6 P.M. in the City Council Chambers, located at 405 Municipal Drive, Kennedale, Tarrant County, Texas 76060, SUBSEQUENT PUBLIC HEARINGS for these case(s) WILL BE HELD BY THE CITY OF KENNEDALE CITY COUNCIL ON MARCH 17, 2026 AT 5:30 PM ALSO LOCATED AT 405 MUNICIPAL DRIVE, KENNEDALE, TARRANT COUNTY, TEXAS 76060.

PZ CASE #26-01 to conduct a public hearing and consider a PROPOSED ZONING CHANGE FROM "OT-4 OLD TOWN Sub-district 4" TO "C-2 General Commercial District" for 444 E Kennedale Pkwy, BOAZ, CA SUBD OF J B RENFRO LOT 31 OF THE CITY OF KENNEDALE, Tarrant County, Texas, 76060.

Interested persons are encouraged to attend the public hearing(s) to offer public comments or provide written comments prior to the meeting to: Community Development Department, 405 Municipal Drive, Kennedale, TX, 76060. For more information, please call (817) 985-2135.

IPL0310613
 Feb 4 2026

THE STATE OF TEXAS
 COUNTY OF TARRANT

Before me, a Notary Public in and for said County and State, this day personally appeared the undersigned, Bid and Legal Coordinator for the Star-Telegram, published by the Star-Telegram, Inc. at Fort Worth, in Tarrant County, Texas; and who, after being duly sworn, did depose and say that the attached clipping of an advertisement was published in the above named paper on the listed dates. The Fort Worth Star-Telegram is generally circulated in Tarrant County.

1.0 insertion(s) published on:
 02/04/26 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Sworn to and subscribed before
 me on



**City of Kennedale
Notice of Public Hearings**

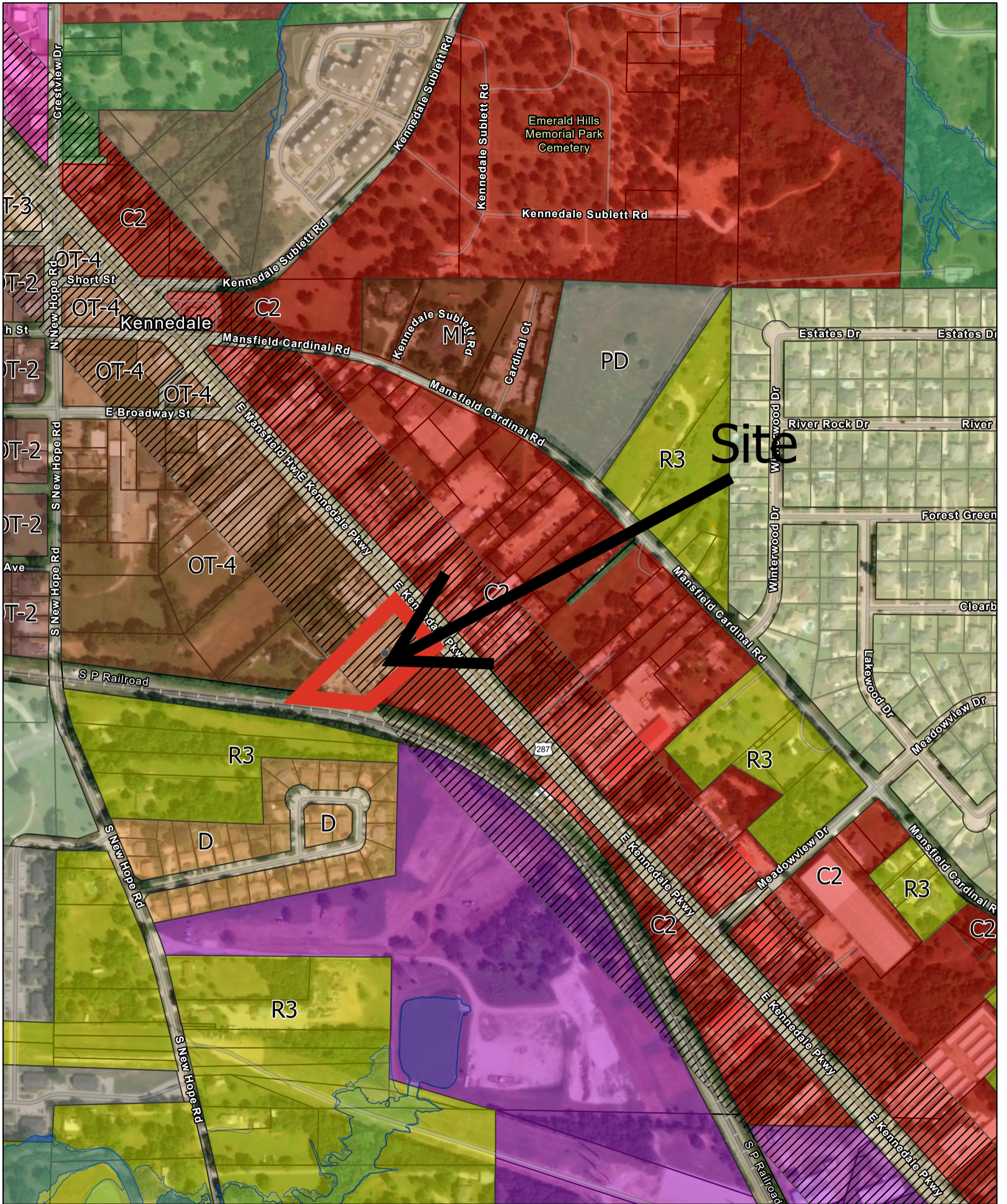
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IPL0310613
Feb 4 2026

Location Map

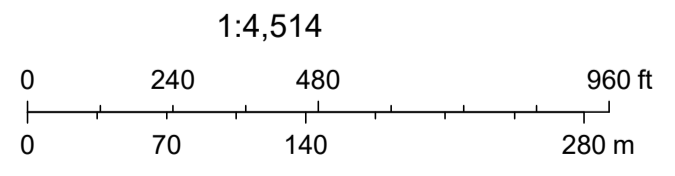




2/19/2026, 4:18:39 PM

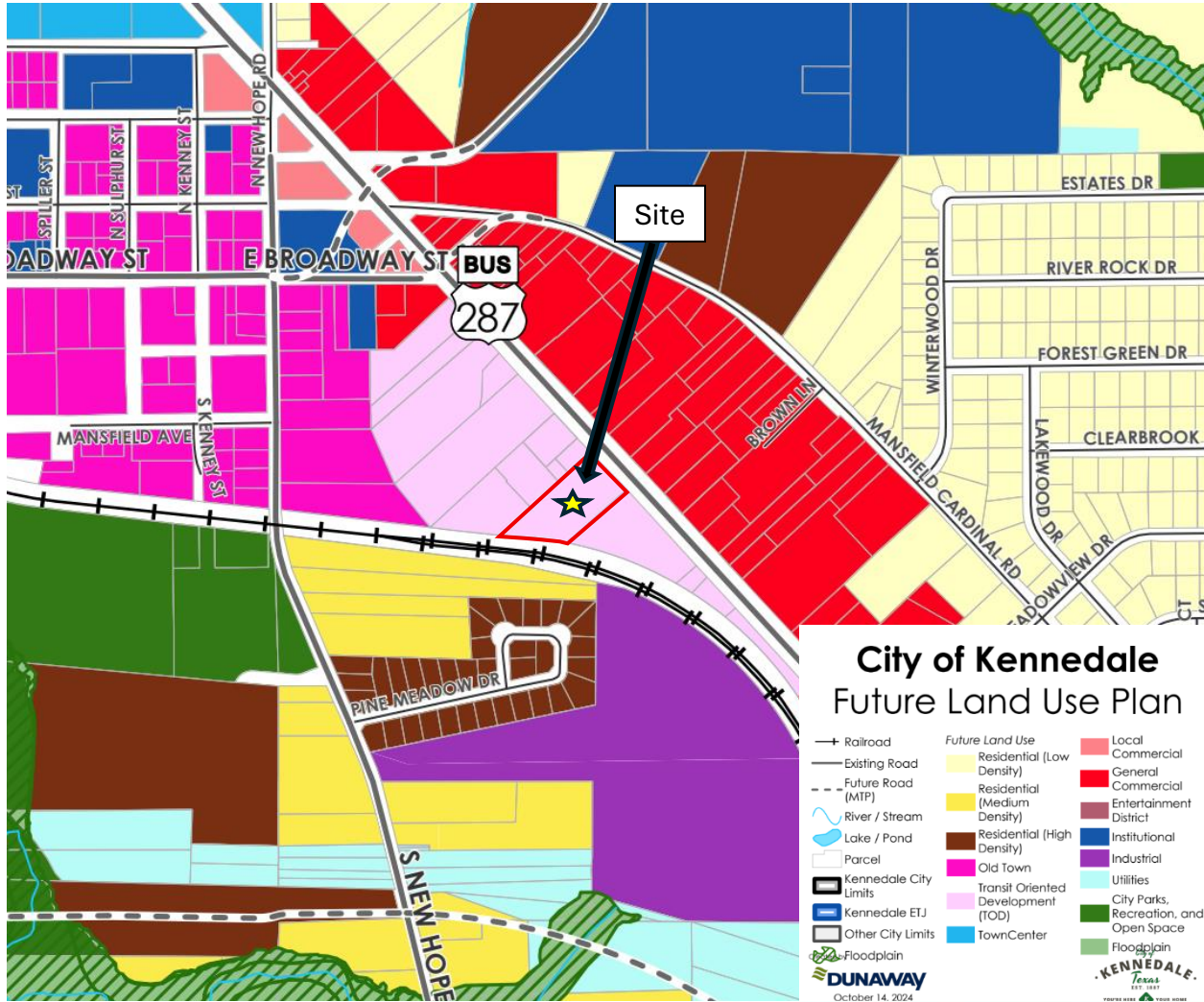
- Overlay Districts - Floodplain
- Floodway
- 1% Annual Chance Flood Hazard
- 0.2% Annual Chance Flood Hazard
- Overlay Districts - Business 287 and Interstate 20/820 Loop
- Zoning (View)
- AG - Agricultural District
- C1 - Restricted Commercial District

- C2 - General Commercial District
- D - Two Family (Duplex) Residential District
- I - Industrial District
- MF - Multi-Family District
- OT-2 - Old Town Sub-District 2
- OT-3 - Old Town Sub-District 3
- OT-4 - Old Town Sub-District 4
- R1 - Single Family Residential District
- R2 - Single Family Residential District
- R3 - Single Family Residential District
- TH - Townhome District
- UV - Urban Village District
- PD - Planned Development District
- City Limits
- TAD Parcels



Vantor, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

Attachment #11 Future Land Use Plan



Transit-Oriented Development (TOD) - The City has established two potential locations for a commuter train or park and ride station, one along Interstate 20 and US 287 in the area known as Oak Crest and a second near the center of the city off Kennedale Pkwy. TOD is a land use pattern and development style with unique characteristics based on the proximity and relationship of property to a transit facility. TOD is intended to be a pedestrian-friendly environment that encourages people to leave their cars at home and use transit. In order to change commuting habits, a variety of activities—shopping, entertainment, employment, and even residential—must be located conveniently to the transit facility. Prioritizing higher density, such as mixed-use buildings with commercial spaces on the ground floor and residential units above, along with enhancing walkability, can further support TOD principles in these areas.



MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM V.A.

SUBJECT
REPORTS AND ANNOUNCEMENTS

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM V.A.1.

SUBJECT

Updates for the City of Kennedale Mayor and City Council

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM V.A.1.a.

SUBJECT

Jeff Nevarez Certified Municipal Official Designation

ORIGINATED BY

Barbara Dahl, City Secretary

SUMMARY

The City of Kennedale, Council Member Place 5, Jeff Nevarez, has been awarded the TML Certified Municipal Official (CMO) designation in recognition of his commitment to continuing education. TML's CMO program requires 60 hours of approved training with at least 30 CEUs of in-person training and a minimum of 1 CEU in five core competencies, which include ethics, finance, governance, open meetings act, and public information act.

The Texas Municipal League is a voluntary association of 1,171 cities in Texas. The City of Kennedale is a member of this Texas Municipal League.

Congratulations Jeff!

RECOMMENDATION

ATTACHMENTS

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM V.A.2.

SUBJECT

Updates from the City of Kennedale City Manager

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM V.A.2.a.

SUBJECT
EverBridge

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM V.A.3.

SUBJECT
Financial Reports for the City and for the EDC

ORIGINATED BY
Jonathan Horton, Finance Director

SUMMARY

RECOMMENDATION
No Action Required

ATTACHMENTS

1.	05 February	05 February.pdf
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**CITY OF KENNEDALE
MONTHLY FINANCIAL REPORT
Month Ended February 2026
EXECUTIVE OVERVIEW**

TO Mayor and Members of City Council
Darrell Hull, City Manager

FROM Jon Horton, Finance Director

DATE March 17, 2026

SUBJECT Monthly Financial Report for February 2026

Below is an overview of the monthly financial results for the current fiscal year through February. Detail schedules for each fund are attached for your review.

Results through February represent 41.7% of the fiscal year.

GENERAL FUND (01)

- ◇ Property tax revenues received year-to-date \$5,775,293; 96.3% of total budget; prior year receipts through February were 96.0% of budget
- ◇ Sales tax revenues received year-to-date \$804,073; 22.0% of total budget; receipts from the State are two months delayed; i.e. October sales taxes are received in December
- ◇ General Fund expenditures year-to-date \$5,001,278; 35.0% of total budget
- ◇ Fund Balance year-to-date is \$7,615,071; 194 days of total budgeted expenditures and transfers out

WATER/SEWER FUND (10)

- ◇ *Water service sales year-to-date \$1,257,467; 29.2% of budget
- ◇ *Sewer service sales year-to-date \$929,433; 40.1% of budget
- ◇ Utility Billing and Operations expenditures year-to-date \$3,501,882; 66.2% of total budget

STORMWATER FUND (07)

- ◇ *Drainage fees year-to-date \$92,499; 30.3% of budget
- ◇ Stormwater Fund expenditures year-to-date \$158,914, 40.8% of total budget

EDC FUND (15)

- ◇ Sales tax revenues received year-to-date \$267,974; 25.6% of total budget; receipts from the State are two months delayed; i.e. October sales taxes are received in December
- ◇ *Rental fees for the Shopping Center year-to-date \$76,816; 32% of budget
- ◇ EDC Operations expenditures year-to-date \$545,378; 45.1% of budget
- ◇ *EDC Town Shopping Center expenditures year-to-date \$237,681; 23.17% of budget
- ◇ Fund Balance year-to-date is \$1,959,203; 320 days of total budgeted expenditures and transfers out.

*Indicates February activity was not available at time of publish.



Department;Progra...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 01 - GENERAL FUND						
Revenue						
00 - REVENUE	13,738,754.00	13,738,754.00	1,321,888.73	7,998,053.33	-5,740,700.67	58.22%
Revenue Total:	13,738,754.00	13,738,754.00	1,321,888.73	7,998,053.33	-5,740,700.67	58.22%
Expense						
01 - CITY MANAGER	868,803.00	868,803.00	69,344.11	336,749.57	532,053.43	38.76%
02 - MAYOR AND COUNCIL	211,550.00	211,550.00	25,369.73	55,077.27	156,472.73	26.04%
03 - CITY SECRETARY	0.00	0.00	0.00	287.65	-287.65	0.00%
04 - MUNICIPAL COURT	332,256.00	332,256.00	19,672.22	99,255.65	233,000.35	29.87%
05 - HUMAN RESOURCES	0.00	0.00	0.00	310.00	-310.00	0.00%
07 - FINANCE	663,130.00	663,130.00	83,803.76	254,335.87	408,794.13	38.35%
09 - POLICE	4,002,396.00	4,002,396.00	217,212.72	1,555,798.67	2,446,597.33	38.87%
10 - FIRE	3,303,998.00	3,303,998.00	249,977.29	1,291,204.88	2,012,793.12	39.08%
12 - COMMUNITY DEVELOPMENT	695,939.00	695,939.00	29,241.77	135,916.05	560,022.95	19.53%
16 - SENIOR CITIZEN CENTER	60,850.00	60,850.00	3,033.64	17,582.43	43,267.57	28.89%
17 - LIBRARY	560,637.00	560,637.00	59,189.08	208,662.90	351,974.10	37.22%
18 - COMMUNICATIONS	19,900.00	19,900.00	214.99	2,752.26	17,147.74	13.83%
20 - PUBLIC WORKS	2,087,877.00	2,087,877.00	99,278.63	488,029.00	1,599,848.00	23.37%
90 - NON DEPARTMENTAL	1,483,723.00	1,483,723.00	33,782.13	555,315.46	928,407.54	37.43%
Expense Total:	14,291,059.00	14,291,059.00	890,120.07	5,001,277.66	9,289,781.34	35.00%
Fund: 01 - GENERAL FUND Surplus (Deficit):	-552,305.00	-552,305.00	431,768.66	2,996,775.67	3,549,080.67	-542.59%
Fund: 02 - GENERAL DEBT SERVICE FUND						
Revenue						
00 - REVENUE	2,946,276.00	2,946,276.00	276,905.36	2,561,605.25	-384,670.75	86.94%
Revenue Total:	2,946,276.00	2,946,276.00	276,905.36	2,561,605.25	-384,670.75	86.94%
Expense						
21 - DEBT SERVICE	2,732,972.00	2,732,972.00	525,494.50	2,335,423.26	397,548.74	85.45%
Expense Total:	2,732,972.00	2,732,972.00	525,494.50	2,335,423.26	397,548.74	85.45%
Fund: 02 - GENERAL DEBT SERVICE FUND Surplus (Deficit):	213,304.00	213,304.00	-248,589.14	226,181.99	12,877.99	106.04%
Fund: 04 - CAPITAL PROJECTS FUND						
Revenue						
00 - REVENUE	127,950.00	127,950.00	13,212.63	57,178.79	-70,771.21	44.69%
Revenue Total:	127,950.00	127,950.00	13,212.63	57,178.79	-70,771.21	44.69%
Expense						
00 - REVENUE	104,475.00	104,475.00	0.00	0.00	104,475.00	0.00%
Expense Total:	104,475.00	104,475.00	0.00	0.00	104,475.00	0.00%
Fund: 04 - CAPITAL PROJECTS FUND Surplus (Deficit):	23,475.00	23,475.00	13,212.63	57,178.79	33,703.79	243.57%
Fund: 05 - CAPITAL REPLACEMENT FUND						
Revenue						
00 - REVENUE	154,200.00	154,200.00	16,625.48	69,865.74	-84,334.26	45.31%
Revenue Total:	154,200.00	154,200.00	16,625.48	69,865.74	-84,334.26	45.31%
Expense						
30 - VEHICLE/COMPUTER REPLACEMENT	4,650.00	4,650.00	291.89	3,286.89	1,363.11	70.69%
Expense Total:	4,650.00	4,650.00	291.89	3,286.89	1,363.11	70.69%
Fund: 05 - CAPITAL REPLACEMENT FUND Surplus (Deficit):	149,550.00	149,550.00	16,333.59	66,578.85	-82,971.15	44.52%
Fund: 07 - STORMWATER UTILITY FUND						
Revenue						
00 - REVENUE	345,200.00	345,200.00	2,275.66	102,922.32	-242,277.68	29.82%

Budget Report

For Fiscal: 2025-2026 Period Ending: 02/28/2026

Department;Progra...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Revenue Total:	345,200.00	345,200.00	2,275.66	102,922.32	-242,277.68	29.82%
Expense						
35 - STORMWATER UTILITY FEE	389,872.00	389,872.00	47,688.54	158,913.98	230,958.02	40.76%
Expense Total:	389,872.00	389,872.00	47,688.54	158,913.98	230,958.02	40.76%
Fund: 07 - STORMWATER UTILITY FUND Surplus (Deficit):	-44,672.00	-44,672.00	-45,412.88	-55,991.66	-11,319.66	125.34%
Fund: 10 - WATER/SEWER FUND						
Revenue						
00 - REVENUE	19,004,691.00	19,004,691.00	68,228.09	2,552,654.78	-16,452,036.22	13.43%
Revenue Total:	19,004,691.00	19,004,691.00	68,228.09	2,552,654.78	-16,452,036.22	13.43%
Expense						
36 - WATER/SEWER	17,981,739.00	17,981,739.00	471,858.42	4,069,488.61	13,912,250.39	22.63%
90 - NON DEPARTMENTAL	889,139.00	889,139.00	70,889.49	377,097.11	512,041.89	42.41%
Expense Total:	18,870,878.00	18,870,878.00	542,747.91	4,446,585.72	14,424,292.28	23.56%
Fund: 10 - WATER/SEWER FUND Surplus (Deficit):	133,813.00	133,813.00	-474,519.82	-1,893,930.94	-2,027,743.94	-1,415.36%
Fund: 12 - COURT SECURITY FUND						
Revenue						
00 - REVENUE	0.00	0.00	1,029.94	3,474.58	3,474.58	0.00%
Revenue Total:	0.00	0.00	1,029.94	3,474.58	3,474.58	0.00%
Expense						
00 - REVENUE	18,146.00	18,146.00	0.00	0.00	18,146.00	0.00%
Expense Total:	18,146.00	18,146.00	0.00	0.00	18,146.00	0.00%
Fund: 12 - COURT SECURITY FUND Surplus (Deficit):	-18,146.00	-18,146.00	1,029.94	3,474.58	21,620.58	-19.15%
Fund: 13 - CAPITAL BOND FUND						
Revenue						
00 - REVENUE	356,600.00	356,600.00	36,791.10	182,278.72	-174,321.28	51.12%
Revenue Total:	356,600.00	356,600.00	36,791.10	182,278.72	-174,321.28	51.12%
Expense						
11 - CAPITAL PROJ-FIRE STATION	5,089,549.00	5,089,549.00	549,358.55	2,928,268.62	2,161,280.38	57.53%
43 - SAFE ROUTES TO SCHOOL	0.00	0.00	1,558.75	2,982.50	-2,982.50	0.00%
46 - 3 CTY ROAD/CIP 2008 & PRIOR	900,000.00	900,000.00	224,348.44	463,204.85	436,795.15	51.47%
51 - SONORA PARK	2,000,000.00	2,000,000.00	5,202.00	79,577.00	1,920,423.00	3.98%
Expense Total:	7,989,549.00	7,989,549.00	780,467.74	3,474,032.97	4,515,516.03	43.48%
Fund: 13 - CAPITAL BOND FUND Surplus (Deficit):	-7,632,949.00	-7,632,949.00	-743,676.64	-3,291,754.25	4,341,194.75	43.13%
Fund: 14 - PARK DEDICATION FUND						
Revenue						
00 - REVENUE	16,000.00	16,000.00	788.34	3,511.51	-12,488.49	21.95%
Revenue Total:	16,000.00	16,000.00	788.34	3,511.51	-12,488.49	21.95%
Expense						
51 - SONORA PARK	160,000.00	160,000.00	0.00	0.00	160,000.00	0.00%
Expense Total:	160,000.00	160,000.00	0.00	0.00	160,000.00	0.00%
Fund: 14 - PARK DEDICATION FUND Surplus (Deficit):	-144,000.00	-144,000.00	788.34	3,511.51	147,511.51	-2.44%
Fund: 15 - EDC4B FUND						
Revenue						
00 - REVENUE	1,438,223.00	1,438,223.00	97,965.55	416,720.38	-1,021,502.62	28.97%
Revenue Total:	1,438,223.00	1,438,223.00	97,965.55	416,720.38	-1,021,502.62	28.97%
Expense						
06 - ADMINISTRATION	1,210,257.00	1,210,257.00	66,444.03	545,378.10	664,878.90	45.06%
53 - TOWN SHOPPING CENTER	1,025,765.00	1,025,765.00	127.36	237,681.41	788,083.59	23.17%
Expense Total:	2,236,022.00	2,236,022.00	66,571.39	783,059.51	1,452,962.49	35.02%
Fund: 15 - EDC4B FUND Surplus (Deficit):	-797,799.00	-797,799.00	31,394.16	-366,339.13	431,459.87	45.92%

Budget Report

For Fiscal: 2025-2026 Period Ending: 02/28/2026

Department;Progra...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 16 - COURT TECHNOLOGY FUND						
Revenue						
00 - REVENUE	0.00	0.00	840.05	2,840.36	2,840.36	0.00%
Revenue Total:	0.00	0.00	840.05	2,840.36	2,840.36	0.00%
Expense						
00 - REVENUE	13,202.00	13,202.00	1,486.50	1,486.50	11,715.50	11.26%
Expense Total:	13,202.00	13,202.00	1,486.50	1,486.50	11,715.50	11.26%
Fund: 16 - COURT TECHNOLOGY FUND Surplus (Deficit):	-13,202.00	-13,202.00	-646.45	1,353.86	14,555.86	-10.25%
Fund: 18 - LOCAL YOUTH DIVERSION FUND						
Revenue						
00 - REVENUE	550.00	550.00	29.77	132.59	-417.41	24.11%
Revenue Total:	550.00	550.00	29.77	132.59	-417.41	24.11%
Expense						
56 - LOCAL YOUTH DIVERSION	10,000.00	10,000.00	0.00	0.00	10,000.00	0.00%
Expense Total:	10,000.00	10,000.00	0.00	0.00	10,000.00	0.00%
Fund: 18 - LOCAL YOUTH DIVERSION FUND Surplus (Deficit):	-9,450.00	-9,450.00	29.77	132.59	9,582.59	-1.40%
Fund: 19 - MUNICIPAL COURT BUILDING SECURITY&TECHNOLOGY ...						
Revenue						
00 - REVENUE	16,825.00	16,825.00	0.00	0.00	-16,825.00	0.00%
Revenue Total:	16,825.00	16,825.00	0.00	0.00	-16,825.00	0.00%
Expense						
04 - MUNICIPAL COURT	10,000.00	10,000.00	0.00	0.00	10,000.00	0.00%
Expense Total:	10,000.00	10,000.00	0.00	0.00	10,000.00	0.00%
Fund: 19 - MUNICIPAL COURT BUILDING SECURITY&TECHNOLOGY ...	6,825.00	6,825.00	0.00	0.00	-6,825.00	0.00%
Fund: 21 - TIF #1 (NEW HOPE) FUND						
Revenue						
00 - REVENUE	297,715.00	297,715.00	1,791.77	8,387.94	-289,327.06	2.82%
Revenue Total:	297,715.00	297,715.00	1,791.77	8,387.94	-289,327.06	2.82%
Expense						
06 - ADMINISTRATION	150,000.00	150,000.00	0.00	0.00	150,000.00	0.00%
Expense Total:	150,000.00	150,000.00	0.00	0.00	150,000.00	0.00%
Fund: 21 - TIF #1 (NEW HOPE) FUND Surplus (Deficit):	147,715.00	147,715.00	1,791.77	8,387.94	-139,327.06	5.68%
Fund: 30 - HOTEL/MOTEL TAX FUND						
Revenue						
00 - REVENUE	29,750.00	29,750.00	2,322.98	6,478.88	-23,271.12	21.78%
Revenue Total:	29,750.00	29,750.00	2,322.98	6,478.88	-23,271.12	21.78%
Expense						
06 - ADMINISTRATION	20,000.00	20,000.00	0.00	0.00	20,000.00	0.00%
Expense Total:	20,000.00	20,000.00	0.00	0.00	20,000.00	0.00%
Fund: 30 - HOTEL/MOTEL TAX FUND Surplus (Deficit):	9,750.00	9,750.00	2,322.98	6,478.88	-3,271.12	66.45%
Fund: 31 - POLICE SEIZURE FUND						
Revenue						
00 - REVENUE	9,150.00	9,150.00	7,474.55	8,102.20	-1,047.80	88.55%
Revenue Total:	9,150.00	9,150.00	7,474.55	8,102.20	-1,047.80	88.55%
Expense						
06 - ADMINISTRATION	32,000.00	32,000.00	0.00	0.00	32,000.00	0.00%
Expense Total:	32,000.00	32,000.00	0.00	0.00	32,000.00	0.00%
Fund: 31 - POLICE SEIZURE FUND Surplus (Deficit):	-22,850.00	-22,850.00	7,474.55	8,102.20	30,952.20	-35.46%
Fund: 32 - LIBRARY BUILDING FUND						
Revenue						
00 - REVENUE	241.00	241.00	21.07	66.60	-174.40	27.63%

Budget Report

For Fiscal: 2025-2026 Period Ending: 02/28/2026

Department;Progra...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Revenue Total:	241.00	241.00	21.07	66.60	-174.40	27.63%
Fund: 32 - LIBRARY BUILDING FUND Total:	241.00	241.00	21.07	66.60	-174.40	27.63%
Fund: 34 - LEOSE FUND						
Revenue						
00 - REVENUE	3,790.00	3,790.00	5.52	24.59	-3,765.41	0.65%
Revenue Total:	3,790.00	3,790.00	5.52	24.59	-3,765.41	0.65%
Expense						
09 - POLICE	5,500.00	5,500.00	0.00	0.00	5,500.00	0.00%
Expense Total:	5,500.00	5,500.00	0.00	0.00	5,500.00	0.00%
Fund: 34 - LEOSE FUND Surplus (Deficit):	-1,710.00	-1,710.00	5.52	24.59	1,734.59	-1.44%
Fund: 35 - DISASTER RECOVERY FUND						
Revenue						
00 - REVENUE	1,295,000.00	1,295,000.00	505.04	3,375.13	-1,291,624.87	0.26%
Revenue Total:	1,295,000.00	1,295,000.00	505.04	3,375.13	-1,291,624.87	0.26%
Expense						
06 - ADMINISTRATION	1,250,000.00	1,250,000.00	22,601.84	90,236.75	1,159,763.25	7.22%
Expense Total:	1,250,000.00	1,250,000.00	22,601.84	90,236.75	1,159,763.25	7.22%
Fund: 35 - DISASTER RECOVERY FUND Surplus (Deficit):	45,000.00	45,000.00	-22,096.80	-86,861.62	-131,861.62	-193.03%
Fund: 40 - GRANT FUND						
Revenue						
00 - REVENUE	0.00	0.00	13.23	19.60	19.60	0.00%
10 - FIRE	0.00	0.00	0.00	580,000.00	580,000.00	0.00%
Revenue Total:	0.00	0.00	13.23	580,019.60	580,019.60	0.00%
Expense						
10 - FIRE	0.00	0.00	0.00	391,251.97	-391,251.97	0.00%
17 - LIBRARY	0.00	0.00	0.00	1,029.07	-1,029.07	0.00%
Expense Total:	0.00	0.00	0.00	392,281.04	-392,281.04	0.00%
Fund: 40 - GRANT FUND Surplus (Deficit):	0.00	0.00	13.23	187,738.56	187,738.56	0.00%
Fund: 41 - PARK REC/OTHER DONATION FUND						
Revenue						
00 - REVENUE	2,550.00	2,550.00	75.15	336.08	-2,213.92	13.18%
Revenue Total:	2,550.00	2,550.00	75.15	336.08	-2,213.92	13.18%
Expense						
09 - POLICE	8,000.00	8,000.00	0.00	0.00	8,000.00	0.00%
63 - BARK AT THE PARK	1,500.00	1,500.00	0.00	0.00	1,500.00	0.00%
Expense Total:	9,500.00	9,500.00	0.00	0.00	9,500.00	0.00%
Fund: 41 - PARK REC/OTHER DONATION FUND Surplus (Deficit):	-6,950.00	-6,950.00	75.15	336.08	7,286.08	-4.84%
Fund: 45 - ROADWAY IMPACT FEE FUND						
Revenue						
00 - REVENUE	34,000.00	34,000.00	2,706.01	57,692.59	23,692.59	169.68%
Revenue Total:	34,000.00	34,000.00	2,706.01	57,692.59	23,692.59	169.68%
Expense						
71 - IMPACT FEE	157,525.00	357,525.00	8,960.27	44,801.35	312,723.65	12.53%
Expense Total:	157,525.00	357,525.00	8,960.27	44,801.35	312,723.65	12.53%
Fund: 45 - ROADWAY IMPACT FEE FUND Surplus (Deficit):	-123,525.00	-323,525.00	-6,254.26	12,891.24	336,416.24	-3.98%
Fund: 61 - WATER IMPACT FUND						
Revenue						
00 - REVENUE	19,000.00	19,000.00	255.41	4,252.19	-14,747.81	22.38%
Revenue Total:	19,000.00	19,000.00	255.41	4,252.19	-14,747.81	22.38%

Budget Report

For Fiscal: 2025-2026 Period Ending: 02/28/2026

Department;Progra...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Expense						
00 - REVENUE	30,000.00	30,000.00	2,500.00	12,500.00	17,500.00	41.67%
Expense Total:	30,000.00	30,000.00	2,500.00	12,500.00	17,500.00	41.67%
Fund: 61 - WATER IMPACT FUND Surplus (Deficit):	-11,000.00	-11,000.00	-2,244.59	-8,247.81	2,752.19	74.98%
Fund: 62 - SEWER IMPACT FUND						
Revenue						
00 - REVENUE	20,000.00	20,000.00	128.36	692.04	-19,307.96	3.46%
Revenue Total:	20,000.00	20,000.00	128.36	692.04	-19,307.96	3.46%
Expense						
00 - REVENUE	60,000.00	60,000.00	5,000.00	25,000.00	35,000.00	41.67%
Expense Total:	60,000.00	60,000.00	5,000.00	25,000.00	35,000.00	41.67%
Fund: 62 - SEWER IMPACT FUND Surplus (Deficit):	-40,000.00	-40,000.00	-4,871.64	-24,307.96	15,692.04	60.77%
Fund: 83 - TREE REFORESTATION FUND						
Revenue						
00 - REVENUE	4,500.00	4,500.00	252.85	1,126.27	-3,373.73	25.03%
Revenue Total:	4,500.00	4,500.00	252.85	1,126.27	-3,373.73	25.03%
Fund: 83 - TREE REFORESTATION FUND Total:	4,500.00	4,500.00	252.85	1,126.27	-3,373.73	25.03%
Fund: 95 - EDC4B BOND RESERVE FUND						
Revenue						
00 - REVENUE	6,500.00	6,500.00	420.47	1,872.92	-4,627.08	28.81%
Revenue Total:	6,500.00	6,500.00	420.47	1,872.92	-4,627.08	28.81%
Fund: 95 - EDC4B BOND RESERVE FUND Total:	6,500.00	6,500.00	420.47	1,872.92	-4,627.08	28.81%
Report Surplus (Deficit):	-8,677,885.00	-8,877,885.00	-1,041,377.54	-2,145,220.25	6,732,664.75	24.16%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
01 - GENERAL FUND	-552,305.00	-552,305.00	431,768.66	2,996,775.67	3,549,080.67
02 - GENERAL DEBT SERVICE FUND	213,304.00	213,304.00	-248,589.14	226,181.99	12,877.99
04 - CAPITAL PROJECTS FUND	23,475.00	23,475.00	13,212.63	57,178.79	33,703.79
05 - CAPITAL REPLACEMENT FUND	149,550.00	149,550.00	16,333.59	66,578.85	-82,971.15
07 - STORMWATER UTILITY FUND	-44,672.00	-44,672.00	-45,412.88	-55,991.66	-11,319.66
10 - WATER/SEWER FUND	133,813.00	133,813.00	-474,519.82	-1,893,930.94	-2,027,743.94
12 - COURT SECURITY FUND	-18,146.00	-18,146.00	1,029.94	3,474.58	21,620.58
13 - CAPITAL BOND FUND	-7,632,949.00	-7,632,949.00	-743,676.64	-3,291,754.25	4,341,194.75
14 - PARK DEDICATION FUND	-144,000.00	-144,000.00	788.34	3,511.51	147,511.51
15 - EDC4B FUND	-797,799.00	-797,799.00	31,394.16	-366,339.13	431,459.87
16 - COURT TECHNOLOGY FUND	-13,202.00	-13,202.00	-646.45	1,353.86	14,555.86
18 - LOCAL YOUTH DIVERSION FUND	-9,450.00	-9,450.00	29.77	132.59	9,582.59
19 - MUNICIPAL COURT BUILDING	6,825.00	6,825.00	0.00	0.00	-6,825.00
21 - TIF #1 (NEW HOPE) FUND	147,715.00	147,715.00	1,791.77	8,387.94	-139,327.06
30 - HOTEL/MOTEL TAX FUND	9,750.00	9,750.00	2,322.98	6,478.88	-3,271.12
31 - POLICE SEIZURE FUND	-22,850.00	-22,850.00	7,474.55	8,102.20	30,952.20
32 - LIBRARY BUILDING FUND	241.00	241.00	21.07	66.60	-174.40
34 - LEOSE FUND	-1,710.00	-1,710.00	5.52	24.59	1,734.59
35 - DISASTER RECOVERY FUND	45,000.00	45,000.00	-22,096.80	-86,861.62	-131,861.62
40 - GRANT FUND	0.00	0.00	13.23	187,738.56	187,738.56
41 - PARK REC/OTHER DONATION	-6,950.00	-6,950.00	75.15	336.08	7,286.08
45 - ROADWAY IMPACT FEE FUND	-123,525.00	-323,525.00	-6,254.26	12,891.24	336,416.24
61 - WATER IMPACT FUND	-11,000.00	-11,000.00	-2,244.59	-8,247.81	2,752.19
62 - SEWER IMPACT FUND	-40,000.00	-40,000.00	-4,871.64	-24,307.96	15,692.04
83 - TREE REFORESTATION FUND	4,500.00	4,500.00	252.85	1,126.27	-3,373.73
95 - EDC4B BOND RESERVE FUND	6,500.00	6,500.00	420.47	1,872.92	-4,627.08
Report Surplus (Deficit):	-8,677,885.00	-8,877,885.00	-1,041,377.54	-2,145,220.25	6,732,664.75



**CITY OF KENNEDALE
FISCAL YEAR TO DATE SUMMARY BY FUND
THROUGH FEBRUARY 28, 2026**

Fund	**Beginning Balance as of 10/1/2025	FYTD Fiscal Activity	Ending Balance	Average Daily Annual Exp	Days of Fund Balance	Reserve %
01 - GENERAL FUND*	4,618,295	2,996,776	7,615,071	39,153.59	194.49	53%
02 - GENERAL DEBT SERVICE FUND	1,193,169	226,182	1,419,351			
04 - CAPITAL PROJECTS FUND	287,152	57,179	344,330			
05 - CAPITAL REPLACEMENT FUND	(47,238)	66,579	19,341			
07 - STORMWATER UTILITY FUND*	874,176	(55,992)	818,184	1,068.14	765.99	
10 - WATER/SEWER FUND*	18,959,298	(1,893,931)	17,065,367	51,187.27	333.39	91%
12 - COURT SECURITY FUND	19,767	3,475	23,242			
13 - CAPITAL BOND FUND	17,438,940	(3,291,754)	14,147,185			
14 - PARK DEDICATION FUND	280,168	3,512	283,679			
15 - EDC4B FUND*	2,325,542	(366,339)	1,959,203	6,126.09	319.81	88%
16 - COURT TECHNOLOGY FUND	16,655	1,354	18,009			
18 - LOCAL YOUTH DIVERSION FU	10,191	133	10,324			
19 - COURT BUILDING SECURITY & TECH	-	-	-			
21 - TIF #1 (NEW HOPE) FUND	249,818	8,388	258,206			
30 - HOTEL/MOTEL TAX FUND	93,152	6,479	99,631			
31 - POLICE SEIZURE FUND	2,441	8,102	10,543			
32 - LIBRARY BUILDING FUND	(816)	67	(749)			
34 - LEOSE FUND	1,889	25	1,914			
35 - DISASTER RECOVERY FUND	(1,260,448)	(86,862)	(1,347,310)			
40 - GRANT FUND	(183,152)	187,739	4,587			
41 - PARK REC/OTHER DONATION	5,840	336	6,176			
45 - ROADWAY IMPACT FEE FUND	357,888	12,891	370,780			
61 - WATER IMPACT FUND	95,571	(8,248)	87,324			
62 - SEWER IMPACT FUND	66,326	(24,308)	42,018			
83 - TREE REFORESTATION FUND	86,555	1,126	87,681			
85 - UNCLAIMED PROPERTY FUND	334	-	334			
95 - EDC4B BOND RESERVE FUND	143,938	1,873	145,811			
Report Surplus (Deficit):	45,635,451	(2,145,220)	43,490,230			

**Unaudited



**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.B.

SUBJECT
CONSENT AGENDA

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.B.1.

SUBJECT
February 17, 2026 City Council Minutes

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	February 17, 2026 City Council Regular Meeting minutes 1	February 17, 2026 City Council Regular Meeting minutes 1.docx
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KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | FEBRUARY 17, 2026 AT 5:45 PM
CITY HALL COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE, KENNEDALE, TX 76060

I. CALL TO ORDER – Mayor Horton opened the meeting late due to some Audio/Visual issues at 5:45pm

A.

ROLL CALL

Mayor Brad Horton- Present
Council Member Place 1- David Glover- Present
Council Member Place 2- Thelma Kobeck- Present
Mayor Pro Tem/ Place 3- Kenneth Michels- Present
Council Member Place 4- VACANT
Council Member Place 5- Jeff Nevarez- Present

All Council members were present constituting a quorum.

The City Manager, City Attorney, City Secretary, and various department directors were also present.

B. INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS-

Council Member Place 5, Jeff Nevarez gave an invocation

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

II. PUBLIC COMMENT

The Kennedale City Council welcomes comments from the public. Those wishing to speak must sign in prior to the start of the meeting. Speakers may speak on any topic, whether on the agenda or not. The Kennedale City Council cannot act upon, discuss issues raised or make any decisions at this time. Speakers under citizens' comments shall observe a three-minute time limit. Inquiries regarding matters not listed on this agenda may be referred to staff for research and/or possible future action by the board.

1. Tracy Hardy spoke regarding her opposition with PZ case #25-17

III Presentations

- A. A Proclamation was presented for Mrs. Berta L. Fullwood. Mrs. Berta celebrated her 100th birthday on February 3rd. Mayor Horton proclaimed that February 17th, 2026 be known as "Mrs. Berta L. Fullwood Day", Mrs. Berta and her family were in attendance to help her celebrate this great honor.
- B. Lori Glovier- Community Leader of the Year. Mayor Horton presented Mrs. Lori Glovier with the Community Leader of the Year award. Mrs. Glovier had her family in attendance to help to celebrate this honor.
- C. Judge Bill Lane- In Recognition of 24 years of Service, Mayor Horton recognized Judge Bill Lane for his 24 years of honorable service to the City of Kennedale. Mr. Lane was not in attendance.
- D. Mayor Horton read a Proclamation designating February as Black History Month in the City of Kennedale.
- E. Kennedale Community Survey Results Community Survey results were presented by Kate Latimore Norris and her team ; Linda Pavick and Alex Santiago from a local community engagement firm. There were 491 responses to the survey.

Some of the key takeaways were that Kennedale is A great place to live, raise a family, and retire while perceptions are more mixed when considering the City's role as an employment center or visitor destination.

Fire and Emergency Medical Services (EMS) was among the highest-rated services with an overwhelmingly high share of satisfied responses. Open-ended comments frequently highlighted fast response times and professionalism, including several detailed examples describing emergency medical care and assistance during urgent situations.

Many comments described parks as attractive, enjoyable, and wellused, with particular appreciation for recent improvements and amenities that support families.

Many respondents cited positive experiences with seasonal events and family-oriented programming. Positive comments highlighted the value of the senior center as a place for connection, activities, and services.

Youth sports programs, recreational opportunities and street maintenance were the lowest-rated categories. Responses frequently expressed a desire for stronger youth sports offerings within Kennedale, more accessible local leagues, and improved or better maintained fields and facilities. Several comments referenced frustration with the need to travel to neighboring communities, suggesting that youth sports are closely tied to community identity and perceptions of “small-town”.

Public safety, Fire and EMS, and the Library consistently emerge as strengths, characterized by high satisfaction, strong personal trust, and frequent positive firsthand experiences.

These results suggest that stakeholders are seeking connected, well-maintained, and highly usable recreational spaces that support daily activity, family life, and neighborhood interaction.

The surveys show that the residents value Kennedale deeply. Respondents expressed pride in the city’s character with high confidence in essential services, and clear priorities centered on infrastructure, connectivity, recreation and everyday livability.

III. PUBLIC HEARING

- A. **PZ CASE #25-17** to RESUME a public hearing and consider a proposed zoning change from “MF – MULTI-FAMILY” to a “PD – PLANNED DEVELOPMENT” for the property located at 3100 Joplin Rd, Parcel 42979020, Vaquero Coker Addition, BLOCK 1, LOT 2R1 of the City of Kennedale, Tarrant County, Texas, 76060. ** This Item is a CONTINUATION from the December 16, 2025, and the January 20, 2026 City Council Meetings** City Council Meeting**

Mayor Horton stated that due to a conflict of interest, he will not participate in the PZ case 25-17 and turned the gavel over to Mayor ProTem Michels and excused himself from the Council Chambers.

Mayor ProTem announced that he was moving up the Ordinance #791 (Agenda Item V1.) that relates to PZ Case 25-17 to immediately following the Public Hearing. That way both related items can be reviewed concurrently.

Mayor ProTem reopened the Public Hearing at 6:17pm.

Tracy Hardy spoke regarding her opposition with PZ case #25-17

Mayor ProTem Michels closed the Public Hearing at 6:22 p.m.

1. **Ordinance # 791** PZ CASE #25-17 to RESUME and consider a proposed zoning change from “MF – MULTI-FAMILY” to a “PD – PLANNED DEVELOPMENT” for the property located at 3100 Joplin Rd, Parcel 42979020, Vaquero Coker Addition, BLOCK 1, LOT 2R1 of the City of Kennedale, Tarrant County, Texas, 76060. ** This Item is a CONTINUATION from the December 16, 2025 and the January 20, 2026 City Council Meetings**

Community Development Director, Mr. Ed McRoy, gave a brief update on the ordinance. Mr. Bill Dahlstrom, the applicant, spoke in favor of the Ordinance. Stating that this plan is consistent with the comprehensive plan.

This item was also approved for recommendation thru the Planning and Zoning Commission. Mr. Dahlstrom went over all of the improvements that have been made in the last several months.

Council Member Nevarez made a motion to approve Ordinance #791
Council Member Glover 2nd the Motion
Council Member Kobeck voted in opposition,
No Abstention
The motion **passed** 3-1

- B. **PZ CASE #25-20** to conduct a public hearing and consider a proposed zoning change from “R1 – SINGLE FAMILY RESIDENTIAL DISTRICT” TO A “PD – PLANNED DEVELOPMENT” for properties located at 4365 Dick Price Rd., Parcel 04189140, SNIDER, E S SURVEY Abstract 1445 Tract 1A .721 AC INTO PLAT D21707184, 4365 S Dick Price Rd., Parcel 42293721, SNIDER ADDITION, Block 1, Lot 1 and 4431 DICK PRICE RD, PARCEL 04189132, SNIDER, E S SURVEY Abstract 1445 Tract 1 1969 12 X 56 .336 AC INTO PLAT D217007184 of the City of Kennedale, Tarrant County, Texas, 76060. * This Item is a CONTINUATION from the January 20, 2026 City Council Meeting*

6:52 pm the Public Hearing was opened. There was no public comment.

The Public Hearing was closed at 6:57 P.M.

IV. REGULAR SESSION

A. REPORTS AND ANNOUNCEMENTS

In addition to any items below, the Kennedale City Council, the presiding officer, and/or staff may give or receive reports regarding items of community interest, including, but not limited to, recognition of officials, citizens, staff, or departments; information regarding holiday schedules; and upcoming or attended events.

1. Updates from the City of Kennedale Mayor and City Council

Council Member Neveraz Reported on the Ice Storm. He stated there was no major issues with infrastructure. He attended the Employee Banquet, with lots of fun activities. Council Member Neveraz is also a participant into the upcoming Chili Cookoff on February 28th. Council Member Neveraz also congratulated Mayor ProTem for receiving the “Councilman of the Year” award.

Mayor ProTem Michels Attended the Employee Banquet and had a good time as well as Death by Chocolate.

Council Member Kobeck -Regrettably had to miss the Employee Banquet but thanked the staff for all the extra work done relating to the ice storm.

Council Member Glover – Attended the Employee Banquet, thank you to all staff. He will be teaming up with Council Member Nevarez to participate in the Chili Cookoff.

Mayor Horton stated Good Luck to the Men’s Basketball team. Also, the Mayor read a press release regarding Mayor ProTem, Kenneth Michels earning the Certified Municipal Official (CMO) Designation.

2. Updates from the City of Kennedale City Manager

In the interest of time, Mr. Hull did not present an update.

3. Financial Reports for the City - Jon Horton

- a. Quarterly Investment Report Finance Director also gave the Quarterly Investment Report.

Finance Director Jon Horton gave a brief report of the Monthly Financial Report for January 2026.

Results through January represent 33.3% of the fiscal year.

GENERAL FUND (01)

◇ Property tax revenues received year-to-date \$5,154,122; 85.9% of total budget; prior year receipts through January were 88.9% of budget

◇ Sales tax revenues received year-to-date \$541,258; 14.8% of total budget; receipts from the State are two months delayed; i.e. October sales taxes are received in December

◇ General Fund expenditures year-to-date \$4,102,953; 28.7% of total budget

◇ Fund Balance year-to-date is \$7,189,950; 183.6 days of total budgeted expenditures and transfers out

WATER/SEWER FUND (10)

◇ *Water service sales year-to-date \$826,425; 19.1% of budget

◇ *Sewer service sales year-to-date \$699,087; 30.2% of budget

◇ Utility Billing and Operations expenditures year-to-date \$2,680,018; 50.6% of total budget

STORMWATER FUND (07)

◇ *Drainage fees year-to-date \$69,656; 22.8% of budget

◇ Stormwater Fund expenditures year-to-date \$111,225, 28.5% of total budget

EDC FUND (15)

◇ Sales tax revenues received year-to-date \$180,410; 17.3% of total budget; receipts from the State are two months delayed; i.e. October sales taxes are received in December

◇ Rental fees for the Shopping Center year-to-date \$76,816; 32% of budget

◇ EDC Operations expenditures year-to-date \$412,172; 39.8% of budget

◇ EDC Town Shopping Center expenditures year-to-date \$237,554; 23.16% of budget

◇ Fund Balance year-to-date is \$1,927,808; 314 days of total budgeted expenditures and transfers out.

*Indicates January activity was not available at time of publish.

B. CONSENT AGENDA

These matters have appeared on previous agendas, require little or no deliberation, or are considered routine or ministerial tasks. If discussion is desired, items may be removed for separate consideration.

1. Amended Resolution 642- Election Calendar update to include Holiday Closure
2. January 20, 2026 City Council Regular Meeting Minutes
3. February 9, 2026 City Council Special Meeting Minutes

Mayor ProTem Michels moved to approve the Consent Agenda
Council Member Kobeck 2nd the motion
No opposition, No Abstention
The motion **passed** 4-0 unanimously

C. ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION

2. **Ordinance # 792** PZ CASE #25-20 to consider a proposed zoning change from “R1 – SINGLE FAMILY RESIDENTIAL DISTRICT” TO A “PD – PLANNED DEVELOPMENT” for properties located at 4365 Dick Price Rd., Parcel 04189140, SNIDER, E S SURVEY Abstract 1445 Tract 1A .721 AC INTO PLAT D21707184, 4365 S Dick Price Rd., Parcel 42293721, SNIDER ADDITION, Block 1, Lot 1 and 4431 DICK PRICE RD, PARCEL 04189132, SNIDER, E S SURVEY Abstract 1445 Tract 1 1969 12 X 56 .336 AC INTO PLAT D217007184 of the City of Kennedale, Tarrant County, Texas, 76060. * This Item is a CONTINUATION from the January 20, 2026 City Council Meeting*

The applicant, Mr. Ross Melton, addressed the council and answered question and concerns.

The applicants have specifically requested two modifications striking out the requirement for a concert pad. That way it goes back to the state standards and allowing for the larger carport as they requested.

Mayor ProTem Michels moved to approve Ordinance #792 with striking line E on pad site and on item D parking maximum of one 20x20 carport.

Council Member Nevarez 2nd the motion
City Attorney did clarify the motion.
With one opposition from Council Member Kobeck, No Abstention
The motion **passed** 3-1

3. **Resolution #644** of Support for an Application to the Texas Department of Housing and Community Affairs (TDHCA) by Sphinx Development Corporation in relation to the 2026 Housing Tax Credit Program.

Community Development Director McRoy gave a brief presentation regarding the need for the Resolution. The applicant, Ethan Enemkpali, did address the council and answered questions and concerns regarding the application. He did also ask if the council could remove the amount of units from the resolution. City Manager Hull stated that it was just the resolution and not the planning application so it wouldn't matter that this step.

Council Member Glover moved to approve Resolution #644
Council Member Nevarez 2nd the motion
One opposition, No Abstention
The motion **passed** 3-1, with Council Member Kobeck voting against motion.

4. **SRO Contract with Kennedale I.S.D.**

City Manager Hull did a short presentation regarding the new contract. The biggest difference with this contract from before is the school is paying for one officer and we are paying 50/50 on the second officer. Mr Hull did present an amendment to allow pay increases and cost of living increases approved by the City Council throughout the term of the their agreement.

Council Member Nevarez moved to approve the SRO contract with Kennedale I.S.D.
Mayor ProTem Michels 2nd the motion
No opposition, No Abstention
The motion **passed** 4-0 unanimously

5. **Water Bill Termination Extension to 30 days**

City Manager Hull did a short presentation regarding the current policy and the potential suggested extension.

Council Member Nevarez moved to approve The Water Bill Termination Extension.
Council Member Kobeck 2nd the motion
No opposition, No Abstention
The motion **passed** 4-0 unanimously

Mayor Horton requested a motion to go into executive session.
Council Member Kobeck moved that they go into executive session.
Council Member Mayor ProTem Michels 2nd the motion.

No opposition, No Abstention
The motion **passed** 4-0 unanimously

Mayor Horton recessed the regular meeting in order to open Executive session at 7:39pm

V. EXECUTIVE SESSION

IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. If, during the course of the meeting and discussion of any items covered by this notice, the Kennedale City Council determines that a Closed or Executive session of the Board is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 consultation with counsel on legal matters; Section 551.074 personnel matters (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee. (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing. Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 - deliberation regarding a prospective gift; Section 551.087 - deliberation regarding economic development negotiation; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the Kennedale City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

A. Chapter 551.Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property;

Description: Proposed Land Purchase

VI. RECONVENE INTO OPEN SESSION @ 7:56pm

VII. ADJOURNMENT With no further business, Mayor Horton asked for a motion to adjourn the meeting.

Council Member Kobeck moved to Adjourn
Council Member Glover 2nd the motion.
Meeting adjourned at 7:57pm

APPROVED:

ATTEST:

MAYOR -BRAD HORTON

CITY SECRETARY- BARBARA DAHL



**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM V.B.2.

SUBJECT

2025 Racial Profiling Report

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	2025 Kennedale Racial Profiling Report-Compressed	2025 Kennedale Racial Profiling Report-Compressed.pdf
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KENNEDALE POLICE DEPARTMENT

2025 RACIAL PROFILING REPORT



DEL CARMEN
Consulting®

LAW ENFORCEMENT EXPERTS



"Dr. Alex del Carmen's work on racial profiling exemplifies the very best of the Sandra Bland Act, named after my daughter. My daughter's pledge to fight for injustice is best represented in the high quality of Dr. del Carmen's reports which include, as required by law, the data analysis, audits, findings and recommendations. I commend the agencies that work with him as it is clear that they have embraced transparency and adherence to the law."

-Quote by Geneva Reed (Mother of Sandra Bland)

January 16, 2026

Kennedale City Council
405 Municipal Dr.
Kennedale, TX 76060



Dear Distinguished Members of the City Council,

The Texas Racial Profiling Law, originally enacted by the Texas Legislature in 2001, was designed to address concerns regarding racial profiling practices in law enforcement. Throughout the preceding calendar year, the Kennedale Police Department, in full compliance with statutory requirements, systematically collected and reported traffic and motor vehicle-related contact data for the express purpose of identifying, evaluating, and addressing any potential concerns regarding racial profiling practices within the department.

Since its initial enactment, the Texas Racial Profiling Law has undergone significant legislative modifications. During the 2009 legislative session, the law was amended to incorporate additional data collection and reporting requirements. Subsequently, in 2017, the Texas Legislature passed two landmark pieces of legislation: House Bill 3051, which standardized racial and ethnic classification categories, and the Sandra Bland Act (Senate Bill 1849), which substantially expanded data collection mandates and analytical requirements. The Sandra Bland Act represents the most comprehensive legislative framework in Texas history pertaining to law enforcement contact data requirements. I am pleased to confirm that the Kennedale Police Department has satisfied all statutory requirements, and the documentation contained herein demonstrates full compliance with these legislative mandates.

This annual report is organized into distinct sections, each addressing specific components of the compliance framework. Section One contains the table of contents, providing navigational guidance throughout the document. Section Two presents documentation demonstrating the Kennedale Police Department's compliance with the procedural requirements established under the Texas Racial Profiling Law, including evidence of mandatory training protocols for all sworn personnel on racial profiling prevention, as well as the institutionalization of formal compliment and complaint processes as required by statute.

Section Three contains comprehensive statistical data pertaining to motor vehicle-related contacts, as defined by applicable law, occurring between January 1, 2025, and December 31, 2025. This section includes the Tier 2 reporting form, which must be submitted to the Texas Commission on Law Enforcement (TCOLE) and the local governing authority by March 1 of each calendar year. All data presented in this report was compared against the Fair Roads Standard, a baseline measure derived from U.S. Census Bureau data. The analytical findings and corresponding recommendations are presented in detail within this section.

The final section of this report contains reference materials, including the original text of Senate Bill 1074 (the Texas Racial Profiling Law) and the Sandra Bland Act (current governing law). Additionally, this section includes a comprehensive listing of compliance requirements established by TCOLE. The findings documented in this report substantiate the Kennedale Police Department's ongoing commitment to full compliance with the Texas Racial Profiling Law and its commitment to constitutional policing practices.

Respectfully submitted,

Alex del Carmen, Ph.D.
Criminologist

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Informing the Public on the Process of Filing a Compliment or Complaint with the Kennedale Police Department

The Texas Racial Profiling Law requires that police agencies provide information to the public regarding the manner in which to file a compliment or racial profiling complaint. In an effort to comply with this particular component, the Kennedale Police Department launched an educational campaign aimed at informing the public on issues relevant to the racial profiling complaint process.

The police department made available, in the lobby area and on its web site, information relevant to filing a compliment and complaint on a racial profiling violation by a Kennedale Police Officer. In addition, each time an officer issues a citation, ticket or warning, information on how to file a compliment or complaint is given to the individual cited. This information is in the form of a web address (including in the document issued to the citizen), which has instructions and details specifics related to the compliment or complaint processes.

It is believed that through these efforts, the community has been properly informed of the new policies and the complaint processes relevant to racial profiling.

All Kennedale Police Officers have been instructed, as specified in the Texas Racial Profiling Law, to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements. To date, all sworn officers of the Kennedale Police Department have completed the TCOLE basic training on racial profiling. The main outline used to train the officers of Kennedale has been included in this report.

It is important to recognize that the Chief of the Kennedale Police Department has also met the training requirements, as specified by the Texas Racial Profiling Law, in the completion of the LEMIT program on racial profiling. The satisfactory completion of the racial profiling training by the sworn personnel of the Kennedale Police Department fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Law.



Racial Profiling 3256

Instructor's Note:

You may wish to teach this course in conjunction with Asset Forfeiture 3255 because of the related subject matter and applicability of the courses. If this course is taught in conjunction with Asset Forfeiture, you may report it under Combined Profiling and Forfeiture 3257 to reduce data entry.

Abstract

This instructor guide is designed to meet the educational requirement for racial profiling established by legislative mandate: 77R-SB1074.

Target Population: Licensed law enforcement personnel in Texas

Prerequisites: Experience as a law enforcement officer

Length of Course: A suggested instructional time of 4 hours

Material Requirements: Overhead projector, chalkboard and/or flip charts, video tape player, handouts, practical exercises, and demonstrations

Instructor Qualifications: Instructors should be very knowledgeable about traffic stop procedures and law enforcement issues

Evaluation Process and Procedures

An examination should be given. The instructor may decide upon the nature and content of the examination. It must, however, sufficiently demonstrate the mastery of the subject content by the student.

Reference Materials

Reference materials are located at the end of the course. An electronic copy of this instructor guide may be downloaded from our web site at <http://www.tcleose.state.tx.us>.

Racial Profiling 3256

1.0 RACIAL PROFILING AND THE LAW

1.1 UNIT GOAL: The student will be able to identify the legal aspects of racial profiling.

1.1.1 LEARNING OBJECTIVE: The student will be able to identify the legislative requirements placed upon peace officers and law enforcement agencies regarding racial profiling.

Racial Profiling Requirements:

Racial profiling CCP 3.05

Racial profiling prohibited CCP 2.131

Law enforcement policy on racial profiling CCP 2.132

Reports required for traffic and pedestrian stops CCP 2.133

Liability CCP 2.136

Racial profiling education for police chiefs Education Code 96.641

Training program Occupations Code 1701.253

Training required for intermediate certificate Occupations Code 1701.402

Definition of "race or ethnicity" for form Transportation Code 543.202

A. Written departmental policies

1. Definition of what constitutes racial profiling
2. Prohibition of racial profiling
3. Complaint process
4. Public education
5. Corrective action
6. Collection of traffic-stop statistics
7. Annual reports

B. Not prima facie evidence

C. Feasibility of use of video equipment

D. Data does not identify officer

E. Copy of complaint-related video evidence to officer in question

F. Vehicle stop report

1. Physical description of detainees: gender, race or ethnicity
2. Alleged violation
3. Consent to search
4. Contraband
5. Facts supporting probable cause
6. Arrest
7. Warning or citation issued

G. Compilation and analysis of data

H. Exemption from reporting - audio/video equipment

I. Officer non-liability

J. Funding

K. Required training in racial profiling

1. Police chiefs
2. All holders of intermediate certificates and/or two-year-old licenses as of 09/01/2001 (training to be completed no later than 09/01/2003) - see legislation 77R-SB1074

1.1.2 LEARNING OBJECTIVE: The student will become familiar with Supreme Court decisions and other court decisions involving appropriate actions in traffic stops.

A. Whren v. United States, 517 U.S. 806, 116 S.Ct. 1769 (1996)

1. Motor vehicle search exemption
2. Traffic violation acceptable as pretext for further investigation
3. Selective enforcement can be challenged

B. Terry v. Ohio, 392 U.S. 1, 88 S.Ct. 1868 (1968)

1. Stop & Frisk doctrine
2. Stopping and briefly detaining a person
3. Frisk and pat down

C. Other cases

1. Pennsylvania v. Mimms, 434 U.S. 106, 98 S.Ct. 330 (1977)
2. Maryland v. Wilson, 117 S.Ct. 882 (1997)
3. Graham v. State, 119 MdApp 444, 705 A.2d 82 (1998)
4. Pryor v. State, 122 Md.App. 671 (1997) cert. denied 352 Md. 312, 721 A.2d 990 (1998)
5. Ferris v. State, 355 Md. 356, 735 A.2d 491 (1999)
6. New York v. Belton, 453 U.S. 454 (1981)

2.0 RACIAL PROFILING AND THE COMMUNITY

2.1 UNIT GOAL: The student will be able to identify logical and social arguments against racial profiling.

2.1.1 LEARNING OBJECTIVE: The student will be able to identify logical and social arguments against racial profiling.

A. There are appropriate reasons for unusual traffic stops (suspicious behavior, the officer's intuition, MOs, etc.), but police work must stop short of cultural stereotyping and racism.

B. Racial profiling would result in criminal arrests, but only because it would target all members of a race randomly – the minor benefits would be far outweighed by the distrust and anger towards law enforcement by minorities and the public as a whole.

C. Racial profiling is self-fulfilling bad logic: if you believed that minorities committed more crimes, then you might look for more minority criminals, and find them in disproportionate numbers.

D. Inappropriate traffic stops generate suspicion and antagonism towards officers and make future stops more volatile – a racially-based stop today can throw suspicion on tomorrow's legitimate stop.

E. By focusing on race, you would not only be harassing innocent citizens, but overlooking criminals of all races and backgrounds – it is a waste of law enforcement resources.

3.0 RACIAL PROFILING VERSUS REASONABLE SUSPICION

3.1 UNIT GOAL: The student will be able to identify the elements of both inappropriate and appropriate traffic stops.

3.1.1 LEARNING OBJECTIVE: The student will be able to identify elements of a racially motivated traffic stop.

- A. Most race-based complaints come from vehicle stops, often since race is used as an inappropriate substitute for drug courier profile elements
- B. "DWB" – "Driving While Black" – a nickname for the public perception that a Black person may be stopped solely because of their race (especially with the suspicion that they are a drug courier), often extended to other minority groups or activities as well ("Driving While Brown," "Flying While Black," etc.)
- C. A typical traffic stop resulting from racial profiling
 1. The vehicle is stopped on the basis of a minor or contrived traffic violation which is used as a pretext for closer inspection of the vehicle, driver, and passengers
 2. The driver and passengers are questioned about things that do not relate to the traffic violation
 3. The driver and passengers are ordered out of the vehicle
 4. The officers visually check all observable parts of the vehicle
 5. The officers proceed on the assumption that drug courier work is involved by detaining the driver and passengers by the roadside
 6. The driver is asked to consent to a vehicle search – if the driver refuses, the officers use other procedures (waiting on a canine unit, criminal record checks, license-plate checks, etc.), and intimidate the driver (with the threat of detaining him/her, obtaining a warrant, etc.)



3.1.2 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which would constitute reasonable suspicion of drug courier activity.

- A. Drug courier profile (adapted from a profile developed by the DEA)
 1. Driver is nervous or anxious beyond the ordinary anxiety and cultural communication styles
 2. Signs of long-term driving (driver is unshaven, has empty food containers, etc.)
 3. Vehicle is rented
 4. Driver is a young male, 20-35
 5. No visible luggage, even though driver is traveling
 6. Driver was over-reckless or over-cautious in driving and responding to signals
 7. Use of air fresheners

- B. Drug courier activity indicators by themselves are usually not sufficient to justify a stop

3.1.3 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which could constitute reasonable suspicion of criminal activity.

- A. Thinking about the totality of circumstances in a vehicle stop

- B. Vehicle exterior
 1. Non-standard repainting (esp. on a new vehicle)
 2. Signs of hidden cargo (heavy weight in trunk, windows do not roll down, etc.)
 3. Unusual license plate suggesting a switch (dirty plate, bugs on back plate, etc.)
 4. Unusual circumstances (pulling a camper at night, kids' bikes with no kids, etc.)

- C. Pre-stop indicators
 1. Not consistent with traffic flow
 2. Driver is overly cautious, or driver/passengers repeatedly look at police car
 3. Driver begins using a car- or cell-phone when signaled to stop
 4. Unusual pull-over behavior (ignores signals, hesitates, pulls onto new street, moves objects in car, etc.)

- D. Vehicle interior
 1. Rear seat or interior panels have been opened, there are tools or spare tire, etc.
 2. Inconsistent items (anti-theft club with a rental, unexpected luggage, etc.)

Resources

Proactive Field Stops Training Unit – Instructor's Guide, Maryland Police and Correctional Training Commissions, 2001. (See Appendix A.)

Web address for legislation 77R-SB1074



Report on Compliments

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 1/1/25-12/31/25 based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.



A check above indicates that the Kennedale Police Department has not received any complaints, on any members of its police services, for having violated the Texas Racial Profiling Law during the time period of 1/1/25-12/31/25.

Complaints Filed for Possible Violations of The Texas Racial Profiling Law

Complaint Number	Alleged Violation	Disposition of the Case

Additional Comments:
.

Tables Illustrating Motor_Vehicle-Related Contacts

TIER 2 DATA

TOTAL STOPS: 6,259

STREET ADDRESS OR APPROXIMATE LOCATION OF STOP.

City Street	2,794
US Highway	0
State Highway	3,314
County Road	0
Private Property	151

WAS RACE OR ETHNICITY KNOWN PRIOR TO STOP?

Yes	32
No	6,227

RACE OR ETHNICITY

Alaska Native/American Indian	15
Asian/Pacific Islander	176
Black	1,665
White	3,330
Hispanic/Latino	1,073

GENDER

Female Total: 2,011

Alaska Native/American Indian	2
Asian/Pacific Islander	46
Black	626
White	1,039
Hispanic/Latino	298

Male Total: 4,248

Alaska Native/American Indian	13
Asian/Pacific Islander	130
Black	1,039
White	2,291
Hispanic/Latino	775

REASON FOR STOP?

Violation of Law Total: 608

Alaska Native/American Indian	0
Asian/Pacific Islander	10
Black	129
White	285
Hispanic/Latino	184

Pre-existing Knowledge Total: 6

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	3
White	3
Hispanic/Latino	0

Moving Traffic Violation Total: 4,315

Alaska Native/American Indian	12
Asian/Pacific Islander	143
Black	1,149
White	2,261
Hispanic/Latino	750

Vehicle Traffic Violation Total: 1,330

Alaska Native/American Indian	3
Asian/Pacific Islander	23
Black	384
White	781
Hispanic/Latino	139

Contraband (in plain view) Total: 1

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	1
Hispanic/Latino	0

WAS SEARCH CONDUCTED?

	YES	NO
Alaska Native/American Indian	0	15
Asian/Pacific Islander	0	176
Black	24	1,641
White	31	3,299
Hispanic/Latino	5	1,068
TOTAL	60	6,199

Probable Cause Total: 38

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	17
White	18
Hispanic/Latino	3

Inventory Total: 9

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	3
White	5
Hispanic/Latino	1

REASON FOR SEARCH?

Consent Total: 3

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	3
Hispanic/Latino	0

Incident to Arrest Total: 9

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	4
White	4
Hispanic/Latino	1

TIER 2 DATA

WAS CONTRABAND DISCOVERED?

	YES	NO
Alaska Native/American Indian	0	0
Asian/Pacific Islander	0	0
Black	13	11
White	18	13
Hispanic/Latino	3	2
TOTAL	34	26

Did the finding result in arrest?

	YES	NO
Alaska Native/American Indian	0	0
Asian/Pacific Islander	0	0
Black	5	8
White	18	0
Hispanic/Latino	3	0
TOTAL	26	8

DESCRIPTION OF CONTRABAND

Drugs Total: 25

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	10
White	13
Hispanic/Latino	2

Currency Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Weapons Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Alcohol Total: 2

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	0
Hispanic/Latino	1

Stolen Property Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Other Total: 7

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	2
White	5
Hispanic/Latino	0

RESULT OF THE STOP

Verbal Warning Total: 4,566

Alaska Native/American Indian	5
Asian/Pacific Islander	129
Black	1,182
White	2,522
Hispanic/Latino	728

Written Warning Total: 337

Alaska Native/American Indian	5
Asian/Pacific Islander	17
Black	105
White	133
Hispanic/Latino	77

Citation Total: 1,289

Alaska Native/American Indian	5
Asian/Pacific Islander	30
Black	354
White	639
Hispanic/Latino	261

Written Warning and Arrest Total: 2

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	2
Hispanic/Latino	0

Citation and Arrest Total: 11

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	7
Hispanic/Latino	3

Arrest Total: 54

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	23
White	27
Hispanic/Latino	4

TIER 2 DATA

ARREST BASED ON

Violation of Penal Code Total: 30

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	11
White	15
Hispanic/Latino	4

Violation of Traffic Law Total: 1

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	1

Violation of City Ordinance Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Outstanding Warrant Total: 36

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	13
White	21
Hispanic/Latino	2

Was physical force used resulting in bodily injury during the stop?

	YES	NO
Alaska Native/American Indian	0	15
Asian/Pacific Islander	0	176
Black	0	1,665
White	0	3,330
Hispanic/Latino	0	1,073
TOTAL	0	6259



Table 1. Citations and Warnings

Race/ Ethnicity	All Contacts	Citations	Verbal Warning	Written Warning	Contact Percent	Citation Percent	Verbal Percent	Written Percent
Alaska Native/ American Indian	15	5	5	5	0%	0%	0%	1%
Asian/ Pacific Islander	176	30	129	17	3%	2%	3%	5%
Black	1,665	355	1,182	105	27%	27%	26%	31%
White	3,330	646	2,522	133	53%	50%	55%	39%
Hispanic/ Latino	1,073	264	728	77	17%	20%	16%	23%
TOTAL	6,259	1,300	4,566	337	100%	100%	100%	100%



Table 2. Motor Vehicle Contacts and Fair Roads Standard Comparison

Comparison of motor vehicle-related contacts with households that have vehicle access.

Race/Ethnicity	Contact Percentage	Households with Vehicle Access
Alaska Native/American Indian	0%	0%
Asian/Pacific Islander	3%	5%
Black	27%	14%
White	53%	60%
Hispanic/Latino	17%	19%
TOTAL	100%	98%

Table 3. Motor Vehicle Searches and Arrests.

Race/Ethnicity	Searches	Consent Searches	Arrests
Alaska Native/American Indian	0	0	0
Asian/Pacific Islander	0	0	0
Black	24	0	24
White	31	3	36
Hispanic/Latino	5	0	7
TOTAL	60	3	67

Table 4. Instances Where Peace Officers Used Physical Force Resulting in Bodily Injury

Instances Where Peace Officers Used Physical Force that Resulted in Bodily Injury	Arrest	Location of Stop	Reason for Stop	Bodily Harm

Table 5. Search Data

Race/Ethnicity	Searches	Contraband Found Yes	Contraband Found No	Arrests	Percent Searches	Percent Contraband Found	Percent No Contraband	Percent Arrest
Alaska Native/American Indian	0	0	0	0	0%	0%	0%	0%
Asian/Pacific Islander	0	0	0	0	0%	0%	0%	0%
Black	24	13	11	24	40%	38%	42%	36%
White	31	18	13	36	52%	53%	50%	54%
Hispanic/Latino	5	3	2	7	8%	9%	8%	10%
TOTAL	60	34	26	67	100%	100%	100%	100%

Table 6. Report on Audits.

The following table contains data regarding the number and outcome of required data audits during the period of 1/1/25-12/31/25.

Audit Data	Number of Data Audits Completed	Date of Completion	Outcome of Audit
1	1	03/01/25	Data was valid and reliable
2	1	06/01/25	Data was valid and reliable
3	1	09/01/25	Data was valid and reliable
4	1	12/01/25	Data was valid and reliable

ADDITIONAL COMMENTS:

Table 7. Instance Where Force Resulted in Bodily Injury.

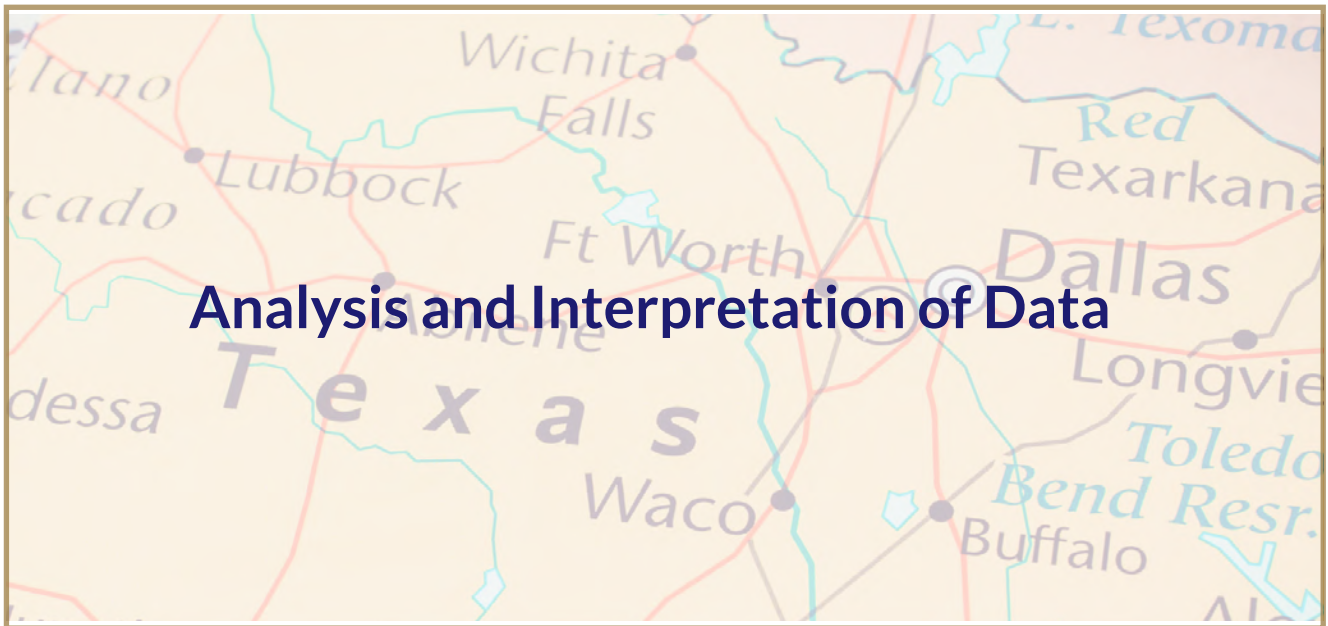
Race/Ethnicity	Number	Percent
Alaska Native/American Indian	0	0%
Asian/Pacific Islander	0	0%
Black	0	0%
White	0	0%
Hispanic/Latino	0	0%
TOTAL	0	0%

Table 8. Reason for Arrests from Vehicle Contact

Race/ Ethnicity	Violation of Penal Code	Violation of Traffic Law	Violation of City Ordinance	Outstanding Warrant	Percent Penal Code	Percent Traffic Law	Percent City Ordinance	Percent Warrant
Alaska Native/ American Indian	0	0	0	0	0%	0%	0%	0%
Asian/Pacific Islander	0	0	0	0	0%	0%	0%	0%
Black	11	0	0	13	37%	0%	0%	36%
White	15	0	0	21	50%	0%	0%	58%
Hispanic/ Latino	4	1	0	2	13%	100%	0%	6%
TOTAL	30	1	0	36	100%	100%	0%	100%

Table 9. Contraband Hit Rate

Race/ Ethnicity	Searches	Contraband Found Yes	Contraband Hit Rate	Search Percent	Contraband Percent
Alaska Native/ American Indian	0	0	0%	0%	0%
Asian/ Pacific Islander	0	0	0%	0%	0%
Black	24	13	54%	40%	38%
White	31	18	58%	52%	53%
Hispanic/Latino	5	3	60%	8%	9%



Legislative Background and Statutory Framework

In 2001, the Texas Legislature enacted Senate Bill 1074, establishing the Texas Racial Profiling Law. This legislation became effective on January 1, 2002, and required all law enforcement agencies in Texas to collect traffic-related contact data and submit annual reports to their respective local governing authorities by March 1 of each calendar year. The original statutory framework remained substantially unchanged until 2009, when the Texas Legislature passed House Bill 3389, introducing significant amendments to the data collection and reporting requirements.

The 2009 legislative amendments, which took effect on January 1, 2010, expanded the definition of reportable contacts to include all motor vehicle-related encounters resulting in the issuance of a citation or custodial arrest. Additionally, the amended statute required law enforcement officers to document whether they possessed knowledge of the individual's race or ethnicity prior to initiating the detention. The 2009 legislation also mandated the inclusion of "Middle Eastern" as a distinct racial and ethnic classification category and established TCOLE as the central repository for annual data submissions.

In 2017, the Texas Legislature enacted two significant pieces of legislation affecting racial profiling data collection requirements. House Bill 3051 eliminated the Middle Eastern classification category and standardized racial and ethnic designations to align with federal reporting standards. Concurrently, the Sandra Bland Act (Senate Bill 1849) was passed and signed into law, representing the most comprehensive legislative mandate in Texas history regarding law enforcement contact data requirements. The Sandra Bland Act, which became effective on January 1, 2018, not only expanded data collection requirements but also mandated detailed analytical assessments addressing the following statutory elements:

1. *A comparative analysis of compiled information pursuant to Article 2.133, including:*
 - a. *Evaluation and comparison of motor vehicle stops within the applicable jurisdiction between persons recognized as racial or ethnic minorities and persons not recognized as racial or ethnic minorities;*
 - b. *Examination of the disposition of motor vehicle stops conducted by agency personnel, categorized according to the race or ethnicity of affected persons, including any searches resulting from stops within the applicable jurisdiction;*
 - c. *Evaluation and comparison of searches resulting from motor vehicle stops within the applicable jurisdiction and documentation of whether contraband or other evidence was discovered during the course of such searches.*
2. *Documentation of all complaints filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.*

Analytical Methodology and Baseline Considerations

In accordance with the Texas Racial Profiling Law and Sandra Bland Act requirements, the Kennedale Police Department commissioned an independent analysis of its 2025 motor vehicle contact data. The analytical framework employed in this study incorporated two distinct methodological approaches. The primary analysis involved a comprehensive evaluation of all motor vehicle-related contact data collected during the 2025 reporting period. This analysis measured, as required by statute, the number and percentage of contacts involving individuals classified as White, Black, Hispanic or Latino, Asian and Pacific Islander, and Alaska Native and American Indian, who encountered law enforcement during motor vehicle-related contacts resulting in the issuance of citations, warnings, or custodial arrests.

The Tier 2 data analysis encompassed multiple variables including, but not limited to: the number and percentage of contacts by race and ethnicity; gender distribution; documented reason for the stop; geographic location of the encounter; search activity including search type classification; outcome of the contact; legal basis for any resulting arrest; and any use of physical force resulting in bodily injury. This comprehensive data collection framework enables a thorough assessment of departmental practices and facilitates identification of any patterns warranting further examination.

The analytical framework employed in this report utilized a comparative methodology that assessed 2025 motor vehicle contact data against an established demographic baseline. It should be noted that considerable scholarly debate exists regarding the appropriate baseline measure for analyzing motor vehicle-related contact data. Among available baseline measures, the Kennedale Police Department accepted the recommendation to employ the Fair Roads Standard as the primary comparative benchmark. This particular baseline is derived from U.S. Census Bureau data (2020) pertaining to the number of households with vehicle access, controlled for the race and ethnicity of heads of households.

It is important to acknowledge the methodological limitations inherent in utilizing census-derived baseline data for racial profiling analysis. Census data encompasses all residents within a given jurisdiction, regardless of their status within the driving population. Furthermore, census data captures information exclusively pertaining to municipal residents, thereby excluding individuals who may have encountered the Kennedale Police Department during the reporting period but reside outside jurisdictional boundaries. In certain municipalities, contacts with non-residents constitute a substantial proportion of all motor vehicle-related encounters recorded during any given reporting period.

In 2002, prominent civil rights organizations in Texas advocated for the adoption of the Fair Roads Standard as the preferred baseline measure for all law enforcement agencies conducting racial profiling analyses. This standard compares census data specific to "households" with vehicle access against "contacts," which represent individual-level counts. This methodological approach introduces the potential for ecological fallacy, as household-level data is being compared with individual-level contact data. Notwithstanding these limitations, the Kennedale Police Department elected to employ this comparison methodology to demonstrate institutional commitment to transparency and community accountability. The Fair Roads Standard data utilized in this analysis is specific to the jurisdiction of the Dallas Fort-Worth (DFW) Metroplex.

Tier 2 Motor Vehicle-Related Contact Analysis (2025)

Examination of the enhanced Tier 2 data collected during the 2025 reporting period reveals distinct patterns in motor vehicle-related contacts. The demographic distribution of contacts indicates that the majority of motor vehicle-related encounters involved White individuals, followed by Black individuals. Among all individuals contacted by law enforcement, the greatest number of citations were issued to White and Black individuals, followed by Hispanic individuals. With respect to written warnings, the majority were issued to White individuals, with Black individuals representing the second largest recipient group.

Analysis of search and arrest data reveals that the majority of searches were conducted involving White individuals. When examining search methodology, the greatest number of consent searches involved White individuals. Similarly, the majority of custodial arrests involved White individuals. Overall, the preponderance of searches resulted in the discovery of contraband. Among searches that yielded contraband, the majority involved White individuals, followed by Black individuals. Among searches that did not produce contraband, the majority involved White individuals.

Arrest data indicates that the majority of custodial arrests involved White individuals. Among arrests originating from alleged violations of the Texas Penal Code, the majority involved White individuals. With respect to use of force, the department reports no instances where physical force was used resulting in bodily injury during the reporting period.

Comparative Analysis

A comprehensive comparative analysis was conducted examining 2025 motor vehicle contact data against census data pertaining to households within DFW that reported vehicle access in the 2020 Census. This analysis produced the following findings:

The percentage of White, Hispanic, Asian, and American Indian individuals who came into contact with law enforcement was equal to or lower than the percentage of White, Hispanic, Asian, and American Indian households within DFW that reported vehicle access in the most recent census enumeration. Conversely, the data revealed that a higher percentage of Black individuals came into contact with law enforcement compared to the percentage of Black households that reported vehicle access.

The contraband discovery rate analysis reveals that among all searches conducted during the 2025 reporting period, Hispanic individuals demonstrated the highest contraband hit rate, followed by White and Black individuals respectively. This indicates that among all searches performed, the highest percentage of searches resulting in contraband discovery involved Hispanic individuals. The lowest contraband discovery rate was observed among Black individuals.

Summary of Findings

As mandated by the current Texas Racial Profiling Law, law enforcement agencies are required to conduct data audits to validate the accuracy and reliability of reported data. In compliance with this requirement, the Kennedale Police Department engaged Del Carmen Consulting, LLC to perform independent data audits consistent with normative statistical practices and methodological standards. As documented in the accompanying audit report, the validation process confirms that the data submitted is both valid and reliable.

Furthermore, as required by statute, this report includes a comprehensive analysis of search activity, including documentation of whether contraband was discovered as a result of searches while controlling for the race and ethnicity of searched individuals. The search analysis demonstrates that the Kennedale Police Department is engaging in search practices consistent with prevailing national trends in law enforcement and does not reveal patterns indicative of discriminatory practices.

Based upon the analytical findings presented in this report, the following recommendations are offered to ensure continued compliance and institutional best practices:

1. Continue to collect and evaluate supplementary motor vehicle contact data elements, including but not limited to documented bases for probable cause searches and detailed contraband classification, which may prove valuable in assessing the nature and circumstances of law enforcement contacts with all individuals.
2. Commission an independent analysis of contact and search data during the upcoming reporting period to maintain analytical continuity and identify any emerging trends.
3. Continue to commission periodic data audits to ensure data integrity and verify that collected data is consistent with reported data, thereby maintaining the validity and reliability of all submissions.

Conclusion

The comprehensive data analysis presented in this report serves as documented evidence that the Kennedale Police Department has achieved full compliance with the Texas Racial Profiling Law and all associated statutory requirements. This report demonstrates that the department has:

- Implemented and maintains a comprehensive racial profiling policy in accordance with statutory requirements;
- Established and publicized procedures for members of the public to file compliments or complaints regarding officer conduct;
- Commissioned periodic data audits to ensure the validity and reliability of all collected and reported data;
- Collected and commissioned independent analysis of all required Tier 2 data elements; and
- Ensured that the practice of racial profiling is expressly prohibited and will not be accepted or tolerated within the organization.

The Kennedale Police Department remains committed to constitutional policing practices, equitable treatment of all individuals, and continued compliance with all applicable state and federal requirements pertaining to racial profiling prevention and reporting.

APPENDICES

[This section should include the following reference materials:]

- ✓ Original text of Senate Bill 1074 (Texas Racial Profiling Law)
- ✓ Sandra Bland Act (Senate Bill 1849) - Current governing law
- ✓ TCOLE compliance requirements and guidelines
- ✓ Agency racial profiling policy documentation
- ✓ Training documentation and certifications
- ✓ Complaint and compliment procedure documentation
- ✓ Data audit methodology and validation results
- ✓ Tier 2 data collection forms and submission confirmation



LEGISLATIVE & ADMINISTRATIVE

TCOLE GUIDELINES

Guidelines for Compiling and Reporting Data under Senate Bill 1074

Background

Senate Bill 1074 of the 77th Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of *what* must be accomplished by an agency but allows wide latitude in determining *how* the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an “agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers’ official duties.”

The article further defines race or ethnicity as being of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American.” The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

Standard 2

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person’s race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer’s best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Commentary

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, “the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.”

Standard 3

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

Commentary

Senate Bill 1074 from the 77th Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide and analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for “tier one” data for traffic stops in which a citation results are:

- 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American”);
- 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
- 3) whether there was a custody arrest.

The minimum requirements for reporting on “tier two” reports include traffic and pedestrian stops. Tier two data include:

- 1) the detained person’s gender and race or ethnicity;
- 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
- 3) whether a search was conducted, and if so whether it was based on consent or probable cause;
- 4) facts supporting probable cause;
- 5) the type, if any, of contraband that was collected;
- 6) disposition of the stop, e.g., arrest, ticket, warning, or release;
- 7) location of stop; and
- 8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops

including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

Standard 4

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

Commentary

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

Standard 5

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

Commentary

None

Standard 6

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

Commentary

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

Standard 7

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

Commentary

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

The Texas Law on Racial Profiling

S.B. No. 1074 - An Act relating to the prevention of racial profiling by certain peace officers.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the

policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled

during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and
(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling;
and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

(1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;

(2) the registration number of the vehicle involved;

(3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;

(4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;

(5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

(7) the plea, the judgment, and whether bail was forfeited;

(8) [~~7~~] the date of conviction; and

(9) [~~8~~] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor

Modifications to the Original Law (H.B. 3389)

Amend CSHB 3389 (Senate committee report) as follows:

(1) Strike the following SECTIONS of the bill:

(A) SECTION 8, adding Section 1701.164, Occupations Code (page 4, lines 61-66);

(B) SECTION 24, amending Article 2.132(b), Code of Criminal Procedure (page 8, lines 19-53);

(C) SECTION 25, amending Article 2.134(b), Code of Criminal Procedure (page 8, lines 54-64);

(D) SECTION 28, providing transition language for the amendments to Articles 2.132(b) and 2.134(b), Code of Criminal Procedure (page 9, lines 40-47).

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly: SECTION _____. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (a),(b), (d), and (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle~~[traffic]~~ stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, ~~[or]~~ Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle ~~[traffic]~~ stops in which a citation is issued and to arrests made as a result of ~~[resulting from]~~ those ~~[traffic]~~ stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the individual ~~[person]~~ detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit ~~[to the governing body of each county or~~

~~municipality served by the agency]~~ an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement Officer Standards and Education; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle ~~[traffic]~~ stops and transmitter activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle ~~[traffic]~~ stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle ~~[traffic]~~ stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

SECTION _____. Article 2.133, Code of Criminal Procedure, is amended to read as follows:

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE ~~[TRAFFIC AND PEDESTRIAN]~~ STOPS. (a) In this article, "race ~~[:~~

~~{(1) "Race]~~ or ethnicity" has the meaning assigned by Article 2.132(a).

~~[(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.]~~

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance ~~[regulating traffic or who stops a pedestrian for any suspected offense]~~ shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any ~~[each]~~ person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop ~~[traffic law or ordinance alleged to have been violated or the suspected offense];~~

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description ~~[the type]~~ of the contraband or evidence ~~[discovered];~~

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle [existed and the facts supporting the existence of that probable cause];

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a written warning or a citation as a result of the stop[, including a description of the warning or a statement of the violation charged].

SECTION _____. Article 2.134, Code of Criminal Procedure, is amended by amending Subsections (a) through (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Motor vehicle[, "pedestrian] stop" has the meaning assigned by Article 2.132(a) [means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest].

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each [~~local~~] law enforcement agency shall submit a report containing the incident-based data [information] compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency [in a manner approved by the agency].

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities [determine the prevalence of racial profiling by peace officers employed by the agency]; and

(B) examine the disposition of motor vehicle [traffic and pedestrian] stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from [the] stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle [traffic or pedestrian] stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

SECTION _____. Article 2.135, Code of Criminal Procedure, is amended to read as follows:

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle [~~traffic and pedestrian~~] stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle [~~traffic and pedestrian~~] stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle [~~traffic or pedestrian~~] stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

SECTION _____. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1385 to read as follows:

Art. 2.1385. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based

data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

SECTION _____. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.022 to read as follows:

Art. 102.022. COSTS ON CONVICTION TO FUND STATEWIDE REPOSITORY FOR DATA RELATED TO CIVIL JUSTICE. (a) In this article, "moving violation" means an offense that:

(1) involves the operation of a motor vehicle; and

(2) is classified as a moving violation by the Department of Public Safety under Section 708.052, Transportation Code.

(b) A defendant convicted of a moving violation in a justice court, county court, county court at law, or municipal court shall pay a fee of 10 cents as a cost of court.

(c) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication; or

(3) the court defers final disposition of the person's case.

(d) The clerks of the respective courts shall collect the costs described by this article. The clerk shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county or municipal treasury, as appropriate.

(e) The custodian of a county or municipal treasury shall:

(1) keep records of the amount of funds on deposit collected under this article; and

(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.

(f) A county or municipality may retain 10 percent of the funds collected under this article by an officer of the county or municipality as a collection fee if the custodian of the county or municipal treasury complies with Subsection (e).

(g) If no funds due as costs under this article are deposited in a county or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.

(h) The comptroller shall deposit the funds received under this article to the credit of the Civil Justice Data Repository fund in the general revenue fund, to be used only by the Commission on Law Enforcement Officer Standards and Education to implement duties under Section 1701.162, Occupations Code.

(i) Funds collected under this article are subject to audit by the comptroller.

SECTION _____. (a) Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.061, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a statutory county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;

(2) a fee for services of the clerk of the court (Art. 102.005, Code of Criminal Procedure) . . . \$40;

- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.061, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION _____. (a) Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.081, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;
- (2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . \$40;
- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.081, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION _____. Section 102.101, Government Code, is amended to read as follows:

Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;

- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$4;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . \$4;
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5;
- (7) a fee on conviction of certain offenses involving issuing or passing a subsequently dishonored check (Art. 102.0071, Code of Criminal Procedure) . . . not to exceed \$30; ~~and~~
- (8) a court cost on conviction of a Class C misdemeanor in a county with a population of 3.3 million or more, if authorized by the county commissioners court (Art. 102.009, Code of Criminal Procedure) . . . not to exceed \$7; and
- (9) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION _____. Section 102.121, Government Code, is amended to read as follows:

Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a municipal court shall collect fees and costs on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4; ~~and~~
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION _____. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.164 to read as follows:

Sec. 1701.164. COLLECTION OF CERTAIN INCIDENT-BASED DATA SUBMITTED BY LAW ENFORCEMENT AGENCIES. The commission shall collect and maintain incident-based data submitted to the commission under Article 2.134, Code of Criminal Procedure, including incident-based data compiled by a law enforcement agency from reports received by the law enforcement agency under Article 2.133 of that code. The commission in consultation with the Department of Public Safety, the Bill Blackwood Law Enforcement Management Institute of Texas, the W. W. Caruth, Jr., Police Institute at Dallas, and the Texas Police Chiefs Association shall develop guidelines for submitting in a standard format the report containing incident-based data as required by Article 2.134, Code of Criminal Procedure.

SECTION _____. Subsection (a), Section 1701.501, Occupations Code, is amended to read as follows:

- (a) Except as provided by Subsection (d), the commission shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of:
 - (1) this chapter;

(2) the reporting requirements provided by Articles 2.132 and 2.134, Code of Criminal Procedure;
or

(3) a commission rule.

SECTION _____. (a) The requirements of Articles 2.132, 2.133, and 2.134, Code of Criminal Procedure, as amended by this Act, relating to the compilation, analysis, and submission of incident-based data apply only to information based on a motor vehicle stop occurring on or after January 1, 2010.

(b) The imposition of a cost of court under Article 102.022, Code of Criminal Procedure, as added by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

Racial and Ethnic Designations (H.B. 3051)

H.B. No. 3051 - An Act relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2.132(a)(3), Code of Criminal Procedure, is amended to read as follows:

(3) "Race or ethnicity" means the following categories:

(A) Alaska native or American Indian;

(B) ~~[of a particular descent, including Caucasian, African, Hispanic,]~~ Asian or Pacific Islander;

(C) black;

(D) white; and

(E) Hispanic or Latino ~~[, Native American, or Middle Eastern descent]~~.

SECTION 2. Section 543.202(a), Transportation Code, is amended to read as follows:

(a) In this section, "race or ethnicity" means the following categories:

(1) Alaska native or American Indian;

(2) ~~[of a particular descent, including Caucasian, African, Hispanic,]~~ Asian or Pacific Islander;

(3) black;

(4) white; and

(5) Hispanic or Latino ~~[, or Native American descent]~~.

SECTION 3. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 3051 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3051 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

The Sandra Bland Act

(S.B. 1849)

S.B. No. 1849

An Act relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. SHORT TITLE

SECTION 1.01. SHORT TITLE. This Act shall be known as the Sandra Bland Act, in memory of Sandra Bland.

ARTICLE 2. IDENTIFICATION AND DIVERSION OF AND SERVICES FOR PERSONS SUSPECTED OF HAVING A MENTAL ILLNESS, AN INTELLECTUAL DISABILITY, OR A SUBSTANCE ABUSE ISSUE

SECTION 2.01. Article 16.22, Code of Criminal Procedure, is amended to read as follows:

Art. 16.22. EARLY IDENTIFICATION OF DEFENDANT SUSPECTED OF HAVING MENTAL ILLNESS OR INTELLECTUAL DISABILITY [MENTAL RETARDATION]. (a)(1) Not later than 12 [72] hours after receiving credible information that may establish reasonable cause to believe that a defendant committed to the sheriff's custody has a mental illness or is a person with an intellectual disability [mental retardation], including observation of the defendant's behavior immediately before, during, and after the defendant's arrest and the results of any previous assessment of the defendant, the sheriff shall provide written or electronic notice of the information to the magistrate. On a determination that there is reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability [mental retardation], the magistrate, except as provided by Subdivision

(2), shall order the local mental health or intellectual and developmental disability [mental retardation] authority or another qualified mental health or intellectual disability [mental retardation] expert to:

(A) collect information regarding whether the defendant has a mental illness as defined by Section 571.003,

Health and Safety Code, or is a person with an intellectual disability [mental retardation] as defined by Section 591.003, Health and Safety Code, including information obtained from any previous assessment of the defendant; and

(B) provide to the magistrate a written assessment of the information collected under Paragraph (A).

(2) The magistrate is not required to order the collection of information under Subdivision

(1) if the defendant in the year preceding the defendant's applicable date of arrest has been determined to have a mental illness or to be a person with an intellectual disability [mental retardation] by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health or intellectual disability [mental retardation] expert described by Subdivision

(1). A court that elects to use the results of that previous determination may proceed under Subsection (c).

(3) If the defendant fails or refuses to submit to the collection of information regarding the defendant as required under Subdivision (1), the magistrate may order the defendant to submit to an examination in a mental health facility determined to be appropriate by the local mental health or intellectual and developmental disability [mental retardation] authority for a reasonable period not to exceed 21 days. The magistrate may order a defendant to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination only on request of the local mental health or intellectual and developmental disability [mental retardation] authority and with the consent of the head of the facility. If a defendant who has been ordered to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination remains in the facility for a period exceeding 21 days, the head of that facility shall cause the defendant to be immediately transported to the committing court and placed in the custody of the sheriff of the county in which the committing court is located. That county shall reimburse the facility for the mileage and per diem expenses of the personnel required to transport the defendant calculated in accordance with the state travel regulations in effect at the time.

(b) A written assessment of the information collected under Subsection (a)(1)(A) shall be provided to the magistrate not later than the 30th day after the date of any order issued under Subsection (a) in a felony case and not later than the 10th day after the date of any order issued under that subsection in a misdemeanor case, and the magistrate shall provide copies of the written assessment to the defense counsel, the prosecuting attorney, and the trial court. The written assessment must include a description of the procedures used in the collection of information under Subsection (a)(1)(A) and the applicable expert's observations and findings pertaining to:

(1) whether the defendant is a person who has a mental illness or is a person with an intellectual disability [mental retardation];

(2) whether there is clinical evidence to support a belief that the defendant may be incompetent to stand trial and should undergo a complete competency examination under Subchapter B, Chapter 46B; and

(3) recommended treatment.

(c) After the trial court receives the applicable expert's written assessment relating to the defendant under Subsection (b) or elects to use the results of a previous determination as described by Subsection (a)(2), the trial court may, as applicable:

(1) resume criminal proceedings against the defendant, including any appropriate proceedings related to the defendant's release on personal bond under Article 17.032;

(2) resume or initiate competency proceedings, if required, as provided by Chapter 46B

or other proceedings affecting the defendant's receipt of appropriate court-ordered mental health or intellectual disability [mental retardation] services, including proceedings related to the defendant's receipt of outpatient mental health services under Section 574.034, Health and Safety Code; or

(3) consider the written assessment during the punishment phase after a conviction of the offense for which the defendant was arrested, as part of a presentence investigation report, or in connection with the impositions of conditions following placement on community supervision, including deferred adjudication community supervision.

(d) This article does not prevent the applicable court from, before, during, or after the collection of information regarding the defendant as described by this article: (1) releasing a defendant who has a mental illness [mentally ill] or is a person with an intellectual disability [mentally retarded defendant] from custody on personal or surety bond; or

(2) ordering an examination regarding the defendant's competency to stand trial.

SECTION 2.02. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.23 to read as follows:

Art. 16.23. DIVERSION OF PERSONS SUFFERING MENTAL HEALTH CRISIS OR SUBSTANCE ABUSE ISSUE. (a) Each law enforcement agency shall make a good faith effort to divert a person suffering a mental health crisis or suffering from the effects of substance abuse to a proper treatment center in the agency's jurisdiction if:

(1) there is an available and appropriate treatment center in the agency's jurisdiction to which the agency may divert the person;

(2) it is reasonable to divert the person;

(3) the offense that the person is accused of is a misdemeanor, other than a misdemeanor involving violence; and

(4) the mental health crisis or substance abuse issue is suspected to be the reason the person committed the alleged offense.

(b) Subsection (a) does not apply to a person who is accused of an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code.

SECTION 2.03. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES. (a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness, substance abuse issues, or [and] mental illness. [The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.] In awarding grants, the department shall give special consideration to entities:

(1) establishing [a] new collaboratives; or

(2) establishing or expanding collaboratives that serve two or more counties, each with a population of less than 100,000 [collaborative].

(b) The department shall require each entity awarded a grant under this section to:

(1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; [and]

(2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for the purpose of providing services to those persons.

SECTION 2.04. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care or substance abuse treatment.

(b) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a).

(c) Two or more counties, each with a population of less than 100,000, may form a joint plan under Subsection (a).

ARTICLE 3. BAIL, PRETRIAL RELEASE, AND COUNTY JAIL STANDARDS

SECTION 3.01. The heading to Article 17.032, Code of Criminal Procedure, is amended to read as follows:

Art. 17.032. RELEASE ON PERSONAL BOND OF CERTAIN [MENTALLY ILL] DEFENDANTS WITH MENTAL ILLNESS OR INTELLECTUAL DISABILITY.

SECTION 3.02. Articles 17.032(b) and (c), Code of Criminal Procedure, are amended to read as follows:

(b) A magistrate shall release a defendant on personal bond unless good cause is shown

otherwise if the:

(1) defendant is not charged with and has not been previously convicted of a violent offense;

(2) defendant is examined by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health expert under Article 16.22 [of this code];

(3) applicable expert, in a written assessment submitted to the magistrate under Article 16.22:

(A) concludes that the defendant has a mental illness or is a person with an intellectual disability [mental retardation] and is nonetheless competent to stand trial; and

(B) recommends mental health treatment or intellectual disability treatment for the defendant, as applicable; and

(4) magistrate determines, in consultation with the local mental health or intellectual and developmental disability [mental retardation] authority, that appropriate community-based mental health or intellectual disability [mental retardation] services for the defendant are available through the [Texas] Department of State [Mental] Health Services [and Mental Retardation] under Section 534.053, Health and Safety Code, or through another mental health or intellectual disability [mental retardation] services provider.

(c) The magistrate, unless good cause is shown for not requiring treatment, shall require as a condition of release on personal bond under this article that the defendant submit to outpatient or inpatient mental health or intellectual disability [mental retardation] treatment as recommended by the local mental health or intellectual and developmental disability [mental retardation] authority if the defendant's:

(1) mental illness or intellectual disability [mental retardation] is chronic in nature; or

(2) ability to function independently will continue to deteriorate if the defendant is not treated.

SECTION 3.03. Article 25.03, Code of Criminal Procedure, is amended to read as follows:

Art. 25.03. IF ON BAIL IN FELONY. When the accused, in case of felony, is on bail at the time the indictment is presented, [it is not necessary to serve him with a copy, but] the clerk shall [on request] deliver a copy of the indictment [same] to the accused or the accused's [his] counsel[,] at the earliest possible time.

SECTION 3.04. Article 25.04, Code of Criminal Procedure, is amended to read as follows:

Art. 25.04. IN MISDEMEANOR. In misdemeanors, the clerk shall deliver a copy of the indictment or information to the accused or the accused's counsel at the earliest possible time before trial [it shall not be necessary before trial to furnish the accused with a copy of the indictment or information; but he or his counsel may demand a copy, which shall be given as early as possible

SECTION 3.05. Section 511.009(a), Government Code, as amended by Chapters 281 (H.B. 875), 648 (H.B. 549), and 688 (H.B. 634), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

- (a) The commission shall:
- (1) adopt reasonable rules and procedures establishing minimum standards for the construction, equipment, maintenance, and operation of county jails;
 - (2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;
 - (3) adopt reasonable rules establishing minimum standards for the number of jail supervisory personnel and for programs and services to meet the needs of prisoners;
 - (4) adopt reasonable rules and procedures establishing minimum requirements for programs of rehabilitation, education, and recreation in county jails;
 - (5) revise, amend, or change rules and procedures if necessary;
 - (6) provide to local government officials consultation on and technical assistance for county jails;
 - (7) review and comment on plans for the construction and major modification or renovation of county jails;
 - (8) require that the sheriff and commissioners of each county submit to the commission, on a form prescribed by the commission, an annual report on the conditions in each county jail within their jurisdiction, including all information necessary to determine compliance with state law, commission orders, and the rules adopted under this chapter;
 - (9) review the reports submitted under Subdivision (8) and require commission employees to inspect county jails regularly to ensure compliance with state law, commission orders, and rules and procedures adopted under this chapter;
 - (10) adopt a classification system to assist sheriffs and judges in determining which defendants are low-risk and consequently suitable participants in a county jail work release program under Article 42.034, Code of Criminal Procedure;
 - (11) adopt rules relating to requirements for segregation of classes of inmates and to capacities for county jails;
 - (12) require that the chief jailer of each municipal lockup submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the lockup, including all information necessary to determine compliance with state law concerning secure confinement of children in municipal lockups;
 - (13) at least annually determine whether each county jail is in compliance with the rules and procedures adopted under this chapter;
 - (14) require that the sheriff and commissioners court of each county submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the county jail, including all information necessary to determine compliance with state law concerning secure confinement of children in county jails;
 - (15) schedule announced and unannounced inspections of jails under the commission's jurisdiction using the risk assessment plan established under Section 511.0085 to guide the inspections process;
 - (16) adopt a policy for gathering and distributing to jails under the commission's jurisdiction information regarding:
 - (A) common issues concerning jail administration;
 - (B) examples of successful strategies for maintaining compliance with state law and the rules,

standards, and procedures of the commission; and

(C) solutions to operational challenges for jails;

(17) report to the Texas Correctional Office on Offenders with Medical or Mental Impairments on a jail's compliance with Article 16.22, Code of Criminal Procedure;

(18) adopt reasonable rules and procedures establishing minimum requirements for jails to:

(A) determine if a prisoner is pregnant; and

(B) ensure that the jail's health services plan addresses medical and mental health care, including nutritional requirements, and any special housing or work assignment needs for persons who are confined in the jail and are known or determined to be pregnant;

(19) provide guidelines to sheriffs regarding contracts between a sheriff and another entity for the provision of food services to or the operation of a commissary in a jail under the commission's jurisdiction, including specific provisions regarding conflicts of interest and avoiding the appearance of impropriety; [and]

(20) adopt reasonable rules and procedures establishing minimum standards for prisoner visitation that provide each prisoner at a county jail with a minimum of two in-person, noncontact visitation periods per week of at least 20 minutes duration each;

(21) [(20)] require the sheriff of each county to:

(A) investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veterans Affairs or a similar service; and

(B) use the data described by Paragraph (A) to assist prisoners who are veterans in applying for federal benefits or compensation for which the prisoners may be eligible under a program administered by the United States Department of Veterans Affairs;

(22) [(20)] adopt reasonable rules and procedures regarding visitation of a prisoner at a county jail by a guardian, as defined by Section 1002.012, Estates Code, that:

(A) allow visitation by a guardian to the same extent as the prisoner's next of kin, including placing the guardian on the prisoner's approved visitors list on the guardian's request and providing the guardian access to the prisoner during a facility's standard visitation hours if the prisoner is otherwise eligible to receive visitors; and

(B) require the guardian to provide the sheriff with letters of guardianship issued as provided by Section 1106.001, Estates Code, before being allowed to visit the prisoner; and

(23) adopt reasonable rules and procedures to ensure the safety of prisoners, including rules and procedures that require a county jail to:

(A) give prisoners the ability to access a mental health professional at the jail through a telemental health service 24 hours a day;

(B) give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional; and

(C) if funding is available under Section 511.019, install automated electronic sensors or cameras to ensure accurate and timely in-person checks of cells or groups of cells confining at-risk individuals.

SECTION 3.06. Section 511.009, Government Code, is amended by adding Subsection (d) to read

as follows:

(d) The commission shall adopt reasonable rules and procedures establishing minimum standards regarding the continuity of prescription medications for the care and treatment of prisoners. The rules and procedures shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody.

SECTION 3.07. Chapter 511, Government Code, is amended by adding Sections 511.019, 511.020, and 511.021 to read as follows:

Sec. 511.019. PRISONER SAFETY FUND. (a) The prisoner safety fund is a dedicated account in the general revenue fund.

(b) The prisoner safety fund consists of:

(1) appropriations of money to the fund by the legislature; and

(2) gifts, grants, including grants from the federal government, and other donations received for the fund.

(c) Money in the fund may be appropriated only to the commission to pay for capital improvements that are required under Section 511.009(a)(23).

(d) The commission by rule may establish a grant program to provide grants to counties to fund capital improvements described by Subsection (c). The commission may only provide a grant to a county for capital improvements to a county jail with a capacity of not more than 96 prisoners.

Sec. 511.020. SERIOUS INCIDENTS REPORT. (a) On or before the fifth day of each month, the sheriff of each county shall report to the commission regarding the occurrence during the preceding month of any of the following incidents involving a prisoner in the county jail:

(1) a suicide;

(2) an attempted suicide;

(3) a death;

(4) a serious bodily injury, as that term is defined by

Section 1.07, Penal Code;

(5) an assault;

(6) an escape;

(7) a sexual assault; and

(8) any use of force resulting in bodily injury, as that term is defined by Section 1.07, Penal Code.

(b) The commission shall prescribe a form for the report required by Subsection (a).

(c) The information required to be reported under Subsection (a)(8) may not include the name or other identifying information of a county jailer or jail employee.

(d) The information reported under Subsection (a) is public information subject to an open records request under Chapter 552.

Sec. 511.021. INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL. (a) On the death of a prisoner in a county jail, the commission shall appoint a law enforcement agency, other

than the local law enforcement agency that operates the county jail, to investigate the death as soon as possible.

(b) The commission shall adopt any rules necessary relating to the appointment of a law enforcement agency under Subsection

(a), including rules relating to cooperation between law enforcement agencies and to procedures for handling evidence.

SECTION 3.08. The changes in law made by this article to Article 17.032, Code of Criminal Procedure, apply only to a personal bond that is executed on or after the effective date of this Act. A personal bond executed before the effective date of executed, and the former law is continued in effect for that purpose.

SECTION 3.09. Not later than January 1, 2018, the Commission on Jail Standards shall:

(1) adopt the rules and procedures required by Section 511.009(d), Government Code, as added by this article, and the rules required by Section 511.021(b), Government Code, as added by this article; and

(2) prescribe the form required by Section 511.020(b), Government Code, as added by this article.

SECTION 3.10. Not later than September 1, 2018, the Commission on Jail Standards shall adopt the rules and procedures required by Section 511.009(a)(23), Government Code, as added by this article. On and after September 1, 2020, a county jail shall comply with any rule or procedure adopted by the Commission on Jail Standards under that subdivision.

SECTION 3.11. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to non-substantive additions to and corrections in enacted codes.

ARTICLE 4. PEACE OFFICER AND COUNTY JAILER TRAINING

SECTION 4.01. Chapter 511, Government Code, is amended by adding Section 511.00905 to read as follows:

Sec. 511.00905. JAIL ADMINISTRATOR POSITION; EXAMINATION REQUIRED. (a) The Texas Commission on Law Enforcement shall develop and the commission shall approve an examination for a person assigned to the jail administrator position overseeing a county jail.

(b) The commission shall adopt rules requiring a person, other than a sheriff, assigned to the jail administrator position overseeing a county jail to pass the examination not later than the 180th day after the date the person is assigned to that position. The rules must provide that a person who fails the examination may be immediately removed from the position and may not be reinstated until the person passes the examination.

(c) The sheriff of a county shall perform the duties of the jail administrator position at any time there is not a person available who satisfies the examination requirements of this

section.

(d) A person other than a sheriff may not serve in the jail administrator position of a county jail unless the person satisfies the examination requirement of this section.

SECTION 4.02. Section 1701.253, Occupations Code, is amended by amending Subsection (j) and adding Subsection (n) to read as follows: commission shall require an officer to complete a 40-hour statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer may not satisfy the requirements of this subsection [section] or Section 1701.402(g) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(n) As part of the minimum curriculum requirements, the commission shall require an officer to complete a statewide education and training program on de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury.

SECTION 4.03. Section 1701.310(a), Occupations Code, is amended to read as follows:

(a) Except as provided by Subsection (e), a person may not be appointed as a county jailer, except on a temporary basis, unless the person has satisfactorily completed a preparatory training program, as required by the commission, in the operation of a county jail at a school operated or licensed by the commission. The training program must consist of at least eight hours of mental health training approved by the commission and the Commission on Jail Standards.

SECTION 4.04. Section 1701.352(b), Occupations Code, is amended to read as follows:

(b) The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

(1) topics selected by the agency; and

(2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:

(A) civil rights, racial sensitivity, and cultural diversity;

(B) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; [and]

(C) de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and

(D) unless determined by the agency head to be inconsistent with the officer's assigned duties:

(i) the recognition and documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and

(ii) issues concerning sex offender characteristics.

SECTION 4.05. Section 1701.402, Occupations Code, is amended by adding Subsection (n) to read

as follows:

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section 1701.253(n).

SECTION 4.06. Not later than March 1, 2018, the Texas Commission on Law Enforcement shall develop and the Commission on Jail Standards shall approve the examination required by Section 511.00905, Government Code, as added by this article.

SECTION 4.07. (a) Not later than March 1, 2018, the Texas Commission on Law Enforcement shall establish or modify training programs as necessary to comply with Section 1701.253, Occupations Code, as amended by this article.

(b) The minimum curriculum requirements under Section 1701.253(j), Occupations Code, as amended by this article, apply only to a peace officer who first begins to satisfy those requirements on or after April 1, 2018.

SECTION 4.08. (a) Section 1701.310, Occupations Code, as amended by this article, takes effect January 1, 2018.

(b) A person in the position of county jailer on September 1, 2017, must comply with Section 1701.310(a), Occupations Code, as amended by this article, not later than August 31, 2021.

ARTICLE 5. MOTOR VEHICLE STOPS, RACIAL PROFILING, AND ISSUANCE OF CITATIONS

SECTION 5.01. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsection (h) to read as follows:

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information

relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search; [and]
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
- (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
- (E) the location of the stop; and
- (F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

- (A) the Texas Commission on Law Enforcement; and
- (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

SECTION 5.02. Article 2.133, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

- (A) the person's gender; and
- (B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search

and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; [and]

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b)

to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

SECTION 5.03. Article 2.134(c), Code of Criminal Procedure, is amended to read as follows:

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; [and]

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

SECTION 5.04. Article 2.137, Code of Criminal Procedure, is amended to read as follows:

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship,

available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)]. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using [installed] video and audio equipment and body worn cameras for those purposes [as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1)].

SECTION 5.05. Article 2.1385(a), Code of Criminal Procedure, is amended to read as follows:

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an [the] amount not to exceed \$5,000 [of \$1,000] for each violation. The attorney general may sue to collect a civil penalty under this subsection.

SECTION 5.06. Article 2.135, Code of Criminal Procedure, is repealed.

SECTION 5.07. Articles 2.132 and 2.134, Code of Criminal Procedure, as amended by this article, apply only to a report covering a calendar year beginning on or after January 1, 2018.

SECTION 5.08. Not later than September 1, 2018, the Texas Commission on Law Enforcement shall:

(1) evaluate and change the guidelines for compiling and reporting information required under Article 2.134, Code of Criminal Procedure, as amended by this article, to enable the guidelines to better withstand academic scrutiny; and

(2) make accessible online:

(A) a downloadable format of any information submitted under Article 2.134(b), Code of Criminal

Procedure, that is not exempt from public disclosure under Chapter 552, Government Code; and
(B) a glossary of terms relating to the information to make the information readily understandable to the public. This Act takes effect September 1, 2017.

Senate Speaker of the House

President of the

I hereby certify that S.B. No. 1849 passed the Senate on May 11, 2017, by the following vote:
Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1849 passed the House on May 20, 2017, by the following vote:
Yeas 137, Nays 0, one present not voting.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Except as otherwise provided by this Act,

Approved:

Date

Governor

Chief Clerk of the House

**KENNEDALE
POLICE DEPARTMENT
RACIAL PROFILING POLICY**

Kennedale Police Department

Reference: Chapter 2

**Subject: Professional Standards & Conduct-
Bias Based Profiling**

Policy #1

Date: 08/01/2011

Revised: 12/04/2017

Purpose: To reaffirm the Kennedale Police Department's professional commitment to unbiased policing in all its encounters between our police officers and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of agency policy, state, and federal laws.

Authority:

1. United States Constitution, 4th Amendment & 14th Amendment
2. Texas Code of Criminal Procedure, Articles 2.131 – 2.138 and 3.05
3. SB 1074 (2001) The Texas Racial Profiling Law
4. HB 3389 (2009) Update on Original Law
5. HB 3051 (2017) Racial and Ethnic Designations
6. SB 1849 (2017) The Sandra Bland Act
(Non-Data Requirements (established by SB 1074, HB 3389 and SB 1849))

Definitions:

1. Acts Constituting Racial Profiling: are acts initiating law enforcement action, such as a motor vehicle contact, a detention, a search, issuance of a citation, or an arrest based solely upon an individual's race, ethnicity, or national origin, or on the basis of racial or ethnic stereotypes, rather than upon the individual's behavior, information identifying the individual as having possibly engaged in criminal activity, or other lawful reasons for the law enforcement action.
2. Bias Based Profiling: the selection of an individual based solely on a trait common to a group for enforcement action. This includes, but is not limited to: race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.
3. Law Enforcement Agency: means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle contacts in the routine performance of the officer's official duties.
4. MVR: an acronym for mobile video / audio recording equipment.
5. Probable Cause: also known as reasonable suspicion. Probable Cause is more than a mere

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hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that a crime has been committed, is about to be committed, or is in the process of being committed. Probable Cause can be based on the observations of a police officer, combined with his/her training and law enforcement experience, and/or reliable information received from credible sources.

6. Race or Ethnicity: means of a particular descent, including Caucasian, African, Hispanic, Asian, Native American or Middle Eastern descent. Determining a person's race or ethnicity shall be determined by the officer in accordance with applicable state and federal standards.
7. Racial Profiling: means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
8. Texas Commission on Law Enforcement: TCOLE is a state agency created in 1965 by an act of the 59th Texas Legislature, empowered to establish minimum licensing and training standards for Texas peace officers to improve the proficiency of law enforcement services.
9. Motor vehicle contact: means the stopping of a motor vehicle by a police officer for an alleged violation of law or ordinance regulating traffic.
10. Verbal Warnings : If an officer elects to complete a motor vehicle contact with a verbal warning, a response must still be entered into all of the required racial profiling fields in CAD.

Discussion:

The Kennedale Police Department is charged with enforcing the law, as well as, protecting citizen's constitutional rights, regardless of race, color, ethnicity, national origin, age, gender, sexual orientation, religion, disability, or economic status. Because of the nature of our law enforcement profession, police officers are required to be observant, to identify unusual occurrences, suspicious behavior, and law violations, taking appropriate and reasonable law enforcement action. It is this proactive enforcement that prevents crime, keeps our citizens free from crime, our city streets safe, and that detects and apprehends criminals. This agency policy is intended to accomplish our police mission, while enforcing the law and arresting criminals within constitutional restrictions.

While criminal behavior profiling can be a useful investigative tool to assist law enforcement officers in carrying out their duties, peace officers are prohibited from engaging in racial profiling. Instead, police officers should focus on a person's behavior, conduct, or other factual information. They should not let their personal bias or prejudices interfere with their professional performance as a peace officer. Officers must have reasonable suspicion supported by specific articulated facts that

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the person is committing, has committed, or is about to commit a crime, or is presenting a threat to the safety of themselves or others. Employees shall treat all citizens with fairness, respect, and dignity. Police Officers should always conduct themselves in a dignified, respectful and professional manner at all times when interacting with the public.

Policy:

It is the policy of the Kennedale Police Department to police in a proactive manner, to aggressively investigate suspicious persons, vehicles, and circumstances, while actively enforcing the motor vehicle traffic laws. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to a person's race, ethnicity or national origin. However, agency policy strictly prohibits our police officers from engaging in racial profiling as defined by state law. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.

Procedure:

- A. **Bias Based Profiling Prohibited:** Kennedale's police officers are strictly prohibited from engaging in bias based profiling including racial profiling in traffic contacts, field contacts, and in asset seizure and forfeiture efforts. Officers profiling individuals based on ethnic background, color, gender, sexual orientation, religion, economic status, age, cultural group, physical impairment or any other identifiable group in the performance of their official law enforcement duties are legally, morally, and ethically wrong. Racial profiling is prohibited by both state / federal laws. Racial profiling serves no legitimate law enforcement purpose. It leads to allegations of violations of the constitutional rights of the citizens we serve, while undermining legitimate law enforcement objectives. Additionally, racial profiling alienates citizens, destroys public trust of law enforcement, and invites media scrutiny, legislative action, and judicial intervention. The prohibition against profiling does not preclude the use of race, ethnicity, or national origin as factors in a detention decision. Race, ethnicity, or national origin may be legitimate factors in such a detention when used in part as a description of a criminal suspect or witnesses for whom a police officer is searching.
1. Police practices, known as racial profiling, are unlawful. Officers practicing racial profiling are guilty of discrimination by race, which is a violation of state / federal laws.
 2. Acts constituting racial profiling may include: a police officer engaging in pre-textual motor vehicle contacts of minorities, with the intent of searching the driver and occupants for contraband, such as drugs; or detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle; or stopping a young black male who is observed in a predominantly white neighborhood.
 3. Officers should focus their enforcement or investigative efforts upon criminal behavior

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or conduct, not one's race, ethnicity, or gender. However, it is not illegal to use race as descriptive information, such as a robbery suspect description- young black male, 6'5", 185 lbs., wearing a red jacket, and silver Dallas Cowboy's baseball cap. (TBP 2.01)

B. Complaint Process:

1. Any individual may file a complaint with the Chief of Police, if the individual believes that a Kennedale Police Officer has engaged in racial profiling with respect to the individual. No person shall be discouraged, intimidated, or coerced from filing such a complaint or discriminated against because they filed such a complaint.
2. To make a compliment or complaint with respect to each ticket, citation, or warning issued by a police officer, send to the following:
Chief of Police
401 Municipal Dr.
Kennedale, Texas 76060
817-985-2160
E-mail – twilliams@cityofkennedale.com
3. The Kennedale Police Department shall accept and investigate citizen complaints alleging racial profiling by its police officers in the same consistent manner as other complaints of police misconduct. Such complaints must be in writing, including the identity or description of the officer, date, time, place and details of the alleged incident of racial profiling.
4. Any police officer, city employee, or city official who receives a citizen complaint alleging racial profiling shall direct the complaint to the Chief of Police, who retains the right to assign the complaint to an investigator, within or outside the police department, including the Tarrant County Sheriff's Department, Tarrant County District Attorney, Texas Rangers, Texas Attorney General, or FBI.
5. The accused officer will be given the opportunity to respond, in writing, to the citizen's allegations. Depending upon the circumstances and facts, the investigation may be either administrative, criminal, or both.
6. The investigator shall seek to determine if the accused officer has engaged in a pattern of racial profiling that includes multiple acts constituting racial profiling for which there is no reasonable, credible explanation based on established police and law enforcement procedures.
7. The investigator shall record findings supporting sustained, unfounded, or exonerated.

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Any recommendations for disciplinary action or changes in policy, training, or patrol tactics should be included.

8. If a complaint involves an audio / video recording, the Chief of Police shall, upon commencement of the investigation and written request of the officer, provide a copy of the recording to the accused police officer.
9. The Chief of Police will acknowledge in writing receipt of the complaint. Upon conclusion of the investigation, the Chief of Police shall notify the complainant of the final results. If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, as directed by the Chief of Police. The Chief of Police will make the final determination about the disposition of any complaint.

C. Public Education:

1. The Chief of Police is responsible to provide public education relating to the agency's compliant process.
2. This public awareness effort may include, but is not limited: to news media, radio, civic club presentations, citizen police academies, the internet, printed pamphlets, as well as, city council meetings.

D. Corrective Action:

1. The Kennedale Police Department does not condone the practice of racial profiling. Any peace officer who is found to have engaged in racial profiling shall be subject to corrective action as deemed appropriate by the Chief of Police.
2. Depending upon the facts and circumstances, corrective action may include cultural diversity and racial sensitivity training, employee counseling, disciplinary action, and/or dismissal.

E. Motor Vehicle Contact Data Collection & Reporting:

1. The Kennedale Police Department collects racial profiling data.
2. Patrol officers are required to record the following information relating to motor vehicle contacts, resulting in a citation or arrest: the violator's race or ethnicity, whether a search was conducted, and if so, was the search consensual.
3. Whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual.

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4. Whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code (“means physical pain, illness, or any impairment of physical condition), during the contact;

- a. The location of the contact, and
- b. The reason for the contact
- c. Complete the Use of Force Report as required.

5. While this information may be gathered in various ways, including mobile data terminals, hand-held devices, reports, patrol officers shall record this information on (CAD) OSSI.

6. Race or Ethnicity: The following categories must be used:

- White (W)
- Black (B)
- Hispanic or Latino (H)
- Asian or Pacific Islander (A)
- Alaska Native or American Indian (AI)
- Middle Eastern (ME)
- There is no “other” category.

You must identify someone’s race or ethnicity to the best of your ability using one of these categories

7. Data Fields: Information that must be collected.

Initial Reason for Contact?

Free text field that defaults to same reason as offense

Race – W, B, H, A, AI, ME

Officer Knew Race Prior to Contact?

Yes or No

Search Type?

No Search (default)

Consent

Plain View

Probable Cause (includes a search warrant or K9 hit)

Incident to Arrest

Inventory

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Contraband?

- None found
- Drugs
- Weapons
- Other Contraband

Arrest?

- Yes
- No (default)

Arrest based on:

- Penal Code Violation
- Traffic Law Violation
- City Ordinance Violation
- Outstanding Warrant

Offense Charged:

- Free text field

Use of Force Resulting in Bodily Injury?

- Yes
- No (default)

If an officer elects to complete a motor vehicle contact with a verbal warning, a response must still be entered into all of the required racial profiling fields in CAD.

It is not necessary to enter the vehicle information unless it is specifically relevant to the warning being issued.

F. Annual Administrative Review / Report: Annually, this administration shall review agency practices related to motor vehicle contacts. One purpose of this administrative review is to identify any violations related to this written directive, state, or federal laws, including training deficiencies.

1. As part of the Annual Police Report, the Chief of Police shall report to the Kennedale City Council a statistical summary of motor vehicle contacts, resulting in a citation, arrest, and/or search.
2. The information collected shall be compiled in an annual report covering the period January 1 through December 31 of each year, and shall be submitted to the Kennedale City Council no later than March 1 of the following year.
3. The agency shall review the data collected under Subsection (b) (6) to identify any

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improvements the agency could make in its practices and policies regarding motor vehicle contacts.

4. The report will contain required information, including:
 - Number of citations by race or ethnicity;
 - Number of citations resulting in a search;
 - Number of consensual searches; and
 - Number of citations resulting in custodial arrest.
5. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any police officer involved in a motor vehicle contact or arrest.
6. This data collected as a result of reporting requirements (State Law) shall not constitute prima facie evidence of racial profiling!

G. Audio and Video Equipment:

1. As part of the new “racial profiling” law, law enforcement agencies were encouraged to install video / audio cameras in every patrol vehicle to ensure officer accountability. If patrol vehicles are equipped with mobile video / audio recording equipment, the agency is exempt from compiling information contained in Articles 2.133 and 2.134. The feasibility of equipping each officer who regularly detains or stops motor vehicles with a body worn camera, as the term is defined by Section 1701.651, Occupation Code will be examined.
2. This administration has gone to great expense installing MVR systems in all patrol vehicles to accomplish the many patrol objectives, including officer accountability, documentation, evidence, and training.
3. All motor vehicle contacts shall be recorded. During motor vehicle contacts, MVR equipment shall automatically activate and remain on until the motor vehicle contact is terminated.
4. If a complaint is filed with this department, the agency shall retain that videotape until final disposition of the complaint.
5. First-Line Supervisors will ensure that patrol officers are recording their motor vehicle contacts, in compliance with agency policy, as well as, state law. First-Line Supervisors are responsible to periodically review the videos, monitoring the performance of patrol officers, and taking corrective measures, as warranted, to prevent any police misconduct, including racial profiling. First-Line Supervisors are required to review at least three random videos each quarter (3

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months) per officer. When conducting random, quarterly, supervisory reviews of officer's video, review the footage in a manner intended to gain an understanding of that officer's performance and adherence to policy and law. All audio/video recordings of a racial profile use of force will be investigated and saved.

6. Any evidence of racial profiling or police mis-conduct, the First-Line Supervisor will forward the videotape to the Chief of Police for corrective measures, including sanctions.
- H. Racial Profiling Training: All officers, including the Chief of Police, are responsible to adhere to the Texas Commission on Law Enforcement (TCOLE) and the Law Enforcement Management Institute of Texas (LEMIT) training and education requirements, as mandated by state law.
1. All officers shall complete a TCOLE training and education program on racial profiling, in accordance with state law.
 2. The Chief of Police will be required to attend the LEMIT program on racial profiling.

Chief of Police

BP 2.01



For additional questions regarding the information presented in this report, please contact:

Del Carmen Consulting©
817.681.7840
www.texasracialprofiling.com
www.delcarmenconsulting.com

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**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.B.3.

SUBJECT
Ordinance 585 Amending the Water Bill Termination from 5 days to 30 days

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	Ordinance 585 AMENDING Water Bill Termination.MC.REDLINED	Ordinance 585 AMENDING Water Bill Termination.MC.REDLINED.docx
2.	Ordinance 585 AMENDING Water Bill Termination.MC.FINAL - CLEAN	Ordinance 585 AMENDING Water Bill Termination.MC.FINAL - CLEAN.docx

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE No. 585, AS AMENDED, OF THE CITY OF KENNEDALE, TEXAS, BY AMENDING THE KENNEDALE CITY CODE OF ODINANCES, AS AMENDED, BY AMENDING CHAPTER 23 “WATER, SEWERS AND SEWAGE DISPOSAL,” SECTION 23-5 “BILLING; DELINQUENCY PENALTIES,” TO PROVIDE FOR AN EXTENSION OF THE TERMINATION NOTICE PERIOD; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas 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 has previously passed an ordinance establishing billing procedures for water services delinquencies and billing periods; and

WHEREAS, the City desires to update and extend its current termination notice period from five (5) days to thirty (30) days; and

WHEREAS, the City Council, after due and careful consideration, considers it desirable and in the best interest of the health, safety, morals and general welfare of the citizens to extend the termination notice period as described herein.

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

SECTION 1.

Section 23-3. – “Billing; delinquency penalties” of the Kennedale City Code is hereby amended to read as follows:

“All bills for city utilities rendered by the city shall be paid on the designated due date. If the bill is not paid by the designated date, the ~~service account~~ shall be ~~subject deemed to discontinued delinquent~~, and the bill shall contain a notice ~~to this effect~~ advising the customer that failure to pay the delinquent amount within thirty (30) days after the mailing or personal delivery of the bill may result in discontinuance of service. Water and sewer services are indivisible so that nonpayment for either service will justify ~~discontinuance~~ discontinuing of both services. The delinquency notice on the bill shall constitute the City’s thirty (30) -days notice of possible service termination, and nNo additional notice ~~will shall~~ be given required of prior to discontinuance of service ~~for failure to timely pay the bill~~. The customer may request a hearing, ~~at a time designated which shall be scheduled at a time~~ not less than ~~five-thirty (305)~~ thirty (30) days after the mailing or ~~other~~ personal delivery of the delinquency notice, to show just cause why the service should not be discontinued for failure to pay ~~the bill~~. Such hearing shall be conducted at the city

hall by the city manager and city water superintendent or, in the event of necessary absence of either, by the other of the two officials. If the customer fails to appear for the hearing, or appearing-if customer fails to show just cause for the delay, the service shall thereafter be promptly disconnected until the delinquencies are all paid. If good cause for delay is shown, the hearing officials may withdraw the discontinuance notice or defer discontinuance under conditions deemed fair and just in light of the evidence presented at such hearing. If such bills are not paid by the designated due date each month, a ten-percent penalty fee will be added for late payment amount.”

SECTION 2.

This ordinance shall be cumulative of all provisions of ~~all existing~~ ordinances ~~and~~ of the City of Kennedale, Texas City Code of Ordinances(1994), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Thus, Ordinance No. 585 is hereby repealed. ~~—All fees in Exhibit A “Schedule of Fees” of Section 2-3 “Fees for licenses, inspections, permits, etc.” that are not revised in Exhibit “A” to this Ordinance shall remain unchanged.~~

SECTION 3.

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

SECTION 4.

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

PASSED AND APPROVED ON THIS ___ DAY OF _____, 2026.

Brad Horton, MAYOR

ATTEST:

Barbara Dahl, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

[\[NAME\], Carvan Adkins](#), CITY ATTORNEY

EXHIBIT A

ORDINANCE NO. 585

AN ORDINANCE AMENDING ORDINANCE No. 585, AS AMENDED, OF THE CITY OF KENNEDALE, TEXAS, BY AMENDING THE KENNEDALE CITY CODE OF ODINANCES, AS AMENDED, BY AMENDING CHAPTER 23 “WATER, SEWERS AND SEWAGE DISPOSAL,” SECTION 23-5 “BILLING; DELINQUENCY PENALTIES,” TO PROVIDE FOR AN EXTENSION OF THE TERMINATION NOTICE PERIOD; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas 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 has previously passed an ordinance establishing billing procedures for water services delinquencies and billing periods; and

WHEREAS, the City desires to update and extend its current termination notice period from five (5) days to thirty (30) days; and

WHEREAS, the City Council, after due and careful consideration, considers it desirable and in the best interest of the health, safety, morals and general welfare of the citizens to extend the termination notice period as described herein.

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

SECTION 1.

Section 23-3. – “Billing; delinquency penalties” of the Kennedale City Code is hereby amended to read as follows:

“All bills for city utilities rendered by the city shall be paid on the designated due date. If the bill is not paid by the designated date, the account shall be deemed delinquent, and the bill shall contain a notice advising the customer that failure to pay the delinquent amount within thirty (30) days after the mailing or personal delivery of the bill may result in discontinuance of service. Water and sewer services are indivisible so that nonpayment for either service will justify discontinuing of both services. The delinquency notice on the bill shall constitute the City’s thirty (30) days notice of possible service termination, and no additional notice shall be required prior to discontinuance of service. The customer may request a hearing, which shall be scheduled at a time not less than thirty (30) days after the mailing or personal delivery of the delinquency notice, to show just cause why the service should not be discontinued for failure to pay. Such hearing shall be conducted at the city hall by the city manager and city water superintendent or, in the event of necessary absence of either, by the other of the two officials. If the customer fails to

appear for the hearing, or if customer fails to show just cause for the delay, the service shall thereafter be promptly disconnected until the delinquencies are all paid. If good cause for delay is shown, the hearing officials may withdraw the discontinuance notice or defer discontinuance under conditions deemed fair and just in light of the evidence presented at such hearing. If such bills are not paid by the designated due date each month, a ten-percent penalty fee will be added for late payment amount.”

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances of the City of Kennedale, Texas Code of Ordinances, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Thus, Ordinance No. 585 is hereby repealed.

SECTION 3.

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

SECTION 4.

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

PASSED AND APPROVED ON THIS ___ DAY OF _____, 2026.

Brad Horton, MAYOR

ATTEST:

Barbara Dahl, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

Carvan Adkins, CITY ATTORNEY

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM V.C.

SUBJECT

ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM V.C.1.

SUBJECT

Kennedale FD Contract providing Fire and EMS Services to Tarrant County ESD1 - FY 2026

ORIGINATED BY

Eric Peterson, Fire Chief

SUMMARY

This is a recurring contract with Tarrant County Emergency Services District 1 for the Kennedale Fire Department to respond to designated areas within the unincorporated area of Tarrant County located along our city limits. Mapping is included within the contract to define the area of Tarrant County that is assigned to Kennedale FD. Monthly reports are provided to the ESD on emergency responses that Kennedale FD responded to within that defined area. Funding is provided and paid to the City of Kennedale quarterly. A flat payment of \$25,000 is provided for each year after renewing the contract. FY26 funding for Fire responses totals \$42,133, and EMS responses total \$22,400.

RECOMMENDATION

Approval; and Recommendation to the Council to also Approve this Item

ATTACHMENTS

1.	Kennedale Municipal Contract - FY 2026	Kennedale Municipal Contract - FY 2026.docx
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**CONTRACT FOR PROVIDING FIRE
EXTINGUISHMENT AND
EMERGENCY SERVICES
WITH A MUNICIPALITY**

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

This CONTRACT FOR PROVIDING FIRE EXTINGUISHMENT AND OTHER EMERGENCY SERVICES hereinafter called "Contract," effective as of the 1st day of October, 2025 ("Effective Date") is by and between the TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO. 1, hereinafter referred to as "the DISTRICT", a political subdivision of the State of Texas duly organized and operating pursuant to the provisions of Section 48-e, Article III of the Texas Constitution and Chapter 775, Texas Health and Safety Code, and the CITY OF Kennedale, hereinafter called "the CITY", a Texas home rule municipality duly organized and operating under the laws of the State of Texas. The DISTRICT and the CITY may be collectively referred to herein as the "parties," or individually as a "party."

Witnesseth:

WHEREAS, the DISTRICT is a duly organized emergency services district and a political subdivision of the State of Texas created for the protection of life and property and to provide emergency services, with the full authority to carry out the objects of its creation, and to that end is authorized to enter into and perform any and all necessary contracts; and

WHEREAS, the Emergency Services District Act, found at Chapter 775 of the Texas Health and Safety Code ("the Act") provides the DISTRICT with the authority to enter into contracts with others, whereby fire extinguishment and other emergency services may be made available to the DISTRICT, upon such terms as the governing body of the DISTRICT and the entity provider such services shall determine; and

WHEREAS, the DISTRICT desires to secure fire extinguishment and other emergency services from the CITY for a specified portion of the DISTRICT hereinafter referred to as the "Service Area,"; and

WHEREAS, the CITY currently provides fire extinguishment and other emergency services within its own jurisdiction and is willing and able to furnish services to the Service Area at a level acceptable to the DISTRICT for the consideration hereinafter provided; and

WHEREAS, the DISTRICT has determined that it is in the best interest of the residents and property owners of the DISTRICT for the DISTRICT to enter into this Contract with the CITY; and

WHEREAS, the DISTRICT and the CITY each represent and warrant that each is in full compliance with all local, federal, and state laws applicable to its operations.

NOW THEREFORE, for and in consideration of the premises and mutual covenants hereinafter contained, the parties hereto agree with the others as follows:

ARTICLE I DEFINITIONS

Section 1.01 Findings of Fact – The DISTRICT and the CITY find that the facts and statements set forth in the preamble to this Contract are true and correct for all purposes.

Section 1.02 Definitions – The following terms shall have the respective meaning assigned to them in this Article I wherever they are used in this Contract.

ACT – Means Chapter 775, Texas Health and Safety Code, Section, as amended.

BREACH OF CONTRACT – Means an act or circumstance by either party to this Contract, which violates or results in non-compliance with this Contract or any provision herein.

CITY – Means the **CITY OF** Kennedale, Texas, a home rule municipality. duly organized and existing under the laws of the State of Texas, and in full compliance at all times with same.

CONTRACT – Means this Contract and any properly executed amendments or supplements hereto.

CURRENT DISTRICT POLICIES – Means DISTRICT policies if any, in effect on the Effective Date of this Contract.

DISTRICT – Means **TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO. 1**, a political subdivision of the State of Texas created and operating pursuant to Section 48-e of Article III of the Texas Constitution and the Act, and in full compliance at all times with same.

EMERGENCY MEDICAL SERVICES or EMS – means those activities required for and related to providing service as an “Emergency Medical Services Provider” as defined by Chapter 773, Texas Health and Safety Code.

EMERGENCY SERVICES – Means those EMS and/or Fire Services the CITY agrees to provide to the Service Area under the terms of this Contract. The specific Emergency Services the CITY agrees to provide under this Contract are: All types of firefighting, rescue, and emergency medical response including ambulance transport if applicable to the contracting agency.

FIRE EXTINGUISHMENT SERVICES OR FIRE SERVICES – Means those activities which are required for and related to the control and extinguishment of fires.

SERVICE AREA – Means the geographic boundaries of a specific portion of the DISTRICT within which the CITY agrees to provide Emergency Services, which is described in **Appendix A**, attached hereto and incorporated herein for all purposes.

Section 1.03 Construction of Terms – If appropriate, in this Contract, words of the singular number shall be considered to include plural, words of the plural shall be considered to include the singular, and words of the masculine, feminine, and neutral gender shall be considered to include other genders.

ARTICLE II SERVICES TO BE PROVIDED

Section 2.01 General – During the term of this Contract, the CITY agrees to provide Emergency Services to the Service Area on a 24 hour per day seven days per week basis.

Section 2.02 Licenses and Certifications – The CITY agrees that it is legally licensed and certified to provide Emergency Services to the Service Area as called for by this Contract. The CITY further agrees to renew and maintain said licenses and certifications for the duration of this Contract.

Section 2.03 Dispatch Communications – The CITY agrees to utilize the Tarrant County Regional Communications Center (“TCRCC”) for all dispatch and fire ground communications subject to this Contract.

Section 2.04 Response Requirements

- A. **Proper Response.** For the purpose of this Section 2.04, a “Proper Response” means a CITY response to a call for assistance for Emergency Services within the Service Area that meets the same parameters for properly responding to a call for assistance for Emergency Services within the CITY’s own jurisdiction.
- B. **Minimum Response Requirement.** The CITY agrees that at least 80% of the calls for assistance for Emergency Services within the Service Area will receive a Proper Response. (“Minimum Response Requirement”).

C. Failure to Meet Minimum Response Requirement.

1. Good Faith Meeting. If the DISTRICT believes that the CITY has failed to meet the Minimum Response Requirement for two (2) or more consecutive months, the parties agree to meet, upon written request of the DISTRICT, in good faith to review and discuss the response data and circumstances relating to the DISTRICT's determination.
2. Temporary Delay of Payment. If, after the meeting between the parties, the DISTRICT believes that the issue is likely to be repeated, the DISTRICT must notify the CITY in writing of its intent to temporarily delay any payment that may be due to be paid to the CITY for the next sixty (60) days to allow the CITY time to correct the issue to the DISTRICT's satisfaction.
3. Issue Corrected. At the conclusion of sixty (60) days, if the DISTRICT determines that the issue has been corrected, the DISTRICT must immediately release any payment that was temporarily withheld from the CITY during the correction period.
4. Issue Not Corrected. If, at the conclusion of sixty (60) days, the DISTRICT determines that the issue has not been corrected, the parties may mutually agree, in writing signed by both parties, to extend the time period for correction of the issue and must address whether the delay of payment is extended as well.
5. Termination Rights Not Affected. Nothing in this section or any other section of the Contract prohibits either party from exercising the right to terminate this Contract, with or without cause, upon sixty (60) days' written notice to the other party.

Section 2.05 Reports and Other Information

- A. Reports Required. As soon as practicable after the provision of Emergency Services in the Service Area, the CITY shall complete a basic incident report in the CITY's Record Management System ("RMS"). Reports shall be a complete and accurate description of the actions taken by the CITY's personnel and shall include an appropriate narrative section.
- B. RMS Purchase Authorized. In the event that the CITY and the DISTRICT do not already use the same RMS provider, the CITY and the DISTRICT may agree that the DISTRICT will purchase a license for the DISTRICT's preferred RMS software for the CITY to use to document Emergency Services provided under this Contract. The parties not required to enter into

such agreement, and under no circumstances is the CITY required to obtain or utilize the DISTRICT's preferred RMS software.

- C. Other Report Requirement. The CITY agrees to participate in the National Response Information System ("NERIS").

ARTICLE III EQUIPMENT, MAINTENANCE, AND OPERATION

Section 3.01 Maintenance and Operation – The parties hereto agree that during the term of this Contract, the DISTRICT shall have no responsibility or liabilities whatsoever for operating, maintaining, repairing, and ensuring any equipment by which Emergency Services are provided by the CITY except as outlined in **Appendix B**, attached hereto, entitled "Maintenance and Repair of DISTRICT-Owned Equipment." Any other such responsibilities belong solely to the CITY.

Section 3.02 ISO Rating – In order to accomplish a county-wide Insurance Services Office ("ISO") rating improvement, the CITY agrees that all of its apparatus are equipped in accordance with the latest adopted version of National Fire Protection Association ("NFPA") 1901 and shall have in place a program to annually:

- Test its full complement of hoses in accordance with NFPA 1961; and
- Test its full complement of ground ladders in accordance with NFPA 1932; and
- Test the pumps of its Class A Engines in accordance with NFPA 1911.

Section 3.03 Inspection of Equipment

- A. Right to Inspect. The DISTRICT has the right to inspect DISTRICT-owned equipment and records related to maintenance of DISTRICT-owned equipment, if any, in possession of the CITY upon reasonable request.
- B. Re-Inspection. In the event that the DISTRICT notifies the CITY in writing that it has determined, based on an inspection made under this section, that DISTRICT-owned equipment is not in operating condition based on the NFPA standards described in Section 3.02, the CITY will authorize a re-inspection of such equipment by the DISTRICT to be conducted within fifteen (15) days.
- C. Temporary Delay of Payment. In the event that the DISTRICT determines, based on a re-inspection made under this section, that the DISTRICT-owned equipment is still not in operating condition based on the NFPA standards described in Section 3.02, the DISTRICT must notify the CITY in writing of its intent to temporarily delay any payment that may be due to be

paid to the CITY for the next sixty (60) days to allow the CITY time to correct the issue to the DISTRICT's satisfaction.

- D. Issue Corrected. At the conclusion of sixty (60) days, if the DISTRICT determines that the issue has been corrected, the DISTRICT must immediately release any payment that was temporarily withheld from the CITY during the correction period.
- E. Issue Not Corrected. If, at the conclusion of sixty (60) days, the DISTRICT determines that the issue has not been corrected, the parties may mutually agree, in writing signed by both parties, to extend the time period for correction of the issue and must address whether the delay of payment is extended as well.
- F. Termination Rights Not Affected. Nothing in this section or any other section of the Contract prohibits either party from exercising the right to terminate this Contract, with or without cause, upon sixty (60) days' written notice to the other party.

Section 3.04 Out of Service Apparatus and Equipment – The CITY shall notify TCRCC when, for any reason, DISTRICT-owned equipment is out of service for more than twenty-four (24) continuous hours. When the DISTRICT-owned equipment is put back in service the CITY will notify the TCRCC of same.

ARTICLE IV INSURANCE AND INDEMNIFICATION

Section 4.01 Workers' Compensation Coverage – The CITY shall maintain statutory workers' compensation coverage for its employees, officers and volunteers regarding the CITY's performance under this contract. The CITY recognizes that the DISTRICT has no responsibility to furnish this coverage and CITY waives any right to pursue the DISTRICT for liability regarding payments for this coverage or for liability regarding payments for claims filed against this coverage.

Section 4.02 Assignment of Liability – The CITY shall be responsible for any civil liability or costs that may arise from the Emergency Services that the CITY provides under this Contract. The parties agree pursuant to Section 791.006 (a-1) of the Texas Government Code that assignment of liability provided by this Contract is intended to be different than liability otherwise assigned under Section 791.006 (a) of the Texas Government Code, which provides that “the governmental unit that would have been responsible for furnishing the services in the absence of the contract is responsible for any civil liability that arises from the furnishing of those services.” The parties also agree that pursuant to Section 775.0366 (e) of the Texas Health and Safety Code that assignment of liability provided by this Contract is intended to be different than liability otherwise assigned under Section 775.0366 (d), which provides that the “district is

responsible for any civil liability that arises from furnishing those services if the district would have been responsible for furnishing the services in the absence of the contract.” It is expressly understood and agreed, however, that in the execution of this Contract, neither the CITY nor the DISTRICT waives, nor shall be deemed to waive, any immunity or defenses that would otherwise be available to it against claims arising in the exercise of governmental powers and functions, including the liability limits and immunities for a governmental unit provided by the Texas Tort Claims Act, Chapter 101, Civil Practice and Remedies Code, or other law.

Section 4.03 Line of Duty – When an employee or volunteer of the responding CITY is performing duties under the terms of this Contract, that person is considered to be acting in the line of duty for the CITY for the purposes of 32 U.S.C.A., Section 3796; is considered to be in performance of duties for the CITY within the applicable provisions of Chapter 615 of the Texas Government Code, and of Chapter 142, Texas Local Government Code; and shall be entitled to any other benefits which accrue under law as a result of injury, death, or loss which occurs while in the line of duty for the CITY under this Contract. This section does not increase the DISTRICT’s liability under this Contract.

ARTICLE V PAYMENTS BY DISTRICT

Section 5.01 Fire Service Compensation – the DISTRICT agrees to pay the CITY an estimated total sum of 42,133 during the term of this Contract for Fire Services provided by the CITY in the Service Area. The DISTRICT will make equal quarterly payments to the CITY in the amount of \$10,533 per quarter based on this estimated total sum, with the final quarterly payment being subject to adjustment based on the pricing and payment details set forth in **Appendix C**, attached hereto, entitled “Funding Mechanism, Response Expectations, and Response Reporting.”

Section 5.02 EMS Compensation – If provided by the CITY under this Contract, the DISTRICT agrees to pay the CITY an estimated total sum of \$22,400 during the term of this Contract for Emergency Medical Services provided by the CITY in the Service Area. The DISTRICT will make equal quarterly payments to the CITY in the amount of \$5,600 based on this estimated total sum, with the final quarterly payment being subject to adjustment based on the pricing and payment details set forth in **Appendix C**.

Section 5.03 Additional Funding Details – In order to receive the payment due for each quarter, the CITY will provide to the DISTRICT a fiscal year-to-date summary report of all incidents responded to in the Service Area by the CITY. Additional details regarding funding, final quarterly payment calculation, the payment schedule, and response expectations are included in **Appendix C**. All funds to be provided hereunder shall be from current funds only.

Section 5.04 Initial Lump Sum Payment – In addition to the monetary amounts set forth in Sections 5.01 and 5.02, and prior to the payment of any of the above-described quarterly payments, the DISTRICT will pay the CITY a lump sum of twenty-five thousand and 00/100 (\$25,000.00) by October 31st of the current fiscal year. This payment is intended to help offset the operational costs of the CITY.

Section 5.05 Use of District Funds – Pursuant to Section 775.073, Texas Health & Safety Code, and other applicable law, it is understood and agreed by the parties that any funds allocated by the DISTRICT to the CITY are for maintenance and operation expenses only in the provision of the Emergency Services set forth herein, and the CITY, unless otherwise agreed to by the parties in writing, shall not use any DISTRICT allocated funds for the purchase, lease, or acquisition of any real or personal property, and any real or personal property of the CITY shall remain the sole property of the CITY, unless DISTRICT allocated funds are used to purchase, lease, or otherwise acquire real or personal property. The parties further agree that the DISTRICT does not have any ownership interest in the real and personal property owned by the CITY, except for real or personal property purchased with DISTRICT allocated funds. The DISTRICT's payments made to the CITY for services rendered under this Contract do not create an ownership interest in the real and personal property of the CITY.

ARTICLE VI ASSIGNMENT AND MODIFICATION

Section 6.01 Assignment – This Contract shall not be assignable by the CITY or the DISTRICT in whole or in part without obtaining the prior written consent of the other party. Further, this Contract may be modified only upon the prior written consent of the parties. In the event that either the CITY or the DISTRICT desires a change in the Service Area or the scope of Emergency Services to be rendered hereunder, this Contract may be amended, and the payments may be adjusted accordingly but only upon the prior written agreement of both parties. It is understood and agreed between the parties that the DISTRICT may not expand the Service Area of the CITY without the CITY'S prior written approval.

ARTICLE VII MISCELLANEOUS

Section 7.01 Compliance with Law – The CITY and DISTRICT shall observe and comply with all local, state, and federal laws, rules, and regulations applicable to the performance of obligations under this Contract.

Section 7.02 Term – This Contract shall be for a period of twelve (12) months commencing on the 1st day of October of 2025 and ending at 12:00 midnight on September 30, 2026. It is understood by THE CITY and DISTRICT that the DISTRICT shall prepare a new contract so that it may be signed on or before September 30, 2026.

Section 7.03 Termination – Notwithstanding any other language or provision in this Contract, either party may elect to terminate this Contract with or without cause upon 60 days' written notice to the non-canceling party. In the event of termination, the DISTRICT will pay a prorated share of the monies due for the remainder of that quarter only if the CITY provides services as required in the Contract during the period of time leading up to the termination date.

Section 7.04 Liaison – The CITY Manager, Administrator of Record (Sec 773.05711), or designee shall be the liaison with the DISTRICT.

Section 7.05 Notices – All notices required or permitted to be sent hereunder shall be deemed received three (3) days after the date sent by electronic mail, addressed to the party at the electronic mail address set forth below, three (d) days after the date sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below, or on the day actually received if sent by courier or otherwise hand-delivered to the following addresses:

If to the **DISTRICT**:

TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO.1
ATTN: Executive Director
4900 River Oaks Blvd.
River Oaks, TX 76114
Email: russell.shelley@tarrantesd1.org
With a copy to: alicia.johnson@tarrantesd1.org

If to the **CITY**:

CITY OF Kennedale
ATTN: Fire Chief Eric Peterson
405 Municipal Dr.
Kennedale, TX 76060
Email: epeterson@cityofkennedale.com

The DISTRICT or the CITY may, by notice hereunder, designate any further or different address to which subsequent notices, certificates or other communications shall be sent.

Section 7.06 Binding Effect – This Contract shall insure to the benefit of and shall be binding upon the DISTRICT and the CITY, and their respective successors and assigns.

Section 7.07 Severability – In the event any provision of this Contract shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision thereof, unless the provision invalidated should invalidate a material obligation of either party.

Section 7.08 Execution and Counterpart – This Contract may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one in the same instrument.

Section 7.09 Captions – The captions or heading in this Contract are for convenience only and in no way define, limit or otherwise describe the scope or intent of any provision or section of the Contract.

Section 7.10 Independent Contractor; Implied Rights; Conferring Rights – Nothing in this Contract shall be construed as creating a partnership, association, or joint venture. No party shall be deemed to control the other party. It is further agreed that in the performance of all obligations undertaken by this Contract, the CITY is an independent contractor with the right to supervise, manage, control, and direct the performance of Emergency Services provided under this Contract. The parties do not intend to create any obligations express or implied other than those specifically set forth herein and this Contract will not create rights in parties not signatories hereto. The employees of the CITY are not employees or agents of the DISTRICT by virtue of this Contract. The employees of the DISTRICT are not employees or agents of the CITY by virtue of this Contract. By entering into this Contract, neither the DISTRICT nor the CITY waives, nor shall either party be deemed to waive, any rights, defenses, or immunities either party may have under any applicable federal, state, or local statute, law, rule or regulation. Additionally, this Contract does not confer any rights on third parties who are not signatories to this Contract. Therefore, no person may bring suit against the CITY or the DISTRICT regarding the performance of this Contract as a third-party beneficiary of this Contract.

Section 7.11 Non-Exclusive Agreement – In order to ensure to the greatest extent practical that there will be sufficient equipment and emergency resources available to the DISTRICT, the parties acknowledge that the CITY may enter into Mutual Aid Agreements or other agreements with other non-DISTRICT emergency services organizations, fire departments, or municipalities in the area for provision of Emergency Services. The DISTRICT may also make agreements for service with other agencies or directly provide DISTRICT resources for the provision of emergency services in the Service Area.

Section 7.12 Governing Law – This Contract will be governed by the laws of the State of Texas, and venue for any action concerning this Contract shall lie in Tarrant County, Texas.

Section 7.13 Enforcement – In enforcing the performance of the provisions of this Contract all parties shall have the right to the exercise of all procedures available under applicable law or equity. No waiver or breach of any term or condition of this Contract shall be construed to waive any subsequent waiver or breach of the same or any other term or condition of this Contract.

Section 7.14 Force Majeure – To the extent that either party to this Contract shall be wholly or partially prevented from the performance within the period specified of any

obligation or duty placed on such party by any reason of or through strikes, stoppage of labor, riot, flood, failure of utilities, public water supply, invasions, insurrections, the order of any court, judge, or civil authority, pandemic or epidemic, or of act of God, then, in such event, the time for the performance of such obligation or duty shall be suspended until such inability to perform is removed.

Section 7.15 Defined Terms – The defined terms in this Contract shall have the meanings as defined herein whether or not the term appears in all capitalized letters or in upper and lower-case letters.

Section 7.16 Communications – The parties acknowledge that the typical form of regular communications between the DISTRICT and the CITY regarding the services provided under this Contract is e-mail. Therefore, it is the responsibility of both parties to immediately inform the other of any changes to agency contact information.

DISTRICT SIGNATURE

Signed this _____ day of _____, 2026.

**TARRANT COUNTY EMERGENCY SERVICES DISTRICT #1
4900 River Oaks Blvd.
River Oaks, TX 76114**

By: _____
Donnie Davis, President

ATTEST:

By: _____
Richard Casarez, Secretary/Treasurer

CITY SIGNATURE

Signed this _____ day of _____, 2026.

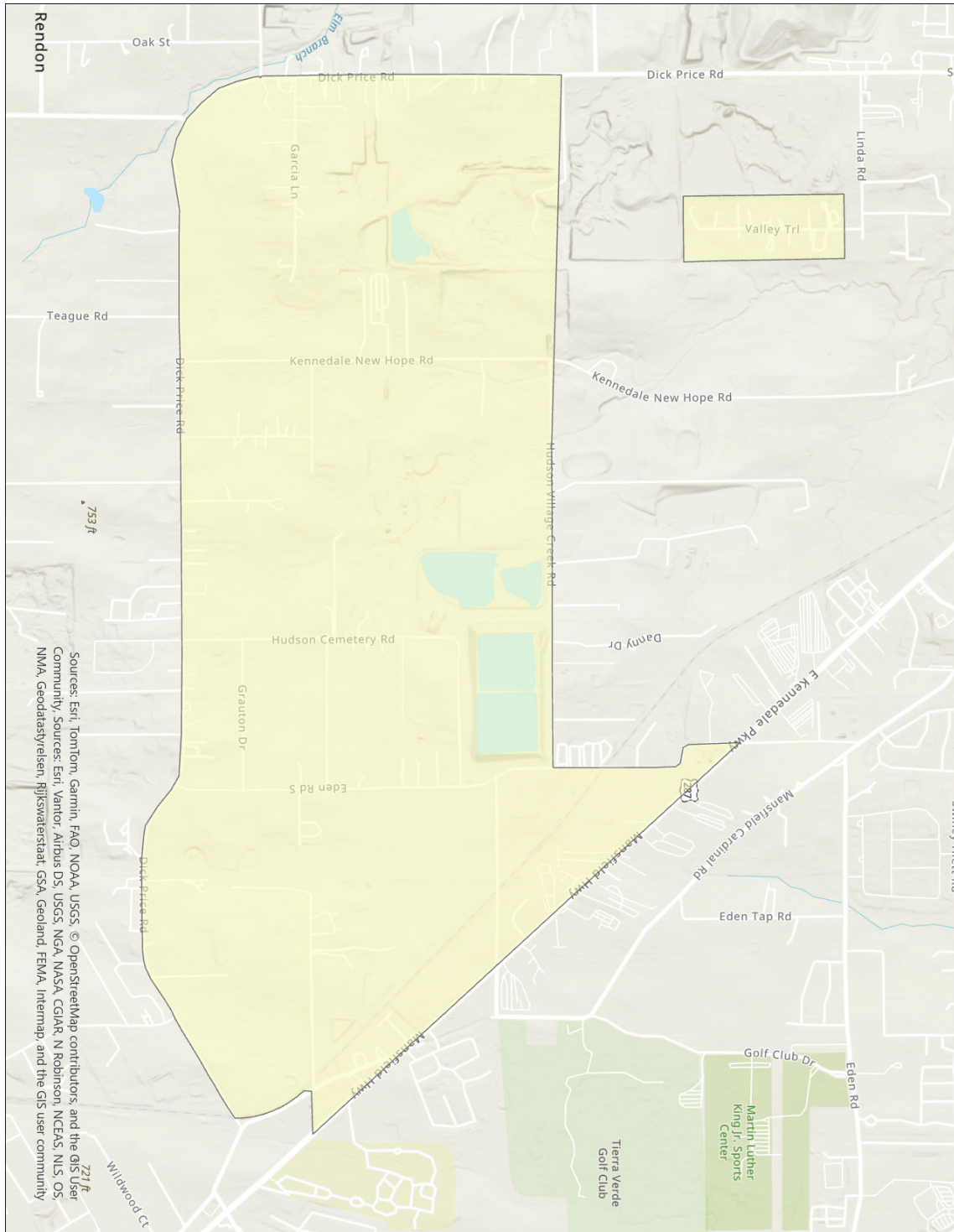
**CITY OF Kennedale
405 Municipal Dr.
Kennedale, TX 76060**

By: _____
[NAME, TITLE]

ATTEST:

By: _____
[NAME, CITY SECRETARY]

Appendix A Service Area Map



Appendix B

Maintenance and Repair of DISTRICT-Owned Equipment

The DISTRICT may provide equipment such as water tenders and/or brush trucks to the entities providing services to the DISTRICT. The specific equipment provided by the DISTRICT to the CITY under this Contract is as follows: **Not Applicable** (the “Equipment”). The Equipment is owned and insured by the DISTRICT, but the CITY is permitted to use the Equipment, not only for the purpose of providing Emergency Services under this Contract, but within its own community and in service to its mutual aid partners, if any, as well. Therefore, maintenance and repair of the Equipment will be shared between the DISTRICT and the CITY as follows:

DISTRICT Responsibilities for Maintenance & Repair:

- (1) Annual comprehensive preventative maintenance service
- All unexpected repairs that are over \$500
- Replacement of tires every two years
- Annual pump testing
- Repair or replacement of DISTRICT-provided loose equipment items

CITY Responsibilities for Maintenance & Repair:

- All light bulbs, added operating fluids, windshield wipers, and any other minor maintenance items
- Unexpected repairs that are less than \$500
- Annual hose and ladder testing if applicable

Appendix C Funding Mechanism, Response Expectations, and Response Reporting

The following information is meant to clarify the FY 2026 funding mechanism and to provide additional detail regarding the expectations of the DISTRICT for the various entities providing services to the DISTRICT.

Purpose of Funding Mechanism

- The purpose and intent of the funding mechanism for FY 2026 is to ensure that each entity providing services to the DISTRICT is compensated fairly when analyzed on a per call or per incident basis.
- Funding for FY 2026 is structured, in basic terms, as follows: an initial lump sum payment of \$25,000.00 paid by the DISTRICT in October, followed by four (4) quarterly payments that are equal in amount, with the final quarterly payment subject to adjustment based on the pricing and calculations provided herein.

Payment Schedule

The DISTRICT will make quarterly payments as follows:

Q1: Oct, Nov, Dec

- Amount of \$10,533 Paid by Jan 25th

Q2: Jan, Feb, March

- Amount of \$10,533 Paid by April 25th

Q3: April, May, June

- Amount of \$10,533 Paid by July 25th

Q4: July, Aug, Sep

- Paid by October 25th according to the pricing and calculations set forth below.

Calculation of Final Quarterly Payment

The final quarterly payment will be calculated by increasing or decreasing the quarterly payment of \$10,533 based on the actual number and type of responses that each entity provided in the entity's Service Area within the DISTRICT during the entire term of this Contract, according to the pricing contained herein.

Fire Response/EMS First Response Funding:

- \$1,300.00/fire incident for fire responses. Fire responses include all types of fires, investigations, major accidents, Haz Mat related incidents, and technical rescues.
- In the event of a large-scale incident of any nature, which is defined as an incident lasting more than six (6) hours, all responding entities will receive a stipend of \$1,000.00 to offset expenses for an incident of this nature.
- Emergency medical incidents of priority 1 or 2 nature (life threatening or potentially life threatening) as determined by emergency medical dispatch will be funded at a rate of \$350.00 per incident for one Basic Life Support first response unit with at least two medically certified (ECA or greater) personnel. Advanced Life Support first responses will be funded at \$500.00 per incident with the same minimum staffing requirements.
- Service call responses such as lift assists and welfare checks will be funded at \$350.00 per incident.
- Cancellations while enroute, no incident found, deceased on scene, and similar type responses will be funded at \$250.00 per incident.
- Community activities such as smoke detector installs, PR event attendance, and the like do not qualify for funding from the DISTRICT.

EMS Transport Funding:

- Ambulances responding for the transport of sick or injured parties will be paid at a rate of \$750.00 per transport.
- Incidents requiring transport services from more than one ambulance will be paid at the same \$750.00 rate for a transport.

- There will be no additional fee paid if more than one patient is transported in the ambulance at the same time.
- Transport refusals at the patient's discretion will be paid at a rate of \$400.00.
- If an ambulance is cancelled while still responding to an incident, a fee of \$250.00 will be paid to the responding agency.
- Monthly reports that summarize all responses by type (form will be provided) will be required prior to issuance of quarterly payments.

Payment Schedule

The DISTRICT will make quarterly payments as follows:

Q1: Oct, Nov, Dec

- Amount of \$5,600 Paid by Jan 25th

Q2: Jan, Feb, March

- Amount of \$5,600 Paid by April 25th

Q3: April, May, June

- Amount of \$5,600 Paid by July 25th

Q4: July, Aug, Sep

- Paid by October 25th according to the pricing and calculations set forth below.

Calculation of Final Quarterly Payment

The final quarterly payment will be calculated by increasing or decreasing the quarterly payment of \$5,600 based on the actual number and type of responses that each entity provided in the entity's Service Area within the DISTRICT during the entire term of this Contract, according to the pricing contained herein.

DISTRICT Expectations:

- An entity providing services in the DISTRICT will respond to calls for assistance in the entity's Service Area within the DISTRICT with a single, properly staffed and equipped fire apparatus or ambulance (as applicable) with the appropriate number of staff of certified personnel.

- There is no requirement or expectation for any entity to provide a multi-unit response.
- An entity providing services within the DISTRICT may, in its sole discretion, choose to send an additional single, properly staffed and equipped fire apparatus with the appropriate number of staff of certified personnel to ensure adequate resources arrive within the initial and most critical time period for operational effectiveness and the safety of responding personnel. The DISTRICT will reimburse the cost of the additional fire apparatus at the rate of \$1,300.00. For clarity, this means that a fire response call is paid at the rate of \$1,300.00, and an entity can be reimbursed an additional \$1,300.00 under this provision for a total payment of \$2,600.00 for the call. The DISTRICT will only support this provision for confirmed working structure fires.
- When a responding entity's Chief Officer or Company Officer, not arriving as or being part of an apparatus crew, performs the critical role of Incident Commander ("IC") for a confirmed structure fire, large scale grass fire, vehicle accident involving extrication, or other critical, large-scale, complex incident, the DISTRICT will reimburse the cost of the IC at the rate of \$750.00.
- The DISTRICT will only provide additional compensation for providing a multi-unit response or engaging Officer-level personnel to serve as IC as provided in this Appendix C. The decision to provide these services in amounts beyond those specified herein, is solely at the discretion (and cost) of the entity.
- When providing services within the DISTRICT, the apparatus staffing standards applied shall mirror the apparatus staffing standards employed for incidents occurring within the responding entity's original jurisdiction. The DISTRICT's staffing standard requires a minimum of three (3) certified personnel on a fire engine, one (1) firefighter on a water tender, and two (2) personnel on a brush truck.
- Completion of the provided form for response documentation will be the primary means of response tracking. In the event of any concerns involving responses

and/or response types, the entities providing services will cooperate in providing the DISTRICT with access to incident reports and/or dispatch information.

[SEE NEXT PAGE FOR FIRE AND EMS FUNDING WORKSHEETS]

Fire Funding Worksheet

Month	Fires, MVA's, Rescues	Fee	ALSFirst Response	BLSFirst Response	Fee	Service Incidents	Fee	Cancelled Enroute	Fee	Total Incidents by Month	Total FY 2027 Funding by Month
October		\$0			\$0		\$0		\$0	0	\$0
November		\$0			\$0		\$0		\$0	0	\$0
December		\$0			\$0		\$0		\$0	0	\$0
Q1 Totals	0	\$0	0	0	\$0	0	\$0	0	\$0	0	\$0
January		\$0			\$0		\$0		\$0	0	\$0
February		\$0			\$0		\$0		\$0	0	\$0
March		\$0			\$0		\$0		\$0	0	\$0
Q2 Totals	0	\$0	0	0	\$0	0	\$0	0	\$0	0	\$0
April		\$0			\$0		\$0		\$0	0	\$0
May		\$0			\$0		\$0		\$0	0	\$0
June		\$0			\$0		\$0		\$0	0	\$0
Q3 Totals	0	\$0	0	0	\$0	0	\$0	0	\$0	0	\$0
July		\$0			\$0		\$0		\$0	0	\$0
August		\$0			\$0		\$0		\$0	0	\$0
September		\$0			\$0		\$0		\$0	0	\$0
Q4 Totals	0	\$0	0	0	\$0	0	\$0	0	\$0	0	\$0
Total by Type	0	\$0	0	0	\$0	0	\$0	0	\$0	0	\$0

EMS Funding Worksheet

Month	Ambulance Transports	Fee	No Transport	Fee	Cancelled Enroute	Fee	Total Incidents by Month	Total FY 2027 Funding by Month
October		\$0		\$0		\$0	0	\$0
November		\$0		\$0		\$0	0	\$0
December		\$0		\$0		\$0	0	\$0
Q1 Totals	0	\$0	0	\$0	0	\$0	0	\$0
January		\$0		\$0		\$0	0	\$0
February		\$0		\$0		\$0	0	\$0
March		\$0		\$0		\$0	0	\$0
Q2 Totals	0	\$0	0	\$0	0	\$0	0	\$0
April		\$0		\$0		\$0	0	\$0
May		\$0		\$0		\$0	0	\$0
June		\$0		\$0		\$0	0	\$0
Q3 Totals	0	\$0	0	\$0	0	\$0	0	\$0
July		\$0		\$0		\$0	0	\$0
August		\$0		\$0		\$0	0	\$0
September		\$0		\$0		\$0	0	\$0
Q4 Totals	0	\$0	0	\$0	0	\$0	0	\$0
Total by Type	0	\$0	0	\$0	0	\$0	0	\$0



**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM V.C.2.

SUBJECT
Multipurpose Fields Contract with Speed Fab Concrete

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	SFC Proposal Kennedale Sports Complex 2026 0311	SFC Proposal Kennedale Sports Complex 2026 0311.pdf
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March 11, 2026

Kennedale Sports Complex
263 S. New Hope Rd
Kennedale, TX 76060

1150 E. Kennedale Pkwy
Kennedale, TX 76060
Office: 817-478-1137 ext. 228
Mitch Hanzik

*Speed Fab-Crete has prepared this cost estimate per the 50% design drawings by Callahan & Freeman Architects
Dated 1/23/26*

To: City of Kennedale
405 Municipal Drive
Kennedale, TX 76060

Project Summary

New 2,128 sqft concession stand, Ball field renovations, and new soccer field.

Description of Scope

Architectural

- Includes completion of permit drawings to 100%

Demolition

- Demolition of existing concession building, two portable buildings at rear of property
- Demolition of paving area near concession for new ADA compliant access
- Demolition of center ball field, fencing, concrete pads for new soccer field
- Perimeter fencing demolition, with selective fencing demo of perimeter to remain.
- Remove bleachers and save for reinstall

Earthwork

- Scope of dirt work to include required soil conditioning of 4.5' Moisture conditioning with a 1' select fill cap for placement of foundation
- Bring new soccer field area up to grades and provide drainage channels around the field as shown

Fencing

- Install perimeter fencing as shown per plans
- Iron gate at rear of concessions

Landscape

- Install Tifway 419 Bermuda (Sports Field Hybrid turf) at soccer fields
- Install sod at parking islands and areas shown around paving
- Install shade trees, shrubs, ornamental trees and grasses as shown.
- Irrigation for perimeter areas around concession and parking, and all of the soccer fields.

Concrete/Asphalt

- The foundation for concession to include a stiffened 5" slab on grade with grade beams and spread footings at concentrated load areas.
- Approximately 2,000 Sqft of 5" Concrete paving at front row of parking for TAS/ADA parking access
- Curb and gutter as shown around existing asphalt paving
- 4" Sidewalks as shown around perimeter and concession areas, walkways to fields, new pads for bleachers
- Asphalt patch as needed for tie into existing. Seal coat two main parking areas on the
- Includes all striping and TAS/ADA signage

Steel

- Includes fabrication and erection of structural steel columns, and beams.
- Handrails at ramps and stairs
- Tube frames with mesh at restroom opening window

Thermal/Moisture Protection

- Includes 60-mil TPO roof membrane over 4 ½" iso insulation board
- Standing Seam Metal Roof over central peak roof
- Metal flashing/ Downspouts
- Insulate concession and plumbing chase
- Includes waterproofing at exterior joints.



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Masonry

- Includes CMU (Split face and smooth) and cast stone at concession stand and ramp.
- Includes 4" masonry partition walls in restrooms

Doors & Hardware

- Includes Hollow Metal doors and frames at all door openings. Restrooms will have privacy metal doors and frames in partition masonry walls.
- Includes rolling steel service door at storage and insulated steel counter shutter at concessions.

Glazing

- Clear anodized aluminum storefront windows on exterior of concession windows.
- Glazing for vision windows in doors

Drywall, Ceilings, and Insulation

- Includes wood framing and Hardie cement panels at interior and exterior per the 50% drawings by C&F
- Framing, moisture resistant sheetrock, joint treatment in concession area
- Includes all miscellaneous carpentry and framing for wood blocking, joint firestopping, gypsum board assemblies
- Includes front entry arched glue lam beams at concession stand

Flooring

- Concrete sealer on floors at all areas with rubber base at framed walls in concession.

Paint

- Paint all exterior trim, siding
- Paint interior CMU walls
- Includes painting of hollow metal doors, frames, steel structure, hard-lid ceilings.

Toilet Accessories

- Restrooms to include all required ADA grab-bars, soap dispensers, Paper towel/waste receptacle, toilet paper dispenser, 24"x36" mirrors, and all associated hardware

Plumbing

- Restrooms to include new Stainless Steel vandal resistant water closet, Urinals, lavatories; floor drains, and all associated devices and connections
- Hook up Table sinks in concessions, Ice maker hook ups
- Includes Electric Drinking Fountain
- Includes mop sink, floor drains and floor sink, faucets in the concession stand.

Heating, Ventilation, and Air-Conditioning

- Includes installation of exhaust fans at the (2) restrooms
- Provide mini split system in concessions.
- Provide Unit heater in plumbing chase
- Includes Ductwork and thermostats for related work.

Electrical

- Includes all light fixtures, receptacles, lighting controls, emergency disconnects, wiring, conduit, all associated equipment and devices.
- Install new light poles and field lighting at soccer fields
- Run new conduit and power to light poles



March 11, 2026

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Mitch Hanzik

Alternate Cost Scope

1. Field Renovations (A or B)

a. Option A: Basic Field Renovations

- i. Renovate the infield areas and 6’ grass edge of outfield on both Ball field 12U and Tee Ball fields. This includes removing grass, cutting grades to level and drain, importing 1.5” of Pro Play infield mix with conditioner (3” at Tee ball), Sports Hybrid Bermuda Turfgrass at 6’ apron, base anchors/plugs, pitcher rubber, home plate
- ii. Repair Sections of fencing with vegetation, backstop, and portions of outfield
- iii. Install Sunshade over bleachers

b. Option B: Full Field Renovations

- i. Remove all existing sod in outfield of both Ball field 12U and Tee Ball Fields, laser grade field for positive drainage, remove infield mix to bring to grade, importing 2” of Pro Play infield mix with conditioner (3” at Tee ball), Install Sports Hybrid Bermuda Turfgrass at all outfield, base anchors/plugs, pitcher rubber, home plate
- ii. Replace all field fencing, backstop, dugout fencing.
- iii. Install sunshade over bleachers

2. Full irrigation

- a. Install new irrigation at Ball Field 12U and Tee ball fields

3. Site Lighting Upgrades

- a. Replace light fixture heads on existing poles of the Ball Field 12U and Tee Ball field lighting along with lighting controls

4. Asphalt Lot at Tee Ball field

- a. Install 2” topping over asphalt drive and parking lot next to the Tee Ball field and restripe.

General Conditions

- | | |
|------------------------------------|-------------------------|
| • Project Manager / Superintendent | • Construction Clean-up |
| • Field Project Office | • Final Clean |
| • Temporary Sanitary Facilities | • Site Signage |
| • Temporary Fencing & Partitions | • Dumpster |

All work to be performed in accordance with all state and local building codes, in addition to the plans and specifications by Callahan & Freeman Architects. The information provided in this document is based on preliminary design drawings and is subject to change.



March 11, 2026

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Mitch Hanzik

TOTALS

Table with 2 columns: Description and Amount. Rows include SUBCONTRACTS & GENERAL CONDITIONS (\$2,226,612), ARCHITECTURAL & ENGINEERING (\$87,500), and TOTAL (\$2,314,112).

ALTERNATES:

Table with 2 columns: Description and Amount. Rows include 1. A. BASIC FIELD RENOVATIONS OPTION A (-OR- B. FULL-FIELD RENOVATIONS OPTION B) (ADD \$145,051 / -OR- ADD \$289,536), 2. FULL IRRIGATION AT FIELDS (ADD \$66,275), 3. LIGHTING FOR BALL FIELD 12U AND TEE BALL (ADD \$195,210), and 4. ASPHALT PARKING AT TEE BALL (ADD \$80,735).

Inclusions:

- Minimum 2-Year Warranty on all work performed following the completion of the project

Exclusions

- Permits, Impact, Tap, and Meter Fees, Material Testing, Internet, Data Cabling, and Phone Systems, Any work not mentioned in the above scope, Audio systems/cabling, Scoreboards or controls, Kitchen Equipment (Refrigerator, ice machines), After hours work- Work assumed normal working hours, Asbestos abatement

Work completed is to be invoiced at the end of each month, with payment due on the 15th of the following month. We estimate the project timeline to be (+/-) 30 days to prepare construction documents for permitting, and approximately 7 months for construction, which is subject to change. If you would like to proceed with the scope as mentioned above, please sign below.

City Official
City of Kennedale
Date

Ronald A. Hamm
President
Speed Fab-Crete Corp.
Date

MEETING DATE: FEBRUARY 26, 2026

AGENDA ITEM NUMBER: V.C.3

SUBJECT

PZ CASE #26-01 TO CONDUCT A PUBLIC HEARING AND CONSIDER A PROPOSED ZONING CHANGE FROM “OT-4 OLD TOWN SUB-DISTRICT 4” TO “C-2 GENERAL COMMERCIAL DISTRICT” FOR 444 E KENNEDALE PKWY, BOAZ, CA SUBD OF J B RENFRO Lot 31 OF THE CITY OF KENNEDALE, TARRANT COUNTY, TEXAS, 76060.

ORIGINATED BY Edward McRoy

AREA SUMMARY

Current Zoning	Proposed Zoning	Comprehensive Plan Designation
OT-4/CCOD	C-2/CCOD	TOD Transit Oriented Development

Nearby Zoning/Use			
Northwest	OT4	Northeast	C2
Southeast	C2	Southwest	Railroad and R3

BACKGROUND / ANALYSIS / REVIEW

This is a straight zoning request from OT-4 to C-2. The location of the request is at the outside southeastern edge of the current Old Town Zoning District (See Attachment #12).

History: City records indicate the property was previously the home of a machine shop. A CO was issued at the site for the current business on 12/016/2003 with the zoning being listed as C2. It appears the site was rezoned sometime after that to its current OT-4 designation. It is staff's assumption that this rezoning was intentional at the time it occurred.

Area Description: The area near this request is predominantly commercial in nature with a scattering of vehicle and vehicle service-related businesses being heavily represented. Visually the area features a scattering of single-story utilitarian buildings. These buildings are characterized by mostly flat or low-pitched roofs, many large vehicle bay doors facing the street, ample exterior parking of vehicles and equipment, a noticeable lack of landscaping, a mixture of metal and thin masonry veneer exteriors, and little in the way of architectural enhancements.

Current/Proposed Use & Nonconformities: The applicant has indicated the reason for the request is to build a new approximately 3,000 square foot rectangular building on the site to expand

operations and provide for inside storage of materials. The current user is a business called W. Two Plus. They provide a variety of environmental services and testing related to fueling systems, underground storage tanks (UST's), pipelines and similar services.

Staff has determined the current operation falls under the use definition of "General Office Offices and Services Construction and Building Services". This is a non-conforming use in the OT-4 District. Non-conforming uses have limitations on expansion that the proposed new building would exceed.

Zoning Comparison: Although there are some instances to the contrary, the proposed zoning change would significantly increase the potential intensity of uses allowable on this site. In addition, the change in zoning would also modify the spatial standards applicable allowing slightly higher buildings, buildings closer to the street, and a bit more allowable site coverage. The most notable impact of the zoning change, however, would likely be the removal of architectural standards found in Section 4.5 of the UDC and currently applicable to new construction on the site due to its OT-4 District classification.

Comprehensive Plan & Pending UDC Actions This site is in the center of an area designated for establishment of a future Transit Oriented Development or TOD. (See Attachment #13) This is one of two potential TOD locations shown in the City's Future Land Use Plan. This area was likely identified for possible TOD development due to its proximity to rail on the west, its adjacency to Bus Hwy 287, and a reasonable amount of undeveloped and potentially re-developable property. TOD developments typically feature somewhat higher intensity/density of uses, more tightly spaced buildings, and an emphasis on walkability, vs. auto centric land uses. TOD sites often incorporate new urbanism and form-based codes. These are typically intended to create a unique option for more urban style living with mixed uses in a constrained location typically limited to about a ¼ - ½ mile radius. Such developments can increase housing choice, reducing pressures on communities to densify undeveloped or more suburban or rural areas.

Kennedale's UDC does not currently have a TOD Zoning District that directly corresponds to the FLUP. Some specific uses allowed with the C-2 District would likely be considered compatible with and support a TOD development. These uses would be those associated with retail, personal services, entertainment or office use. The C2 District itself, however, would not be considered generally compatible with a TOD due to the much broader nature of uses currently allowed. Another problem is simply the fact that this site is in the center of the designated TOD area rather than at the periphery. The standard zoning district currently in the UDC most closely aligned with a TOD designation is the Urban Village (UV) District. The business at this site, however, would not be allowed in the UV District. A review of the pending UDC update and its proposed TOD District also reveals that this business would not be allowed if this pending action were approved as written.

NOTIFICATIONS AND REPONSES

REQUIRED NOTIFICATIONS

Newspaper Advertisement 200' Ownership Letters Signs City Hall Posting

Responses received – None

FINDINGS & CONCLUSIONS

Staff finds the proposed rezoning:

- Does not conform to the Future Land Use Plan TOD designation.
- Could negatively affect the future establishment of TOD development. in this area.
- Is compatible with current land uses in the area.
- May dilute or affect future redevelopment of OT-4 District properties to the northwest.

RECOMMENDATIONS

P&Z recommends **denial (5-0)**

Staff recommends **denial**.

(Note) Staff's recommendation at this time and in this case is based on an assessment of future development intent for this area as indicated in the FLUP and the establishment of an OT-4 district status on the property.

ATTACHMENTS

13.	Proposed Ordinance
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ORDINANCE NO. 25-797

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF KENNEDALE, TEXAS, BY CHANGING THE ZONING CLASSIFICATION ON CERTAIN PROPERTY WITHIN THE CITY OF KENNEDALE, BEING APPROXIMATELY 1.73278 ACRES OF LAND, BEING LOT 31 BOAZ, CA SUBD OF J B RENFRO SURVEY AS RECORDED IN VOLUME 388-A PAGE 97 PRTCT, TARRANT COUNTY, TEXAS, AND MORE GENERALLY DESCRIBED AS BEING ADDRESSED AS 444 E KENNEDALE PARKWAY FROM “OT-4” OLD TOWN DISTRICT TO “C-2” COMMERCIAL DISTRICT, IN ACCORDANCE WITH THE CITY’S COMPREHENSIVE PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City heretofore adopted the Unified Development Code of the City, as amended, 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 in conformance with Chapter 211 of the Texas Local Government Code; and

WHEREAS, in accordance with the Kennedale Unified Development Code Article 22, the owners of the property herein described and depicted in Exhibit “A” attached herein, have filed an application to rezone said property; and

WHEREAS, the Planning and Zoning Commission of the City held a public hearing on February 26, 2026, with respect to the proposed rezoning as described herein; and

WHEREAS, the City Council of the City held public hearings on March 17, 2026, with respect to the proposed rezoning as described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, the Kennedale Unified Development Code, Article 22, and all other laws dealing with notice, publication, and procedural requirements for the approval of rezoning on the property; and

WHEREAS, the City Council of the City does hereby deem it advisable and in the public interest to amend the Unified Development Code, as amended, as described herein

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

SECTION 1.

The Unified Development Code, as amended, is hereby amended so that the permitted uses in the hereinafter described area shall be altered, changed and amended as shown and described below:

An approximate 1.73278 acres of land BEING LOT 31 BOAZ, CA SUBD OF J B RENFRO SURVEY as recorded in Volume 388-A Page 97 PRTCT, and more generally located at 444 E. Kennedale Pkwy, City of Kennedale, Tarrant County, Texas, as more fully described below and depicted in **Exhibit "A"** (attached and incorporated herein), shall be rezoned from "OT-4" Old Town District to "C-2" Commercial District.

SECTION 2.

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

SECTION 3.

The Development Standards for the Property, shall be those as described in the Unified Development Code as amended and all other applicable and pertinent ordinances of the City.

SECTION 4.

The official Zoning Map of the City is hereby amended, and the Director of Community Development is directed to revise the official Zoning Map to reflect the approved Planned Development District as set forth above.

SECTION 5.

This Ordinance shall be cumulative of the Unified Development Code, as amended, and all provisions of other ordinances affecting zoning and land use, and of the Code of Ordinances, City of Kennedale, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 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 8.

Any person, firm, or corporation who violates any provision of this Ordinance, as adopted by the City Council shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-6 of the Code of Ordinances, City of Kennedale, Texas. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 9.

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the Unified Development Code 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 is hereby directed to publish the caption in the official newspaper of the City as required by Section 3.10 of the Charter of the City.

SECTION 11.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS
THE ON THIS ____ DAY OF MARCH, 2026.**

APPROVED:

Brad Horton, Mayor

ATTEST:

Barbara Dahl, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Carvan E. Adkins
City Attorney

EXHIBIT A
Legal Description and Location

Legal Description:

LOT 31 BOAZ, CA SUBD OF J B RENFRO SURVEY

location Description:

Parcel 00241784, 444 e. Kennedale Pkwy.

Being approximately 1.73278 acres along the south side of E. Kennedale Pkwy.

Location Map:

See next page

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM V.C.4.

SUBJECT

Resolution #645 To Consider Authorizing Members of ATMOS, payment of four cents per capita

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	Resolution #645 ATMOS Allowing Members \$.04 per Capita	Resolution #645 ATMOS Allowing Members \$.04 per Capita.pdf
2.	ATMOS Invoice 2026 Membership Assessment	ATMOS Invoice 2026 Membership Assessment.pdf
3.	ATMOS Memorandum	ATMOS Memorandum.pdf
4.	ATMOS Staff Report	ATMOS Staff Report.pdf
5.	ATMOS Newsletter	ATMOS Newsletter.pdf
6.	ATMOS Master List of Members	ATMOS Master List of Members.pdf
7.	ATMOS Request for Contact Inforamtion	ATMOS Request for Contact Inforamtion.pdf

RESOLUTION NO. 645

A RESOLUTION AUTHORIZING MEMBERSHIP IN THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FOUR CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION

- WHEREAS, the City of Kennedale is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and
- WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and
- WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and
- WHEREAS, the City would like to become a member of ACSC; and
- WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs; NOW THEREFORE,

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

I.

That the City is authorized to become a member in the Atmos Cities Steering Committee to protect the interests of the City of Kennedale and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

II.

The City is further authorized to pay its 2026 assessment to the ACSC in the amount of four cents (\$0.04) per capita.

III.

A copy of this Resolution and approved assessment fee payable to City of Arlington, C/O *Atmos Cities Steering Committee* shall be sent to:

City of Arlington
Attn: Brandi Stigler
C/O Atmos Cities Steering Committee
PO Box 90231
Arlington, Texas 76004

PRESENTED AND PASSED on this the 17th day of March, 2026, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Kennedale, Texas.

Signature
Mayor

ATTEST:

Signature
City Secretary

APPROVED AS TO FORM:
City Attorney

BY _____

City of Arlington
 C/O Atmos Cities Steering Committee
 Attn: Brandi Stigler
 PO Box 90231
 Arlington, TX 76004

Invoice

Date	Invoice #
2/4/2026	26-91

Bill To City of Kennedale

Item	Population	Per Capita	Amount
2026 Membership Assessment	10,052	0.04	402.08
Please make check payable to: City of Arlington, C/O Atmos Cities Steering Committee Attn: Brandi Stigler, PO Box 90231, Arlington, Texas 76004			Total \$402.08

MEMORANDUM

TO: Atmos Cities Steering Committee
FROM: Meg Jakubik, Chair, Atmos Cities Steering Committee
DATE: January 12, 2026
RE: **Action Needed - 2026 Atmos Cities Steering Committee Membership Assessment Invoice**

On December 11, 2026, the Atmos Cities Steering Committee (“ACSC”) held a quarterly meeting with representatives from Atmos Energy. During the meeting, the group held a discussion of upcoming natural gas issues and approved the assessment for ACSC membership. Using the population-based assessment protocol previously adopted by ACSC, the assessment for 2026 is a per capita fee of \$0.04. This is a decrease of \$0.01 to the 2025 assessment.

ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of the residential and small commercial customers within the cities. Cities are the only consumer advocates that work to keep natural gas rates reasonable. The work undertaken by ACSC has saved ratepayers millions of dollars in unreasonable charges. In order to continue to be an effective voice at the Railroad Commission, at the Legislature, and in the courts, ACSC must have your support. Please take action to pay the membership assessment as soon as possible. Payment of the membership assessment fee shall be deemed to be in agreement with the terms of the ACSC participation agreement.

Although ACSC does not require that your city take action by resolution to approve the assessment, some members have requested a model resolution authorizing payment of the 2026 membership assessment. To assist you in the assessment process, we have provided the following documents for your use:

- ACSC 2025 Year in Review
- Model resolution approving the 2026 assessment (optional, provided for those cities that have requested a resolution to authorize payment)
- Model staff report supporting the resolution
- List of Atmos Cities Steering Committee members
- 2026 Assessment invoice
- 2025 Assessment invoice and statement (only included if not yet paid)
- Blank member contact form to update the distribution lists

Please forward the membership assessment fee and, if applicable, the signed resolution to Brandi Stigler, Atmos Cities Steering Committee, c/o City Attorney’s Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010. Checks should be made payable to: *Atmos Cities Steering Committee*.

If you have any questions, please contact ACSC Chairperson, Meg Jakubik ((972) 874-6082). ACSC’s counsel, Thomas Brocato (tbrocato@lglawfirm.com) at 512/322-5857 is also available to assist you.

STAFF REPORT ON ASSESSMENT RESOLUTION FOR ATMOS CITIES STEERING COMMITTEE

Purpose of the Resolution:

Most municipalities have retained original jurisdiction over gas utility rates and services within municipal limits. The Atmos Cities Steering Committee (“ACSC”) is composed of 188 municipalities in the service area of Atmos Energy Corporation, Mid-Tex Division that have retained original jurisdiction. Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years experience in regulating natural gas rates in Texas.

ACSC is the largest coalition of cities served by Atmos Mid-Tex. There are 188 ACSC member cities, which represent more than 70 percent of the total load served by Atmos-Mid Tex. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of residential and small commercial customers within the cities. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

The ACSC Membership Assessment Supports Important Activities:

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

Explanation of Resolution Paragraphs:

- I. This paragraph authorizes the continuation of the City’s membership in ACSC.
- II. This paragraph authorizes payment of the City’s assessment to the ACSC in the amount of four cents (\$0.04) per capita.
- III. This paragraph requires notification that the City has adopted the Resolution.

Payment of Assessment

The assessment payment check should be made out to “City of Arlington, C/O Atmos Cities Steering Committee and mailed to City of Arlington, C/O Brandi Stigler, Atmos Cities Steering Committee, PO Box 90231, Arlington, Texas 76004

2025 ACSC Newsletter



2025 YEAR IN REVIEW ISSUE

This past year was a busy one for ACSC. This annual review highlights the significant events of 2025 that impacted ACSC and what's on the horizon in 2026.



Dallas Joins ACSC in 2025 as Largest Member With Other New Member McGregor, Coalition Reaches 188

The City of Dallas, the state's third most populous city, was among two new members joining the Steering Committee of Cities Served by Atmos in 2025. With the addition of the second addition, the city of McGregor located in McLennan and Coryell counties, ACSC now has 188 members.

The Dallas City Council authorized the city's ACSC membership on Oct. 8. Dallas has a population of 1.3 million and is now the largest member of the coalition.

McGregor, meanwhile, joined in June. The city near Waco has a population of about 5,800. It also was the site of the World War II-era Bluebonnet Ordnance Plant and has been the location of several rocket-making companies. SpaceX now has a rocket engine development and test facility in McGregor.

ACSC undertakes activities on behalf of its city members and their citizens relating to gas utility regulatory matters. These activities include participation in rate cases, rulemakings at the Texas Railroad Commission, and legislative efforts that impact natural gas rates.

Welcome Dallas and McGregor!

89th Texas Legislature Considers Gas Utility Bills in 2025

Lawmakers during the 89th Texas Legislature considered hundreds of energy related bills, including a handful relating to gas utility issues. Most of the energy-related bills failed during the session, although a few made it to the governor's desk.

Below we describe five important gas utility bills, including those that made it to the finish line and those that did not. The 89th Texas Legislature adjourned in June.

- HB 2166, by John Bryant, "relating to the establishment of an independent market monitor

for the natural gas market by the Public Utility Commission of Texas and an independent organization certified for a power region." This bill died in the House State Affairs committee.

- HB 4042, "relating to the applicability of certain safety provisions and regulatory fees administered by the RRC to gas distribution pipelines." This bill allows the RRC to establish an annual safety compliance fee for operators, set at \$1 for each service line in gas distribution systems and \$100 for each master metered system. Significantly, this bill also removes the term "natural" when referencing

gas distribution pipelines, thereby broadening the legislation's applicability to all gas distribution systems. This bill went to the governor on May 26 and became law without his signature.

- HB 4384, Rep. Drew Darby, "relating to the recovery of a gas utility's gross plant placed in service not yet being recovered in rates." This bill allows a gas utility to include additional items in interim rate filings that are not subject to substantial contemporaneous review by the RRC. This legislation made it through the process and was signed by Gov. Greg Abbott on June 20. It became effective immediately.
- HB 5475, Ryan Guillan, "relating to a study and report on the Underground Facility Damage

Prevention and Safety Act." This bill establishes a framework for enhancing the Underground Facility Damage Prevention and Safety Act in Texas through a comprehensive study and subsequent report. It empowers the RRC to collaborate with the Texas Underground Facility Notification Corporation to assess the state's current systems related to underground facility safety. This bill died in the House Energy Resources Committee.

- SB 2635, Nathan Johnson, "relating to the name and governance of the Railroad Commission of Texas." This bill would have renamed the Railroad Commission the "Texas Oil, Gas and Minerals Commission." This bill died in the Senate Natural Resources Committee.

Legislature in 2025 Delivers Additional Dollars to RRC

The Texas Railroad Commission, the state agency responsible for overseeing the oil and gas industry — including gas utilities — has received a \$593 million appropriation from the Texas Legislature.

The appropriation will finance agency operations for the 2026-2027 biennium. It represents a 23 percent increase from the \$481 million of the previous biennium, according to figures included in an earlier agency release.

The new two-year appropriation includes \$100 million for oil and gas well plugging, an amount described by the agency as the largest ever appropriation from the Texas Legislature for that purpose. The RRC's "State Managed Plugging Program" has been responsible for the plugging of 46,000 wells since its inception in 1984, according to the agency.

The new legislative appropriation also includes \$16.7 million for data reporting systems to track produced water, authorized pits registrations, oversight, and safety regulatory filing and permitting. More than \$2 million also was allocated for upgrades to the agency's cloud-based geographic information systems.

The RRC will receive \$1.3 million to establish an Underground Injection Well Investigation Team to help ensure injected fluids remain confined to the disposal formations and safeguard ground and surface fresh water. This team will supplement the RRC's ongoing measures to mitigate seismicity and protect residents in areas including West Texas, according to the Railroad Commission.

The new appropriation was included in the state's biennial budget, which was adopted as Senate Bill 1 during the 89th Texas Legislature that adjourned in June.

ACSC in 2025 Calls for HB 4384 Rules to Protect Ratepayers

The Texas Railroad Commission should take action to mitigate ratepayer fallout from a potentially expensive new gas utility law, including through the consideration of savings from infrastructure retirements to offset the costs of new utility infrastructure. That was among the messages delivered by the Steering Committee of Cities Served by Atmos, a municipal coalition, in comments it filed Nov. 17, 2025, at the agency.

At issue are provisions of the newly adopted House Bill

4384 that allow gas utilities to classify certain capital and tax expenditures as "regulatory assets" in rate proceedings. Under the law, utilities can then quickly begin charging their customers for these assets.

In October, the commission launched a rulemaking proceeding to implement HB 4384, and various interested parties, including ACSC, have now filed their recommendations. In its comments, ACSC reiterated its previously stated concerns about the law: that it encourages

the expensive use of piecemeal ratemaking, for example, and that it continues to allow gas utilities to charge ratepayers for capital expenditures prior to any substantive review of those expenditures.

But HB 4384 also would have the effect of further reducing the lag time between when a utility spends money on capital projects and when the utility profits from such expenditures by recovering them in rates, according to ACSC. This is a problem because some amount of “regulatory lag” creates incentives for utilities to spend money in a more efficient manner.

“While ACSC acknowledges and values the importance of safe and reliable infrastructure, it has concerns about the impairment of regulatory lag, which plays a longstanding and important role in the regulated system,” wrote ACSC general counsel Thomas Brocato in the organization’s Nov. 17, 2025 comments.

Recommendations

ACSC enumerated several recommendations to guide the agency’s ongoing rulemaking efforts. Chief among them was a recommendation relating to the treatment of “regulatory assets” under HB 4384. By definition, a regulatory asset can refer to various costs incurred by a utility that are not immediately expensed but rather deferred for later recovery through future rate increases. HB 4384 allows utilities to classify certain capital expenditures and taxes as regulatory assets and then quickly recover those expenditures through annual interim rate proceedings

without substantive prior review.

ACSC recommended that offsetting capital retirements (along with capital expenditures) also should be included in any calculation of regulatory assets. Otherwise, “utilities could have the advantage of fully recovering new plant in the regulatory asset and also earning a return on the retired plant,” ACSC noted in its comments. Furthermore, the inclusion of capital retirements in regulatory asset calculations “aligns with the Federal Energy Regulatory Commission Uniform System of Accounts, which supports the concept that gas plants should be reduced to reflect retirements,” ACSC noted.

ACSC also made the following recommendations:

- The rule implementing HB 4384 should include more clarity on how regulatory assets are handled in existing interim rate filings.
- When creating regulatory assets, gas utilities should use only approved values for return, depreciation, and taxes as determined in their most recent substantive rate case. That is, HB 4384 rules should bar utilities from using estimates for these values.
- The rule should require that utilities provide documentation supporting the in-service date for capital projects it includes in new regulatory assets.

The Railroad Commission is expected to issue a final rule in the coming months.

Atmos Financial Report Shows More Spending, Profits in 2025

Atmos Energy made \$3.6 billion in capital expenditures during the 2025 fiscal year — an increase from the \$2.9 billion in capital expenditures it made during the prior fiscal year. The company also expects to make another \$4.2 billion in capital expenditures during the 2026 fiscal year. The average customer bill was \$80 for the 2025 fiscal year, up from around \$50 during the 2020 fiscal year. It projects average bills will continue increasing over the decade, reaching as much as \$121 by 2030. Those top-line capital expenditure numbers were among the highlights of a conference call conducted by Atmos executives on Nov. 6. Other details include:

Fiscal Year Data (Fiscal Year Ending on Sept. 30)

- Atmos reports that about \$1.3 billion in 2025 capital spending — or 44 percent of this year’s \$3.6 billion total — was used to repair and replace transmission and distribution pipelines.

- Atmos reported \$963.4 million in distribution income and \$596.6 million in pipeline income during the 2025 fiscal year. That compares to \$854.5 million in distribution income and \$500.9 million in pipeline income during the prior fiscal year.
- Some of the key income drivers in 2025 were a \$184.1 million net increase from rate adjustments, \$26.7 million from residential and industrial growth — primarily in the Mid-Tex divine — and other factors.

Regulatory Actions

- Atmos said that with the adoption of House Bill 4384 from the most recent Texas Legislature, that the company now expects to begin receiving recovery of 95 percent of its capital expenditures within six months of making them. HB 4384, which adjusts the regulatory process at the Texas Railroad

Commission, also means the company will receive recovery of 99 percent of its capital expenditures within one year of making them, according to Atmos.

- The company reported that its pipeline division implemented, on Nov. 1, a System Safety & Integrity Rider that allows for the recovery of certain safety and integrity costs. The authorized recovery from the 2025 rider is \$23 million, according to Atmos.

2025 Analysis by ACSC Shows Long-Term Increases in Atmos Spending, Revenues, and Bills

During a 2025 earnings call with investment analysts, officials at Dallas-based Atmos Energy boasted of delivering years of consistent dividend increases for their shareholders. In fiscal 2025, for instance, the year-over-year increase was 8.1 percent. This represented “the 41st consecutive year of rising dividends” for shareholders, according to the company.

But dividends aren’t the only thing on the rise at Atmos. An ACSC review of multiple financial filings also shows that it is spending ratepayer money at an unprecedented clip and that average gas bills have increased steadily. Moreover, average monthly gas bills could rise by as much as 50 percent over the next five years.

About Atmos

Atmos Energy, the country’s largest natural gas-only distributor, serves more than 3.3 million distribution customers in over 1,400 communities across eight states. Atmos also manages proprietary pipeline and storage assets. Its most substantial holdings are in Texas, where the Texas Railroad Commission oversees its rates and operations.

As a publicly traded company, Atmos also hosts quarterly financial update calls in which it regularly touts almost clockwork-like increases in both its revenues and capital expenditures. These increases always come as good news to shareholders: revenue increases because they contribute to earnings-per-share growth, and capital expenditure increases because utilities receive a regulated rate of return on such expenditures. This means that, as a general matter, the more a utility spends on capital projects, the more revenue it is authorized to collect from customers.

Atmos notes, however, that customers benefit from its capital spending programs because they finance system safety and integrity efforts and because they help the company keep up with customer growth. The company also notes that while its average residential bills are on the rise, they nonetheless remain lower than bills charged by electric utilities.

Rate and Spending Analysis

As noted, Atmos’s spending and revenues — and its monthly consumer bills — all have gone up in recent years. In some cases, the increases are substantial, according to a recent analysis of the company’s financial statements over the last 10 years. Here are some of the findings from that analysis.

Income

- Atmos reported net income in 2025 of nearly \$2 billion. That is more than five and a half times of its reported net income of \$345 million in 2016.
- The company’s annual net income increased by 91 percent between 2024 and 2025.
- The company reported increases in net income of 10 percent every year since 2017.

Spending

- The company estimated capital spending in 2025 of \$3.6 billion. That is more than triple the \$1.1 billion it reported in 2017.
- The company’s capital spending went up 21 percent between 2024 and 2025.
- The company’s capital spending has increased every year since 2017.

Rates

- Average bills across the company’s multi-state system went from \$72 last year to \$80 this year.
- Average bills are expected to increase to \$121 by 2030, an increase of more than 50 percent in five years.
- The company reports that average bills increased every year except for one since 2019.

Atmos “SSI” Riders Explained: \$23 Million in 2025 Interim Charges Finance Pipeline Leak Testing

The pipeline division of Atmos Energy, the North Texas gas utility, has collected more than \$40 million in extra charges since 2024 to finance system safety testing, according to a review of regulatory filings.

Assessed through “System Safety and Integrity” riders, these charges accrue on top of other interim assessments made by Atmos outside its general rate cases.

Through System Safety and Integrity riders, or SSI, Atmos recovers from customers certain system safety costs that it incurs each year to maintain its pipeline system. As noted in Atmos filings, SSI is calculated as a monetary amount above a benchmark set during a preceding rate case — in this case, a pipeline proceeding from 2023 (Case No. OS-23-00013758).

In 2024, the SSI rider (under Case No. 00017667) added \$18.7 million to annual system costs. In 2025, it amounted to \$23 million (Case No. OS-25-0002811). These costs flow indirectly into home bills based on usage.

Why SSI?

Federal law requires gas utilities to conduct intensive leak testing on their pipeline systems on a regular basis. This testing requires utilities to shut down individual lines on a rotating basis — typically every three to five years.

These integrity tests can cost millions of dollars on a systemwide basis, but they also vary widely from year to year. Gas utilities argue that these costs are too variable and unpredictable to include in relatively infrequent base rate cases and seek recovery through interim riders.

Under the SSI, Atmos receives authorization to collect system integrity costs on an annual basis, but these costs are subject to later refunds or surcharges to the extent they vary from actual costs as demonstrated through a subsequent true-up process. Atmos customers pay the SSI indirectly based on a calculation of both usage and the maximum daily quantity of gas flowing over the overall system.

Atmos does not receive a financial return on SSI expenditures. The Steering Committee of Cities Served by Atmos has not raised objections to Atmos’s use of safety-related SSI assessments.

Other Charges

Atmos assesses the SSI in addition to other interim charges, including those associated with its annual capital spending. Overall, capital spending by Atmos has more than tripled since 2017, according to company financial reports. (See separate article on page 2).

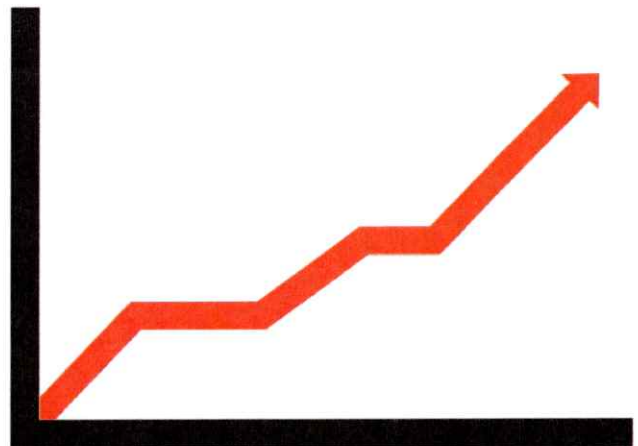
2025 Rate Case Roundup

Atmos RRM Rate Increase Reduced After City Intervention

In April, Atmos requested a \$245.2 million increase in revenues for its Mid-Tex Division, calculated on a system-wide basis. The request, made through the Rate Review Mechanism process, was subsequently reduced to \$225.6 million due to RRM tariff limitations.

Consultants with the Steering Committee of Cities Served by Atmos then prepared a report identifying additional potential reductions to the company’s rate request. After the intervention, Atmos agreed to settle the case for \$205.6 million — a reduction of almost \$40 million from the company’s initial request (and a \$20 million reduction from the company’s amended request). The settlement also includes payment of ACSC’s expenses.

The Rate Review Mechanism is a set of rules negotiated by ACSC cities that permit some regulatory oversight of utility rate





requests by cities. This contrasts with the parallel Gas Reliability Infrastructure Program (or "GRIP") that exists under statute, but that does not allow meaningful advanced review of utility rate requests.

Dallas Negotiates Smaller Atmos Rate Increase for Area Residents

The Dallas City Council has approved a negotiated 8 percent rate increase for residential Atmos Gas customers in the city, amounting to \$7.83 per month on average.

Atmos initially requested a total annual increase of \$31.4 million, but that amount was reduced to \$27.9 million after negotiations with the city. Atmos also will reimburse the city for its rate case expenses.

Atmos filed that initial request under the Dallas Area Rate Review process on Jan. 15, the Dallas City Council unanimously approved the settlement on May 28, and the rates went into effect on June 1.

Atmos Energy historically has been able to request a rate adjustment every year under the DARR process. However, unlike the separate Gas Reliability Infrastructure Process, DARR allows for substantive contemporaneous review of the rate filing by the city and negotiations.

Atmos Receives "GRIP" Increase for Pipeline Division

On June 17, the Texas Railroad Commission approved an annual revenue increase of \$77,205,694 for Atmos Pipeline Texas under the rules of the state's Gas Reliability Infrastructure Program, or "GRIP".

In its initial Feb. 26 GRIP filing, the utility sought to recover costs for projects put in service during 2024. The GRIP tariffs will apply only to that portion of the system under the Railroad Commission's original jurisdiction and will remain in effect until Atmos Pipeline-Texas' next base rate case.

Under the Gas Reliability Infrastructure Program, the state's monopoly gas utilities can hike rates without any substantive contemporaneous review. Cities have opposed GRIP because it allows gas utilities to increase rates even if the company's overall spending is declining, or even if its revenues are increasing. Railroad Commissioners grant these hikes as a ministerial act.

More information can be found on the Railroad Commission website, under Case No. 00020448.

2026 ACSC Meetings
March 5
June 11 — Virtual
September 10
December 10— Virtual

2025 Officers
Chair—Meg Jakubik (Flower Mound)
Secretary—Chuong Phung (Grand Prairie)
Treasurer—David Johnson (Arlington)

For more questions or concerns regarding any ACSC matter or communication, please contact the following representative, who will be happy to provide assistance:



Thomas L. Brocato
(512) 322-5857
tbrocato@lglawfirm.com

Jamie Mauldin
(512) 322-5890
jmauldin@lglawfirm.com

ACSC Master List of Members (188 Total)

- | | | |
|----------------------------|---------------------------|---------------------------|
| 1. Abilene | 63. Everman | 125. New Fairview |
| 2. Addison | 64. Fairview | 126. Newark |
| 3. Albany | 65. Farmers Branch | 127. Nocona |
| 4. Allen | 66. Farmersville | 128. North Richland Hills |
| 5. Alvarado | 67. Fate | 129. Northlake |
| 6. Angus | 68. Flower Mound | 130. Oak Leaf |
| 7. Anna | 69. Forest Hill | 131. Ovilla |
| 8. Archer City | 70. Forney | 132. Palestine |
| 9. Argyle | 71. Fort Worth | 133. Pantego |
| 10. Arlington | 72. Frisco | 134. Paris |
| 11. Aubrey | 73. Frost | 135. Parker |
| 12. Azle | 74. Gainesville | 136. Pecan Hill |
| 13. Bartonville | 75. Garland | 137. Petrolia |
| 14. Bedford | 76. Garrett | 138. Plano |
| 15. Bellmead | 77. Georgetown | 139. Ponder |
| 16. Belton | 78. Glenn Heights | 140. Pottsboro |
| 17. Benbrook | 79. Grand Prairie | 141. Prosper |
| 18. Beverly Hills | 80. Grapevine | 142. Quitman |
| 19. Blossom | 81. Groesbeck | 143. Red Oak |
| 20. Blue Ridge | 82. Gunter | 144. Reno (Parker County) |
| 21. Bowie | 83. Haltom City | 145. Rhome |
| 22. Boyd | 84. Harker Heights | 146. Richardson |
| 23. Bridgeport | 85. Haskell | 147. Richland |
| 24. Brownwood | 86. Haslet | 148. Richland Hills |
| 25. Bryan | 87. Hewitt | 149. River Oaks |
| 26. Buffalo | 88. Highland Park | 150. Roanoke |
| 27. Burk Burnett | 89. Highland Village | 151. Robinson |
| 28. Burleson | 90. Honey Grove | 152. Rockwall |
| 29. Caddo Mills | 91. Hurst | 153. Roscoe |
| 30. Canton | 92. Hutchins | 154. Rowlett |
| 31. Carrollton | 93. Hutto | 155. Royse City |
| 32. Cedar Hill | 94. Iowa Park | 156. Sachse |
| 33. Celeste | 95. Irving | 157. Saginaw |
| 34. Celina | 96. Justin | 158. Sansom Park |
| 35. Centerville | 97. Kaufman | 159. Seagoville |
| 36. Cisco | 98. Keene | 160. Seymour |
| 37. Clarksville | 99. Keller | 161. Sherman |
| 38. Cleburne | 100. Kemp | 162. Snyder |
| 39. Clyde | 101. Kennedale | 163. Southlake |
| 40. College Station | 102. Kerens | 164. Springtown |
| 41. Colleyville | 103. Kerrville | 165. Stamford |
| 42. Colorado City | 104. Killeen | 166. Stephenville |
| 43. Comanche | 105. Krum | 167. Sulphur Springs |
| 44. Coolidge | 106. Lake Dallas | 168. Sweetwater |
| 45. Coppell | 107. Lake Worth | 169. Temple |
| 46. Corinth | 108. Lakeside | 170. Terrell |
| 47. Corral City, Town of | 109. Lancaster | 171. The Colony |
| 48. Crandall | 110. Lavon | 172. Trophy Club |
| 49. Cross Roads | 111. Lewisville | 173. Tyler |
| 50. Crowley | 112. Little Elm | 174. University Park |
| 51. Dallas | 113. Little River Academy | 175. Venus |
| 52. Dalworthington Gardens | 114. Llano | 176. Vernon |
| 53. Denison | 115. Lorena | 177. Waco |
| 54. Denton | 116. Madisonville | 178. Watauga |
| 55. DeSoto | 117. Malakoff | 179. Waxahachie |
| 56. Duncanville | 118. Mansfield | 180. Westlake |
| 57. Early | 119. McGregor | 181. Westover Hills |
| 58. Eastland | 120. McKinney | 182. Westworth Village |
| 59. Edgecliff Village | 121. Melissa | 183. White Settlement |
| 60. Emory | 122. Mesquite | 184. Whitesboro |
| 61. Ennis | 123. Midlothian | 185. Wichita Falls |
| 62. Euless | 124. Murphy | 186. Wilmer |

REQUEST FOR CONTACT INFORMATION

February 2026

CONTACTS

Please provide contact information for the following coalitions:

- OCSC (Oncor Cities Steering Committee)
- ACSC (Atmos Cities Steering Committee)

Please type or print clearly

MAIN CONTACT

Name:	
Title:	
City of:	
Address:	
Phone:	
Fax:	
Email:	

ADDITIONAL CONTACT

Name:	
Title:	
City of:	
Address:	
Phone:	
Fax:	
Email:	

CONTACT TO SEND INVOICES OR CHECKS

Name:	
Title:	
City of:	
Address:	
Phone:	
Fax:	
Email:	

Please duplicate if more room needed.

(Please complete and return to: Thomas Brocato @ tbrocato@lglawfirm.com
and Brandi Stigler @ brandi.stigler@arlingtontx.gov)



**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.C.5.

SUBJECT
Briar Court Hillside Sanitary Sewer Improvement Project

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	Bid Process for Briar Court	Bid Process for Briar Court.docx
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In April 2025, City of Kennedale entered into an agreement with Westwood Professional Services to perform surveying and engineering for the Briar Court Sewer Project. This project is generally located along utility easements between Briar Court and Meadowlake Court. Approximately 1,400 LF of 12" Sanitary Sewer pipe will be replaced by either open cut, pipe bursting or by an aerial crossing over the drainage ditch. This project was anticipated to wrap up design in August 2025, when the City of Arlington shared some images of a portion of sewer pipe within this project that showed it was laying exposed in a drainage channel. The city had to put this project on hold to come up with a new strategy on how to replace this segment of pipe, and fix the erosion issues.

In September 2025, the city signed a supplemental agreement with Westwood to get additional survey and design for the erosion issues along this creek line, and adjust the sanitary sewer design for the exposed pipe that was found. Westwood worked on a few strategies on how to best fix the erosion concerns and workshopped the ideas with city staff before coming up with a final solution. Final solution involves approximately 240CY of excavation along the creek bed, with installing 210CY of gabion walls, rock rip-rap and flowable fill, to help control future erosion issues in this area.

In February 2026, final plans and bid documents were completed and the city began its advertising process for this project. The bid opening was held at 1pm on March 11th at city hall and had 7 contractors bid on this project. Below is a list of the contractors with their read allowed bid estimates for this project, including the city engineers opinion of cost:

Contractor	Bid Amount
C-Con Services	\$ 1,032,902.00
Canary Construction	\$ 1,008,308.00
A8 Development	\$ 689,948.50
Atkins Bro's	\$ 1,426,891.00
Renoworks	\$ 860,972.75
Dallas Underground Utilities	\$ 1,345,214.00
Capital Underground Utilities	\$ 827,767.00
<i>Engineer's Opinion of Cost</i>	<i>\$ 848,310.00</i>

A8 Development was the apparent low bidder, and city staff recommends awarding this project to them.

The city will hold a preconstruction meeting with the developer in the upcoming weeks, and will work with the contractor to aim for a start of construction date in late April/early May.

Let me know if you need any more information or clarification on this item.

Thank you,
Ryley Paroulek, PE
Project Manager
Direct: (817) 785-7350
O: (817) 412-7155
M: (817) 999-3614
westwoodps.com



**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: EXECUTIVE SESSION ITEM VI.A.

SUBJECT

Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property;

ORIGINATED BY

SUMMARY

Potential Land Purchase

RECOMMENDATION

ATTACHMENTS



**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 17, 2026

AGENDA ITEM NUMBER: EXECUTIVE SESSION ITEM VI.B.

SUBJECT

Section 551.087- Deliberation regarding Economic Development Negotiations, Section 551.071 Consultation with Council on Legal Matters.

ORIGINATED BY

SUMMARY

Potential Use of EDC Property located at 811 W Kennedale Parkway

RECOMMENDATION

ATTACHMENTS