

KENNEDALE CITY COUNCIL
AGENDA
REGULAR MEETING
June 12, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION - 6:00 PM
REGULAR SESSION - 6:15 PM

I. CALL TO ORDER

- A. Oath of Office for Councilmember, Place 3.

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. Discuss the 2014 Board and Commission appointment process and calendar.

III. REGULAR SESSION

IV. 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, discussion of zoning issues in the city, and legal issues regarding the preparation of developer's agreements.

B. The Kennedale City Council will meet in closed session pursuant to Section 551.087 of the Texas Government Code to deliberate the offer of a financial or other incentive to a business project with whom the city is conducting economic development negotiations.

1. Review and discuss a Chapter 380 agreement for 1298 W Kennedale Parkway.

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

- A. Consider authorizing the City Manager to execute a Chapter 380 agreement for 1298 W Kennedale Parkway.

VI. ROLL CALL

VII. INVOCATION

VIII. UNITED STATES PLEDGE

IX. TEXAS PLEDGE

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

X. 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.

XI. 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 Mayor.
- B. Updates from City Council.
- C. Updates from the City Manager.
 - Birding Workshop on June 28

XII. 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 the May 8, 2014 regular meeting.
- B. Consider approval of minutes from the May 13, 2014 special meeting.
- C. Consider approval of minutes from the May 16, 2014 special meeting.
- D. Consider approval of minutes from the June 3, 2014 special meeting.
- E. Consider approval of minutes from the June 9, 2014 special meeting.
- F. Consider approval of minutes from the June 10, 2014 special meeting.
- G. Consider approval of Resolution 427 regarding continued participation in Tarrant County's Community Development Block Grant, Home investment Partnership, and Emergency Grant Consortium for the three-year period, FY 2015 - FY 2017.

XIII. REGULAR ITEMS

- A. Consider appointing a Council member to serve on the Kennedale TownCenter Development District Board.

B. Consider approval of the 2014 Election Register.

C. **Case PZ 14-03** Public hearing and consideration of Ordinance 549 approval regarding a request by Sidney DaSilva, DBA Equity One Group, for the City of Kennedale to vacate 0.1192 acres of public right-of way located adjacent to property at 1453 J R Hawkins Rd, L C Rayburn's Subdivision Remainder Lot 6, Kennedale, Tarrant County, as shown in a deed of record in Vol. 10782 p. 1561, Tarrant County.

1. Staff presentation
2. Applicant presentation
3. Public hearing
4. Applicant response
5. Staff response and summary
6. Action by the City Council on Ordinance 549

D. Consider approval of Ordinance 550, amending the city's schedule of administrative fees.

E. Consider approval of the 2014 Board and Commission appointment process and calendar.

F. Consider approval of 2014 trash utility rates for Progressive Waste Solutions.

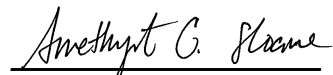
G. Consider approval of Ordinance 551, amending membership qualifications for the Keep Kennedale Beautiful Commission.

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 June 12, 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: June 12, 2014

Agenda Item No: CALL TO ORDER - A.

I. Subject:

Oath of Office for Councilmember, Place 3.

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

At this time the Oath of Office will be issued to the new councilmember who was appointed on Tuesday evening.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

Date: June 12, 2014

Agenda Item No: WORK SESSION - A.

I. Subject:

Discuss the 2014 Board and Commission appointment process and calendar.

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

Based on the timeline as described in Resolution 404 (attached), staff is proposing the following calendar for the 2014 board and commission appointment process. There is a calendar attached as well.

- July 1: 1st Notification in Newsletter/Flyers
- July 31: DUE response of want to VACATE or REAPPLY from current board members whose terms expire this year.
- Aug 1: 2nd Notification in Newsletter/Flyers
- Aug 8: Applications become available (online only)
- Sept 1: 3rd Notification in Newsletter/Flyers
- Sept 12: APPLICATIONS DUE BY 5:00PM
- *Sept 18: Special Budget Meeting*
- **Sept 22, 23, 24: Interviews with Council**
- *Sept 25: Special Budget Meeting (if needed)*
- Sept 26: Deadline to notify all applicants of Council's intentions
- Oct 2: Deadline for candidate response
- **Oct 9: Official appointments made at regular Council Meeting** (Will include work session item to allow to time to adjust for candidate responses)

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Calendar	Council Calendar.docx
2.	R404	R404.pdf

S	M	T	W	T	F	S
July						
		1	2	3	4 Holiday	5
6	7	8	9	10 REGULAR MTG	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		
August						
					1	2
3	4	5	6	7	8 (board apps available)	9
10	11	12	13	14 REGULAR MTG	15 BUDGET WKSHIP	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						
September						
	1 Holiday	2	3	4	5	6
7	8	9	10	11 REGULAR MTG	12(board apps DUE)	13
14	15	16	17	18 SPECIAL MTG Budget	19	20
21	22 INTERVIEWS	23 INTERVIEWS	24 INTERVIEWS	25 SPECIAL MTG Budget/INTERVIEWS	26 (board candidates notified)	27
28	29	30				
October						
			1	2 (deadline to accept/decline nom)	3	4
5	6	7	8	9 REGULAR MTG (board appts made)	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

RESOLUTION NO. 404

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS ESTABLISHING AN APPOINTMENT PROCESS FOR BOARDS AND COMMISSIONS APPOINTED BY CITY COUNCIL.

WHEREAS, it is the desire of the Mayor and City Council to encourage participation by citizens, elected officials and appointed officials in the selection process for all appointments to the City's Boards, Commissions, and Committees; and

WHEREAS, the City Council wishes to recruit and appoint highly qualified individuals to serve on behalf of the residents of Kennedale in various capacities; and

WHEREAS, the City Council believes that the establishment of an official annual appointment process will increase awareness and public interest in serving on city boards.

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

SECTION 1.

The following appointment process shall be used for appointments to existing Boards, Commissions and Committees established and appointed by the City Council and to those Boards, Commissions and Committees subsequently established and appointed by the City Council.

Any existing or subsequently established boards, commissions, or committees whose members are not appointed by City Council shall be filled through a separate application process.

SECTION 2.

Current board and commission members whose terms expire that year must provide notification to the City Secretary's office by July 31st indicating either their interest in reapplying for their current seat or their intent to vacate that seat.

SECTION 3.

For annual appointments, the City Secretary shall advertise vacancies and term expirations for at least sixty (60) days in any of the following ways: on the City's website, in the City newsletter, and with announcements at city council and board meetings.

SECTION 4.

Applications will be made available both online and in paper format for a minimum of thirty (30) days prior to the regular City Council meeting in October. Applications must be fully completed and submitted to the City Secretary's Office on or before the advertised due date. Incomplete

applications will not be considered. Applicants must agree to abide by the city's Code of Ethics and to the guidelines established by the City of Kennedale Board and Commission Handbook. Applicants will be able to indicate specific boards of interest; however, final placement is left to the discretion of City Council.

Reappointments are not automatic and are subject to the discretion of City Council. Present members who wish to continue to serve in their current seat must abide by the process described herein, including the application and interview process.

SECTION 5.

Upon closure of the application period, all applications and any supporting documents shall be sent to City Council. Interviews of all applicants will be conducted by City Council as a whole prior to the official appointment date in October. Applicants will be expected to attend an interview and be familiar with city initiatives and plans. All applicants will be notified of the status of their application prior to the official appointment date.

SECTION 6.

Official appointments will be made at the regular City Council meeting in October.

SECTION 7.

All applications and supporting documentation shall be kept on file in the City Secretary's office for one (1) year. Should a vacancy occur, the applications on file and any new applications received shall be sent to the City Council for review and consideration for appointment by the City Council.

SECTION 8.

This resolution shall be effective upon its approval by the City Council.

APPROVED this 11th day of July, 2013.

APPROVED:



Mayor John Clark

ATTEST:



Amethyst G. Cirno, City Secretary



Date: June 12, 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, discussion of zoning issues in the city, and legal issues regarding the preparation of developer's agreements.

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:



Date: June 12, 2014

Agenda Item No: EXECUTIVE SESSION - B.

I. Subject:

The Kennedale City Council will meet in closed session pursuant to Section 551.087 of the Texas Government Code to deliberate the offer of a financial or other incentive to a business project with whom the city is conducting economic development negotiations.

1. Review and discuss a Chapter 380 agreement for 1298 W Kennedale Parkway.

II. Originated by:

Bob Hart

III. Summary:

Bob Hart will present information on this topic during executive session.

IV. Recommendation:

None

V. Alternative Actions:

VI. Attachments:

Date: June 12, 2014

Agenda Item No: RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY
PURSUANT TO EXECUTIVE SESSION, IF NEEDED - A.

I. Subject:

Consider authorizing the City Manager to execute a Chapter 380 agreement for 1298 W Kennedale Parkway.

II. Originated by:

Bob Hart

III. Summary:

At this time the City Manager will discuss a 380 agreement related to this property.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

Date: June 12, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - A.

I. Subject:

Updates from the Mayor.

II. Originated by:

City Council, City Council

III. Summary:

At this time the Mayor will give any updates.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: June 12, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - B.

I. Subject:

Updates from City Council.

II. Originated by:

City Council, City Council

III. Summary:

Updates and information, if any.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: June 12, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - C.

I. Subject:

Updates from the City Manager.
- Birding Workshop on June 28

II. Originated by:

Bob Hart

III. Summary:

Updates and information, if any.

- Birding Workshop on June 28 @ 8:00AM in City Hall and the Southwest Nature Preserve.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: June 12, 2014

Agenda Item No: CONSENT ITEMS - A.

I. Subject:

Consider approval of minutes from the May 8, 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:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	minutes	05.08.2014 CC Minutes.doc
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**KENNEDALE CITY COUNCIL
MINUTES
REGULAR MEETING
May 8, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

I. CALL TO ORDER

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

II. WORK SESSION

A. Presentation of the Water/Sewer Master Plan by Freese and Nichols Engineers.

Larry Ledbetter introduced Jessica Brown and Jessica Vassar from Freese and Nichols, Inc, who presented the updated Master Plan and Capital Improvement Plan.

Highlights of the plan included hydraulic modeling, population projections, and an array of water and wastewater build-out options for both water and wastewater. The full plan is available in the City Secretary's Office for anyone who wishes to view it.

City Council held a lengthy discussion on the options posed by the plan, including potential projects with the City of Fort Worth, the City of Arlington, eventual decommissioning of wells, and other potential options.

B. At this time the City Council will move to the Conference Room to conduct a Board/Commission applicant interview.

City Council interviewed Glen 'Mickey' Shark, an applicant for the currently vacant Place 5 of the Parks and Recreation Board.

III. REGULAR SESSION

IV. ROLL CALL

V. INVOCATION

VI. UNITED STATES PLEDGE

VII. TEXAS PLEDGE

VIII. VISITOR/CITIZENS FORUM

No one signed up to speak and the forum was closed.

IX. REPORTS/ANNOUNCEMENTS

A. Updates from the Mayor.

- Certificates of appreciation to the 2013-2014 Youth Advisory Council
Mayor Clark issued certificates to Ashley Luu, Morgan Biscoe, Nadeya Patel, and Emily Beck. Elias Noorzad and Hailey Green also received certificates but were unable to attend the meeting.
- Application and appointment process for City Council Place 3 vacancy
Mayor Clark announced that the online application for the Council Place 3 vacancy would be available until June 4th at 5:00PM.

Mayor Clark also announced that he attended a recent celebration of the upcoming 360 expansion in Mansfield. Bob Hart was also in attendance. He noted that construction on this project would begin in 2015.

B. Updates from City Council.

Councilmember Overstreet noted that he, along with Councilmember Johnson attended a recent regional transportation summit in Mansfield, which was productive.

Councilmember Fernandez noted that he attended the recent UTA presentation of a marketing study that was conducted for the TownCenter area of Kennedale. He noted that the presentation was very informative and that some members of Council, the Planning and Zoning Commission, and the Economic Development Commission were in attendance.

C. Updates from the City Manager.

No update was given.

X. CONSENT ITEMS

- A. Consider authorizing City Manager to execute a contract with Tarrant County Tax Office for the assessment and collection of ad valorem taxes levied by the City of Kennedale for the 2014 tax year.
- B. Discuss and consider approval of Resolution 425, denying the rate increase requested by Atmos Energy Corporation, Mid-Tex Division.
- C. Consider approval of minutes from April 10, 2014 regular meeting.

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

XI. REGULAR ITEMS

- A. Consider appointment of Ashley Luu, Nadeya Patel, Emily Beck, Morgan Biscoe, Samantha Randolph, Nicholas Johnson, Danielle Quaye, Shelby Flowers, Alison Villaire, and Jillian Melbourne to the 2014-2015 Youth Advisory Council.

Motion To appoint Ashley Luu, Nadeya Patel, Emily Beck, Morgan Biscoe, Samantha Randolph, Nicholas Johnson, Danielle Quaye, Shelby Flowers, Alison Villaire, and Jillian Melbourne to the 2014-2015 Youth Advisory Council. **Action** Approve, **Moved By** Brian Johnson, **Seconded By** Charles Overstreet.
Motion Passed Unanimously

- B. Discuss and consider appointing Glenn Shark to Place 5 of the Parks and Recreation Board.

Motion To appoint Glen 'Mickey' Shark to Place 5 of the parks and Recreation Board. **Action** Approve, **Moved By** Liz Carrington, **Seconded By** Kelly Turner.

Motion Passed Unanimously

C. **Case # PZ 14-04** Public hearing and consideration of Ordinance 546 and Ordinance 547 regarding a request by Oscar and Wanda Rountree and Patricia Beatty and Johnny Byrd for a zoning change from "C-2" General commercial district to "PD" Planned development district (residential) for approximately 6 acres located at 6559 Hudson Village Creek Rd and 4079 Kennedale New Hope Rd, Joel Snyder Survey A-1448 1B and 1 C, being a portion of a tract as described in a deed to Oscar and Wanda Rountree, Instrument no. D190172874 and being a tract of land as described in a deed to Patricia Beatty, Instrument no. D198096319, Kennedale, Tarrant County.

1. Staff presentation

Rachel Roberts approached the Council, noting that this case is requesting that the included properties be rezoned from commercial to planned development. While this case deals with two separate properties, the applicants were asked to apply for the zoning change together as the properties are adjoined. This zoning adjustment complies with the comprehensive land use plan and aligns with the Council's balanced scorecard strategic priorities. The case was seen by the Planning and Zoning Commission in April.

2. Applicant presentation

Regarding O546 – Stan Rountree approached the Council, noting that his family owns the land and would like to subdivide in order to build an additional home for a family member.

Regarding O547 – The applicant was not in attendance.

3. Public hearing

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

4. Applicant response

No response was necessary.

5. Staff response and summary

No response was necessary.

6. Action by the City Council on Ordinance 546 -- Snyder PD-1, Rountree property, Hudson Village Creek Rd

Motion To approve Ordinance 546, regarding the Snyder PD-1, Rountree property, Hudson Village Creek Rd. **Action** Approve, **Moved By** Kelly Turner, **Seconded By** Charles Overstreet.
Motion Passed Unanimously

7. Action by the City Council on Ordinance 547 -- Snyder PD-2, Beatty/Byrd property, New Hope Rd

Motion To approve Ordinance 547, regarding the Snyder PD-2, Beatty/Byrd property, New Hope Rd **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Liz Carrington.
Motion Passed Unanimously

D. Discuss and approve calendar for FY2014-2015 budget preparations.

Sakura Moten Dedrick presented the proposed calendar of meeting dates for this year's budget timeline. Council did not have any objections to the proposed calendar.

E. Consider acceptance of the Water/Wastewater Master Plan from Freese and Nichols Engineers.

Mayor Clark reiterated information that was presented in work session item A, noting that interested residents could view the full plan in the City Secretary's Office at any time.

Motion To accept the Water/Wastewater Master Plan from Freese and Nichols Engineers.

Action Approve, **Moved By** Brian Johnson, **Seconded By** Charles Overstreet.

Motion Passed Unanimously

Mayor Clark recessed into executive session at 7:34PM.

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, discussion of zoning issues in the city, and legal issues regarding the preparation of developer's agreements.

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

Mayor Clark reconvened into open session at 9:10PM.

No action pursuant to executive session was necessary.

XIV. ADJOURNMENT

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

Motion Passed Unanimously

The meeting was adjourned at 9:12PM.

APPROVED:

ATTEST:

Mayor John Clark

City Secretary Amethyst G. Sloane

Date: June 12, 2014

Agenda Item No: CONSENT ITEMS - B.

I. Subject:

Consider approval of minutes from the May 13, 2014 special 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:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	minutes	05.13.2014 CC Minutes - Special.doc
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**KENNEDALE CITY COUNCIL
MINUTES
SPECIAL MEETING
May 13, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

I. CALL TO ORDER

Mayor Clark called the meeting to order at 5:55PM.

II. ROLL CALL

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

Absent: none

III. REGULAR ITEMS

A. Issue official oaths of office for May 2014 - May 2016 terms:

- Mayor, Brian Johnson
- Place 2, Liz Carrington
- Place 4, Kelly Turner

City Secretary Amethyst Sloane issued the oath of office to Brian Johnson, Liz Carrington, and Kelly Turner.

Mayor Clark welcomed Mayor Johnson and officially handed over the position. Mayor Johnson thanked Mayor Clark for his years of service to the community and presented him with a thank-you gift from the Council and City Staff.

B. Elect a Mayor Pro-Tem.

Motion To elect Kelly Turner to the position of Mayor Pro-Tem. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Liz Carrington.

Motion Passed Unanimously

IV. ADJOURNMENT

Motion To adjourn. **Action** Adjourn, **Moved By** Liz Carrington, **Seconded By** Charles Overstreet.

Motion Passed Unanimously

The meeting was adjourned at 6:15PM.

APPROVED:

ATTEST:

Mayor Brian Johnson

City Secretary Amethyst G. Sloane

Date: June 12, 2014

Agenda Item No: CONSENT ITEMS - C.

I. Subject:

Consider approval of minutes from the May 16, 2014 special 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:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	minutes	05.16.2014 CC Minutes - Special.doc
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**KENNEDALE CITY COUNCIL
MINUTES
REGULAR MEETING
May 16, 2014
CHAMBER OF COMMERCE CONFERENCE ROOM, 205 W KENNEDALE PARKWAY**

I. CALL TO ORDER

Mayor Johnson called the meeting to order at 8:35AM.

II. ROLL CALL

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

Absent: none.

Note, at this time Council Place 3 is vacant.

Staff Present: City Manager Bob Hart, Meeting Facilitator Mike Conduff.

III. WORK SESSION

A. Annual full-day budget and strategic planning workshop.

The Council held a full-day workshop regarding strategic prioritization, budget planning, and other related topics.

IV. ADJOURNMENT

Motion To adjourn. **Action** Adjourn, **Moved By** Liz Carrington, **Seconded By** Charles Overstreet.
Motion Passed Unanimously

The meeting was adjourned at 3:26PM.

APPROVED:

ATTEST:

Mayor John Clark

City Secretary Amethyst G. Sloane

Date: June 12, 2014

Agenda Item No: CONSENT ITEMS - D.

I. Subject:

Consider approval of minutes from the June 3, 2014 special 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:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	minutes	06.03.2014 CC Minutes - Special.doc
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**KENNEDALE CITY COUNCIL
MINUTES
SPECIAL MEETING
June 3, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

I. CALL TO ORDER

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

II. ROLL CALL

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

Absent: none.

Note, at this time Council Place 3 is vacant.

Staff Present: City Manager Bob Hart, City Attorney Wayne K. Olson, Human Resources Director Kelly Cooper

III. REGULAR ITEMS

A. Discuss and consider approval of Ordinance 548, approving a Project Plan and Finance Plan for the City of Kennedale Tax Increment Reinvestment Zone #1.

Bob Hart noted that this plan was been passed by the TIRZ board last year, and City Council must also approve the plan for it to be considered complete.

Motion To approve Ordinance 548 approving a Project Plan and Finance Plan for the City of Kennedale Tax Increment Reinvestment Zone #1, as presented. **Action** Approve, **Moved By** Kelly Turner, **Seconded By** Charles Overstreet.
Motion Passed Unanimously

Mayor Johnson recessed into executive session at 5:34PM.

IV. 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, discussion of zoning issues in the city, and legal issues regarding the preparation of development agreements.

B. The City Council will meet in closed session pursuant to Section 551.087 of the Texas Government Code to deliberate the offer of a financial or other incentive to a business prospect that the governmental body seeks to have locate, stay, or expand in the City of Kennedale.

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

Mayor Johnson reconvened into open session at 5:36PM.

All discussion related to items V-A and V-B were discussed at length in executive session. Back in open session, Bob Hart noted that these agreements aligned with Council's previously discussed strategic priorities and the long-term strategy of the TIRZ. As the Councilmembers did not have additional questions related to the agreements, no further discussion was necessary.

A. Discuss and consider approval of a Development Agreement with HM Real Estate Management, Ltd. for the development and use of property along New Hope Road within the boundaries of Tax Increment Reinvestment Zone #1.

Motion To approve a Development Agreement with HM Real Estate Management, Ltd. for the development and use of property along New Hope Road within the boundaries of Tax Increment Reinvestment Zone #1 as presented. **Action** Approve, **Moved By** Frank Fernandez, **Seconded By** Kelly Turner.
Motion Passed Unanimously

B. Discuss and consider approval of Resolution No. 426, approving a TIRZ Development Agreement with HM Real Estate Management, Ltd. for reimbursement of project costs for the construction of public improvements in the Project and Finance Plan for the City of Kennedale Tax Increment Reinvestment Zone #1.

Motion To approve Resolution No. 426, regarding a TIRZ Development Agreement with HM Real Estate Management, Ltd. for reimbursement of project costs for the construction of public improvements in the Project and Finance Plan for the City of Kennedale Tax Increment Reinvestment Zone #1 as presented. **Action** Approve, **Moved By** Kelly Turner, **Seconded By** Liz Carrington.
Motion Passed Unanimously

VI. ADJOURNMENT

Motion To adjourn. **Action** Adjourn, **Moved By** Liz Carrington, **Seconded By** Charles Overstreet.
Motion Passed Unanimously

The meeting was adjourned at 6:38PM.

APPROVED:

ATTEST:

Mayor Brian Johnson

City Secretary Amethyst G. Sloane

Date: June 12, 2014

Agenda Item No: CONSENT ITEMS - E.

I. Subject:

Consider approval of minutes from the June 9, 2014 special meeting.

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

Minutes from the June 9 candidate interview meeting will be available at the meeting.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

Date: June 12, 2014

Agenda Item No: CONSENT ITEMS - F.

I. Subject:

Consider approval of minutes from the June 10, 2014 special meeting.

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

Minutes from the June 10 candidate interview meeting will be available at the meeting.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

Date: June 12, 2014

Agenda Item No: CONSENT ITEMS - G.

I. Subject:

Consider approval of Resolution 427 regarding continued participation in Tarrant County's Community Development Block Grant, Home investment Partnership, and Emergency Grant Consortium for the three-year period, FY 2015 - FY 2017.

II. Originated by:

Bob Hart

III. Summary:

Please see the attached background information and Resolution from Tarrant County.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Background Information	20140527092734173.pdf
2.	Resolution	20140527092740464.pdf



TARRANT COUNTY COMMISSIONERS COURT

ADMINISTRATOR'S OFFICE
COMMUNITY DEVELOPMENT DIVISION
Patricia Ward, Director

May 20, 2014

Honorable John Clark
City of Kennedale
405 Municipal Dr.
Kennedale, TX 76060

RE: Urban County Re-qualification for CDBG and HOME programs 2015-2017

Dear Mayor:

In order to continue to receive Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and Emergency Solutions Grant (ESG) Entitlement funding through 2017, Tarrant County must once again qualify as an Urban County under the CDBG, HOME and ESG programs. Tarrant County is eligible to receive U. S. Department of Housing and Urban Development entitlement grant funds by having a combined population of 200,000 or more from unincorporated areas and participating municipalities. Entitlement counties must re-qualify every three years to maintain funding status.

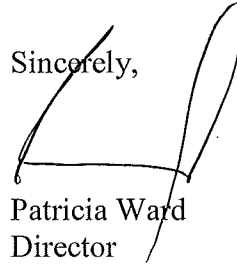
By **May 23, 2014**, Tarrant County must notify all currently participating municipalities, the option to be excluded from the urban county. Any currently included unit of general local government that elects to be excluded from the Tarrant County urban county consortium must notify the county and HUD in writing, that it elects to be excluded by June 20, 2014. Participating municipalities are also notified that they are not eligible to apply for grants under the State CDBG program while they are part of the urban county, and that, in becoming a part of the urban county; they automatically participate in the HOME program as Tarrant County receives HOME funding. This does not preclude the Tarrant County or a unit of government within the county from applying to the state for HOME funds, if the State allows.

By **June 30, 2014**, any city or town that is not currently participating in Tarrant County's consortium and chooses to participate for the remaining third year of Tarrant County's qualification period must notify the county and the HUD Field Office in writing that it elects to be included.

If your city/town is currently part of the consortium and would like to continue to remain in the Tarrant County consortium, please sign all five (5) attachments and return to our office by June 30, 2014. New language has been added per U.S. Department of Housing and Urban Development Notice: CPD-14-07. Pending further changes in future re-certification agreements, this agreement will be automatically renewable for future 3-year requalification.

We appreciate the continued collaboration with each city. If you have further questions or concerns regarding this notice, please contact Patricia Ward, Director of Community Development, at 817-850-7940.

Sincerely,

A handwritten signature in black ink, appearing to be 'Patricia Ward', written over a horizontal line.

Patricia Ward
Director

cc: Honorable B. Glen Whitley, Tarrant County Judge
Mr. G.K. Maenius, Tarrant County Administrator
Ms. Amethyst Cirno, City Secretary/Administrator

Units of Government in Tarrant County Consortium (2012-2014)

	Consortium of Cities	Cities that did NOT join
1	City of Azle	City of Colleyville
2	City of Bedford	Town of Edgecliff Village
3	City of Benbrook	City of Pelican Bay
4	City of Blue Mound	Town of Westlake
5	City of Burleson	Town of Westover Hills
6	City of Crowley	
7	City of Dalworthington Gardens	
8	City of Euless*	
9	City of Everman	
10	City of Forest Hill	
11	City of Grapevine*	
12	City of Haltom City	
13	City of Haslet	
14	City of Hurst	
15	City of Keller	
16	City of Kennedale	
17	Town of Lakeside	
18	City of Lake Worth	
19	City of Mansfield*	
20	City of North Richland Hills*	
21	Town of Pantego	
22	City of Richland Hills	
23	City of River Oaks	
24	City of Saginaw	
25	City of Sansom Park	
26	City of Southlake	
27	City of Watauga	
28	Town of Westworth Village	
29	City of White Settlement	

29 cities in Tarrant County Consortium

(Includes 4 city entitlements)*

RESOLUTION # _____

RESOLUTION REGARDING CITY OF KENNEDALE PARTICIPATION IN TARRANT COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP AND EMERGENCY SOLUTIONS GRANT CONSORTIUM FOR THE THREE PROGRAM YEAR PERIOD, FISCAL YEAR 2015 THROUGH FISCAL YEAR 2017.

WHEREAS, Title I of the Housing and Community Act of 1974, as amended through the Housing and Community Act of 1992, establishes a program of community development block grants for the specific purpose of developing viable communities by providing decent housing and suitable living environment and expanding economic opportunities principally for persons of low and moderate income, and

WHEREAS, Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, establishes the HOME Investment Partnership Act to expand the supply of decent, safe, sanitary and affordable housing for very low-income and low-income Americans, and

WHEREAS, Tarrant County has been designated an "Urban County" by the Department of Housing and Urban Development entitled to a formula share of Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Solutions Grant (ESG) program funds provided said County has a combined population of 200,000 persons in its unincorporated areas and units of general local government with which it has entered into cooperative agreements, and

WHEREAS, Article III, Section 64 of the Texas Constitution authorizes Texas counties to enter into cooperative agreements with local governments for essential Community Development and Housing Assistance activities, and

WHEREAS, the City of Kennedale shall not apply for grants under the State CDBG Program from appropriations for fiscal years during the period in which it is participating in Tarrant County's CDBG program, and

WHEREAS, the City of Kennedale shall not participate in a HOME consortium except through Tarrant County, regardless of whether or not Tarrant County receives a HOME formula allocation, and

WHEREAS, through cooperative agreements Tarrant County has authority to carry out activities funded from annual Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Solutions Grant (ESG) Program Allocation from Federal Fiscal Years 2015, 2016, and 2017 appropriations and from any program income generated from the expenditure of such funds, and

WHEREAS, Tarrant County and the City of Kennedale agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, and

WHEREAS, Tarrant County will not fund activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the county's actions to comply with the county's fair housing certification, and

WHEREAS, Tarrant County will not fund activities in support of City of Kennedale that does not comply with section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975, and other applicable laws, and

WHEREAS, the City of Kennedale has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations and

WHEREAS, the City of Kennedale has adopted and is enforcing a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions, and

WHEREAS, Tarrant County and the City of Kennedale shall take all actions necessary to assure compliance with the Urban County's certification required by section 104 (b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, and Title VIII of the Civil Rights Act of 1968, section 109 of Title I of the Housing Community Development Act of 1974, and other applicable laws, and

WHEREAS, prior to disbursing any CDBG, HOME and ESG Program funds to a subrecipient, Tarrant County shall sign a written agreement with such subrecipient, and

WHEREAS, the City of Kennedale agrees to inform the county of any income generated by the expenditure of CDBG funds received and that any such program income must be paid to the county to be used for eligible activities in accordance with all CDBG, HOME and ESG Program requirements, and

WHEREAS, in accordance with 24 CFR 570.501(b), Tarrant County is responsible for ensuring that CDBG, HOME and ESG funds are used in accordance with all program requirements, including monitoring and reporting to U.S. Department of Housing and Urban Development on the use of program income and that in the event of close-out or change in status of the City of Kennedale, any program income that is on hand or received subsequent to the close-out of change in status shall be paid to the county, and

WHEREAS, in accordance with 24 CFR 570.501(b), Tarrant County, as the recipient is responsible for ensuring that CDBG funds are used in accordance with all program requirements. The use of designated public agencies, subrecipients, or contracts does not relieve Tarrant County of this responsibility. Tarrant County is also responsible for determining the adequacy of performance under subrecipient agreements and procurement contracts, and for taking appropriate action when performance problems arise, such as the actions described in §570.910. Where a city is participating with, or as part of Tarrant County Urban County, as a participating unit, or as part of a metropolitan city, the County is responsible for applying to the unit of general local government the same requirements as are applicable to subrecipients, except that the five-year period identified under §570.503 (b) (8) (i) shall begin with the date that the unit of general local government is no longer considered by HUD to be a part of the metropolitan city or urban county, as applicable, instead of the date the subrecipient agreement expires.

WHEREAS, the City of Kennedale agrees to notify Tarrant County of any modification or change in the use of the real property from that planned at the time of acquisition or improvement, including disposition, and further agrees to reimburse the County in an amount equal to the current fair market value (less any portion thereof attributable to expenditure of non-CDBG funds) of property acquired or improved with CDBG funds that is sold or transferred for a use which does not qualify under the CDBG regulations, and

WHEREAS, any money generated from disposition or transfer of property will be treated as program income and returned to the county prior to or subsequent to the close-out, change of status or termination of the cooperation agreement between county and the City of Kennedale;

WHEREAS, Tarrant County and City of Kennedale may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act in the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014, Pub. L. 113-76.

NOW, THEREFORE, BE IT RESOLVED, by the City of Kennedale, that the City Council of Kennedale, Texas supports the application of Tarrant County for funding from Housing and Community Development Act of 1974, as amended, and Cranston-Gonzalez National Affordable Housing Act, as amended, and asks that its population be included for three successive years with that of Tarrant County, Texas to carry out Community Development Program Activities Eligible for Assistance under Public Law 93-383, and Affordable Housing activities under Public Law 101-625, and authorizes the Mayor of Kennedale, Texas to sign such additional forms as requested by the Department of Housing and Urban Development pursuant to the purposes of the Resolution, and

further that the City of Kennedale, Texas understands that Tarrant County will have final responsibility for selecting projects and filing annual grant requests.

BE IT FURTHER RESOLVED, this agreement will automatically be renewed for participation in successive three-year qualification periods, unless Tarrant County or the City of Kennedale provides written notice it elects not to participate in a new qualification period. Tarrant County will notify the City of Kennedale in writing of its right to make to such election on the date specified by the U.S. Department of Housing and Urban Development in HUD's urban county qualification notice for the next qualification period. Any amendments or changes contained within the Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period must be adopted by Tarrant County and the City of Kennedale, and submitted to HUD. Failure by either party to adopt such an amendment to the agreement will void the automatic renewal of this agreement.

This agreement remains in effect until CDBG, HOME, ESG funds and income received to the fiscal 2015, 2016, 2017 programs, and to any successive qualification periods provided through the automatic renewal of this agreement, are expended and the funded activities completed, neither Tarrant County nor the City of Kennedale may terminate or withdraw from the agreement while the agreement remains in effect.

Official notice of amendments or changes applicable for a subsequent three-year urban county agreement shall be in writing and be mailed by certified mail to the City Secretary of the City of Kennedale. Any notice of changes or amendments to this agreement by the City of Kennedale to Tarrant County shall be in writing to the Tarrant County Community Development Division Director.

PASSED AND APPROVED THIS _____ day of _____, 2014

ATTEST:

APPROVED:

CITY SECRETARY

MAYOR

Commissioners Court Clerk

County Judge

Approval Form for District Attorney

Approved as to Form*

*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: June 12, 2014

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

Consider appointing a Council member to serve on the Kennedale TownCenter Development District Board.

II. Originated by:

Bob Hart

III. Summary:

Mayor Johnson, who previously served on the TownCenter Development District (TDD) as one of 2 appointed councilmembers, will now serve on the TDD as Mayor, which leaves one councilmember TDD seat vacant. Council needs to appoint one member to serve in this place.

The TDD meets 1 or 2 times per year.

TDD membership:

EDC President:	Robert Mundy
EDC Board Member:	Mark Yeary
Mayor:	Brian Johnson
Councilmember:	Frank Fernandez
Councilmember:	<i>Vacant</i>

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

Date: June 12, 2014

Agenda Item No: REGULAR ITEMS - B.

I. Subject:

Consider approval of the 2014 Election Register.

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

The election register attached is being submitted for the approval of the Council. The register must be approved by Council at the first official meeting following the general election date, regardless of cancellation of the election.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Election Register	ELECTION REGISTER PAGE 68.docx
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ELECTION REGISTER PAGE 68

Election Date: May 10, 2014

Ordinance: 544

Election: Three Councilmembers

The following candidates, who are unopposed in the May 10, 2014 General Election, are hereby declared elected to office:

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

ADOPTED AND APPROVED this 12th day of June, 2014.

Mayor, Brian Johnson

ATTEST:

Amethyst G. Sloane, City Secretary



Date: June 12, 2014

Agenda Item No: REGULAR ITEMS - B

I. Subject:

Case PZ 14-03 to receive comments and consider action on a request by Sidney DaSilva, DBA Equity One Group, for the City of Kennedale to vacate 0.1192 acres of public right-of way located adjacent to property at 1453 J R Hawkins Rd, L C Rayburn's Subdivision Remainder Lot 6, Kennedale, Tarrant County, as shown in a deed of record in Vol. 10782 p. 1561, Tarrant County.

- (1) Staff Presentation
- (2) Applicant Presentation
- (3) Public Hearing
- (4) Applicant Response
- (5) Staff Response and Summary
- (6) Action by the City Council

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Request: vacate (abandon) public right-of-way

Location: adjacent to 1453 J R Hawkins (Joplin Rd at J R Hawkins Rd)

Applicant: Sidney DaSilva (owner of adjacent property)

Staff recommendation: approve with fair market value to be paid by applicant

Planning & Zoning Commission recommendation: approve as recommended by staff

Background.

Mr. DaSilva acquired the property at the corner of Joplin and J. R. Hawkins roads in 2011. He bought the property at auction and did not realize at the time how much of his property was dedicated for right-of-way. The right-of-way belongs to the City of Arlington, but it is within the Kennedale city limits. Kennedale city code provides a means for residents and developers to petition the city to abandon public right-of-way. Because the lot is so awkward-shaped, staff let Mr. DaSilva know there might be a possibility of petitioning Arlington to ask if that city would be willing to abandon a portion of the right-of-way. Mr. DaSilva spoke with employees at Arlington, who said they would prefer Kennedale process the right-of-way request, since the land is located within our city limits.

Mr. DaSilva, as a developer, would like to subdivide his property into two lots. The property in its current size is large enough to subdivide into two legal lots, but Mr. DaSilva would like the city to abandon a portion of the right-of-way so that he could have larger lots than would be possible now.

To help with discussions with the City prior to submitting his application, Mr. DaSilva submitted an illustration of the area (3,489 square feet) he would like the City to abandon (see staff report attachment, DaSilva Minor Plat drawing prepared May 2013). We discussed the abandonment process with him extensively, and in February, he submitted an application for vacating the right-of-way. In the exhibit attached to the application, he requested 5,195 square feet be abandoned, more right-of-way than he had originally requested. In addition, a small sliver of land proposed to be dedicated for right-of-way in his first illustration is no longer offered (see Exhibit “A”, attachment to Mr. DaSilva’s application to abandon right-of-way). However, the application document still reflects the original requested right-of-way amount of 3,489 square feet.

As part of the process of reviewing the petition, city staff is required to assess the fair market value of the right-of-way. The applicant is typically then asked to pay that fair market value, since if the request is granted, the land would convert from publicly-held land to privately-held land, and the private land owner (ROW recipient) benefits at the expense of the public. The payment of fair market value is intended to compensate the public for its loss of ROW. Mr. DaSilva originally requested the city not to charge him the fair market value if the abandonment request is approved, as he believes he paid for the right-of-way when he purchased the property. At the Planning & Zoning Commission meeting in May, however, he offered to pay up to \$500.

If the request is approved, the City of Kennedale will provide Mr. DaSilva with a quit claim deed to the property in question.

Application requirements.

Under city code, the applicant must submit a metes and bounds legal description and a graphic exhibit of the portion of the ROW to be abandoned, which must be signed and sealed by a registered professional land surveyor. In addition, a standard form of vacation acknowledgment shall be completed and submitted for each utility currently located within the right-of-way or easement.

The applicant submitted the metes and bounds legal description and exhibit (Exhibit “A”). Atmos and Oncor have both verified they do not have utilities in the right-of-way.

Staff Review.

The City of Arlington has plans for a future road project along Joplin Rd. Arlington engineering staff has determined Arlington does not need the right-of-way in question in order to complete their future road project. The City of Arlington staff therefore does not object to the abandonment request. If the abandonment is approved, however, Arlington would like to review the abandonment document before it is filed with the county to verify the area to be abandoned does not need to be decreased so as not to interfere with their future road plans.

City of Kennedale staff is generally reluctant to relinquish right-of-way until it can be determined with more certainty that the right-of-way will not be needed. It is difficult and costly to acquire additional right-of-way once a road project has started, and it is therefore better to retain right-of-way whenever possible, until it can be certain the right-of-way will not be needed in the future. With that said, Kennedale staff does not object to abandoning a portion of the right-of-way requested – provided fair market value for the land is paid—because a partial abandonment is not likely to interfere with future road projects.

The applicant has secured the signatures of the property owners on either side of his property in support of his application. In addition, city staff sent letters to property owners along Joplin and J. R. Hawkins near the property in question and has received no phone calls or letters in opposition to the abandonment.

Staff has assessed the fair market value for the original request for right-of-way of \$2,594.18. Staff has assessed the fair market value for the full amount of r-o-w requested at \$3,844.30.

Staff recommendation.

Staff recommends abandoning a portion of the right-of-way requested, as shown in the attachment labeled Minor Plat Lot 6A L. C. Rayburn's Subdivision (prepared May 2013). Staff also recommends requiring the applicant to pay fair market value of \$2,594.18 for the vacated right-of-way.

Planning & Zoning Commission Recommendation.

The Commission considered this case during its meeting on March 20th. The Commission had questions about the legal process and implications of abandoning right-of-way held by another city and postponed consideration of the case until its meeting in April so that staff could consult with the attorney and the City of Arlington. At the April meeting, the applicant was out of town, so the Commission postponed considering the case until its meeting in May. After holding a public hearing at the May 15th meeting, the Commission voted to recommend approval of the request according to the staff recommendation (the amount of r-o-w recommend by staff to be abandoned and the requirement that fair market value be paid).

Action by the City Council.

The city code outlines the Council's process for making a decision in this kind of case. "The city council will conduct the public hearing on the proposed closing or vacation, allowing the opportunity for all interested parties to express their opinions on the matter. At the close of the public hearing, the city council will make a determination as to whether the evidence presented at the hearing together with the recommendation of the planning and zoning commission provide sufficient justification for proceeding with the closure or vacation."

Sample motions are provided below for your reference. You are not required to use one of these motions.

Sample motions:

APPROVE AS STAFF RECOMMENDSS

I make a motion to grant the requested right-of-way abandonment as recommended by the Planning & Zoning Commission and to require the applicant to pay the City of Kennedale the fair market value for the right-of-way in the amount of \$2,594.18.

APPROVE AS APPLICANT REQUESTED

I make a motion to grant the request to vacate the right-of-way as requested by the applicant and to require the applicant to pay \$500 [or \$3,844.30 for staff-assessed fair market value for all right-of-way requested].

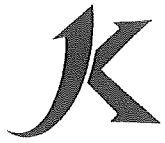
DENY

I make a motion to deny the request to vacate the right-of-way.

Aerial View of Road & Adjacent Properties (PZ 14-03)

Parcel boundary data from the Tarrant Appraisal District
Road data and aerial imagery from North Central Texas Council of Governments





KENNEDALE
Planning Department
www.cityofkennedale.com

Application for Vacation or Closure of Street or Right-Of-Way

Applicant Name: SIDNEY R DASILVA, DBA EQUITY ONE GROUP

Applicant Address: 6500 GREENSPRING DR, ARLINGTON, TX 76016

Applicant Phone Number: 682-230-1820

Applicant Email Address (optional): SIDNEYDASILVA@YAHOO.COM

Request:

☒ Vacate right-of-way

☐ Close public street

Subdivision Name: <u>RAYBURN, LC SUBDIVISION</u>	
Affected Block and Lot Numbers: <u>BLOCK LOT 6A</u>	
Length of area proposed to be vacated:	
Width of area proposed to be vacated:	
Area (square feet): <u>3,489 SQ FT</u>	

How did the city originally acquire the r-o-w or easement?

- ☐ Plat Dedication / Donation
☐ City Purchase
☐ Obtained Through Prescription

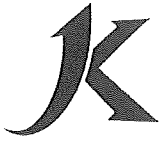
NOTE: THIS R-O-W OR EASEMENT WAS ACQUIRED BY THE COUNTY (TARRANT). SQ

Plat or other recorded instrument must be attached to application.

Existing physical improvements within the right-of-way:

Surface or above grade:

- | | | |
|--|---|--|
| ☒ None | ☐ Telephone | ☐ Curb & gutter |
| ☐ Paving | ☐ Cable | ☐ Structures (describe) |
| ☐ Electric | ☐ Fences / walls | ☐ Other |



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Underground or below grade:

- | | | |
|--------------------------------|------------------------------------|---|
| ☐ None | ☐ Gas | ☐ Storm drainage |
| ☐ Water | ☐ Telephone | ☐ Other (describe) |
| ☐ Sewer | ☐ Electric | ☐ Unknown |

Intended Use of the vacated right-of-way:

TO USE IN ACCORDANCE TO KENNEDALE CITY CODE, ZONING
DISTRICT REGULATION / R-3.

Adjacent property owners:

This petition must include the names, addresses, phone numbers, and signatures of all property owners holding property adjacent to the portion of the street or easement that is proposed to be vacated (list on a separate page if needed).

Property Owner 1:

ARLINGTON LAWN SERVICE, INC

MICHAEL DUGAN

Name (printed)

1441 J.R. HAWKINS RD

Address Kennedale, TX 76060

Legal Description

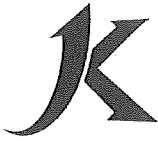
If property owner consents to right-of-way abandonment or street closure, the property owner's signature is required.

Michael Dugan

Signature

1/24/2014

Date



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www.cityofkennedale.com

Property Owner 2:

Sandra Sehermerhorw
Name (printed)

148 S. Joplin
Address

Legal Description

If property owner consents to right-of-way abandonment or street closure, the property owner's signature is required.

[Signature]
Signature

11/23/2014
Date

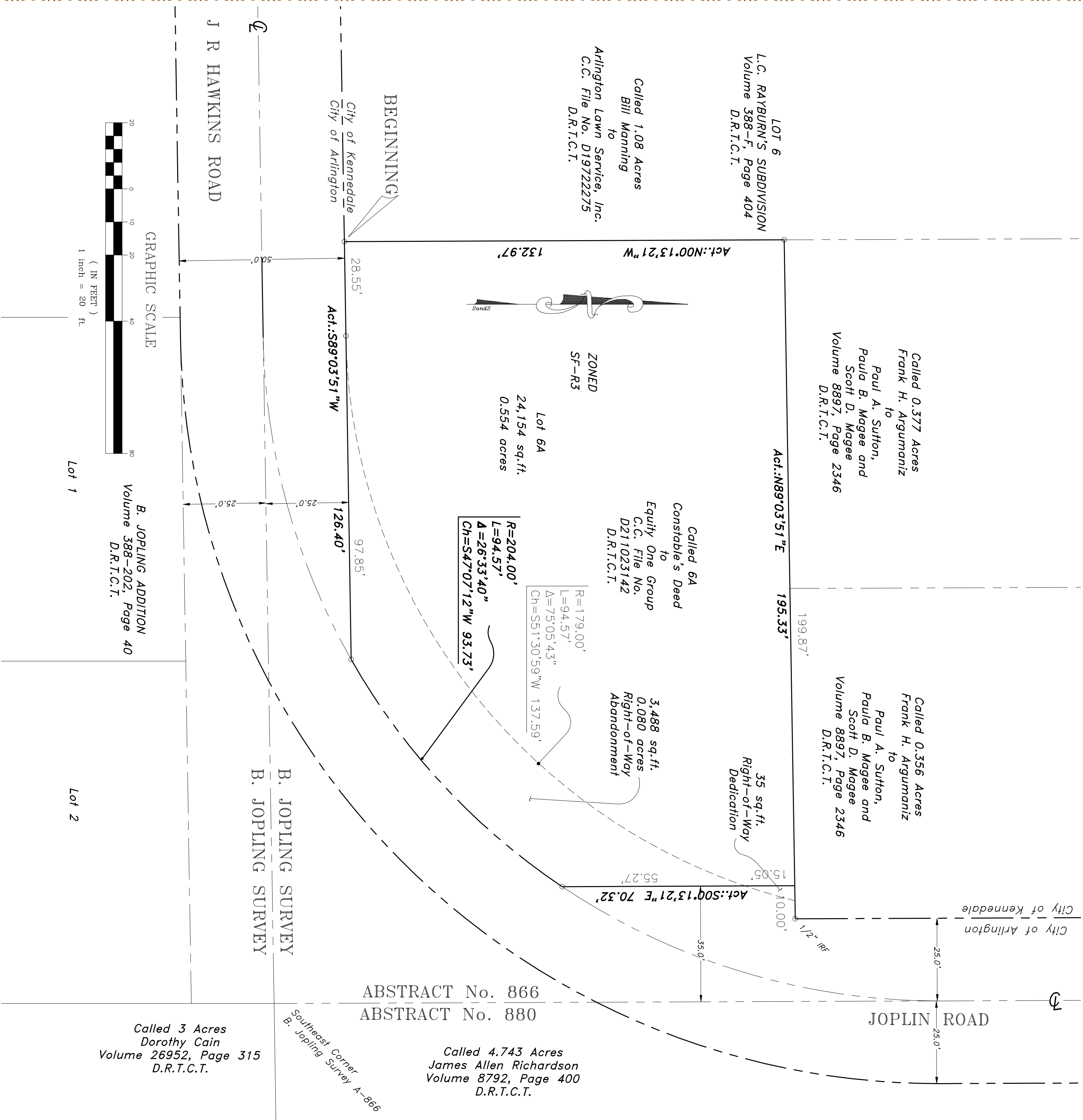
Required additional documentation:

- ☐ a metes and bounds legal description and a graphic exhibit of the portion of the ROW to be abandoned, which must be signed and sealed by a registered professional land surveyor.
- ☐ a standard form of vacation acknowledgment shall be completed and submitted for each utility currently located within the right-of-way or easement.

I, the undersigned, do hereby request the City of Kennedale to vacate right-of-way or close a public street (or a portion thereof) as described above. I will hold the City of Kennedale harmless and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such vacation and abandonment.

[Signature]
Signature of Applicant

02/21/2014
Date



STATE OF TEXAS

COUNTY OF TARRANT

BEGIN a 0.594 acre parcel of land situated in the B. Jopling Survey, Abstract No. 866, in the City of Kennedale, Tarrant County, Texas being a part of Lot 6, L. C. Rayburn's Subdivision, in Tarrant County, Texas according to the plat thereof recorded in Volume 388--F, Page 404 of the Deed Records Tarrant County, Texas and being all of that certain called Lot 6A described in Constable's Deed to Equity One Group and recorded in County Clerk's File No. D211023142 of said Deed Records, said 0.594 acre parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a point 1/2" iron rod set for corner with plastic cap marked "SANDS" at the Southwest corner of said Lot 6A and the Southeast corner of that certain called 1.08 acre tract of land described in deed from Bill Manning to Arlington Lawn Service, Inc., and recorded in County Clerk's File No. File No. D19722275 of said Deed Records and being in the North line of J. R. Hawkins Road (50' Right-of-Way);

THENCE North 00°13'21" West with the West line of said Lot 6A and the East line of said 1.08 acre tract for a distance of 132.97 feet to a 1/2" iron rod with plastic cap marked "SANDS" set for corner at the Northwest corner of said Lot 6A and the Southwest corner of that certain called 0.377 acre tract of land described in Deed from Frank H. Argumaniz to Paul A. Sutton, Paula B. Magee and Scott D. Magee and recorded in Volume 8897, Page 2346 of said Deed Records;

THENCE North 89°03'51" East with the North line of said Lot 6A and the South line of said 0.377 acre tract for a distance of 195.33 feet to a 1/2" iron rod with plastic cap marked "SANDS" set for corner in the South line of that certain called 0.356 acre tract of land described in deed from Frank H. Argumaniz to Paul A. Sutton, Paula B. Magee and Scott D. Magee and recorded in Volume 8897, Page 2346 of said Deed Records from which a 1/2" iron rod found for corner at the Southeast corner of said 0.356 acre tract of land bears North 89°03'51" East a distance of 10.00 feet and being in the West line of Joplin Road at a distance of 35.00 feet at right angles from the center line of said Joplin Road;

THENCE South 00°13'21" East with the West line of said Joplin Road for a distance of 70.32 feet to a 1/2" iron rod with plastic cap marked "SANDS" set for corner at the North end of a corner cdp at the intersection of the West line of said Joplin Road with the North line of said J. R. Hawkins Road and being at the beginning of a non-tangent curve to the right having a radius of 204.00 feet;

THENCE with said curve to the right whose central angle 26°33'40" have a chord bearing of South 47°07'12" West 93.73 feet and an arc length of 94.57 feet in the North line of said J.R. Hawkins Road

THENCE South 89°03'51" West with the South line of said Lot 6A and the North line of said J. R. Hawkins Road for a distance of 126.40 feet back to the POINT OF BEGINNING and CONTAINING: 25,659 square feet or 0.594 acres of land, more or less.

KNOW ALL MEN BY THESE PRESENTS:

That, I Sidney Dasilva do hereby certify that I am the legal owner of the above described tract of land do hereby convey to the public use; the streets alleys, right-of-way, easements, and any other public uses shown on this plat.

Owner

STATE OF TEXAS

COUNTY OF TARRANT:

Before me, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Sidney Dasilva, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this _____ day of _____, 2012.

Notary Signature

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THIS is to certify that I, J. Scott Cole, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey made under my supervision on the ground.

J. Scott Cole, R.P.L.S.

Texas Registration No. 5411

Date

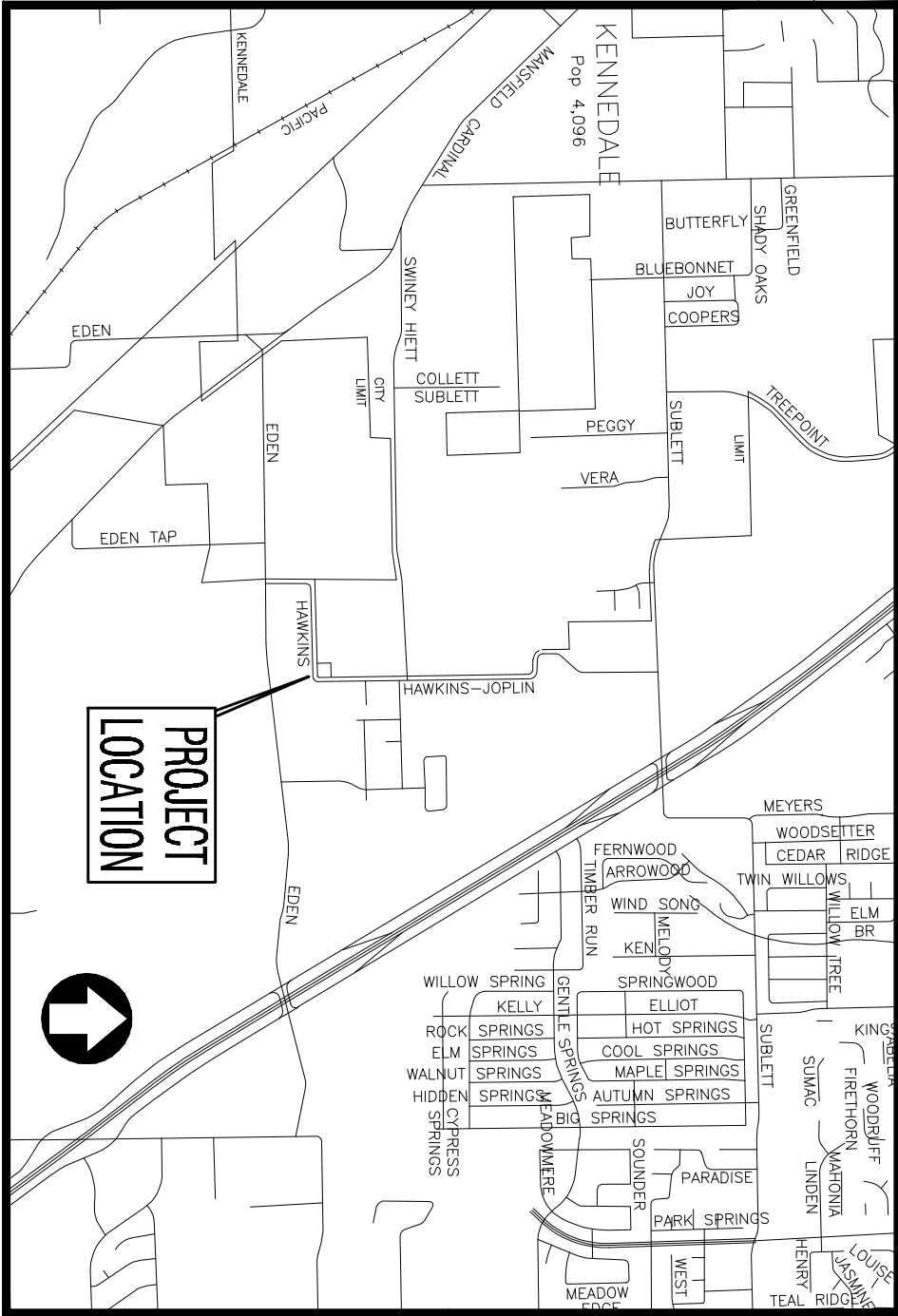
STATE OF TEXAS

COUNTY OF TARRANT:

Before me, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared J. Scott Cole, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this _____ day of _____, 2012.

Notary Signature



VICINITY MAP
1"=1000'

APPROVED

Date: _____

CITY OF KENNEDALE

By: _____ City Manager

By: _____ City Secretary

MINOR PLAT
LOT 6A
L. C. RAYBURN'S SUBDIVISION
Being a replat of Lot 6,
L.C. Rayburn's Subdivision,
an addition to the City of Kennedale,
Tarrant County, Texas,
according to the plat thereof
recorded in Volume 10782, Page 1561,
Plat Records, Tarrant County, Texas

AN ORDINANCE VACATING AND ABANDONING A CERTAIN PORTION OF RIGHT-OF-WAY FOR JOPLIN ROAD AND J R HAWKINS ROAD IN THE CITY OF KENNEDALE, TEXAS, DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; 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, the city council of the City of Kennedale, after careful study and consideration, has determined that certain portions of right-of-way in Joplin Road and J R Hawkins Road in the City of Kennedale, hereinafter more specifically described, is not being used by, nor useful or convenient to the public in general; therefore, it constitutes a public charge without a corresponding public benefit, and the public would be better served and benefitted by its vacation and abandonment; and

WHEREAS, in order to remove any question as to the continued interest or ownership of the public in said right-of-way, the city desires to execute this ordinance releasing all title, ownership and control in said right-of-way to Sidney DaSilva.

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

SECTION 1.

The following right-of-way is hereby vacated and abandoned as public property: portions of right-of-way along Joplin Road and J R Hawkins Road located in L. C. Rayburn's Subdivision in the B Jopling Survey, Abstract No. 866, Kennedale, Tarrant County, Texas, said right-of-way being shown and described in Exhibit "A" attached hereto. The right-of-way is not being used by, nor useful or convenient to the public in general. It constitutes a public charge without a corresponding benefit, and the public would be better served and benefitted by its vacation and abandonment. The right- of-way so vacated and abandoned shall be conveyed via quitclaim deed to Sidney DaSilva, dba Equity One Group.

SECTION 2.

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 3.

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

PASSED AND APPROVED THIS _____ DAY OF JUNE 2014

Mayor

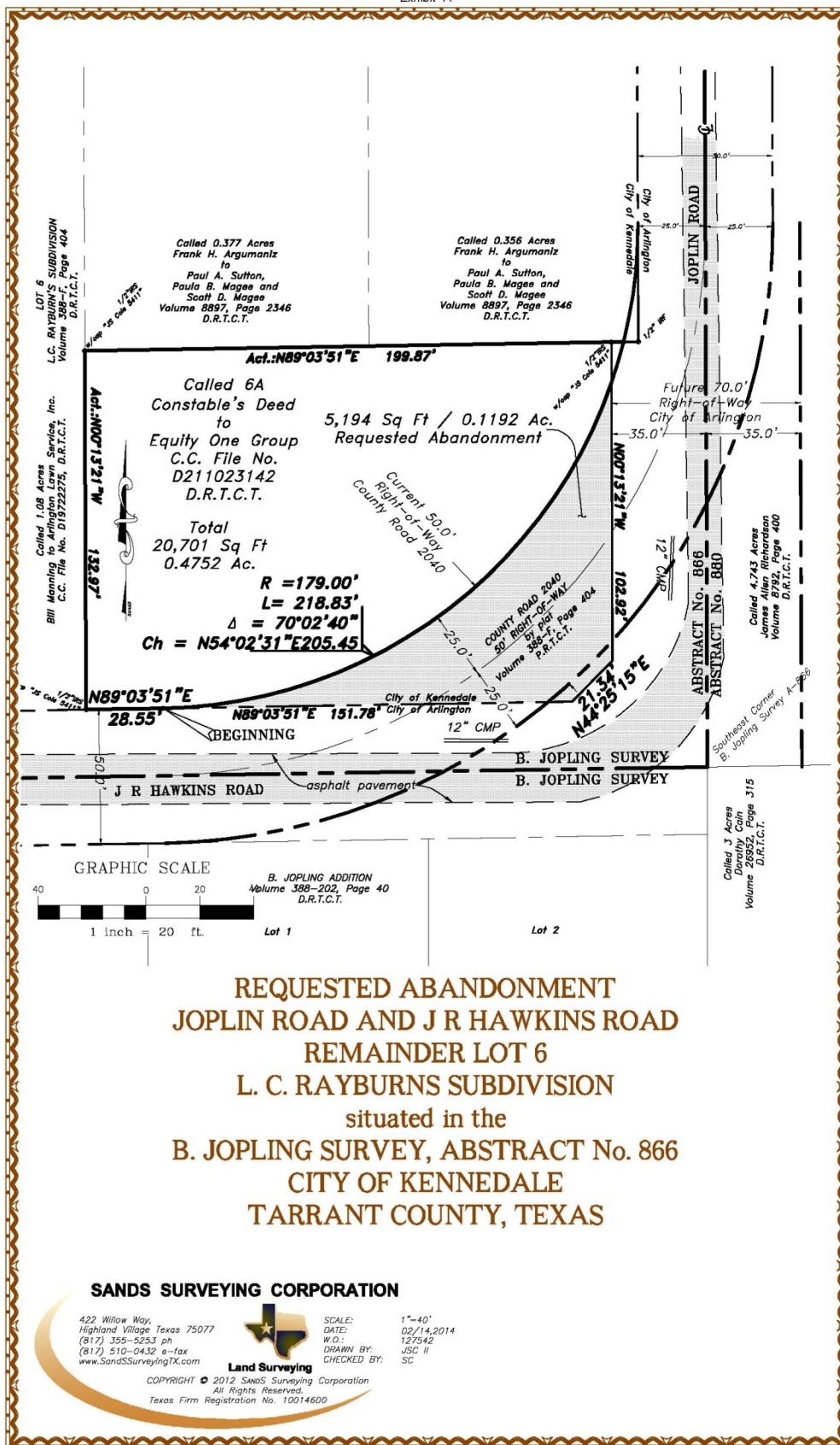
ATTEST:

City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney

EXHIBIT 'A'



REQUESTED ABANDONMENT
JOPLIN ROAD AND J R HAWKINS ROAD
REMAINDER LOT 6
L. C. RAYBURNS SUBDIVISION
situated in the
B. JOPLING SURVEY, ABSTRACT No. 866
CITY OF KENNEDALE
TARRANT COUNTY, TEXAS

BEING a 5,194 square foot or 0.1192 acre parcel of land situated in the B. Jopling Survey, Abstract No. 866, City of Kennedale, Tarrant County, Texas a part of Joplin Road and J. R. Hawkins Road (County Road 2040 50 foot Right-of-Way) a part Lot 6, of the L. C. Rayburns Subdivision according to the Map or Plat thereof recorded in Volume 388-F, Page 404 of the Map or Plat records of Tarrant County, Texas said 5,194 square foot or 0.1192 acre parcel being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner in the South line of said Lot 6, the North line of said County Road and being North 89°03'51" East a distance of 28.55 from ½" capped iron rod found for corner at the Southwest corner of that certain called Lot 6A as described in Constable's Deed to Equity One Group and recorded in County Clerks File No. D211023142 of the Deed records of Tarrant County, Texas said point being at the beginning of a tangent curve to the left;

THENCE with said County Road and with said curve to the right having a radius of 179.00 feet, a central angle of 70°02'40", a tangent length of 125.44 feet, the long chord of which bears South 54°02'31" West-205.45 feet for an arc length of 218.83 feet to a point for corner in the future right-of-way line of Joplin Road (70 foot Right-of-Way);

THENCE North 89°03'51" East with said Right-of-Way a distance of 151.78 feet to a point for corner at the North end of a corner clip at the intersection of the West line of said future Right-of-Way with the North line of the Future right-of-way of J R Hawkins Road (50 foot Right-of-Way);

THENCE North 44°25'15" East with said corner clip a distance of 21.34 feet to a point for corner in the North line of said J R Hawkins;

THENCE North 00°13'21" West with said North line a distance of 102.92 feet back to the **POINT OF BEGINNING** and **CONTAINING:** 5,194 square feet or 0.1192 acres of land, more or less.

Date: June 12, 2014

Agenda Item No: REGULAR ITEMS - D.

I. Subject:

Consider approval of Ordinance 550, amending the city's schedule of administrative fees.

II. Originated by:

Sakura Moten-Dedrick, Director of Finance & IT

III. Summary:

The purpose of this ordinance is to set forth those fees and charges authorized to be charged by the City of Kennedale pursuant to specific authorization by the City Council. Fees and charges help offset both direct and indirect costs associated with the administration, investigation and implementation of ordinances and regulations applicable to development, as well as numerous other City activities and operations.

The City Council last approved revisions to this "schedule" of fees and charges on September 12, 2012 (Administrative Fees: Oil & Gas, Utility Billing). For the purposes of this update, City staff would like to incorporate several changes, which are denoted in red on attached Schedule of Fees. In terms of staff's reasoning for the denoted items:

Pavilion Rentals - The rates were previously recommended by the Parks Board and further approved by City Council back in June 2013. This is merely a "housecleaning" effort to ensure inclusion into the City Fee Schedule.

Library Fees - These rates have been added/increased to mirror both Arlington and Mansfield given our current involvement via consortium.

Water/Sewer Fees - Language has been further clarified as it relates specifically to deposits and the City operates through Global. Utility Equipment strictly covers actual replacement cost of new items purchased through Global.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Schedule of Fees Ordinance	Schedule of Fees Ordinance.docx
2.	Exhibit A: Schedule of Fees	Schedule of Fees (Proposed).pdf

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 2-3 OF THE KENNEDALE CITY CODE (1991), AS AMENDED, BY AMENDING, REPEALING, OR PROVIDING FOR FEES FOR CERTAIN CITY SERVICES; PROVIDING FOR THE ADOPTION OF ADDITIONAL FEES BY ORDINANCE; PROVIDING FOR THE REPEAL OF FEES INCONSISTENT WITH THE FEES ESTABLISHED HEREIN; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of 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 order to offset costs associated with the administration, investigation and implementation of ordinances and regulations applicable to development and other activities, the City Council has previously established a schedule of fees; and

WHEREAS, the City Council now desires to update its schedule of fees by amending or repealing certain fees and adopting new fees; and

WHEREAS, the City Council desires to repeal all previously adopted fees, which are inconsistent with fees established by this ordinance.

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

SECTION 1.

Section 2-3 of the Kennedale City Code (1992), as amended, is hereby amended to read as follows:

“Sec. 2-3. Fees for Licenses, Inspections, Permits, etc.

- (a) All persons, firms or corporations applying for licenses, inspections, permits or other city services, activities or uses that, by their nature, require the applicant to pay a fee incident to such application, shall be required to pay the following fees as established in Exhibit “A.”

- (b) The City Council shall periodically review the need for and the amount of fees for city services, uses and activities and shall adopt or revise it from time to time.
- (c) In addition, the fees established in paragraph (a) above, the City Council may adopt other ordinances from time to time establishing various fees for city services, activities and uses.
- (d) It shall be a violation of this Section to conduct any activity or commence any use for which the payment of a fee is required unless such fee has been paid.”

SECTION 2.

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 provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared 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 4.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of Section 2-3 of the Kennedale City Code (1991), as amended, or any other ordinance or code provision affecting fees which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

The City Secretary of the City of Kennedale is hereby directed to publish the caption, penalty clause, publication clause and effective date of this ordinance in every issue of the official newspaper of the City of Kennedale for two days, or one issue of the newspaper if the official newspaper is a weekly newspaper, as authorized by Section 52.011 of the Local Government Code.

SECTION 7.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Kennedale, Texas, this the 12th day of June 2014.

APPROVED:

Mayor, John Clark

ATTEST:

Amethyst Cirimo, City Secretary

EXHIBIT B: SCHEDULE OF FEES
(06-12-14 Draft)

ADMINISTRATIVE FEES (CURRENT)

Ballfields			
KYA-Annual Lease Agreement			
Day	\$20.00		
Night	\$40.00		
Business License	\$25.00		
Itinerant Vendor License	\$100.00		
Certificate of Occupancy	\$55.00		
Credit Card Fees			
Municipal Court	3%	When payment of any fee, fine court cost or other charge related to Kennedale Municipal Court is made by credit card via phone, online or in-person, a fee equaling three (3) percent per fine, fine, court cost or other charge paid by credit card will be added to the fee, fine, court cost or other charge paid.	
Utility Billing	\$0.00	When payment of any fee or other charge related to Kennedale Utility Billing is made by credit card online or in-person, no fee will be required. Phone payments are not accepted.	
Permitting	3%	When payment of any fee or other charge related to Kennedale Permitting is made by credit card via phone, online or in-person, a fee equaling three (3) percent per fee or other charge paid by credit card will be added to the fee or other charge paid.	
Miscellaneous/Other Activity	\$0.00	When payment of any fee or other charge related to any other miscellaneous activity is made by credit card online or in-person, no fee will be required. Phone payments are not accepted. If, for any reason, a payment by credit card is not honored by the credit card company on which the funds are drawn, the city shall collect the same amount as the fee charged for the collection of a check drawn on an accouant with insufficient funds from the person who owes the fee, fine, court cost or other charge in addition to the original fee, fine, courst cost or other charge.	
Returned Check	\$30.00		
Request For			
Annexation	\$200.00		
Zoning Change or Amendment	\$500.00	0-10 Acres	
	\$1,500.00	10 Plus More Acres	
Variance	\$250.00		
Special Use Permit	\$250.00		
Fingerprinting of Citizens for Record Checks	\$10.00	Per Card	
Gathering Station Inspection	\$1,000.00		
Printouts/Copies From Plotter	\$1.00	Per Square Foot	
Request for Vehicle Accident Reports	\$6.00	Per Report	

EXHIBIT B: SCHEDULE OF FEES
(06-12-14 Draft)

Community Center Rentals		
Residents (Living W/In Boundaries of Kennedale ISD)	\$30.00	Per Hour During Library's Normal Hours, Minimum \$100 Required
	\$40.00	Per Hour During Library's Closed Hours, Minimum \$100 Required
Non-Residents	\$40.00	Per Hour During Library's Normal Hours, Minimum \$100 Required
	\$50.00	Per Hour During Library's Closed Hours, Minimum \$100 Required
Deposit (Applies To All Users)	\$150.00	May Be Refunded Upon Successful Inspection
Pavillion Rentals		
Residents (Living W/In Boundaries of Kennedale ISD)	\$35.00	For 2 Hours, \$65 For 4 Hours, \$90 For 6 Hours, \$115 For 8 Hours
Non-Residents	\$75.00	For 2 Hours, \$105 For 4 Hours, \$130 For 6 Hours, \$115 For 8 Hours
Deposit (Applies To All Users)	\$50.00	May Be Refunded Upon Successful Inspection
Pavillion Rentals		
Residents (Living W/In Boundaries of Kennedale ISD)	\$60.00	For 2 Hours, \$90 For 4 Hours, \$115 For 6 Hours, \$140 For 8 Hours
Non-Residents	\$120.00	For 2 Hours, \$180 For 4 Hours, \$230 For 6 Hours, \$280 For 8 Hours
Deposit (Applies To All Users)	\$50.00	May Be Refunded Upon Successful Inspection
Library		
Overdue Book	\$0.15	Per Day
Overdue Book	\$0.25	Per Day
Photocopies From Copier	\$0.10	Per Page
Printouts From Computer	\$0.25	Per Page
Materials Lost or Damaged Beyond Repair	\$5.00	Processing Fee + Listed Retail Price
Repair of Inventory Material	Actual Cost	
Sale of Storage Device (Floppy, Disc, CD, Other)	Actual Cost	
Replace Lost or Damaged Audiobook Binder	\$5.00	
Replace Lost or Damaged CD Case	\$1.50	
Replace Lost or Damaged DVD Case	\$2.00	
Interlibrary Loan	No Charge	
Library Card Replacement	\$2.00	
Repair of CD/DVD	\$1.00	
Transmittal Fax Only (Local)	\$1.00	First Page, \$.25 Each Page Thereafter
Transmittal Fax Only (Long Distance)	\$2.00	First Page, \$.50 Each Page Thereafter
Mowing and/or Cleaning Property (Contractor)	Actual Cost	Plus \$75.00 Administrative Fee
Deposit-Residential Water	\$60.00	Renter's Deposit \$90. If Any Residential Account Is Finaled Out For Nonpayment & Service Is Subsequently Re-Established, Depost Is Doubled.
Deposit-Residential Water	\$60.00	Renter's Deposit \$90. If Any Account Is Finaled Out With A Minimum Balance Of \$45 And Is 30 Days Past Due, A Double Deposit Is Required Per Account To Re-Establish Service.
Deposit-Residential Sewer	\$30.00	Renter's Deposit \$60. If Any Account Is Finaled Out For Nonpayment & Service Is Subsequently Re-Established, Depost Is Doubled.

EXHIBIT B: SCHEDULE OF FEES
(06-12-14 Draft)

Deposit-Residential Sewer	\$30.00	Renter's Deposit \$60. If Any Account Is Finaled Out With A Minimum Balance Of \$45 And Is 30 Days Past Due, A Double Deposit Is Required Per Account To Re-Establish Service.
Deposit-Commercial Water	\$100.00	If Any Account Is Finaled Out For Nonpayment & Service Is Subsequently Re-Established, Depost Is Doubled.
Deposit-Commercial Water	\$100.00	If Any Account Is Finaled Out With A Minimum Balance Of \$45 And Is 30 Days Past Due, A Double Deposit Is Required Per Account To Re-Establish Service.
Deposit-Commercial Sewer	\$50.00	If Any Account Is Finaled Out For Nonpayment & Service Is Subsequently Re-Established, Depost Is Doubled.
Deposit-Commercial Sewer	\$50.00	If Any Account Is Finaled Out With A Minimum Balance Of \$45 And Is 30 Days Past Due, A Double Deposit Is Required Per Account To Re-Establish Service.
Deposit-Commercial/Industrial w/High Consumption	-	1/6 of Annual Consumption
Deposit-Water for Cleanup (15 Day Temp Service)	\$30.00	Per Day
Use of Bulk Unmetered Water	-	Rate Times Estimated Gallons
Deposit-Use of Bulk Water Meter (Fire Hydrant)	\$600.00	Plus \$50 Service Fee
Deposit-Use of Bulk Water Meter (Gas Drilling)	\$1,000.00	Plus \$50 Service Fee
Water Administrative Fee (Appear On Cut List)	\$20.00	
Water Transfer Fee	\$15.00	
Disconnect Service At The Main	Actual Cost	
Utility Equipment	Actual Cost	Meter, Meter Base, MTU, Register, Bullhead And Any Other Associated Equipment Installed For Water/Sewer Metering Purposes
Move City Utilities	Actual Cost	
Private Water Well Permit & Inspection	\$75.00	
Liquid Waste Permit	\$50.00	
Liquid Waste Trip Ticket Book	\$20.00	
Wrecker License and/or Permit	\$20.00	
Garage Sale Permit	\$10.00	
Preliminary Plat	\$300.00	Plus \$5.00 Per Lot
Final Plat	\$300.00	Plus \$10.00 Per Lot
Replat	\$500.00	0-10 Acres
	\$1,500.00	10 Plus More Acres
Minor Plat, Vacated Plat, Amended Plat	\$300.00	Plus \$5.00 Per Lot
Plat Filing Fees	\$5.00	Administrative Fee

PERMIT FEES

MECHANICAL CODE PERMITS & INSPECTIONS

Single Family, Duplex, Townhouse, Etc.	\$110.00	Per Air Handling Unit
Apartments, Condominiums, Triplex & Larger	\$110.00	Each Dwelling
Commercial Cooling/Heating System		

EXHIBIT B: SCHEDULE OF FEES
(06-12-14 Draft)

Less Than 100 tons	\$110.00	Per Air Handling Unit
101+ More Tons	\$110.00	Per Air Handling Unit
<u>MISCELLANEOUS</u>		
Replacement of Furnaces, Condensing Unit or Cooling/Heating System	\$55.00	
Vent-A-Hood For Commercial Cooking	\$55.00	
Minimum Fee For Single Permit	\$55.00	
Re-Inspection Fee	\$55.00	
Mechanical Code Appeal	\$100.00	
All Unlisted Permits Per Inspection	\$55.00	
<u>FIRE CODE PERMITS, INSPECTIONS & FEES</u>		
Fire Report	\$15.00	
EMS Report	\$15.00	
Fire Inspection (Annual, Bi-Annual of CO)	No Charge	
Re-Inspection	No Charge	
2 nd Re-Inspection	\$55.00	
3 rd or more Re-Inspection	-	Fee Doubles For Each Subsequent Inspection
Site Plan Review	\$55.00	
Building/Fire Plan Review	\$55.00	
Fire Code Appeal	\$100.00	
Fire Suppression Systems	\$55.00	
Engine Standby Fee	\$150.00	Hourly
Brush Truck Standby Fee	\$75.00	Hourly
HazMat Squad Standby Fee	\$300.00	Hourly
Fire Marshall Standby Fee	\$40.00	Hourly
Paramedic Standby Fee	\$30.00	Hourly
False Alarm (3 rd or M'ore)	\$55.00	Fee Doubles For Each Subsequent Alarm
Ambulance Fees	Actual Cost	The actual cost of ambulance service shall be established according to the reasonable and customary reimbursement allowances used by applicable insurance carriers, as reviewed and approved by the City Manager on a quarterly basis.
<u>OIL & GAS WELL PERMITS & FEES</u>		
Fee Assessed Per Application Per Pad Site		
1st Well Requested On An Application for Pad Site	\$5,000.00	Each Additional Well On Same Application for Same Pad Site Is Same Cost as 1st Well. Also, Additional Wells Requested After Submission of Original Application For Particular Pad Site Shall Be Counted As New Application.
Annual Inspection Per Well	\$2,000.00	\$300 Per Additional Well On Same Pad Site

EXHIBIT B: SCHEDULE OF FEES
(06-12-14 Draft)

Annual Air Sampling & Reporting Fee Per Pad Site For Low-To-Moderate Impact Sites \$12,000.00

Annual Air Sampling & Reporting Fee Per Pad Site For High Impact Sites (To Be Determined By City) \$45,000.00 May Be Paid In Quarterly Installments

Annual Air Sampling & Reporting Fee As Needed \$12,000.00 Per Instance Of Additional Monitoring

BUILDING CODE PERMITS, INSPECTIONS AND PLAN REVIEWS

Construction Table Based On Total Valuation:

\$1.00 to \$500.00	\$23.50	
\$501.00 to \$2,000.00	\$23.50	For the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25	For the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to 50,000.00	\$391.25	For the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75	For the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75	For the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75	For the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 & Up	\$5,608.75	For the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

MISCELLANEOUS

Alterations and Repairs To Existing Structures	-	Per Construction Table Above
Detached Garages	-	Per Construction Table Above
Carports	-	Per Construction Table Above
Patio Covers	-	Per Construction Table Above
Portable Building (Max.150 sq. ft.)	-	Per Construction Table Above
Accessory Building (Max. 150 sq. ft.)	-	Per Construction Table Above
Swimming Pool (Above ground)	-	Per Construction Table Above
Swimming Pool (In-ground)	-	Per Construction Table Above
Fireplace	-	Per Construction Table Above
Demolition	\$55.00	
Underground Storage Tanks (Includes Gas Lines To Tank)	-	Per Construction Table Above
Tent (Commercial) >200 sq.ft.	\$55.00	
Carnival or Temporary Amusement	\$55.00	
Canopy> 400 sq.ft.	\$55.00	

EXHIBIT B: SCHEDULE OF FEES
(06-12-14 Draft)

Signs	-	Per Construction Table Above
Fence	-	Per Construction Table Above
Drive Approach	\$55.00	
Reinspection Fee	\$55.00	
Moving Buildings into the City	\$100.00	
Building Code Appeal	\$100.00	

PLUMBING CODE PERMITS & INSPECTIONS

Single Family, Duplex, Townhouse, Etc.	\$0.06	Per Square Foot
Apartments, Condominiums, Triplex, Etc.	\$0.05	Per Square Foot
Commercial/Industrial New Construction	\$0.06	Per Square Foot
Unit Fee Schedule		
Each Plumbing Fixture, Trap or Set Fixture, Etc.	\$55.00	
Each Building Water Line	\$55.00	
Each Building Sewer Line	\$55.00	
Installation/Repair of Water Piping and/or Water Treatment Equipment	\$55.00	
Repair or Alteration of Drainage or Vent Piping	\$55.00	
Each Lawn Sprinkler System On Any One Meter, Including Backflow Protection	\$55.00	
Private Sewage Disposal System	\$55.00	
Industrial Waste Pre-Treatment Interceptor	\$55.00	
Gas Fired Applicable W/Special Vent Pipe	\$55.00	
Each Gas Piping System (1-4 Outlets)	\$55.00	
Each Gas Piping System (5 Plus More Outlets)	\$55.00	
Repair of Existing Piping	\$55.00	
Fireplace Piping & Valve	\$55.00	
Gas Line Pressure Check	\$55.00	
Yard Line Pressure Check	\$55.00	

MISCELLANEOUS

Reinspection Fee	\$55.00	
Minimum Calculation		
Single Residence	\$55.00	
Non-Residence Unit	\$55.00	
Plumbing Code Appeal	\$100.00	
All Unlisted Permits Per Inspection	\$55.00	

ELECTRICAL CODE PERMITS & INSPECTIONS

Single Family, Duplex, Townhouse, Etc.	\$0.06	Per Square Foot
Apartments, Condominiums, Triplex, Etc.	\$0.05	Per Square Foot
Commercial/Industrial New Construction	\$0.06	Per Square Foot

EXHIBIT B: SCHEDULE OF FEES
(06-12-14 Draft)

In-Ground, Residential Swimming Pool	\$110.00
Electric Generators Used By Carnival, Circuses, Travling Shows, Exhibits	\$55.00

MISCELLANEOUS

Fixed Residential Appliances Or Receptacle Outlets, Etc. (As In City Code)	\$55.00
Receptacles, Switch, Lighting or Other Outlet Holding Devices	\$55.00
Services of 600 Volts or Less:	
Not Over 200 Amps	\$55.00
Over 600 Volts or Over 1,000 Amps	\$55.00
(As in City Code) each Power Apparatus	\$2.00
Rating in Horsepower, Etc.	
Up To & Including 1, Each	\$55.00
Over 1, Up To 10, Each	\$55.00
Over 10, Up To 50, Each	\$55.00
Over 50, Up To 100, Each	\$55.00
Over 100, Each	\$55.00
Signs, Outline Lighting or Marquees From	
One Branch Circuit, Each	\$55.00
Additional Branch Outlets	\$55.00
Temporary Power To Any Structure (Max 90 Days)	\$55.00
Miscellaneous	
Minimum For Any Single Permit, Except Temporary	\$55.00
Construction Pole Reconnects	
Reinspection Fee	\$55.00
Electrical Code Appeal	\$100.00
All Unlisted Permits Per Inspection	\$55.00

REGISTRATION

Contractor Registration Fees In Accordance With Article XIII, Chapter 4 of This Code		
Initial Registration	\$100.00	
Annual Renewal	\$50.00	
Sub-Division Construction Inspection Fees	4%	Of Construction Cost
Tree Permit	\$150	Per Acre With \$150 Minimum

WATER & WASTEWATER FEES

Water Tap Fee (No Street Cut)		
¾"	\$475.00	Plus \$300 Meter Set Fee Plus Cost Of Meter
1"	\$525.00	Plus \$350 Meter Set Fee Plus Cost Of Meter
1 ½"	\$950.00	Plus \$550 Meter Set Fee Plus Cost Of Meter
2"	\$1,075.00	Plus \$700 Meter Set Fee Plus Cost Of Meter
3" or Larger	Actual Cost	Plus Actual Cost Meter Set Fee Plus Cost Of Meter
Water Tap Fee (With Street Cut or Bore)		
¾"	\$925.00	Plus \$300 Meter Set Fee Plus Cost Of Meter

EXHIBIT B: SCHEDULE OF FEES (06-12-14 Draft)

1"	\$975.00	Plus \$350 Meter Set Fee Plus Cost Of Meter
1 ½"	\$1,400.00	Plus \$550 Meter Set Fee Plus Cost Of Meter
2"	\$1,525.00	Plus \$700 Meter Set Fee Plus Cost Of Meter
3" or Larger	Actual Cost	Plus Actual Cost Meter Set Fee Plus Cost Of Meter
Sewer Tap Fee (No Street Cut)		
4"	\$425.00	
6"	\$600.00	
8" or Larger	Actual Cost	
Sewer Tap Fee (With Street Cut or Bore)		
4"	\$875.00	
6"	\$1,050.00	
8" or Larger	Actual Cost	
Meter Calibration Fee		
City Staff	\$45.00	Only If Meter Determined Accurate
Independent Testing Company	\$125.00	Only If Meter Determined Accurate
Meter Tampering Fee		
Tampering with Meter	\$100.00	Per Offense Plus Cost Of Repair/Replacement
Tampering with Lock or Cutting Lock	\$100.00	Per Offense Plus Cost Of Repair/Replacement

Date: June 12, 2014

Agenda Item No: REGULAR ITEMS - E.

I. Subject:

Consider approval of the 2014 Board and Commission appointment process and calendar.

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

Based on the timeline as described in Resolution 404 (attached), staff is proposing the following calendar for the 2014 board and commission appointment process. There is a calendar attached as well.

- July 1: 1st Notification in Newsletter/Flyers
- July 31: DUE response of want to VACATE or REAPPLY from current board members whose terms expire this year.
- Aug 1: 2nd Notification in Newsletter/Flyers
- Aug 8: Applications become available (online only)
- Sept 1: 3rd Notification in Newsletter/Flyers
- Sept 12: APPLICATIONS DUE BY 5:00PM
- *Sept 18: Special Budget Meeting*
- **Sept 22, 23, 24: Interviews with Council**
- *Sept 25: Special Budget Meeting (if needed)*
- Sept 26: Deadline to notify all applicants of Council's intentions
- Oct 2: Deadline for candidate response
- **Oct 9: Official appointments made at regular Council Meeting** (Will include work session item to allow to time to adjust for candidate responses)

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Calendar	Council Calendar.docx
2.	R404	R404.pdf

S	M	T	W	T	F	S
July						
		1	2	3	4 Holiday	5
6	7	8	9	10 REGULAR MTG	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		
August						
					1	2
3	4	5	6	7	8 (board apps available)	9
10	11	12	13	14 REGULAR MTG	15 BUDGET WKSHIP	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						
September						
	1 Holiday	2	3	4	5	6
7	8	9	10	11 REGULAR MTG	12(board apps DUE)	13
14	15	16	17	18 SPECIAL MTG Budget	19	20
21	22 INTERVIEWS	23 INTERVIEWS	24 INTERVIEWS	25 SPECIAL MTG Budget/INTERVIEWS	26 (board candidates notified)	27
28	29	30				
October						
			1	2 (deadline to accept/decline nom)	3	4
5	6	7	8	9 REGULAR MTG (board appts made)	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

RESOLUTION NO. 404

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS ESTABLISHING AN APPOINTMENT PROCESS FOR BOARDS AND COMMISSIONS APPOINTED BY CITY COUNCIL.

WHEREAS, it is the desire of the Mayor and City Council to encourage participation by citizens, elected officials and appointed officials in the selection process for all appointments to the City's Boards, Commissions, and Committees; and

WHEREAS, the City Council wishes to recruit and appoint highly qualified individuals to serve on behalf of the residents of Kennedale in various capacities; and

WHEREAS, the City Council believes that the establishment of an official annual appointment process will increase awareness and public interest in serving on city boards.

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

SECTION 1.

The following appointment process shall be used for appointments to existing Boards, Commissions and Committees established and appointed by the City Council and to those Boards, Commissions and Committees subsequently established and appointed by the City Council.

Any existing or subsequently established boards, commissions, or committees whose members are not appointed by City Council shall be filled through a separate application process.

SECTION 2.

Current board and commission members whose terms expire that year must provide notification to the City Secretary's office by July 31st indicating either their interest in reapplying for their current seat or their intent to vacate that seat.

SECTION 3.

For annual appointments, the City Secretary shall advertise vacancies and term expirations for at least sixty (60) days in any of the following ways: on the City's website, in the City newsletter, and with announcements at city council and board meetings.

SECTION 4.

Applications will be made available both online and in paper format for a minimum of thirty (30) days prior to the regular City Council meeting in October. Applications must be fully completed and submitted to the City Secretary's Office on or before the advertised due date. Incomplete

applications will not be considered. Applicants must agree to abide by the city's Code of Ethics and to the guidelines established by the City of Kennedale Board and Commission Handbook. Applicants will be able to indicate specific boards of interest; however, final placement is left to the discretion of City Council.

Reappointments are not automatic and are subject to the discretion of City Council. Present members who wish to continue to serve in their current seat must abide by the process described herein, including the application and interview process.

SECTION 5.

Upon closure of the application period, all applications and any supporting documents shall be sent to City Council. Interviews of all applicants will be conducted by City Council as a whole prior to the official appointment date in October. Applicants will be expected to attend an interview and be familiar with city initiatives and plans. All applicants will be notified of the status of their application prior to the official appointment date.

SECTION 6.

Official appointments will be made at the regular City Council meeting in October.

SECTION 7.

All applications and supporting documentation shall be kept on file in the City Secretary's office for one (1) year. Should a vacancy occur, the applications on file and any new applications received shall be sent to the City Council for review and consideration for appointment by the City Council.

SECTION 8.

This resolution shall be effective upon its approval by the City Council.

APPROVED this 11th day of July, 2013.

APPROVED:



Mayor John Clark

ATTEST:



Amethyst G. Cirno, City Secretary



Date: June 12, 2014

Agenda Item No: REGULAR ITEMS - F.

I. Subject:

Consider approval of 2014 trash utility rates for Progressive Waste Solutions.

II. Originated by:

Sarah Quiett, Utility Billing Administrator

III. Summary:

Please see attachments to describe this item.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Progressive Rates	New Rates for Progressive.pdf
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May 12, 2014

Honorable Mayor and Members of Council
City of Kennedale
405 Municipal Drive
Kennedale, Texas 76060

Re: Price Increase Request:

Dear Honorable Mayor and Members of Council:

Progressive Waste Solutions would like to take this opportunity to express our appreciation for your business. Per our contract we would like to present to you a request for the 2014 rate adjustment. The amount is based on the published Bureau of Labor Standard Consumer Price Index / Urban Consumers (CPI-U DFW)-all items- Jan. 2014. The increase based on CPI is 1% (see attached). The amount of the request for 2014 is equal to \$.11 per home or 1.2%. This rate increase will be both for residential and commercial accounts. The increase would be effective July 1, 2014, if approved. We respectfully ask for your support in order to maintain our operations and continue to meet our financial obligations.

If you have any questions or need additional information, please feel free to contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Norm Bulaich", written over a horizontal line.

Norm Bulaich,
Municipal Manager
Progressive Waste Solutions
817-547-9012-office
817-999-2584-cell

Consumer Price Index - All Urban Consumers DFW

Jan. 2014 216.29

Jan. 2013 213.70

Change in CPI 1.20%

Total Increase	<u>1.20%</u>
-----------------------	---------------------

Current Rate Per Home	\$8.78
------------------------------	---------------

Proposed Rate Per Home	\$8.89
-------------------------------	---------------

Increase Per Home	<u>\$0.11</u>
--------------------------	----------------------

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Databases, Tables & Calculators by Subject

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Data extracted on: May 12, 2014 (9:41:30 AM)

Consumer Price Index - All Urban Consumers

Series Id: CUURA316SA0, CUUSA316SA0
 Not Seasonally Adjusted
 Area: Dallas-Fort Worth, TX
 Item: All items
 Base Period: 1982-84=100

Download: .xls

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2004	175.7		177.7		179.1		179.1		179.7		179.9		178.7	177.8	179.6
2005	180.0		181.3		183.5		184.3		188.9		187.8		184.7	182.0	187.4
2006	188.6		188.4		191.2		191.7		192.0		188.4		190.1	189.7	190.5
2007	188.890		190.156		192.779		194.286		194.847		196.465		193.245	191.057	195.433
2008	197.079		198.596		202.357		206.413		205.883		200.051		201.791	200.118	203.463
2009	198.623		200.039		199.311		200.663		201.802		201.958		200.544	199.494	201.595
2010	202.106		201.982		202.108		200.227		201.882		201.168		201.624	201.908	201.339
2011	203.199		206.967		208.794		208.602		209.255		209.283		207.933	206.768	209.097
2012	209.203		212.618		212.226		211.267		214.033		212.901		212.227	211.520	212.935
2013	213.696		216.465		215.670		216.979		217.068		215.450		215.995	215.550	216.441
2014	216.291		218.715												

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www.bls.gov | Telephone: 1-202-691-5200 | TDD: 1-800-877-8339 | [Contact Us](#)



Progressive Waste Solutions of TX, Inc.

4001 Old Denton Rd, Haltom City, Texas 76117

Contact: Paul Hansen; District Manager

Phone: (817) 222-2221

City of KENNEDALE RATE SHEET

Effective: May 2013 BILLING

RESIDENTIAL CURBSIDE COLLECTION:	\$8.78	per month, per Single-Family Residential Unit
CURBSIDE RECYCLING:	-	per month, per Single-Family Residential Unit
COMMERCIAL HAND COLLECT:	\$19.55	per month, per Commercial Hand Collect Unit
	\$27.17	per month, per Commercial Hand Collect Unit

COMMERCIAL RATE SCHEDULE

CONTAINER SIZE	Lifts Per Week						
	1	2	3	4	5	6	Extra-Lifts
2 Cubic Yd	71.74	108.22	147.42	204.37	294.10	393.62	26.59
3 Cubic Yd	76.42	122.35	163.50	207.27	303.09	410.80	36.57
4 Cubic Yd	100.88	150.33	228.67	299.87	372.63	436.19	46.54
6 Cubic Yd	127.95	203.06	273.59	358.99	455.01	518.82	53.17
8 Cubic Yd	152.49	254.16	352.69	458.71	520.10	566.00	59.82

FRONT LOAD COMPACTOR RATES* (Negotiable)

6 Cubic Yd							
8 Cubic Yd							

Containers w/ Casters	\$ 38.03 per month
Containers w/ Locks or Gates	\$ 8.69 per month

ROLL OFF RATE SCHEDULE

CONTAINER SIZE	ROLL OFF OPEN TOPS						DRY-RUNS
	HAUL	DELIVERY	DAILY RENT	TONNAGE			
20 Cubic Yd	255.94	92.36	4.62	27.16			76.06
30 Cubic Yd	255.94	92.36	4.62	27.16			76.06
40 Cubic Yd	255.94	92.36	4.62	27.16			76.06

Franchise and Billing Fees:

Residential:	10.0%
Commercial:	10.0%

* All rates are inclusive of all franchise and billing fees



Progressive Waste Solutions of TX, Inc.

4001 Old Denton Rd, Haltom City, Texas 76117

Contact: Paul Hansen; District Manager

Phone: (817) 222-2221

City of KENNEDALE RATE SHEET

Effective: July 2014 BILLING

RESIDENTIAL CURBSIDE COLLECTION:	\$8.89	per month, per Single-Family Residential Unit
CURBSIDE RECYCLING:	-	per month, per Single-Family Residential Unit
COMMERCIAL HAND COLLECT:	\$19.78	per month, per Commercial Hand Collect Unit
	\$27.50	per month, per Commercial Hand Collect Unit

COMMERCIAL RATE SCHEDULE

CONTAINER SIZE	Lifts Per Week						
	1	2	3	4	5	6	Extra-Lifts
2 Cubic Yd	72.60	109.52	149.19	206.82	297.63	398.34	26.91
3 Cubic Yd	77.34	123.82	165.46	209.76	306.73	415.73	37.01
4 Cubic Yd	102.09	152.13	231.41	303.47	377.10	441.42	47.10
6 Cubic Yd	129.49	205.50	276.87	363.30	460.47	525.05	53.81
8 Cubic Yd	154.32	257.21	356.92	464.21	526.34	572.79	60.54

FRONT LOAD COMPACTOR RATES* (Negotiable)

6 Cubic Yd							
8 Cubic Yd							

Containers w/ Casters \$ 38.49 per month

Containers w/ Locks or Gates \$ 8.79 per month

ROLL OFF RATE SCHEDULE

CONTAINER SIZE	ROLL OFF OPEN TOPS					
	HAUL	DELIVERY	DAILY RENT	TONNAGE		DRY-RUNS
20 Cubic Yd	259.01	93.47	4.68	27.49		76.97
30 Cubic Yd	259.01	93.47	4.68	27.49		76.97
40 Cubic Yd	259.01	93.47	4.68	27.49		76.97

Franchise and Billing Fees:

Residential: 10.0%

Commercial: 10.0%

* All rates are inclusive of all franchise and billing fees

Date: June 12, 2014

Agenda Item No: REGULAR ITEMS - G.

I. Subject:

Consider approval of Ordinance 551, amending membership qualifications for the Keep Kennedale Beautiful Commission.

II. Originated by:

Kelly Cooper, Director of Human Resources

III. Summary:

The Keep Kennedale Beautiful Commission has experienced several board member resignations this year. Several potential candidates have been interested in becoming a member but are not eligible because they live just outside the city boundaries, even though they have children in the KISD schools and are active in the community.

As part of the strategic planning process the board discussed options to expand board membership through interested candidates who live within the KISD boundaries. To accomplish this goal, a change in the KKB Ordinance is required.

KKB met and discussed this action at their May 13, 2014 meeting and unanimously approved this recommendation to City Council. The KKB recommendation is requesting that up to three board positions be made available for interested candidates who lived within the KISD boundaries.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	O551	O551 - Amending Memership Qualifications for KKB.docx
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ORDINANCE NO. 551

AN ORDINANCE AMENDING CHAPTER 16 OF THE KENNEDALE CITY CODE, ARTICLE VII, KEEP KENNEDALE BEAUTIFUL COMMISSION, AS AMENDED; BY AMENDING THE NUMBER OF MEMBERS AND QUALIFICATIONS; 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, the City Council previously adopted regulations governing the Keep Kennedale Beautiful Commission; and

WHEREAS, The City Council now desires to amend said regulations; and

WHEREAS, a public hearing was held by the City Council of the City of Kennedale, Texas, on June 12, 2014 with respect to the amendments described herein; and

WHEREAS, all requirements of law dealing with notice and publication and all procedural requirements have been complied with in accordance with the Local Government Code;

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

SECTION 1.

Section 16-96. Membership of the Kennedale City Code is hereby amended to read as follows:

- (a) Appointed by majority vote of the city council, this commission shall consist of nine (9) regular members designated by places 1 through 9. Appointments shall take place in October of each year, with places 1, 3, 5, 7, and 9 appointed in odd numbered years and places 2, 4, 6, and 8 appointed in even numbered years. The term for each place shall be two (2) years. Members must meet the following qualifications:

- (1) Be a registered voter of the city;
 - (2) Shall have resided in the corporate limits of the city for at least one (1) year; and
 - (3) Continue residency in the city during the term of office.
- (b) Up to three (3) places on the Commission may be filled by individuals who live outside the corporate limits of the city, but within the boundaries of the Kennedale Independent School District. These members must meet the following qualifications:
- (1) Shall demonstrate a commitment to the mission of the Commission;
 - (2) Shall have resided within the boundaries of the Kennedale Independent School District for at least one (1) year; and
 - (3) Continue residency in the school district during the term of office.
- (b) The city council shall appoint a replacement to fill any vacancy for the unexpired term of the members whose place has become vacant.
- (c) The city council shall have the authority to remove any member at any time, with or without cause.

SECTION 3.

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

SECTION 4.

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 5.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED THIS 12th DAY OF June, 2014.

Mayor, Brian Johnson

ATTEST:

City Secretary, Amethyst G. Sloane

APPROVED AS TO FORM AND LEGALITY:

City Attorney Wayne K. Olson