

KENNEDALE CITY COUNCIL
AGENDA
REGULAR MEETING
March 13, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION - 5:30 PM
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

II. WORK SESSION

***NOTE: Pursuant to Section 551.071, Texas Government Code, the City Council reserves the right to adjourn into Executive Session at any time during the work session or the regular session to discuss posted executive session items or to seek legal advice from the City Attorney on any item posted on the agenda.**

A. Mid-year budget workshop.

B. Discuss a schedule for filling the vacancy in City Council Place 3 and a schedule for the upcoming budget planning session.

III. REGULAR SESSION

IV. ROLL CALL

V. INVOCATION

VI. UNITED STATES PLEDGE

VII. TEXAS PLEDGE

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

VIII. VISITOR/CITIZENS FORUM

At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

IX. REPORTS/ANNOUNCEMENTS

In addition to any specific matters listed below, the city council may receive a report about items of community interest, including but not limited to recognition of individual officials, citizens or departments, information regarding holiday schedules, upcoming or attended events, etc.

- A. Updates from the City Manager.
- B. Updates from the Mayor.
- C. Updates from Councilmembers
- D. 2013 Online Communication Initiatives Report

X. CONSENT ITEMS

All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are considered to be routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately.

- A. Consider approval of minutes from February 13, 2014 regular meeting.
- B. Consider approval of minutes from February 25, 2014 special meeting.
- C. Discuss and consider authorizing the City Manager to execute a contract with Shield Engineering for the TIP Sidewalk Project.
- D. Consider approval of Resolution 422 authorizing a grant application for police body-worn video.
- E. Consider approval of Resolution 423 authorizing a grant application for police in-car computers.
- F. Discuss and consider authorizing the City Manager to execute an interlocal agreement with Tarrant County for a drainage project in the area of Hudson Village Creek Road and New Hope Road.

XI. REGULAR ITEMS

- A. Consider accepting the official certification of unopposed candidates for the 2014 general election.
- B. Discuss and consider approval of Ordinance 545, Cancelling the May 10, 2014 General Election and declaring each unopposed candidate elected to office.
- C. Consider approval of Resolution 424 authorizing a grant application for a narcotics task force position.
- D. Discuss and consider executing an interlocal agreement for emergency repairs on a portion of Corry A. Edwards Drive.
- E. Discuss and consider authorizing the City Manager to execute an amended agreement with Tarrant County for the High Ridge Road and Link Street project.

XII. EXECUTIVE SESSION

A. The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding nonconforming uses, and discussion of zoning issues in the city.

1. Sewer backup claim.
2. Potential drainage claim.

XIII. RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED

XIV. ADJOURNMENT

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

CERTIFICATION

I certify that a copy of the March 13, 2014, agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.



Amethyst G. Sloane, City Secretary

Date: March 13, 2014

Agenda Item No: WORK SESSION - A.

I. Subject:

Mid-year budget workshop.

II. Originated by:

Bob Hart

III. Summary:

At this time City Council and department staff will conduct a mid-year budget workshop.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: March 13, 2014

Agenda Item No: WORK SESSION - B.

I. Subject:

Discuss a schedule for filling the vacancy in City Council Place 3 and a schedule for the upcoming budget planning session.

II. Originated by:

Bob Hart

III. Summary:

Potential Budget Planning Workshop Schedules:
(8:30AM - 4:00PM on a Friday or Saturday)

Note: The workshop on the new water/wastewater plan will take place on May 8th.

MAY

- Fri 16 or Sat 17
- (22/23 is Memorial Day Weekend)
- Fri 30 or Sat 31

JUNE

- Fri 6 or Sat 7
- Fri 13 or Sat 14
- Fri 20 or Sat 21

Vacant Council Place 3 Interviews - Proposed Schedule:

- Applications available from May 1 - June 4
- Applications Due June 4
- Interviews the week of June 9, 10, and/or 11
- Official Appointment on June 12 Regular Council meeting

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve
None

VII. Alternative Actions:

VIII. Attachments:

Date: March 13, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - A.

I. Subject:

Updates from the City Manager.

II. Originated by:

Bob Hart

III. Summary:

The City Manager will provide updates at this time.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: March 13, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - B.

I. Subject:

Updates from the Mayor.

II. Originated by:

City Council, City Council

III. Summary:

The Mayor will provide updates at this time.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: March 13, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - C.

I. Subject:

Updates from Councilmembers

II. Originated by:

City Council, City Council

III. Summary:

Updates from Council.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

Date: March 13, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - D.

I. Subject:

2013 Online Communication Initiatives Report

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

Amethyst Sloane will present information on the past year's online initiatives.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

1.	Report	2013 Online Communications Report (FINAL).pdf
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2013 ONLINE COMMUNICATION INITIATIVES REPORT

In an effort to build upon the 2011 citywide rebranding campaign, the city launched several online communication initiatives, including a new, redesigned city website (www.cityofkennedale.com), and several secondary online communication tools. The following report provides data related to online initiatives that have been used from January to December 2013, including secondary programs such as SuiteOne Media (agendas and packets), Facebook/Twitter, and MyGov. Comparative 2012 data is shown when available. We strive to maintain our website as the primary source for the most up to date and accurate city information. The information in this report will allow us to track and adjust our online offerings over time to ensure that we are engaging our residents in an effective, consistent manner.



The city currently provides online services to residents through several vendors. All of these services are made available on the city website, www.cityofkennedale.com. Current online services available fall into two broad categories: *subscription services* that allow interested residents/users to subscribe to specific information voluntarily, and *direct contact* services that allow residents/users to reach out to the city for information, payments, reservations, and to submit forms. The city also utilizes social media, as well as providing ‘extras’ in the form of photo and video galleries.

The following online initiatives are currently being used:

Subscription Services:

- ✓ eNewsletters (CivicPlus) *Page 2*
- ✓ Press Releases (CivicPlus) *Page 3*
- ✓ Calendar Events (CivicPlus) *Page 3*
- ✓ News Feeds (CivicPlus) *Page 4*
- ✓ Bid Postings (CivicPlus) *Page 5*
- ✓ Job Postings (CivicPlus) *Page 6*
- ✓ Agendas/Packets (SuiteOne) *Page 7*
- ✓ Facebook *Page 8*
- ✓ Twitter *Page 8*
- ✓ Emergency Alerts (Blackboard) *Page 12*

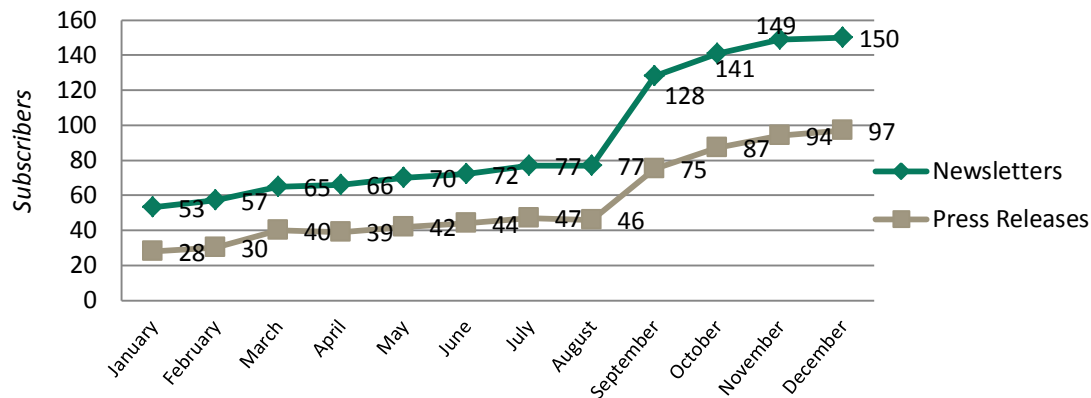
Direct Contact Services:

- ✓ Request Tracker (MyGov) *Page 9*
- ✓ Online Forms (CivicPlus) *Page 10*
- ✓ Utility Bill ePayments (STW, Global Water) *Page 11*
- ✓ Court Ticket ePayments (LT Systems) *Page 11*
- ✓ Facility Reservations (CivicPlus) *Page 13*

Online Extras

- ✓ Video Gallery (CivicPlus) *Page 14*
- ✓ Photo Gallery (CivicPlus) *Page 14*
- ✓ Surveys (CivicPlus) *Page 14*

2013 Document Subscriptions



'Document Subscriptions' refers to posted documents that users can subscribe to receive through our website. This currently includes newsletters and press releases. As of September 2013 the City Newsletter has been sent in electronic format only. The spike in subscriptions at that time is due to this change.

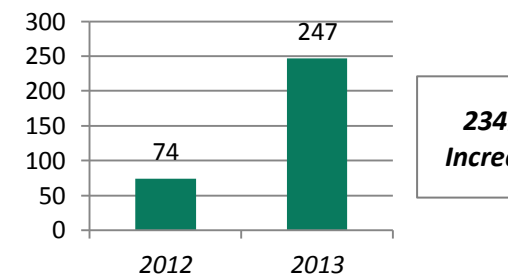
Press releases have had a steady, gradual increase in subscriptions. Many local news entities have subscribed and now receive posted press releases automatically.

2013 is the first year for which we have had data for a full 12 months, however the overall 234% increase in document subscriptions indicates that residents are beginning to become familiar and comfortable with these changes.

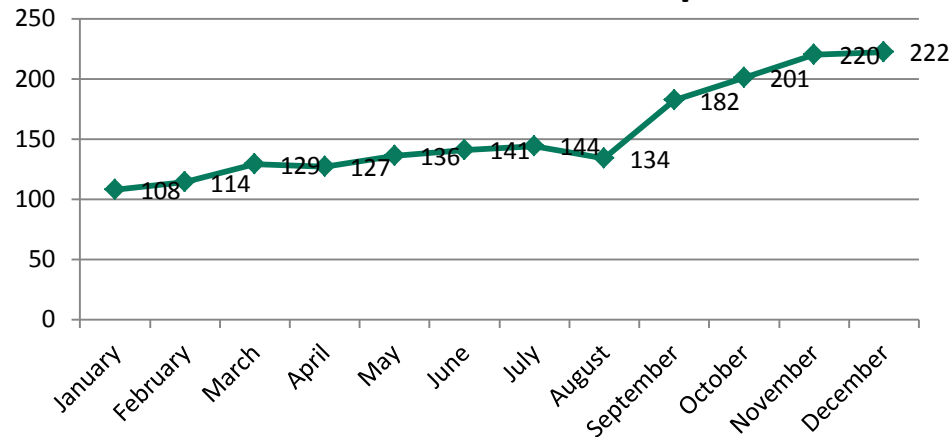
**Note: Subscriptions to posted agendas are examined on page 7 of this report, as a separate software system is used.*

2013	Newsletters	Press Releases	<u>Total</u>
January	53	28	81
February	57	30	87
March	65	40	105
April	66	39	105
May	70	42	112
June	72	44	116
July	77	47	124
August	77	46	123
September	128	75	203
October	141	87	228
November	149	94	243
December	150	97	247

Annual Comparison



2013 Total Calendar Subscriptions



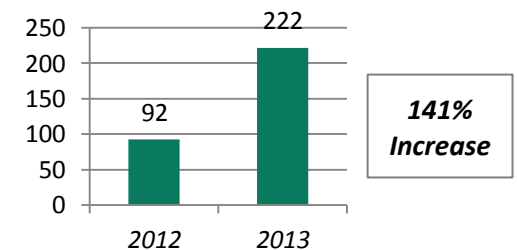
Residents are able to subscribe to receive email or text message notification of published calendar items in various categories. The graph to the left displays the total subscriptions to all calendars available. This includes meetings, events, specific departments, and holiday schedules.

**All board and commission meeting dates, with the exception of Council, were removed in 2012 in order to eliminate duplication and drive all agenda-related traffic directly to the public meetings online portal.*

2013	City Council	City Holidays	Municipal Court	Senior Center	Special Events	Utility Billing	Zumba	Total
January	24	14	5	8	41	16	X	108
February	25	14	5	9	44	17	X	114
March	28	15	6	11	50	19	X	129
April	27	14	5	10	51	20	X	127
May	29	16	6	10	54	21	X	136
June	31	17	7	10	55	21	X	141
July	32	17	7	10	57	21	X	144
August	32	17	7	X	58	20	X	134
September	38	23	8	X	78	28	7	182
October	42	24	9	X	87	32	7	201
November	44	27	10	X	93	35	11	220
December	44	27	10	X	95	35	11	222

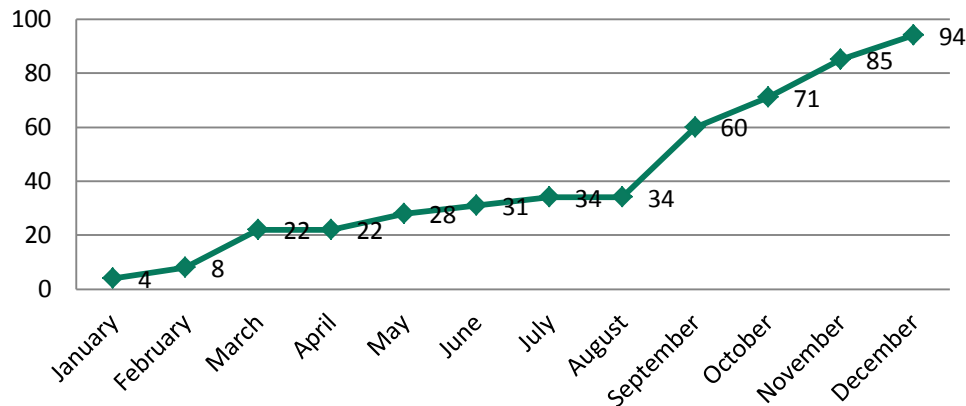
*An 'X' indicates a category that was not published at that time.

Annual Comparison*



**Includes data only for categories posted in both 2012 and 2013*

2013 News Feed Subscriptions



This section includes data from all news feeds, including homepage news, KKB news, and KPD incident report feeds. News feeds are created and deleted as necessary (events, construction, etc) with the exception of the homepage, which is ongoing. This does affect the data.

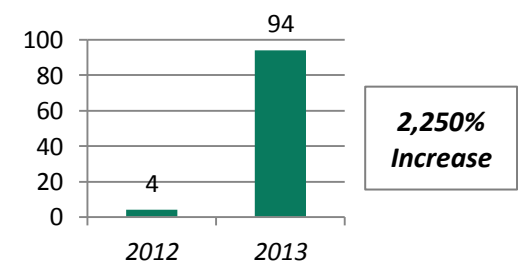
The City has been using news feeds with increasing success over the past year. The addition of the KPD news feed has greatly increased traffic. All information posted on all news feeds is also posted to all social media outlets.

From January to December of 2013, 125 individual news feed posts were made (approximately 2.4 posts per week).

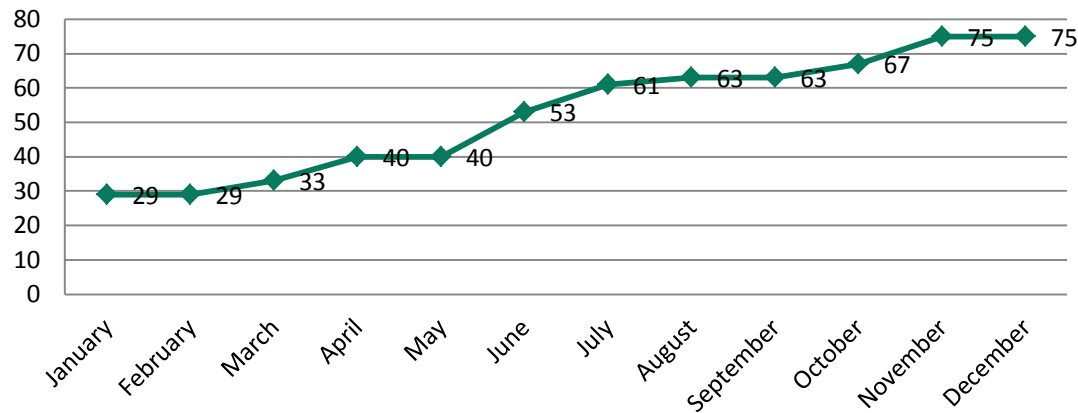
2013	KKB	KPD	Art in the Park	City News Feed (homepage)	<u>Total</u>
January	1	3	X	X	4
February	3	5	X	X	8
March	10	12	X	X	22
April	10	12	X	X	22
May	13	15	X	X	28
June	14	17	X	X	31
July	16	18	X	X	34
August	16	18	X	X	34
September	23	37	X	X	60
October	28	42	1	X	71
November	32	47	6	X	85
December	34	49	8	3	94

*An 'X' indicates a category that was not published at that time.

Annual Comparison



2013 Bid Posting Subscriptions



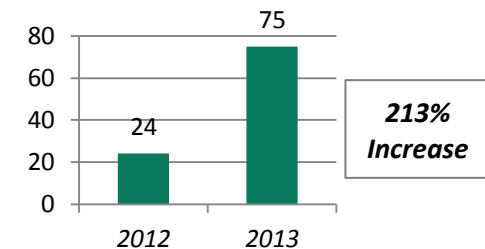
To facilitate the bid process, the City currently posts qualifying projects online for external contractors. Posted categories include finance, property, and water related projects. The graph to the left displays the number of users who have subscribed to receive email notification when opportunities to bid are posted.

In 2013, staff posted 4 bids online. This functionality will be utilized more in the future as we refine our processes and interested parties are made aware of this service.

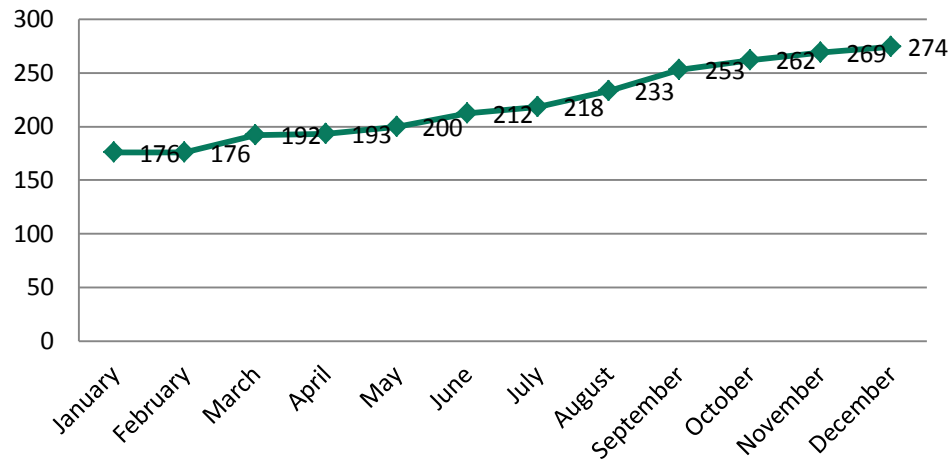
2013	Engineering	Finance	Property	Water	Other	Total
January	X	9	9	11	X	29
February	X	9	9	11	X	29
March	X	10	10	13	X	33
April	X	13	13	14	X	40
May	0	13	12	15	X	40
June	4	18	16	19	X	53
July	9	21	18	22	X	61
August	9	21	19	23	X	63
September	9	21	20	22	0	63
October	14	23	21	23	2	67
November	18	26	23	26	3	75
December	26	26	23	26	6	75

*An 'X' indicates a category that was not published at that time.

Annual Comparison



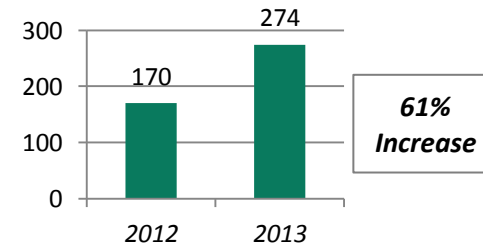
2013 Job Listing Subscriptions



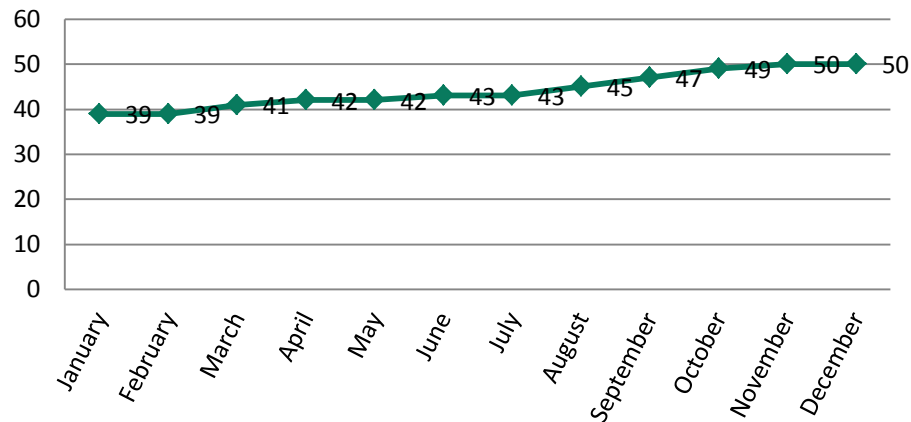
This module allows interested individuals to subscribe to receive an email notification when city job opportunities are posted online. Staff currently posts jobs in the categories of Fire, Police, Public Works, and Other. As with most municipal websites, this functionality is heavily used by external job seekers.

2013	Fire	Other	Police	PW	Total Subscriptions
January	27	56	52	41	176
February	29	56	49	42	176
March	32	61	52	47	192
April	32	62	51	48	193
May	33	65	51	51	200
June	34	69	55	54	212
July	34	72	55	57	218
August	37	78	57	61	233
September	39	86	60	68	253
October	40	90	61	71	262
November	42	92	62	73	269
December	44	94	62	74	274

Annual Comparison



Agenda/Package Subscriptions



2013	SuiteOne Media Subscribers
January	39
February	39
March	41
April	42
May	42
June	43
July	43
August	45
September	47
October	49
November	50
December	50

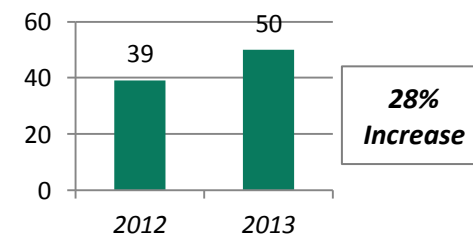
Agenda subscriptions are managed through the SuiteOne Media Agenda Management software program and are available through a portal on our website.

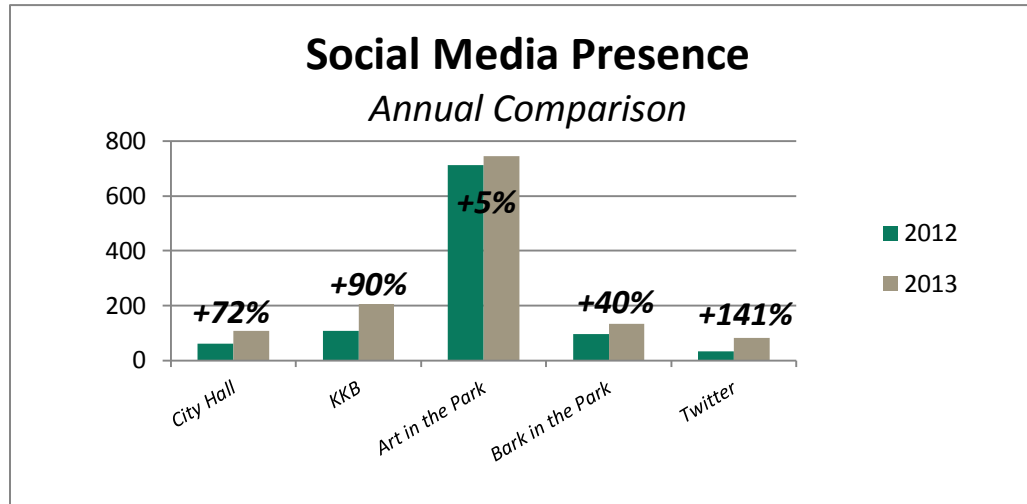
The SuiteOne software system requires a unique login name and password for users. Staff has chosen to maintain this secondary software interface due to its ease of use, high functionality, and customizability.

Staff has posted all agendas and packets for all boards and commissions online since April of 2012.

The posting of our agendas and packets online has almost completely eliminated the number of phone calls and emails received to request copies of these documents. Although the number of subscribed users is not high, many residents have relayed positive comments regarding the online availability of agendas. Many residents use the system to view the documents without subscribing.

Annual Comparison





2013	City Hall	KKB	Art in the Park	Bark in the Park	Twitter
January	62	X	X	X	40
February	65	X	X	X	42
March	67	108	725	109	46
April	71	126	731	121	46
May	74	133	X	133	47
June	77	140	X	X	49
July	83	157	X	X	50
August	86	178	X	X	56
September	90	181	X	X	62
October	93	192	728	X	60
November	104	201	743	X	71
December	107	205	745	X	82

*An 'X' indicates a category that was not published at that time.

The graph to the left displays the total number of Facebook 'likes' and Twitter followers in 2013.

Facebook: facebook.com/pages/City-of-Kennedale-Government
Twitter: twitter.com/CityofKennedale

The City uses social media as a secondary source of city information. We strive to maintain our website, www.cityofkennedale.com, as the primary source for the most up to date and accurate city information. This is best practice for cities of our size and resource availability.

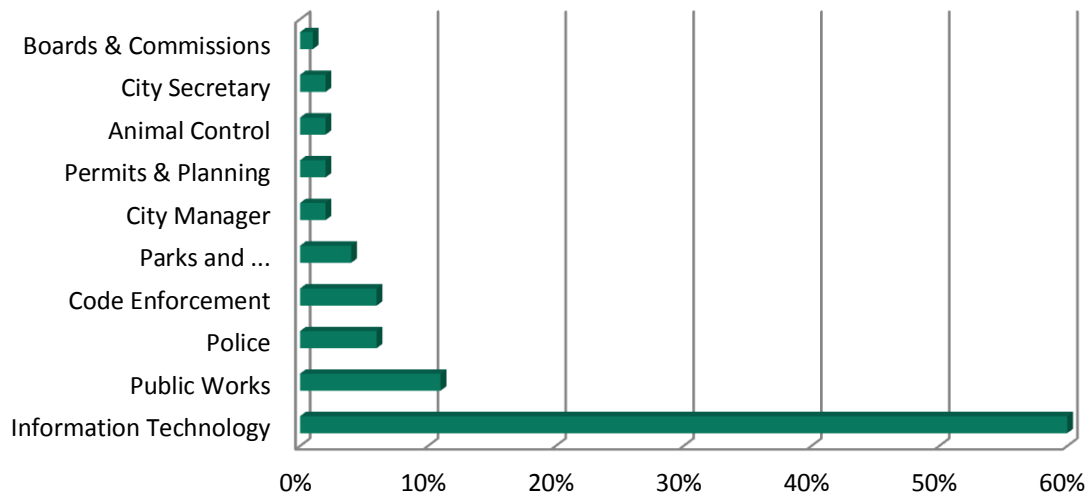
Facebook and Twitter are set up as automatic feeds from our website. Posts from all news feeds, calendar items, job postings, etc., are automatically pushed to social media. This allows for continuity of information across the board and negates the need to duplicate the posting process.

The City also uses additional Facebook pages to disseminate special program and event information. The following additional pages are being maintained by various city groups:

- **Art in the Park:** (745 likes)
facebook.com/pages/Art-in-the-Park-Kennedale-TX
- **Keep Kennedale Beautiful:** (205 likes)
facebook.com/pages/Keep-Kennedale-Beautiful
- **Bark in the Park:** (133 likes)
facebook.com/BarkInTheParkPawsForTheCause

In order to maintain accuracy and reduce unnecessary maintenance time, special events pages are unpublished during the portion of the year they are not needed.

Top 10 Request Tracker Categories



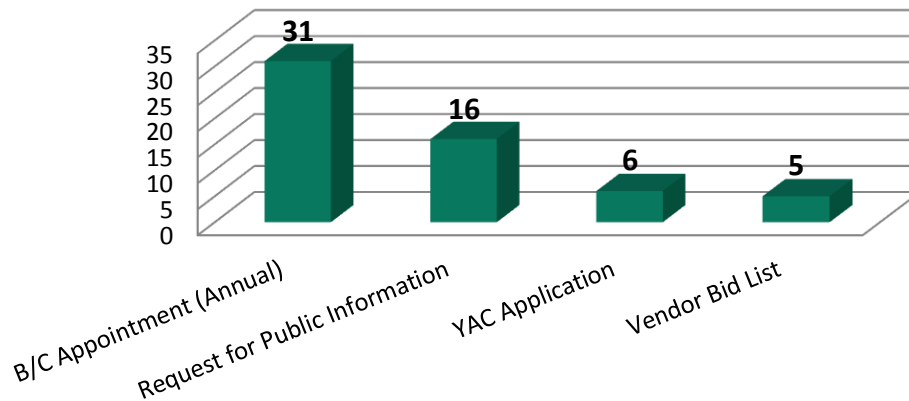
2011-2013	# of Requests	Requests by %
Information Technology	469	60%
Public Works	89	11%
Police	44	6%
Code Enforcement	43	6%
Parks, Recreation, and Facilities	29	4%
City Manager	17	2%
Permits & Planning	16	2%
Animal Control	14	2%
City Secretary	13	2%
Boards & Commissions	7	1%

Total % does not =100 due to the large number of categories with 1 request

The RequestTracker program, currently provided by MyGov.com, provides residents with a portal through which they can send information to or ask questions of city staff (report a pothole, noise disturbance, code violation, request information, etc). City staff also uses the program to track internal requests. The program is currently heavily utilized for internal requests. Due to the low-level of external use, to better illustrate general usage trends, the data shown is from 2011-2013

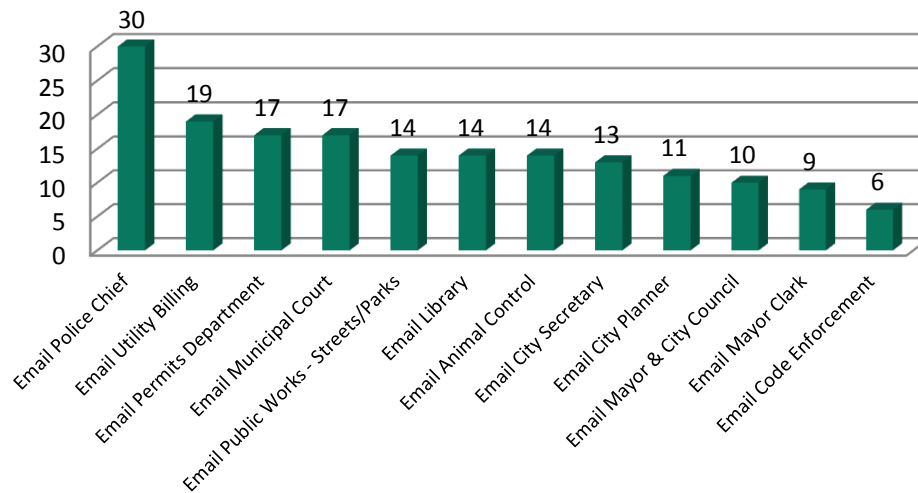
In order to make this process more available to residents, staff will be transitioning to the RequestTracker service provided by CivicPlus, website software program. The new RequestTracker will be housed within the website, which allows for continuity of brand, look, and feel. Utilizing the CivicPlus system will also reduce the need for duplication of information and enhance our 'one stop shop' mentality for residents and staff

Online Forms



Online Email Submissions

Top Categories



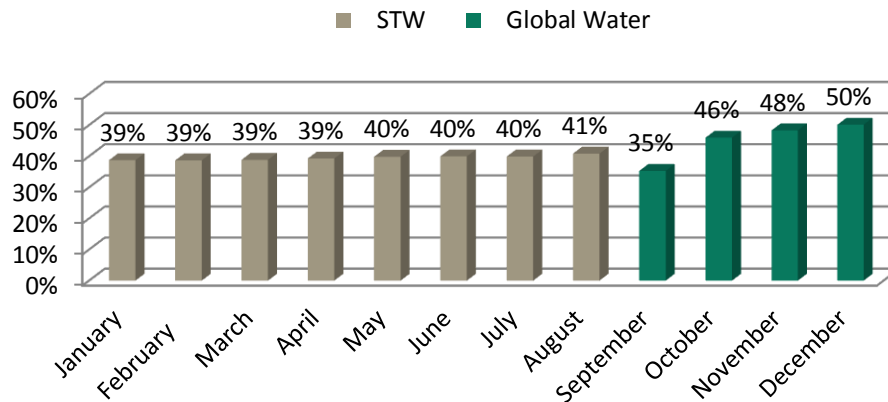
To allow for easy access to staff several online forms have been established, which have proven to be very useful. Online forms also increase our ability to be paperless.

The City Secretary Department has transitioned to an online application process for board and commission appointments, as well as for several one-time application needs. The 2013 board and commission appointment application process was completed 100% online and was well-received by applicants.

Online email forms are an easy way to allow for direct contact with staff. These online email forms eliminate the need for users to search the website for email addresses and help to protect the city servers from mass spam and computer viruses.

Staff will be expanding this service through additional online email forms, applications, and requests through the CivicPlus Request Tracker.

Utility Billing Payments



The city currently offers customers the ability to make certain payments online. Staff is currently researching options for additional online payment capabilities, including facility reservations, permits, etc.

UTILITY BILLING:

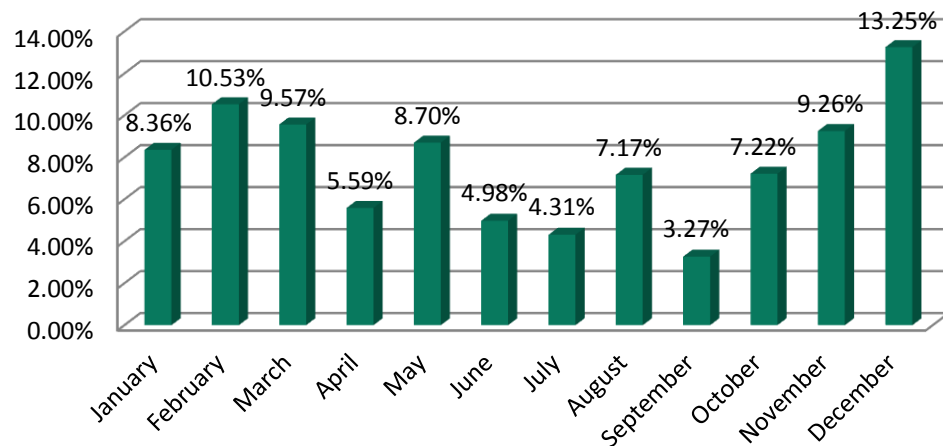
From January – August of 2013, Utility Billing payments were made through STW. As of September 2013 all payments are processed through Global Water.

Of customers who pay their bills online, 181 use automatic bank withdrawal. Staff anticipates a continuance in the upward trend of payments made online.

MUNICIPAL COURT:

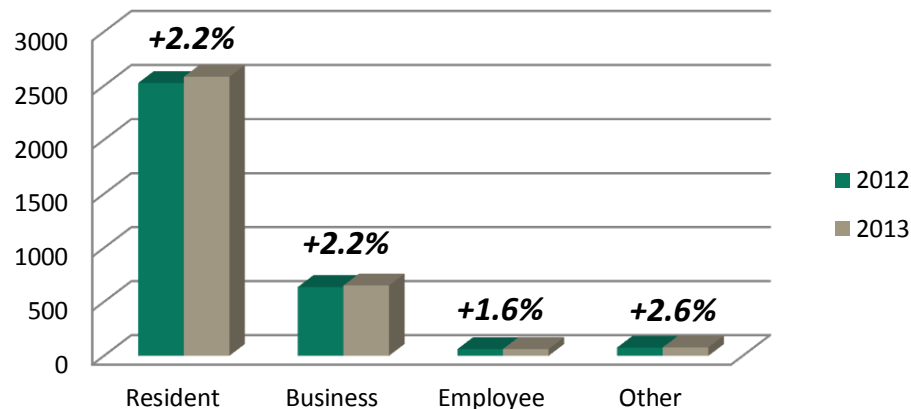
Municipal Court payments are made through LT Systems. The online payment option for Municipal Court is only available to those paying in full. It is not available to anyone paying in partial payments, those who take defensive driving, etc. Due to these variations in court proceedings and payment options, online payment percentages are lower for this department.

Municipal Court Payments

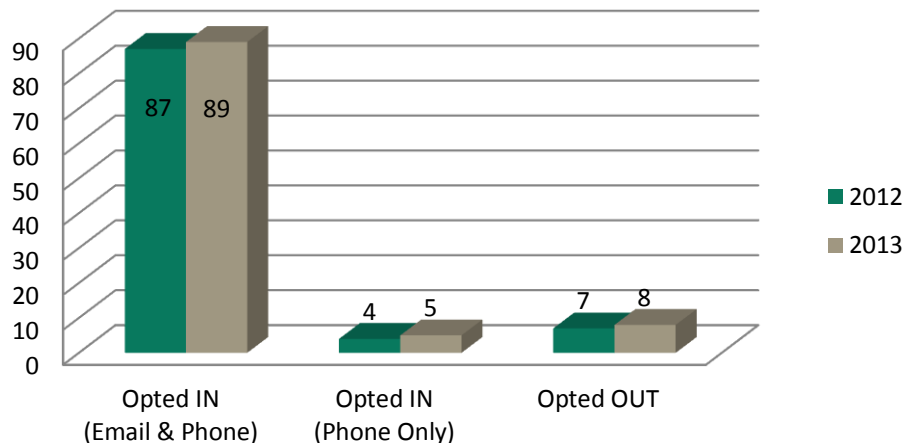


Blackboard Connect Contacts

3376 Total Contacts as of December 2013



Blackboard Connect Opt in/out



The city uses Blackboard Connect to send phone calls, text messages, and emails to residents and business owners during emergency situations.

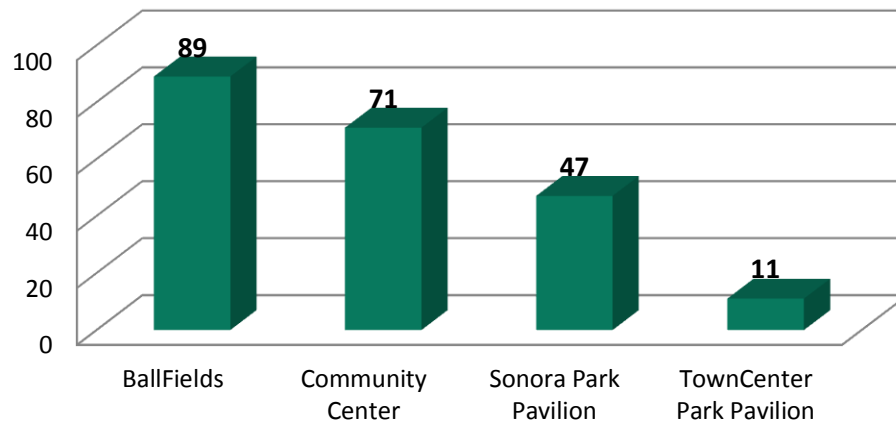
A recent upgrade to the system has allowed staff to link Blackboard Connect with our social media outlets. Any and all emergency messages sent by the system, including those sent automatically by the National Weather Service, will be automatically posted to both Facebook and Twitter.

In order to minimize opt-outs from the system, it is city policy to use BlackBoard Connect for life-safety emergency situations *only*. This includes inclement weather, water line ruptures, and electrical disruption type emergencies. Special events, surveys, and other non-emergency notification options are available to residents through other non-emergency online service methods.

Five messages were sent out in 2013. Three were emergency messages and two were outreach messages related to disruptions in trash service.

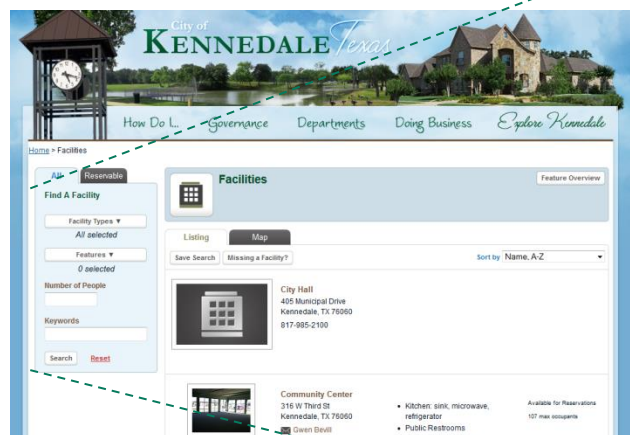
1. "This Monday and Tuesday repairs to the primary water supply valve and sixteen inch water main supplying all residential and commercial customers in Kennedale will be shut off for repairs."
2. "Repairs have been completed on the 16" water line. Everyone may now return to the normal phase 1 watering schedule."
3. "A sample from Mistletoe Drive has tested positive for the West Nile Virus. Please be sure that your property is free from any stagnant water."
4. "Kennedale residents will not have their trash collected this Saturday December 7 due to ice on roads."
5. Repeat of message 4.

Online Facility Reservations



2013 is the first year that the city has offered an online reservation system for our facilities. This system allows residents to access the reservation calendar and online reservation request application online, and has greatly reduced the number of phone calls and staff time spent on processing reservations.

Currently, City policy allows two days for residents who have reserved facilities online to make payment at city hall. In order to ensure equal opportunity to all potential users, City policy also does not allow for reservations to be made more than 90 days in advance. Due to credit card issues and other online billing fees and complications, we are unable to offer online payment for reservations at this time, but continue to pursue options.



www.cityofkennedale.com

All
Reservable

Find A Facility

Facility Types ▼
All selected

Features ▼
0 selected

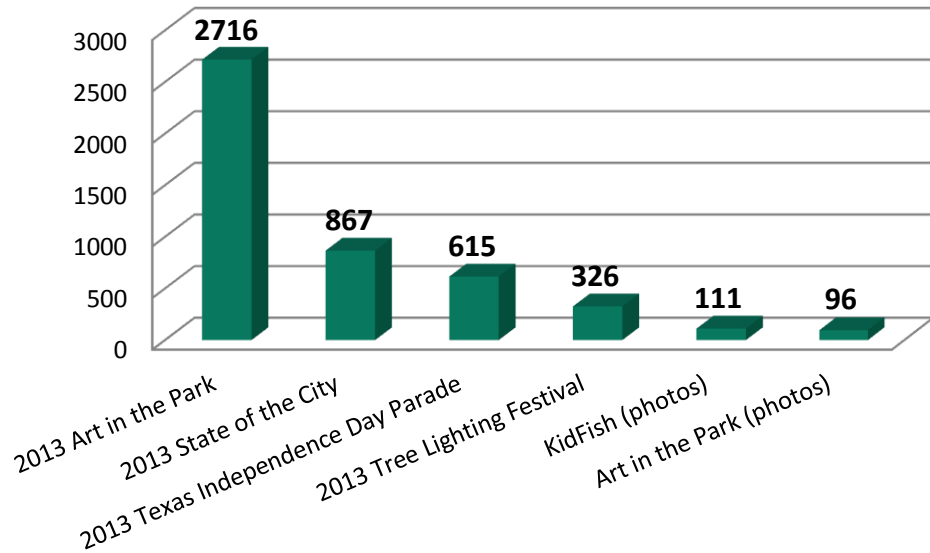
Number of People

Keywords

Search
Reset

Residents are now able to search by facility type, location, and features (trails, benches, water features, fishing, basketball courts, chairs, parking, occupancy, kitchen equipment, hours, etc). This allows residents to peruse the options online prior to making a reservation or to calling staff. Staff has received positive feedback with this new functionality.

Video/Photo Consumption



In order to enhance the exposure of Kennedale's quality of life, community atmosphere, and small-town feel, staff has made an effort to provide opportunities for online users to experience the community visually through photo and video galleries.

Our partnership with 4 Wall Studios, which allowed us to provide quality video production at a minimal expense to the city, is no longer available. Staff is not currently pursuing videography projects, but will reexamine possibilities when funding and affordable services become available. The high level of response to State of the City videos encourages staff to expand video/visual production in this informational capacity.

The photo gallery has also been successful. This gallery is best used to display static features of our city (parks, reservable facilities, infrastructure), and to display recent enhancements to those facilities.



Staff is in the preliminary stages of developing tools for online community surveys within the CivicPlus environment. Many of our surveys are conducted through external entities (University of Texas at Arlington classes, etc), and therefore use external software options available to those entities.

In early 2014 a community survey for Keep Kennedale Beautiful was opened and received 45 responses in 4 weeks. This data is encouraging and efforts will be made to better utilize these technologies in the future.

The online communication services initiated over the past year have yielded positive results, and staff will continue to monitor usage and pursue additional opportunities to provide online services whenever possible. Staff will continue to examine ways to streamline and simplify how residents engage with Kennedale government. It is our goal to be as effective, responsive, timely, and available as possible.

2014 Online Initiatives:

- ✓ RequestTracker transition to CivicPlus module house within the website software.
- ✓ Addition of LaserFiche WebPortal electronic document center, which will allow anyone to view historical public documents online at any time. There are currently over 9,500 documents in the LaserFiche system. This accessibility to information will create efficiencies for staff as well as informational opportunities for residents.
- ✓ Potential addition of Community Voice, a CivicPlus software module which provides residents with opportunities to weigh in on ideas, policies, etc. (Crowd-sourcing)
- ✓ Implementation of survey tools and opportunities.
- ✓ Increased and refined use of all online tools used over the past year.

Date: March 13, 2014

Agenda Item No: CONSENT ITEMS - A.

I. Subject:

Consider approval of minutes from February 13, 2014 regular meeting.

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

Please see the attached minutes for your approval.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	Feb 13 Minutes	02.13.2014 CC Minutes.doc
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**KENNEDALE CITY COUNCIL
MINUTES
REGULAR MEETING
February 13, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

I. CALL TO ORDER

Mayor Clark called the meeting to order at 5:30PM.

The Council recessed into Executive Session at 5:33PM.

II. EXECUTIVE SESSION

A. The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding nonconforming uses, and discussion of zoning issues in the city.

The Council returned from Executive Session at 6:59PM.

III. REGULAR SESSION

Mayor Clark called the regular session to order at 7:00PM.

IV. ROLL CALL

Present: John Clark, Frank Fernandez, Brian Johnson, Charles Overstreet, Kelly Turner, Liz Carrington

Absent: none

V. INVOCATION

VI. UNITED STATES PLEDGE

VII. TEXAS PLEDGE

VIII. VISITOR/CITIZENS FORUM

Two individuals signed up to speak.

1. April Colthorp, member of the Art in the Park Committee, handed a packet of information to Council and invited all members to the upcoming 'Silent Auction' and 'Painting with a Twist' events.
2. Josh Altom of 1033 Estates Drive approached the Council, describing an erosion issue on his property. He noted that he had contacted Council several times and would like to see if there are options for the city to assist with the erosion issues in his area. He noted that Bob Hart had recently visited the property.

IX. REPORTS/ANNOUNCEMENTS

A. Mayor: Updates and information, if any:

- Mayor Clark noted that several relevant topics were discussed at the recent Mayor's Council meeting, which both he and Councilmember Fernandez attended. Topics included Fort Worth's safe communities coalition, Foreign Trade Zones, and programs offered by the Botanical Research Institute of Texas..
- Presentation of Government Finance Officers Association (GFOA) Award of Financial Reporting Achievement to City of Kennedale Finance Department for year ending September 30, 2012 and Sakura Moten-Dedrick, Director of Finance & Information Technology.

Mayor Clark presented the award to Debby Scott, who accepted the award on Ms. Moten-Dedrick's behalf.

B. Councilmembers: Updates and information, if any.

- Councilmember Johnson noted that the recent Bird Identification Workshop went well, was well attended, and that there would be another workshop in April.

C. City Manager: Updates and information, if any.

City manager Bob Hart noted the following:

- The City of Arlington's portion of the Bowman Springs project should be completed in the next 3 months. The project is scheduled to be finished by the end of 2014.
- Union Pacific Railroad will be closing a portion of Dick Price Road on Saturday to complete railroad repairs.
- The Texas Independence Day Parade will be held on March 1st, 2014 at 1:00PM.

X. CONSENT ITEMS

A. Consider approval of minutes from the January 16, 2014 regular meeting.

Motion To approve the consent agenda as presented. **Action** Approve, **Moved By** Kelly Turner, **Seconded By** Liz Carrington.
Motion Passed Unanimously

XI. REGULAR ITEMS

Councilmember Overstreet asked that item XI-H be moved to the top of the agenda.

Motion To move item XI-H to the top of the agenda. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Kelly Turner.
Motion Passed Unanimously

H. Consider the approval of a settlement agreement with Don's Scrap Metal.

This item is regarding issues discussed in Executive Session and does not require further discussion.

Motion To approve and authorize the City Manager to execute a Chapter 380 Agreement with Watson Glass. **Action** Approve, **Moved By** Frank Fernandez, **Seconded By** Charles Overstreet.
Motion Passed Unanimously

A. Presentation of the 2013 Racial Profiling Report.

Chief Tommy Williams presented the report, noting that it was required on an annual basis.

No action by the Council was necessary.

B. Consider authorizing the Mayor to execute an interlocal agreement for rabies control with the City of Fort Worth for use of their Animal Shelter.

Chief Tommy Williams noted that this was an annual agreement with the City of Fort Worth to provide animal shelter and associated services for the City of Kennedale. He also noted that shelter hours have been increased back to 2012 levels.

Motion To authorize the Mayor to execute an interlocal agreement for rabies control with the City of Fort Worth for use of their Animal Shelter as presented. **Action** Approve, **Moved By** Brian Johnson, **Seconded By** Liz Carrington.

Motion Passed Unanimously

C. Conduct a public hearing relative to Tarrant County Community Development and Housing for the 40th Year Community Development Block Grant (CDBG) Project for water and sewer improvements.

1. Staff Presentation

Larry Ledbetter approached the Council, noting that the proposed sanitary sewer project for Cayleabait was the same project proposed for the last round of Community Development Block Grants.

2. Public Hearing

Mayor Clark opened the public hearing. No individuals signed up to speak and the public hearing was closed.

3. Staff Response and Summary

No response was necessary.

4. Action by the City Council on Resolution 419, approving funding for the 40th year CDBG project.

Motion To approve Resolution 419, approving funding for the 40th year CDBG project as presented. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Kelly Turner.

Motion Passed Unanimously

D. Consider setting a date for a special meeting to accept the audit.

In order to meet new deadlines and standards for the Securities and Exchange Commission, the audit acceptance needs to take place prior to March 1, 2014.

Council announced that the meeting to accept the audit would be held on February 27, 2014 at 5:30PM.

E. Consider meeting with the Board of Adjustment.

Council announced that Councilmember Charles Overstreet and Mayor Clark would attend a workshop meeting of the Board of Adjustment on February 25th, 2014 at 6:00PM to discuss the city's strategic plan and other items.

F. Consider approval of Resolution 420, authorizing the City Manager to execute a Chapter 380

Agreement with H & O Die Supply.

Bob Hart noted that the city would like to assist H & O Die Supply in their business expansion and maintain their presence in Kennedale through a Chapter 380 agreement. Through this agreement, the city will refund incremental taxes from that expansion for a period of 5 years

Motion To approve Resolution 420, authorizing the City Manager to execute a Chapter 380 Agreement with H & O Die Supply. **Action** Approve, **Moved By** Brian Johnson, **Seconded By** Liz Carrington

Ayes: Brian Johnson, Charles Overstreet, Kelly Turner, Liz Carrington

Nays: Frank Fernandez

Motion Passed (4-1)

G. Consider approval of Resolution 421, authorizing the City Manager to execute a Chapter 380 Agreement with Watson Glass.

Bob Hart noted that the city would like to assist Watson Glass in their business expansion and maintain their presence in Kennedale through a Chapter 380 agreement. Through this agreement, the city will refund incremental taxes from that expansion for a period of 5 years

Councilmember Fernandez noted that due to his concern related to the city's budget he was not able to support these Chapter 380 agreements.

Motion To approve Resolution 421, authorizing the City Manager to execute a Chapter 380 Agreement with Watson Glass. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Liz Carrington.

Ayes: Brian Johnson, Charles Overstreet, Kelly Turner, Liz Carrington

Nays: Frank Fernandez

Motion Passed (4-1)

XII. ADJOURNMENT

Motion To adjourn. **Action** Adjourn, **Moved By** Brian Johnson, **Seconded By** Liz Carrington.
Motion Passed Unanimously

The meeting was adjourned at 7:31PM.

APPROVED:

ATTEST:

Mayor John Clark

City Secretary Amethyst G. Sloane

Date: March 13, 2014

Agenda Item No: CONSENT ITEMS - B.

I. Subject:

Consider approval of minutes from February 25, 2014 special meeting.

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

Please see the attached minutes for approval.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	minutes	02.25.2014 CC Minutes - Special (done).doc
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**KENNEDALE CITY COUNCIL
MINUTES
SPECIAL MEETING
February 27, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

I. CALL TO ORDER

Mayor Pro-Tem Brian Johnson called the meeting to order at 5:30PM.

II. ROLL CALL

Present: Frank Fernandez, Brian Johnson, Charles Overstreet, Kelly Turner, Liz Carrington

Absent: John Clark

III. REGULAR SESSION

IV. REGULAR ITEMS

A. Consider an Ordinance amending the FY2012-13 budget.

Sakura Dedrick gave an update on this item, noting that Council is required to amend the budget every year prior to the acceptance of the audit. Council did not have any questions with regard to the amended amounts.

Motion To approve Ordinance 544, amending the FY2012-13 budget. **Action** Approve, **Moved By** Kelly Turner, **Seconded By** Charles Overstreet.

Motion Passed Unanimously

B. Discuss and consider action for approval of Independent Auditor's Report for year ended September 30, 2013.

Greg Shropshire of Patillo, Brown, and Hill briefed the Council on the year-end September 30, 2013 audit and comprehensive annual financial report, noting that the report was positive and that the process went smoothly. A copy of the report will be on file with the city.

Motion To approve the Independent Auditor's Report for year ended September 30, 2013. **Action** Approve, **Moved By** Frank Fernandez, **Seconded By** Kelly Turner.

Motion Passed Unanimously

V. ADJOURNMENT

Motion To adjourn. **Action** Adjourn, **Moved By** Kelly Turner, **Seconded By** Liz Carrington.
Motion Passed Unanimously

The meeting was adjourned at 6:08PM.

APPROVED:

ATTEST:

Mayor John Clark

City Secretary Amethyst G. Sloane

Date: March 13, 2014

Agenda Item No: CONSENT ITEMS - C.

I. Subject:

Discuss and consider authorizing the City Manager to execute a contract with Shield Engineering for the TIP Sidewalk Project.

II. Originated by:

Bob Hart

III. Summary:

The city has received a grant through the North Central Texas Council of Government for pedestrian improvements to the Kennedale TownCenter. The city solicited proposals from engineering firms for design of the sidewalk that would be along the Southwest side of Kennedale Parkway. City Council authorized staff to negotiate with Shield Engineering for the sidewalk project design. City staff recommends approval of the attached engineering contract for design of the sidewalk.

Please see the attached contract for your consideration.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	Contract	20140227115558398.pdf
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AN AGREEMENT TO PROVIDE LIMITED PROFESSIONAL SERVICES

PROJECT NAME: Kennedale TIP Funded Sidewalk Project

PROJECT NO: 2011011.02

CLIENT: City of Kennedale, Attention: Bob Hart

ADDRESS: 405 Municipal Drive, Kennedale, Tx 76060

hereby requests and authorizes **Shield Engineering Group, PLLC (the Firm)** to perform the following Services:

SCOPE: The Firm understands this project, known as the Kennedale Transportation Improvement Program (TIP) Funded Sidewalk Project, located in Kennedale, Texas, to consist of civil engineering services associated with improvements to approximately 25,570 LF of 6' wide sidewalk along Kennedale Parkway (BU287P). The project limits on the southern portion of Kennedale Parkway extend from 1125 West Kennedale Parkway (Quick Trip) to Eden Road. The project limits on the northern portion extend from Bowman Springs Road to Tower Drive. The proposed improvements will require layout, existing conditions, erosion control, traffic control, SWPPP plans, and associated details in accordance with TxDOT standards.

1. Survey:

- a. Topographic Design Survey: The Firm has previously acquired topographic design survey for some portions of this project in association with the Kennedale Green Ribbon Project. Supplemental design survey will be necessary in these areas in order to locate all the recently constructed Green Ribbon landscape enhancements along Bus 287. The Firm will also provide topographic design survey along the portions of Bus 287 which were not included in the Green Ribbon Project in order to locate existing surface features which will need to be avoided with the sidewalk design. The design survey will include but is not limited to 1' contour intervals, horizontal and vertical location of existing surface features such as water valves, fire hydrants, telephone poles, sanitary sewer manholes and flowline information, storm drain system structures and flowlines and pipe sizes, curbs, edge of pavement, retaining walls, power poles, dig-tess pin flags, etc.

2. Engineering Plans:

Per TxDOT requirements, this scope assumes plan submittals to the City and TxDOT at 30%, 60%, 95% and Final design.

- a. Plan Research: The Firm will gather available existing infrastructure plans adjacent to and serving the site to be used for the site civil design.
- b. Layout Plans: The Firm will prepare the calculated sidewalk layout plans per TxDOT requirements.
- c. Existing Conditions & Removal Plans: The Firm will prepare Existing Conditions & Removal Plans along existing Bus 287 which will include power poles, inlets, manholes, driveways, signs, and TxDOT right of way.

Note: This scope assumes that there are no existing utilities which will need to be removed or relocated for this project. The sidewalk is planned to be horizontally located such that it avoids as many surface features as possible while adhering to the TxDOT guidelines.

- d. Traffic Control Plans – The Firm will prepare a Traffic Control Plan for Bus 287 in accordance with local and TxDOT standards.
- e. Storm Water Pollution Prevention Plan – The Firm will prepare one Storm Water Pollution Prevention Plan in accordance with TxDOT and TCEQ standards.
- f. Meetings: The Firm has included up to 6 - 2 hour meetings for coordination with the design team, City, TxDOT, and the Contractor. Additional meetings if necessary can be provided on an hourly basis.
- g. Preliminary Opinion of Probable Cost – The Firm will prepare one preliminary opinion of probable cost per plan submittal for civil related items including traffic control, erosion control, and right of way preparation. Unit costs will be from the TxDOT Average Low Bid web site. This scope assumes four (4) submittals total for 30%, 60%, 95%, and Final Design.

Initials _____
(FIRM)

Page 1 of 6
(CLIENT)



Shield Engineering Group, PLLC

1200 W. Freeway, Suite 300, Fort Worth, TX 76102 • office (817) 810-0696 • fax (817) 810-0372
Email: info@segpllc.com • www.shieldengineeringgroup.com

**SUMMARY: Hourly Estimates**

	MIN	NTE
1. 30% Submittal	\$17,106	\$22,623
2. 60% Submittal	\$34,059	\$45,412
3. 90% Submittal	\$13,537	\$17,927
4. 100% Submittal	\$ 8,767	\$11,227
5. Bid Phase	\$ 4,320	\$ 5,532
6. Construction Phase	\$ 8,645	\$11,232
Total Estimated Fee:	\$86,434 - \$113,953	
Reimbursable budget estimate:	\$ 1,500	

Impact fees, FEMA fees, submittal fees and all other fees and taxes will be the responsibility of and paid for by the Client.

The Firm will provide the professional services listed above in accordance with local requirements and per the Client's instructions within the legal and ethical obligations as described in *The State of Texas, Texas Engineering Practice Act and Rules Concerning the Practice of Engineering and Professional Engineering Licensure* (latest edition). This scope of services contract does not imply or guarantee acceptance by governing agencies or municipalities.

The parties agree to the Terms and Conditions attached to this authorization.

Accepted for **CLIENT**

Accepted for **SHIELD ENGINEERING GROUP, PLLC**

By: _____
Name: _____
Title: _____
Date: _____

By: _____
Name: Jean-Marie Alexander, P.E.
Title: CEO
Date: 2/10/14

Initials _____
(FIRM)

(CLIENT)

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Shield Engineering Group, PLLC

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Email: info@segpllc.com • www.shieldengineeringgroup.com



Exclusions and Additional Services: This proposal was prepared based on information provided by the Client and the conditions known to Shield Engineering Group, PLLC at the time of preparing this proposal. Tasks not included in the scope will be considered additional services. If the Engineer is requested to become involved with any of the following items, the Firm will be pleased to provide them for additional fees to be determined at that time. Additional services include any services not listed above and all other special or miscellaneous services specifically authorized by the Client. Authorized additional services shall be billed in accordance with the attached hourly rate schedule or for a prenegotiated lump sum fee approved by the Client. The following is an example of services which will be considered additional or excluded:

- Site / Land Planning
- Construction Phase Services (Other than those listed above): attendance at regular design and construction meetings, construction observation, review of payment applications, processing of Change Orders
- Subsurface Utility Engineering (SUE)
- Franchise Utility Relocation Coordination and Offsite Franchise Utility Coordination
- Traffic Study and Modeling, Traffic Analysis, Parking Flow Study, Signal Warrant Study
- Studies: Line of Sight, Water, Sanitary Sewer, Drainage, Feasibility
- Special Use Permits for Oil And Gas Coordination
- As-Built survey / ALTA survey, Boundary Survey, Title Search, Easements, Vacation Instruments, Additional Closing Exhibits and Legal Descriptions, Preliminary Plat, Tree Survey, Construction Staking, Finished Pad/Grade Certification, Rail Certification, or any other surveying services beyond those listed above
- Technical Specifications, Concept Site Planning, Demolition Plan
- Entitlements, Annexation, Zoning, Preliminary Plat
- City Encroachment Agreements, Community Facilities Agreements
- TxDOT Driveway / Utility Permit, Design and Details
- Permits: Grading, Tree Removal, Tree Preservation Plan, Urban Forestry Compliance Plan, Water Appropriations, Dam Safety, FAA, TxDOT, TRA, Railroad, Driveway
- Landscape architecture or irrigation system design
- Environmental assessment, impact statement, Waters of the US/Wetland delineations or permits.
- Flood studies, LOMR, CLOMR, or detention pond design
- Design of pump house, fire alarms, flow test(s) and/or ground storage tank for fire protection system design
- Design of retaining walls, screening walls, detached structures, special brick paved areas, sidewalks, etc.
- Design of offsite spoil/borrow area for excavation material
- Geotechnical Investigations, Material Testing and Inspection Services
- Coordination of Building Permit Processing and TDLR Review shall be provided by Architect or a third-party reviewer. This includes review of the latest edition of the Texas Accessibility Standards (TAS).
- Services of Special Consultants

Initials _____
(FIRM)

Page 4 of 6
(CLIENT)



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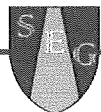
TERMS AND CONDITIONS

1. **AUTHORIZATION TO PROCEED:** Signing this Agreement shall be construed as authorization by CLIENT for the FIRM to proceed with the Services, unless otherwise provided for in this Agreement.
2. **ACCESS TO SITE:** Unless otherwise stated, the Firm will have access to the site for activities necessary for the performance of the services. The Firm will take precautions to minimize damage due to these activities, but has not included in the fee the cost of restoration of any resulting damage.
3. **COST ESTIMATES:** Any cost estimates provided will be on a basis of experience and judgment. Since the FIRM has no control over market conditions or bidding procedures, the FIRM does not warrant that bids or ultimate construction costs will not vary from these cost estimates.
4. **ADDITIONAL SERVICES:** Services in addition to those specified in Scope will be provided if authorized in writing. Additional services will be paid for by CLIENT as indicated in any Letter of Proposal, Task Authorization, or such other document as deemed appropriate by CLIENT and FIRM. In the absence of an express agreement about compensation, the FIRM shall be entitled to an equitable adjustment to its compensation for performing such additional services.
5. **INDEMNIFICATION:** The Client shall, to the fullest extent permitted by law, indemnify and hold harmless the Firm, his or her officers, directors, employees, agents and sub-consultants from and against all damage, liability and cost, including reasonable attorney's fees and defense costs, arising out of or in any way connected with the performance by any of the parties above named of the services under this agreement, excepting only those damages, liabilities or costs attributable to the sole negligence or willful misconduct of the Firm.
6. **LIMITATION OF LIABILITY:** In recognition of the relative risks, rewards and benefits of the project to both the Client and the Firm, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, the Firm's total liability to the Client for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this agreement from any cause or causes, shall be limited to an amount no greater than the Firm's fee in this proposal. Such causes include, but are not limited to, the Firm's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.
7. **DISPUTE RESOLUTION:** Any claims or disputes made during design, construction or post-construction between the CLIENT and FIRM shall be submitted to non-binding mediation. CLIENT and FIRM agree to include a similar mediation agreement with all contractors, subcontractors, sub-consultants, suppliers and fabricators, thereby providing for mediation as the primary method for dispute resolution between all parties.
8. **PAYMENT TO FIRM:** Invoices for the FIRM's service shall be submitted, at the FIRM's option, either upon completion of such services or on a monthly basis. The CLIENT shall either approve these invoices or notify the FIRM of any invoices not approved. The CLIENT and the FIRM shall confer and attempt to resolve such disputed invoices. The CLIENT shall promptly invoice the Owner for the FIRM's service in accordance with the billing terms of the CLIENT'S agreement with the Owner and shall use reasonable and diligent efforts to collect payment from the Owner. Invoices shall be payable within 15 days after the invoice date regardless of whether or not the Owner pays the CLIENT in full. The CLIENT shall pay the FIRM for all undisputed invoices within a reasonable period of time after completing the FIRM'S services under this agreement. If the invoice is not paid within 30 days after the invoice date, the FIRM may, without waiving any claim or right against the CLIENT, and without liability whatsoever to the CLIENT, terminate the performance of the service. [Retainers/Deposits shall be credited on the final invoice.]
9. **LATE PAYMENTS:** Accounts unpaid 30 days after the invoice date may be subject to a monthly service charge of 1.5% (or the legal rate) on the then unpaid balance. In the event any portion or all of an account remains unpaid 90 days after billing, the Client shall pay all costs of collection, including reasonable attorney's fees.
10. **TERMINATION:** Either CLIENT or FIRM may terminate this Agreement by giving 30 days' written notice to the other party. In such event CLIENT shall forthwith pay FIRM in full for all work previously authorized and performed prior to effective date of termination. If no notice of termination is given, relationships and obligations created by this Agreement shall be terminated upon completion of all applicable requirements of this Agreement.
11. **CERTIFICATIONS:** Guarantees and Warranties: The FIRM shall not be required to execute any document that would result in its certifying, guaranteeing or warranting the existence of conditions whose existence the FIRM cannot ascertain.
12. **OWNERSHIP OF DOCUMENTS:** All documents produced by the FIRM under this agreement shall remain the property of the FIRM and may not be used by the CLIENT for any other endeavor without the written consent of the FIRM.
13. **SEVERABILITY:** In case any one or more of the provisions contained in this Agreement shall be held illegal, the enforceability of the remaining provisions contained herein shall not be impaired thereby.
14. **JOBSITE SAFETY:** Neither the professional activities of the Consultant, nor the presence of the Consultant or its employees and subconsultant's at a construction/project site, shall impose any duty on the Consultant, nor relieve the General Contractor of its obligations, duties and responsibilities including, but not limited to, construction means, methods, sequence, techniques or procedures necessary for performing, superintending and coordinating the Work in accordance with the Contract Documents and any health or safety precautions required by any regulatory agencies. The Consultant and its personnel have no authority to exercise any control over any construction contractor or its employees in connection with their work or any health or safety programs or procedures. The Client agrees that the General Contractor shall be solely responsible for jobsite and worker safety and warrants that this intent shall be carried out in the Client's contract with the General Contractor. The Client also agrees that the General Contractor shall defend and indemnify the Client, the Consultant and the Consultant's subconsultant's. The Client also agrees that the Client, the Consultant and the Consultant's subconsultant's shall be made additional insured's under the General Contractor's policies of general liability insurance.

Initials _____
(FIRM)

(CLIENT)

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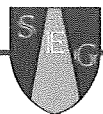
2014 HOURLY RATE SCHEDULE

Principal	\$210
Program Manager	\$175
Project Manager	\$155
Professional Engineer	\$140
EIT	\$110
Designer	\$100
CAD Drafter	\$75
Support	\$65
QA/QC	\$140
RPLS	\$145
Survey Technician	\$95
Party Chief	\$80
Survey Crew Member	\$60

Initials _____
(FIRM)

(CLIENT)

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Shield Engineering Group, PLLC

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Email: info@segpllc.com • www.shieldengineeringgroup.com

Date: March 13, 2014

Agenda Item No: CONSENT ITEMS - D.

I. Subject:

Consider approval of Resolution 422 authorizing a grant application for police body-worn video.

II. Originated by:

Tommy Williams, Police Chief

III. Summary:

Consider approval of a grant resolution to purchase body worn cameras for all officers. These cameras would be synchronized with the current in-car videos systems to provide additional case support for officer actions in the field. Currently if an officer gets out of the view of a vehicle mounted camera, all that is recorded is the audio. The body cameras will provide extra video evidence and support regardless of where the officer is positioned.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	R422	R422 - CJD Body Word Video 2014.docx
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RESOLUTION 422

A RESOLUTION OF THE CITY OF KENNEDALE, TEXAS DESIGNATING AN OFFICIAL AS BEING RESPONSIBLE IN DEALING WITH THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS FOR THE PURPOSE OF PARTICIPATING IN A GRANT FOR BODY WORN VIDEO (Grant# 2787001); AND CERTIFYING THAT THE CITY OF KENNEDALE IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE.

WHEREAS, The City Council of the City of Kennedale finds it in the best interest of the citizens of Kennedale that BODY WORN VIDEO systems be operated for the 2014/15; and

WHEREAS, the City Council of the City of Kennedale agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City Council of the City of Kennedale assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, the City Council of the City of Kennedale designates City Manager Bob Hart as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the City Council of Kennedale, Texas approves submission of the grant application for the **BODY WORN VIDEO** to the Office of the Governor, Criminal Justice Division.

Grant Application Confirmation Number: **2787001**

PASSED AND APPROVED THIS 13th DAY OF MARCH, 2014.

APPROVED: _____
Mayor John Clark

ATTEST: _____
Amethyst G. Sloane, City Secretary

Date: March 13, 2014

Agenda Item No: CONSENT ITEMS - E.

I. Subject:

Consider approval of Resolution 423 authorizing a grant application for police in-car computers.

II. Originated by:

Tommy Williams, Police Chief

III. Summary:

Consider approval of a resolution for a grant application to purchase all new police in-car computers. This grant will fund new computers for every vehicle in the police fleet, allowing for better communication between all police vehicles and the regional dispatch center in Mansfield.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	R423	R423 - CJD In Car Computers.docx
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RESOLUTION 423

A RESOLUTION OF THE CITY OF KENNEDALE, TEXAS DESIGNATING AN OFFICIAL AS BEING RESPONSIBLE IN DEALING WITH THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS FOR THE PURPOSE OF PARTICIPATING IN A GRANT FOR POLICE IN-CAR COMPUTERS (Grant# 2781501); AND CERTIFYING THAT THE CITY OF KENNEDALE IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE.

WHEREAS, The City Council of the City of Kennedale finds it in the best interest of the citizens of Kennedale that POLICE IN-CAR COMPUTERS be operated for the 2014/15; and

WHEREAS, the City Council of the City of Kennedale agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City Council of the City of Kennedale assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, the City Council of the City of Kennedale designates City Manager Bob Hart as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the City Council of Kennedale, Texas approves submission of the grant application for the **POLICE IN-CAR COMPUTERS** to the Office of the Governor, Criminal Justice Division.

Grant Application Confirmation Number: **2781501**

PASSED AND APPROVED THIS 13th DAY OF MARCH, 2014.

APPROVED: _____
Mayor John Clark

ATTEST: _____
Amethyst G. Sloane, City Secretary

Date: March 13, 2014

Agenda Item No: CONSENT ITEMS - F.

I. Subject:

Discuss and consider authorizing the City Manager to execute an interlocal agreement with Tarrant County for a drainage project in the area of Hudson Village Creek Road and New Hope Road.

II. Originated by:

Bob Hart

III. Summary:

Tarrant County Precinct 2 has been improving drainage ways in the county adjacent to Hudson Village Creek Road. The drainage improvement needs overlap into Kennedale and in order for the improvements to work properly the repairs will need to take place in Kennedale as well. The county approached the city about participation in the project where the city would have minimal cost reimbursement to the county for the work done. The Interlocal Agreement asks the city to reimburse the county \$2,500 for the work and to provide minor equipment that will be necessary for the project. Total cost to the city for the drainage improvements would be less than \$5,000 and will be paid from the Storm Water Drainage Utility fund. This item has been placed on the agenda and is recommended for approval.

Please see the attached interlocal agreement.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	interlocal agreement	20140306150319100.pdf
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THE STATE OF TEXAS
COUNTY OF TARRANT

INTERLOCAL AGREEMENT

BACKGROUND

This Interlocal Agreement is between County of Tarrant ("COUNTY"), and the City of Kennedale ("CITY");

Sections 791.001 – 791.029 of the Texas Government Code provide legal authority for this Agreement;

During the performance of the governmental functions and the payment for the performance of those governmental functions the parties will make the performance and payment from current revenues legally available to that party; and

The Commissioners Court of the COUNTY and the City Council of the CITY each find:

- a. This Agreement serves the common interest of both parties;
- b. This Agreement will benefit the public;
- c. The division of costs fairly compensates both parties to this Agreement; and
- d. The CITY and COUNTY have authorized their representative to sign this Agreement.

The Parties therefore agree as follows:

TERMS AND CONDITIONS

1. COUNTY RESPONSIBILITY

COUNTY will furnish the labor and equipment for the following project:

Grading to properly drain the permanent drainage easement from Hudson Village Creek Road to the north west side of Kennedale New Hope Road.

- 1.1 Remove sediment and debris where necessary;
- 1.2 Remove vegetation where necessary;

2. CITY RESPONSIBILITY

- 2.1 CITY will pay all trucking charges and furnish all materials for the project to include water pump rental if needed.
- 2.2 CITY will furnish a site for dumping waste materials generated during this project.
- 2.3 CITY will furnish all rights of way, plan specifications and engineering drawings.

- 2.4 CITY will furnish necessary traffic controls including Type A barricades to redirect traffic flow to alternate lanes during the construction phase of the project.
- 2.5 CITY will provide temporary driving lane markings.
- 2.6 If a Storm Water Pollution Prevention Plan is required, the CITY will be responsible for the design and development of the Plan. CITY will pay for all cost (including subcontractor materials, labor and equipment) associated with the implementation and maintenance of the Plan.
- 2.7 CITY will ensure that the project is cleared of obstructions which could damage county equipment during construction.
- 2.8 CITY will verify the location of all utility locations, mark those locations and then remove the utilities that will interfere with the progress of the project.
- 2.9 CITY will provide a stockpile site for materials used for this project.
- 2.10 CITY will ensure that all Federal and State regulations are met regarding flood plain area.
- 2.11 CITY will pay Tarrant County \$2,500.00 for the labor and equipment involved with this project.

3. PROCEDURES DURING PROJECT

COUNTY retains the right to inspect and reject all materials provided for this project. CITY will provide quality assurance inspection for the project. If the CITY has a complaint regarding the construction of the project, the CITY must complain in writing to the COUNTY within 30 days of project completion. Upon expiration of 30 days after project completion, the CITY becomes responsible for maintenance of the project.

4. NO WAIVER OF IMMUNITY

This agreement does not waive COUNTY rights under a legal theory of sovereign immunity. This agreement does not waive CITY rights under a legal theory of sovereign immunity.

5. OPTIONAL SERVICES

- 5.1 If requested by CITY, the COUNTY may apply permanent striping;
- 5.2 If necessary, COUNTY may furnish flag persons;
- 5.3 If required, the CITY will pay for engineering services, storm water run-off plans, and continuation of services and plan;
- 5.4 If a Storm Water Prevention Plan is provided by CITY, COUNTY will be responsible for the implementation and maintenance of the Plan during the duration of the project.

6. TIME PERIOD FOR COMPLETION

CITY will give the COUNTY notice to proceed at the appropriate time. However, COUNTY is under no duty to commence construction at any particular time.

7. THIRD PARTY

The parties do not enter into this agreement to protect any specific third party. The intent of this agreement excludes the idea of a suit by a third party beneficiary. The parties to this agreement do not consent to the waiver of sovereign immunity under Texas law to the extent any party may have immunity under Texas law.

8. JOINT VENTURE & AGENCY

The relationship between the parties to this agreement does not create a partnership or joint venture between the parties. This agreement does not appoint any party as agent for the other party.

9. EFFECTIVE DATE

This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed.

COUNTY OF TARRANT

CITY OF KENNEDALE

COUNTY JUDGE

Authorized City Official

Date: _____

Date: _____

Attest:

Attest:

APPROVED AS TO FORM*

APPROVED AS TO FORM AND
LEGALITY

ASSISTANT DISTRICT ATTORNEY

ASSISTANT CITY ATTORNEY

COMMISSIONER PRECINCT TWO
ANDY NGUYEN

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).

Date: March 13, 2014

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

Consider accepting the official certification of unopposed candidates for the 2014 general election.

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

In order to begin the election cancellation process, the Mayor must first accept the attached certification from the City Secretary. This certification will be posted on the agenda board until after the general election date.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	certification	20140304161333960.pdf
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KENNEDALE
You're Here, Your Home
www.cityofkennedale.com

CERTIFICATION OF UNOPPOSED CANDIDATES CERTIFICACIÓN DE CANDIDATOS ÚNICOS

To: John Clark, Mayor
Al: John Clark, Alcalde

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 10, 2014.

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 10 de Mayo, 2014.

<u>Office(s), Cargo(s)</u>		<u>Candidate(s), Candidato(s)</u>
Mayor	–	Brian Johnson
Council Place 2	–	Liz Carrington
Council Place 4	–	M. Kelly Turner



Amethyst G. Sloane
Amethyst G. Sloane
City Secretary
City of Kennedale

March 6, 2014
Date

Date: March 13, 2014

Agenda Item No: REGULAR ITEMS - B.

I. Subject:

Discuss and consider approval of Ordinance 545, Cancelling the May 10, 2014 General Election and declaring each unopposed candidate elected to office.

II. Originated by:

City Council, City Council

III. Summary:

Due to lack of opposition, the May 10, 2014 election can be cancelled. Please see the attached ordinance.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	O545	O545 - Cancelling 2013 General Election.docx
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ORDINANCE NO. 545

AN ORDINANCE CANCELING THE MAY 10, 2014 GENERAL ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale 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, in accordance with law a general election has been ordered for May 10, 2014 for the purpose of election council members to serve on the city council in the City of Kennedale; and

WHEREAS, no proposition is to appear on the ballot in that election; and

WHEREAS, the city secretary has certified in writing that each candidate on the ballot is unopposed for election to office; and

WHEREAS, the filing deadlines for placement on the ballot and declaration of write -in candidacy have passed; and

WHEREAS, in these circumstances Subchapter C of Chapter 2 of the Election Code authorizes a governing body to declare each unopposed candidate election of office and cancels the election.

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

SECTION 1

The following candidates, who are unopposed in the May 10, 2014 general election, are hereby declared to office, and shall be issued a certificate of election at the time prescribed in the Election Code for canvassing of votes:

Brian Johnson	Mayor
Liz Carrington	Council Place 2
M. Kelly Turner	Council Place 4

SECTION 2

The general election previously ordered for May 10, 2014 for the purposed of election councilmember to serve on the city council in the City of Kennedale is hereby canceled. The Order of Cancellation is attached (Exhibit A).

SECTION 3

The city secretary is directed to post a copy of this ordinance at each designated polling place on May 10, 2014.

SECTION 4

This ordinance shall be cumulative of all provisions of ordinances of the City of Kennedale, Texas, except where the provisions of this ordinance are in direct conflict with the provision of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 5

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 unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such 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 unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 6

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED ON THIS 13th DAY OF MARCH, 2014.

APPROVE:

Mayor John Clark

ATTEST:

Amethyst G. Sloane, City Secretary

APPROVED AS TO FORM AND LEGALITY

Wayne K. Olson, City Attorney

ORDER OF CANCELLATION
DE ORDEN DE CANCELACIÓN

The City of Kennedale hereby cancels the election scheduled to be held on May 10, 2014 in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

El Ciudad de Kennedale por la presente cancela la elección que, de lo contrario, se hubiera celebrado el 10 de Mayo, 2014 de conformidad, con la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado a continuación:

Candidate <i>Candidato</i>	Office Sought <i>Cargo al que presenta candidatura</i>
Brian Johnson	Mayor
Liz Carrington	Council Place 2
M. Kelly Turner	Council Place 4

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.

President (*Presidente*)

Secretary (*Secretario*)

(seal) (*sello*)

March 13, 2014
Date of Adoption (*Fecha de adopción*)

Date: March 13, 2014

Agenda Item No: REGULAR ITEMS - C.

I. Subject:

Consider approval of Resolution 424 authorizing a grant application for a narcotics task force position.

II. Originated by:

Tommy Williams, Police Chief

III. Summary:

Consider approval of a grant resolution to fund a new position for a narcotics investigator to be assigned to the Tarrant County Narcotics Task Force. This position would allow us to participate in a county-wide effort to stem the flow of drugs into Kennedale and the surrounding community. We currently get very little support from the task force due to their working mainly in the communities who support them with personnel. Participating in this effort will allow the police department to receive seizure funds from any activity the investigator is involved in. The goal is to allow the grant to pay the first three years of salary and benefits, with subsequent years being funded through seizure funds.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	R424	R424 - CJD Task Force Ofc 2014.docx
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RESOLUTION 424

A RESOLUTION OF THE CITY OF KENNEDALE, TEXAS DESIGNATING AN OFFICIAL AS BEING RESPONSIBLE IN DEALING WITH THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS FOR THE PURPOSE OF PARTICIPATING IN A GRANT FOR NARCOTICS TASK FORCE POSITION (Grant# 2787401); AND CERTIFYING THAT THE CITY OF KENNEDALE IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE.

WHEREAS, The City Council of the City of Kennedale finds it in the best interest of the citizens of Kennedale that NARCOTICS TASK FORCE POSITION be operated for the 2014/15; and

WHEREAS, the City Council of the City of Kennedale agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City Council of the City of Kennedale assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, the City Council of the City of Kennedale designates City Manager Bob Hart as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the City Council of Kennedale, Texas approves submission of the grant application for the **NARCOTICS TASK FORCE POSITION** to the Office of the Governor, Criminal Justice Division.

Grant Application Confirmation Number: **2787401**

PASSED AND APPROVED THIS 13th DAY OF MARCH, 2014.

APPROVED: _____
Mayor John Clark

ATTEST: _____
Amethyst G. Sloane, City Secretary

Date: March 13, 2014

Agenda Item No: REGULAR ITEMS - D.

I. Subject:

Discuss and consider executing an interlocal agreement for emergency repairs on a portion of Corry A. Edwards Drive.

II. Originated by:

Bob Hart

III. Summary:

The city underwent emergency repairs to a portion of Corry A. Edwards due to a culvert in the 500 Block that collapsed. The city staff assessed the damage and determined that repairs would not be possible without the proper machinery. The city contacted Precinct 2 staff about repair assistance as an emergency provision and the county agreed. The commissioner's court approved the Interlocal Agreement and completed the repairs with the understanding that the city would approve the Interlocal Agreement and reimburse the county for the city's allocated cost. The city will be paying for direct costs and materials which is not expected to exceed \$5,000.00. These repairs will be paid from the Street and Drainage fund.

Please see the attached document for your consideration. Tarrant County has already ratified the agreement.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	interlocal agreement	20140227092929243.pdf
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THE STATE OF TEXAS
COUNTY OF TARRANT

INTERLOCAL AGREEMENT

BACKGROUND

This Interlocal Agreement is between County of Tarrant ("COUNTY"), and the City of Kennedale ("CITY");

Sections 791.001 – 791.029 of the Texas Government Code provide legal authority for this Agreement;

During the performance of the governmental functions and the payment for the performance of those governmental functions the parties will make the performance and payment from current revenues legally available to that party; and

The Commissioners Court of the COUNTY and the City Council of the CITY each find:

- a. This Agreement serves the common interest of both parties;
- b. This Agreement will benefit the public;
- c. The division of costs fairly compensates both parties to this Agreement; and
- d. The CITY and COUNTY have authorized their representative to sign this Agreement.

The Parties therefore agree as follows:

TERMS AND CONDITIONS

1. COUNTY RESPONSIBILITY

COUNTY will furnish the labor and equipment for the following project located in the 500 block of Corry A. Edwards Drive:

- 1.1 Remove existing 48" x 36' long collapsed corrugated metal pipe (CMP);
- 1.2 Install new 48" x 40' long corrugated metal pipe (CMP);

2. CITY RESPONSIBILITY

- 2.1 CITY will pay all trucking charges and furnish all materials for the project including soil stabilization materials, corrugated metal pipe (CMP) and flexible base.
- 2.2 CITY will furnish a site for dumping waste materials generated during this project.

- 2.3 CITY will furnish all rights of way, plan specifications and engineering drawings.
- 2.4 CITY will furnish necessary traffic controls including Type A barricades to redirect traffic flow to alternate lanes during the construction phase of the project.
- 2.5 CITY will provide temporary driving lane markings.
- 2.6 If a Storm Water Pollution Prevention Plan is required, the CITY will be responsible for the design and development of the Plan. CITY will pay for all cost (including subcontractor materials, labor and equipment) associated with the implementation and maintenance of the Plan.
- 2.7 CITY will ensure that the project is cleared of obstructions which could damage county equipment during construction.
- 2.8 CITY will verify the location of all utility locations, mark those locations and then remove the utilities that will interfere with the progress of the project.
- 2.9 CITY will provide a stockpile site for materials used for this project.

3. PROCEDURES DURING PROJECT

COUNTY retains the right to inspect and reject all materials provided for this project. CITY will provide quality assurance inspection for the project. If the CITY has a complaint regarding the construction of the project, the CITY must complain in writing to the COUNTY within 30 days of project completion. Upon expiration of 30 days after project completion, the CITY becomes responsible for maintenance of the project.

4. NO WAIVER OF IMMUNITY

This agreement does not waive COUNTY rights under a legal theory of sovereign immunity. This agreement does not waive CITY rights under a legal theory of sovereign immunity.

5. OPTIONAL SERVICES

- 5.1 If requested by CITY, the COUNTY may apply permanent striping;
- 5.2 If necessary, COUNTY may furnish flag persons;
- 5.3 If required, the CITY will pay for engineering services, storm water run-off plans, and continuation of services and plan;
- 5.4 If a Storm Water Prevention Plan is provided by CITY, COUNTY will be responsible for the implementation and maintenance of the Plan during the duration of the project.

6. TIME PERIOD FOR COMPLETION

CITY will give the COUNTY notice to proceed at the appropriate time. However, COUNTY is under no duty to commence construction at any particular time.

7. THIRD PARTY

The parties do not enter into this agreement to protect any specific third party. The intent of this agreement excludes the idea of a suit by a third party beneficiary. The parties to this agreement do not consent to the waiver of sovereign immunity under Texas law to the extent any party may have immunity under Texas law.

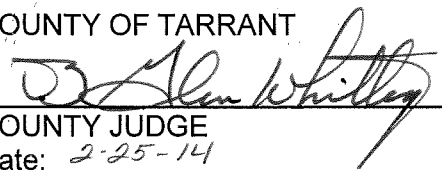
8. JOINT VENTURE & AGENCY

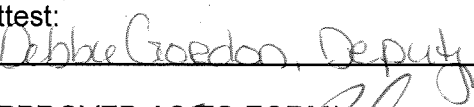
The relationship between the parties to this agreement does not create a partnership or joint venture between the parties. This agreement does not appoint any party as agent for the other party.

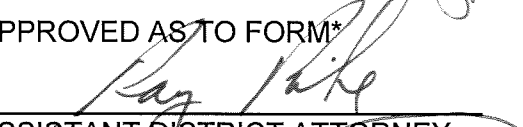
9. EFFECTIVE DATE

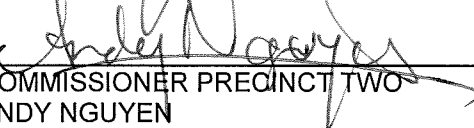
This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed.

COUNTY OF TARRANT


COUNTY JUDGE
Date: 2-25-14

Attest:


APPROVED AS TO FORM*

ASSISTANT DISTRICT ATTORNEY


COMMISSIONER PRECINCT TWO
ANDY NGUYEN

CITY OF KENNEDALE

Authorized City Official
Date: _____

Attest:

APPROVED AS TO FORM AND
LEGALITY

ASSISTANT CITY ATTORNEY

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).

Date: March 13, 2014

Agenda Item No: REGULAR ITEMS - E.

I. Subject:

Discuss and consider authorizing the City Manager to execute an amended agreement with Tarrant County for the High Ridge Road and Link Street project.

II. Originated by:

Bob Hart

III. Summary:

The city and Economic Development Corporation have been working to redevelop the Oak Crest Area consistent with the adopted Area Master Plan. Foremost, in the Area Master Plan is an extension of Link Street to Kennedale Parkway. The City and EDC have acquired the right of way and completed the Link Street design plan, as well as have secured permits from TXDOT for the connection of the streets. EDC obtained property along Kennedale Parkway to develop for fast food restaurants. Two fast food restaurants are under contract as long as the construction of Link Street progresses and are completed. The city is adjusting utility links to accommodate the construction of Link Street. Tarrant County Precinct 2 has agreed to aid in the construction of Link Street to a sum of \$250,000. The \$250,000 is expected to cover most if not all asphalt and base material costs. The city will be required to pay all concrete work necessary to connect Link Street to Kennedale Parkway, High Ridge Street to the I-20 service road, to reconstruct head walls around drainage structures and other related concrete work. The estimated cost is approximately \$100,000. The concrete work will be paid from the Street fund. The agreement has been placed on the agenda and is recommended for approval to facilitate the construction of Link Street, the reconstruction of High Ridge Road, and to secure the two fast food restaurants.

Please see the attached amendment to this project.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	amendment	High Ridge_Link Amendment.pdf
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THE STATE OF TEXAS

1st AMENDMENT

COUNTY OF TARRANT

BACKGROUND

This Amendment is between the City of Kennedale (CITY) and Tarrant County (COUNTY), acting by and through its duly authorized officials.

On July 2, 2013 the CITY and the COUNTY agreed to re-construct Link Street from Lindale Road to Kennedale Parkway at a width of 30 feet for a length of approximately 1,230 feet; and re-construct High Ridge Road from Link Street to Interstate 20 frontage road at a width of 30 feet for a length of approximately 565 feet; ("Agreement") and

It is necessary to amend that Agreement.

The CITY and the COUNTY agree as follows:

1st AMENDMENT

All Terms and Conditions of the Agreement remain in effect except to the extent modified by this 1st Amendment. The following Terms and Conditions are added to the agreement:

10. This agreement concludes with the end of the current fiscal year.

11. COUNTY will reimburse up to \$250,000 for the cost of construction materials required for the work contemplated in the Agreement. See Attachment A for additional information.

However, in the event that the schedule is delayed, the COUNTY is excused from paying until the successful completion of the scheduled phase of the project as reasonably determined by the COUNTY. The CITY will provide certification signed by the CFO or authorized official that the work has been completed and that the funds being requested have been expended.

COUNTY OF TARRANT

CITY OF KENNEDALE

County Judge

Date: _____

Attest:

Authorized City Official

Date: _____

Attest:

Commissioner, Precinct 2

APPROVED AS TO FORM*

APPROVED AS TO FORM AND
LEGALITY

ASSISTANT DISTRICT ATTORNEY

ASSISTANT CITY ATTORNEY

*By law, the District Attorney's Office may only approve contracts for its clients. We reviewed this document from our client's legal perspective. Other parties may not rely on this approval. Instead, those parties should seek contract review from independent counsel.

*CERTIFICATION OF AVAILABLE FUNDS IN THE AMOUNT OF
\$_____:*

Certification of Funds Available as follows:

Fiscal year ending September 30, 2007	\$
Fiscal year ending September 30, 2008	\$
Fiscal year ending September 30, 2009	\$
Fiscal year ending September 30, 2010	\$
Fiscal year ending September 30, 2011	\$
Fiscal year ending September 30, 2012	\$
Fiscal year ending September 30, 2013	\$
Fiscal year ending September 30, 2014	\$250,000

**All future years funding is contingent on future debt issuance
and renewal of this contract**

Fiscal year ending September 30, 2015	\$
Fiscal year ending September 30, 2016	\$

	\$250,000*

Auditor's Office

**Funding provided by Precinct 2 discretionary bond funds.*

ATTACHMENT A

Project Information

City: City of Kennedale
Project Name: High Ridge Road reconstruction/Link Street extension

Proposed Project Schedule

	Start Date	Duration (mo)	End Date *
Design:	-	-	-
ROW Acquisition:	-	-	-
Utility Relocation:	-	-	-
Construction:	Apr-2014	6	Oct-2014

- * COUNTY payments by completed phase are contingent upon the COUNTY'S reasonable determination that the work regarding the project phase for which payment is expected is successfully completed, as determined by the COUNTY. COUNTY plans to issue debt for all phases of this project, therefore payment remains contingent on debt issuance in accordance with applicable law.
Once Construction commences, COUNTY payment shall be made by fiscal quarter prorated over the life of the construction but contingent upon reasonable progress in construction as may be determined by the COUNTY.

Proposed County Payment by Phase

Design:	\$
ROW Acquisition:	\$
Utility Relocation:	\$
Construction:	\$250,000
County Funding	
Total:	\$250,000

Proposed County Payment by Calendar Quarter (SUBJECT TO CHANGE)

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
2007		\$	\$	\$
2008	\$	\$	\$	\$
2009	\$	\$	\$	\$
2010	\$	\$	\$	\$
2011	\$	\$	\$	\$
2012	\$	\$	\$	\$
2013	\$	\$	\$	\$
2014	\$	\$250,000	\$	\$
2015	\$	\$	\$	\$
2016	\$	\$	\$	\$

Date: March 13, 2014

Agenda Item No: EXECUTIVE SESSION - A.

I. Subject:

The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding nonconforming uses, and discussion of zoning issues in the city.

1. Sewer backup claim.
2. Potential drainage claim.

II. Originated by:

Bob Hart

III. Summary:

At this time the city council will meet in executive session.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments: