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KENNEDALE CITY COUNCIL

AGENDA
REGULAR MEETING
September 11, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

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

I. CALL TO ORDER

II. WORK SESSION

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

A. Operational Update.
- Economic Development
- Planning
- Public Works
- Stormwater
- Growth Corridor

III. REGULAR SESSION

IV. ROLL CALL

V. INVOCATION

VI. UNITED STATES PLEDGE

VII. TEXAS PLEDGE

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

VIII. VISITOR/CITIZENS FORUM

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

IX. REPORTS/ANNOUNCEMENTS

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

A. Updates from the Mayor.

B. Updates from Councilmembers.

C. Updates from the City Manager.

X. CONSENT ITEMS

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

A. Consider executing an Interlocal Agreement with Tarrant County for pavement reconstruction at the Kennedale Public Works Facility.

B. Consider approval of minutes from August 14, 2014 regular meeting.

C. Consider approval of minutes from August 15, 2014 special meeting.

D. Consider approval of Fort Worth Wholesale "Water" Customer Advisory Committee (WCAC) Members.

E. Consider approval of Fort Worth Wholesale "Wastewater" Customer Advisory Committee (WCAC) Members.

F. Consider renewing an Interlocal Agreement with Tarrant County for High Ridge Road/Link Street.

XI. REGULAR ITEMS

A. Public hearing to receive input on the Fiscal Year 2014-2015 Proposed Budget.

1. Staff Presentation
2. Public Hearing
3. Staff Response and Summary
4. Council Action

B. Public hearing to receive input on the Fiscal Year 2014-2015 Tax Revenue Increase.

1. Staff Presentation
2. Public Hearing
3. Staff Response and Summary

C. Consider casting a ballot for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election.

D. Consider appointing Kelly Cooper as the interim City Secretary.

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.

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 city council seeks to locate within the city limits.

1. Discuss projects at 1298 W Kennedale Parkway.
2. Discuss projects at 5409 High Ridge Road.

C. The City Council will meet in closed session pursuant to Section 551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property for the following:

1. Discuss Land Acquisition groundwater storage tanks in the areas of Dick Price Road and Linda Road, and Eden Road/Swiney-Hiett Rd/Mansfield Cardinal Road.

D. The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1. Personnel - Discuss hiring new City Secretary

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

XIV. ADJOURNMENT

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

CERTIFICATION

I certify that a copy of the September 11, 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.

____

City Secretary

Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: WORK SESSION - A.

I. Subject:
Operational Update.
- Economic Development
- Planning
- Public Works
- Stormwater
- Growth Corridor

II. Originated by:

Bob Hart

III. Summary:
At this time the City Manager will provide an update.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
None

VII. Alternative Actions:

VIII. Attachments:

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Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - A.

I. Subject:
Updates from the Mayor.

II. Originated by:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - B.

I. Subject:
Updates from Councilmembers.

II. Originated by:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

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Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - C.

I. Subject:
Updates from the City Manager.

II. Originated by:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

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Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: CONSENT ITEMS - A.

I. Subject:
Consider executing an Interlocal Agreement with Tarrant County for pavement reconstruction at the Kennedale Public Works Facility.

II. Originated by:

Bob Hart

III. Summary:
This agreement will allow for paving of the parking lot at the Kennedale Public Works facility, which will bring the property into compliance with storm water pollution and other associated initiatives.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	interlocal agreement	20140822161108611.tif

THE STATE OF TEXAS

INTERLOCAL AGREEMENT

COUNTY OF TARRANT

BACKGROUND

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

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

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

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

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

The Parties therefore agree as follows:

TERMS AND CONDITIONS

1. COUNTY RESPONSIBILITY

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

The pavement reconstruction of approximately 3036 square yards at the City of Kennedale Public Works Facility ("FACILITY") located at 150 N. Little School Road. This reconstruction will include:

1.1 Shape and Grade;
1.2 Stabilize and compact sub-grade at a depth of eight (8) inches;
1.3 Apply asphalt emulsion prime coat;
1.4 Place and compact four (4) inches of Type B Hot Mix Asphalt Concrete in high traffic areas;
1.4 Place and compact two (2) inches of Type D Hot Mix Asphalt Concrete in high traffic areas;
1.5 Place and compact three (3) inches of Type D Hot Mix Asphalt Concrete in parking areas.

2. CITY RESPONSIBILITY

2.1 CITY will pay all trucking charges and furnish all materials for the project including stabilization materials, hot mix asphalt, asphalt emulsion and flexible base.

2.2 CITY will furnish a site for dumping waste materials generated during this project.

2.3 CITY will furnish all rights of way, plan specifications and engineering drawings.

2.4 CITY will furnish necessary traffic controls including Type A barricades to redirect traffic flow within the FACILITY during the construction phase of the project.

2.5 If a Storm Water Pollution Prevention Plan is required, the CITY will be responsible for the design and development of the Plan. CITY will pay for all cost (including subcontractor materials, labor and equipment) associated with the implementation and maintenance of the Plan.

2.6 CITY will ensure that the project is cleared of obstructions which could damage county equipment during construction.

2.7 CITY will verify the location of all utility locations, mark those locations and then remove the utilities that will interfere with the progress of the project.

2.8 CITY will provide a stockpile site for materials used for this project.

2.9 CITY will provide soil lab testing for this project.

2.10 CITY will pay COUNTY $6,700.00 for the labor and equipment involved with this project.

3. PROCEDURES DURING PROJECT

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

4. NO WAIVER OF IMMUNITY

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

5. OPTIONAL SERVICES

5.1 If requested by CITY, the COUNTY may apply permanent striping;

5.2 If necessary, COUNTY may furnish flag persons;

5.3 If required, the CITY will pay for engineering services, storm water run-off plans, and continuation of services and plan;

6. TIME PERIOD FOR COMPLETION

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

7. THIRD PARTY

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

8. JOINT VENTURE & AGENCY

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

9. EFFECTIVE DATE

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

COUNTY OF TARRANT	CITY OF KENNEDALE
________________________ COUNTY JUDGE Date: _______________	________________________ AUTHORIZED CITY OFFICIAL Date: _______________
Attest:	Attest:
________________________ APPROVED AS TO FORM*	________________________ ASSISTANT CITY ATTORNEY
________________________ ASSISTANT DISTRICT ATTORNEY	________________________ CITY SECRETARY
________________________ COMMISSIONER PRECINCT TWO ANDY NGUYEN	

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

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Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: CONSENT ITEMS - B.

I. Subject:
Consider approval of minutes from August 14, 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	08.14.2014 CC Minutes.doc

KENNEDALE CITY COUNCIL
MINUTES
REGULAR MEETING
August 14, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

I. CALL TO ORDER

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

II. WORK SESSION

A. Discuss bid award for health, dental, life and AD&D, and voluntary life insurance.

Kelly Cooper approached the Council, noting that our current provider (Aetna) came in at a 15% increase with decrease of service and change of plan. Staff recommends a move to Blue Cross/Blue Shield for medical and MetLife for Dental.

B. Discuss the bids for 'Kennedale Parkway Sidewalk Improvements' project.

Bids for this project were opened on Tuesday August 5th. Six bids were received. The lowest bid was NorthStar Construction, at approximately $913,000.00. All bidders were TXDOT approved. This project is 80% funded by TXDOT, 20% by the City.

C. Review the Employment Center Code.

Rachel Roberts approached the Council, noting that the first phase of this code was approved last year. The update in front of Council today adds provisions that encourage redevelopment of existing properties and allows for some enhancements to existing buildings to be approved by staff instead of having to go before the Board of Adjustment.

D. Discuss the lease of city infrastructure space to Nextlink for the placement of telecommunications equipment.

Bob Hart noted that this company, which is based in Weatherford, provides wireless high-speed internet. This company would like to lease space on the city's water towers for their equipment, which would provide high-speed service throughout Kennedale as well as hot spots in city parks. Mr. Hart noted that the city attorney is currently reviewing the contract, and asked that Council consider approving the contract subject to the attorney's approval.

E. Discuss any other items on the agenda.

No other items were discussed.

Mayor Johnson recessed into executive session at 6:00PM.

III. 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 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 city council seeks to locate within the city limits.

Mayor Johnson reconvened into executive session at 6:50PM. The Council took a ten minute break prior to the start of the regular session.

IV. REGULAR SESSION (7:00PM)

V. ROLL CALL

Present: Brian Johnson, Charles Overstreet, Michael Walker, Kelly Turner, Frank Fernandez, Liz Carrington
Absent: none

VI. INVOCATION

VII. UNITED STATES PLEDGE

VIII. TEXAS PLEDGE

IX. VISITOR/CITIZENS FORUM

No one signed up to speak.

X. REPORTS/ANNOUNCEMENTS

A. Updates from the Mayor.
- Board application process
- Free YAC Movie event in TownCenter Park on August 23

Mayor Johnson noted that the online application for this year's board appointments would be available until September 12.

B. Updates from City Council.

Councilmember Overstreet went to the Tarrant County Mayor's Council meeting in Mayor Johnson's stead, and that he visited the Trinity River Authority with Bob Hart to discuss the village creek project.

Councilmember Walker announced that the Texas Hunter's Extravaganza was this weekend.

Councilmember Fernandez thanked the Kennedale public safety team for their outstanding work during the recent salvage yard fire. Councilmembers Turner and Carrington echoed these sentiments.

C. Updates from the City Manager.

Bob Hart noted that the annual budget workshop would be held tomorrow at 8:30AM in the Council Chambers.

D. Organizational Performance Report.

Bob Hart provided a brief update on the balanced scorecard, noting that it would be discussed at tomorrow's budget meeting.

XI. CONSENT ITEMS

Mayor Johnson asked that Consent item C be addressed separately.

A. Consider approval of minutes from the July 10, 2014 regular meeting.

B. Consider approval of bid award for health, dental, life and AD&D, and voluntary life insurance and authorize the City Manager to execute all associated contracts.

C. Consider awarding a bid for 'Kennedale Parkway Sidewalk Improvements' project to Northstar Construction, Inc.

D. Consider authorizing the City Manager to execute a lease contract with Nextlink for the placement of telecommunications equipment on city property.

Motion To approve consent agenda items A, B, and C as presented. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Liz Carrington.
Motion Passed Unanimously

Motion To authorize the City manager to execute a lease contract with Nextlink for the placement of telecommunications equipment on city property, pending on the city attorney's approval. **Action** Approve, **Moved By** Liz Carrington, **Seconded By** Frank Fernandez.
Motion Passed Unanimously

XII. REGULAR ITEMS

A. **CASE # PZ 14-06** Public hearing to receive comments and consider approval of Ordinance 552 amending Chapter 17, Article VI, "Zoning", of the code of ordinances of the City of Kennedale, Texas, as amended, by amending Section 17-415A "EC" employment center district of the Kennedale City Code and Exhibit "A" for same.

1. Staff Presentation
   Rachel Roberts noted that this item was discussed during the work session.

2. Public Hearing
   Mayor Johnson opened the public hearing. No one signed up and the hearing was closed.

3. Staff Response and Summary
   No response was necessary.

4. Action by City Council on Ordinance 552

   Motion To approve Ordinance 552 as presented. **Action** Approve, **Moved By** Kelly Turner,

Seconded By Liz Carrington.
Motion Passed Unanimously

B. **CASE # PZ 14-07** Public hearing and consideration of approval of Ordinance 553 regarding a request for a city-initiated zoning change from “C-2” General commercial district to “EC” Employment Center district for approximately 3.1 acres located at 5411 Kennedale Pkwy, 1298 & 1302 W Kennedale Pkwy, 5500 E IH 20, and an unaddressed parcel on E IH 20, legal description of David Strickland Survey A1376 Tr 32B01 & 32D, M J Freeman Addn Blk 1 Lot 1, Broyles Addn Blk 1 Lot 1 & Part of closed street, and Dunlap Subdivision Blk 1 Lot 1, Kennedale, Tarrant County, Texas.

1. Staff presentation
   Rachel Roberts noted that this proposed rezoning at the corner of Kennedale Parkway and I-20.

2. Public hearing
   Mayor Johnson opened the public hearing. No one signed up and the hearing was closed.

3. Staff response and summary
   No response was necessary.

4. Action by City Council on Ordinance 553

   Motion To approve Ordinance 553 as presented. **Action** Approve, **Moved By** Frank Fernandez, **Seconded By** Liz Carrington.
   Motion Passed Unanimously

C. Public Hearing and consideration to approve Resolution 428, allowing the Kennedale Economic Development Corporation to authorize the EDC President to execute an Economic Performance Agreement for development of property at 1298 W. Kennedale Parkway.

This is the second public hearing for this item. Bob Hart noted that this item dealt with an incentive package for a potential restaurant at this location. This incentive would waive up to $150,000 in sales tax and building permit fees.

Mayor Johnson opened the public hearing. No one signed up and the hearing was closed.

Motion To approve Resolution 428 presented. **Action** Approve, **Moved By** Liz Carrington **Seconded By** Charles Overstreet.
Motion Passed Unanimously

XII. ADJOURNMENT

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

The meeting was adjourned at 7:17PM.

APPROVED: ATTEST:

Mayor Brian Johnson

City Secretary Amethyst G. Sloane

Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: CONSENT ITEMS - C.

I. Subject:
Consider approval of minutes from August 15, 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	08.15.2014 CC Minutes.doc

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Kennedale Economic
Development Corporation
www.cityofkennedale.com

KENNEDALE CITY COUNCIL

MINUTES
SPECIAL MEETING – 8:30 AM
August 15, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

I. CALL TO ORDER

Mayor Johnson called the meeting to order at 8:30AM.

II. ROLL CALL

Present: Brian Johnson, Charles Overstreet, Michael Walker, Kelly Turner, Frank Fernandez, Liz Carrington
Absent: none

III. WORK SESSION

A. Review Effective & Rollback Tax Rate Summary.

Sakura Moten Dedrick gave a brief update on this subject.

B. Fiscal Year 2014/2015 Proposed Budget workshop.

The City Manager and department heads presented the FY2014-2015 proposed budget to City Council.

IV. REGULAR SESSION

V. REGULAR ITEMS

A. Discuss and consider approval of Resolution 429 of the City Council of the City of Kennedale, Texas, approving the placement of a proposal on the September 25, 2014 City Council Public Meeting agenda to adopt a 2014 tax rate that will exceed the lower of the rollback rate or the effective tax rate; calling public hearings on a tax increase to be held on September 11, 2014 and September 18, 2014.

Motion To approve Resolution 429 as Presented.

(Read aloud)

“The City Council desires to consider adoption a tax rate for the 2014 tax year of *$0.747500 per $100 valuation* that will exceed the lower of the rollback rate or the effective tax rate.

The City Council hereby approves the placement of an item on the September 25, 2014 City Council public meeting agenda, such meeting being a special called Council meeting, to vote on a proposed tax rate of *$0.74750 per $100 valuation* that will exceed the lower of the rollback rate or the effective tax rate.

The City Council hereby calls public hearings on the proposed tax increase to be held in the City Hall Council Chambers located at 405 Municipal Drive, Kennedale, Texas 76060 on *September 11, 2014 at 7:00 p.m.* and *September 18, 2014 at 5:30 p.m.*, such dates being weekdays which are not public holidays. The first public hearing will not be held until at least seven (7) days after notice of both public hearings have been published in the Fort Worth Star Telegram, a newspaper having general circulation within the City. The City Secretary is hereby directed to publish such notice in accordance with this Resolution and Texas Tax Code §26.06. At both public hearings, the City Council will afford adequate opportunity for both proponents and opponents of the tax increase to present their views."

Action Approve, **Moved By** Charles Overstreet, **Seconded By** Liz Carrington.
Motion Passed Unanimously

VI. ADJOURNMENT

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

The meeting was adjourned at 11:35AM.

APPROVED:	ATTEST:
______________________________	______________________________
Mayor Brian Johnson	City Secretary Amethyst G. Sloane

Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: CONSENT ITEMS - D.

I. Subject:
Consider approval of Fort Worth Wholesale "Water" Customer Advisory Committee (WCAC) Members.

II. Originated by:

Sakura Moten-Dedrick, Director of Finance & IT

III. Summary:

Per Fort Worth's request, the City of Kennedale must appoint/re-appoint two designated representative every two (2) years to serve on the Wholesale Customer Advisory Committee (WCAC) for FY14/15 - FY15/16 and return the enclosed forms. Below is a history of designations for the "Water" board::

<u>FY08/09 - FY09/10</u>
Sakura Moten-Dedrick, Director of Finance & IT (Voting Member)
Larry Ledbetter, Public Works Director (Non-Voting Member)

<u>FY10/11 - FY11/12</u>
Sakura Moten-Dedrick, Director of Finance & IT (Voting Member)
Mary Goza, Water Utilities, Analyst/Operator (Non-Voting Member)

<u>FY12/13 - FY13/14</u>
Sakura Moten-Dedrick, Director of Finance & IT (Voting Member)
Mary Goza, Water Utilities, Analyst/Operator (Non-Voting Member)

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

For FY14/15 - FY15/16, staff recommends the following individuals serve on the aforementioned "Water" Committee and represent the City of Kennedale:

Sakura Moten-Dedrick, Director of Finance & IT (Voting Member)
Mary Goza, Water Utilities, Analyst/Operator (Non-Voting Member)

VIII. Attachments:

1.	Water Appointment Letter/Forms	20140903145826817.pdf

FORT WORTH®

27 August 2014

Dear Wholesale Customer,

The time is upon us once again to appoint your city/town's designated representative for the Wholesale Customer Advisory Committee (WCAC) for the FY 2014 - 2016 time period. We have included the submitted WCAC sheets from FY 2012 - 2014 for your review. Please utilize the enclosed appointment forms to submit your city/town's designated voting and alternate appointees, even if there are 'no changes' to the appointees. Please ensure that the returned forms **include the city/town's embossed official seal.** If the city/town's embossed official seal is not affixed to the appointment form, the City of Fort Worth will be unable to accept the designated appointed representative. The updating of our comprehensive database is necessary in order to ensure that the appropriate individuals within your organization are contacted regarding meetings, water department studies, and other informational items directly affecting our wholesale customers.

The enclosed forms should be returned to the Wholesale section no later than **Wednesday, September 24, 2014** in order to have your WCAC customer representative(s) eligible to vote at the Wholesale Customer Advisory Committee meetings. Please ensure that appointment forms are returned to:

City of Fort Worth
Water Department – Wholesale Section
ATTN: Ceiti Johnson
1000 Throckmorton
Fort Worth, TX 76102

Best Regards,

Ceiti R. Johnson
Wholesale Liaison
Ceiti.Johnson@fortworthtexas.gov
817-392-8422

VOTING – WATER

APPOINTMENT FORM
WHOLESALE CUSTOMER ADVISORY COMMITTEE

DATE: 09/03/14

WHOLESALE CUSTOMER: City of Kennedale

The following individual has been officially appointed by the **CUSTOMER's GOVERNING BODY**, under the terms of the Wholesale Contract for Services, Section 15.1, as the **VOTING MEMBER** of the Water System Advisory Committee for the Fiscal Year beginning October 1, 2014 through September 30, 2016.

Sakura Moten-Dedrick
Name

405 Municipal Drive
Mailing Address

Director of Finance & IT
Title

Kennedale, TX 76060

(817) 985-2110
Phone

(817) 483-0720
Fax

N/A
Mobil Phone

N/A
Pager

sdedrick@cityofkennedale.com
Email Address

Official Seal

____
Mayor/Board President

Please complete and return to:

WHOLESALE SECTION
City of Fort Worth – Water Department
1000 Throckmorton
Fort Worth, Texas 76102

Attention: **Ceiti R. Johnson** 817-392-8422 **OR** **Henry Lemlyn** 817-392-8413

ALTERNATE – WATER

APPOINTMENT FORM
WHOLESALE CUSTOMER ADVISORY COMMITTEE

DATE: 09/03/14

WHOLESALE CUSTOMER: City of Kennedale

The following individual has been officially appointed by the **CUSTOMER's GOVERNING BODY**, under the terms of the Wholesale Contract for Services, Section 15.1, as the **ALTERNATE MEMBER** of the Water System Advisory Committee for the Fiscal Year beginning October 1, 2014 through September 30, 2016.

Mary Goza
Name

Water Utilities Analyst
Title

(817) 985-2170
Phone

(817) 201-7850
Mobil Phone

mgoza@cityofkennedale.com
Email Address

405 Municipal Drive
Mailing Address

Kennedale, TX 76060

(817) 985-2115
Fax

N/A
Pager

Mayor/Board President

Official Seal

Please complete and return to:

WHOLESALE SECTION
City of Fort Worth – Water Department
1000 Throckmorton
Fort Worth, Texas 76102

Attention:	**Ceiti R. Johnson** **817-392-8422**	**OR**	**Henry Lemlyn** **817-392-8413**

Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: CONSENT ITEMS - E.

I. Subject:
Consider approval of Fort Worth Wholesale "Wastewater" Customer Advisory Committee (WCAC) Members.

II. Originated by:

Sakura Moten-Dedrick, Director of Finance & IT

III. Summary:

On September 11, 2014, the City Council approved the appointment of the following individuals to serve on the Wholesale "Water" Customer Advisory Committee (WCAC) for FY14/15 - FY15/16:

Sakura Moten-Dedrick, Director of Finance & IT (Voting Member)
Mary Goza, Water Utilities Analyst/Operator (Non-Voting Member)

Per Fort Worth's request, the City of Kennedale must also appoint/re-appoint two designated representative to serve on the Wholesale "Wastewater" Customer Advisory Committee (WCAC) for FY14/15 - FY15/16 and return the enclosed forms. It is highly recommended that different individuals be appointed to each position on the differing "Water" and "Wastewater" board, since a single person is only allowed to vote one time, regardless of their designation. Below is a history of designations for "Wastewater":

FY10/11 - FY11/12
Larry Ledbetter, Public Works Director (Voting Member)
Bob Hart, City Manager (Non-Voting Member)

FY12/13 - FY13/14
Larry Ledbetter, Public Works Director (Voting Member)
Bob Hart, City Manager (Non-Voting Member)

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

For FY14/15 - FY15/16, staff recommends the following individuals serve on the aforementioned "Wastewater" Committee and represent the City of Kennedale:

Larry Ledbetter, Public Works Director (Voting Member)
Bob Hart, City Manager (Non-Voting Member)

VIII. Attachments:

1.	Wastewater Appointment Letter/Forms	20140903150551048.pdf

FORT WORTH®

27 August 2014

Dear Wholesale Customer,

The time is upon us once again to appoint your city/town's designated representative for the Wholesale Customer Advisory Committee (WCAC) for the FY 2014 - 2016 time period. We have included the submitted WCAC sheets from FY 2012 - 2014 for your review. Please utilize the enclosed appointment forms to submit your city/town's designated voting and alternate appointees, even if there are 'no changes' to the appointees. Please ensure that the returned forms **include the city/town's embossed official seal.** If the city/town's embossed official seal is not affixed to the appointment form, the City of Fort Worth will be unable to accept the designated appointed representative. The updating of our comprehensive database is necessary in order to ensure that the appropriate individuals within your organization are contacted regarding meetings, water department studies, and other informational items directly affecting our wholesale customers.

The enclosed forms should be returned to the Wholesale section no later than **Wednesday, September 24, 2014** in order to have your WCAC customer representative(s) eligible to vote at the Wholesale Customer Advisory Committee meetings. Please ensure that appointment forms are returned to:

City of Fort Worth
Water Department – Wholesale Section
ATTN: Ceiti Johnson
1000 Throckmorton
Fort Worth, TX 76102

Best Regards,

Ceiti R. Johnson
Wholesale Liaison
Ceiti.Johnson@fortworthtexas.gov
817-392-8422

VOTING – WASTEWATER

APPOINTMENT FORM
WHOLESALE CUSTOMER ADVISORY COMMITTEE

DATE: 09/03/14

WHOLESALE CUSTOMER: City of Kennedale

The following individual has been officially appointed by the **CUSTOMER's GOVERNING BODY**, under the terms of the Wholesale Contract for Services, Section 29, as the **VOTING MEMBER** of the Wastewater System Advisory Committee for the Fiscal Year beginning October 1, 2014 through September 30, 2016.

Larry Ledbetter Name	405 Municipal Drive Mailing Address
Public Works Director Title	Kennedale, TX 76060
(817) 985-2171 Phone	(817) 985-2115 Fax
(817) 538-7383 Mobil Phone	N/A Pager
ll@cityofkennedale.com Email Address	

Mayor/Board President

Official Seal

Please complete and return to:

WHOLESALE SECTION
City of Fort Worth – Water Department
1000 Throckmorton
Fort Worth, Texas 76102

Attention:	**Ceiti Johnson** **817-392-8422**	**OR**	**Henry Lemlyn** **817-392-8413**

ALTERNATE – WASTEWATER

APPOINTMENT FORM
WHOLESALE CUSTOMER ADVISORY COMMITTEE

DATE: 09/03/14

WHOLESALE CUSTOMER: City of Kennedale

The following individual has been officially appointed by the **CUSTOMER's GOVERNING BODY**, under the terms of the Wholesale Contract for Services, Section 29, as the **ALTERNATE MEMBER** of the Wastewater System Advisory Committee for the Fiscal Year beginning October 1, 2014 through September 30, 2016.

Bob Hart
Name

City Manager
Title

(817) 985-2102
Phone

(817) 532-6291
Mobil Phone

bhart@cityofkennedale.com
Email Address

405 Municipal Drive
Mailing Address

Kennedale, TX 76060

(817) 478-7169
Fax

N/A
Pager

Official Seal

Mayor/Board President

Please complete and return to:

WHOLESALE SECTION
City of Fort Worth – Water Department
1000 Throckmorton
Fort Worth, Texas 76102

Attention: **Ceiti Johnson** 817-392-8422 **OR** **Henry Lemlyn** 817-392-8413

Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: CONSENT ITEMS - F.

I. Subject:
Consider renewing an Interlocal Agreement with Tarrant County for High Ridge Road/Link Street.

II. Originated by:

Bob Hart

III. Summary:
Please see the attached agreement.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	interlocal agreement	High Ridge.pdf

STATE OF TEXAS §
§ **Renewal of Interlocal Agreement Court Order No. 115544**
COUNTY OF TARRANT § **Project: High Ridge Road/Link Street**

BACKGROUND

1. Tarrant County ("COUNTY") and the City of Kennedale ("CITY") entered into an Agreement approved by Tarrant County Commissioners Court Order No. 115544, for the cooperative funding of improvements to High Ridge Road and Link Street ("Project") as described in the 2006 Tarrant County Bond Program.

2. The Project is not complete and the COUNTY and the CITY desire to renew the Agreement for the 2015 Fiscal Year.

Therefore, the COUNTY and CITY agree to the following

1. The COUNTY and the CITY renew the Agreement for the COUNTY's 2015 Fiscal Year with the Agreement to expire September 30, 2015 or the completion of the Project as determined by the COUNTY, whichever occurs sooner.

2. The COUNTY and CITY agree to the revised payment schedules.

3. All terms and conditions of the original Agreement as amended remain in effect except to the extent modified by this Renewal.

APPROVED on this day the _______ day of _________________, 20___, by Tarrant County.

Commissioners Court Order No. ______________.

TARRANT COUNTY
STATE OF TEXAS

____
County Judge

APPROVED AS TO FORM:

____
District Attorney's Office*

CITY

____
Signature

APPROVED AS TO FORM AND CONTENT:

____
City Attorney

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

CERTIFICATION OF AVAILABLE FUNDS IN THE AMOUNT OF $________________________:

Certification of Funds Available as follows:

Fiscal year ending September 30, 2007	$
Fiscal year ending September 30, 2008	$
Fiscal year ending September 30, 2009	$
Fiscal year ending September 30, 2010	$
Fiscal year ending September 30, 2011	$
Fiscal year ending September 30, 2012	$
Fiscal year ending September 30, 2013	$
Fiscal year ending September 30, 2014	$
Fiscal year ending September 30, 2015	$250,000

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

Fiscal year ending September 30, 2016	$

	$250,000

____
Auditor's Office

ATTACHMENT A

Project Information

City:	City of Kennedale
Project Name:	Improvements to High Ridge Road/Link Street

Proposed Project Schedule

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

* COUNTY payments by completed phase are contingent upon the COUNTY'S reasonable determination that the work regarding the project phase for which payment is expected is successfully completed, as determined by the COUNTY. COUNTY plans to issue debt for all phases of this project, therefore payment remains contingent on debt issuance in accordance with applicable law.

Once Construction commences, COUNTY payment shall be made by fiscal quarter prorated over the life of the construction but contingent upon reasonable progress in construction as may be determined by the COUNTY.

Proposed County Payment by Phase

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

Proposed County Payment by Calendar Quarter (SUBJECT TO CHANGE)

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

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Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: REGULAR ITEMS - A.

I. Subject:
Public hearing to receive input on the Fiscal Year 2014-2015 Proposed Budget.

1. Staff Presentation
2. Public Hearing
3. Staff Response and Summary
4. Council Action

II. Originated by:

Sakura Moten-Dedrick, Director of Finance & IT

III. Summary:

According to Chapter 102, Section 102.006 of the Local Government Code, "the governing body of a municipality shall hold a public hearing on the proposed budget. Any person may attend and may participate in the hearing." The governing body shall also provide for public notice of the date, time and location of the hearing. This was accomplished in the Fort Worth Star Telegram on August 29, 2014.

City Staff will make a summary presentation prior to council receiving public comments, if any, on the FY2014-2015 Proposed Budget.

Lastly, Section 102.007 of the Local Government Code on Municipal Budget states that "at the conclusion of the public hearing, the body of the municipality shall take action on the proposed budget." Because it is Council's intent to adopt the budget on September 25, 2014 and not at this specific meeting, Council must still take some kind of action to satisfy the aforementioned requirement. Staff recommends that council take formal action to table adoption of the budget at a later time.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve
Postpone/Table
None

VII. Alternative Actions:
This is a public hearing only. The 2014-2015 budget and tax rate will be adopted, and the budget ratified during a special session on September 25, 2014.

<u>IN ORDER TO SATISFY SECTION 102.007 OF THE LOCAL GOVERNMENT CODE, COUNCIL MUST MAKE THE FOLLOWING MOTION</u>:

I MOTION TO APPROVE THE TABLING/MOVING OF THE ADOPTION OF THE FY2014-2015 BUDGET TO SEPTEMBER 25, 2014 SINCE WE WILL NOT BE TAKING SPECIFIC ACTION AT THIS MEETING.

VIII. Attachments:

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Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: REGULAR ITEMS - B.

I. Subject:
Public hearing to receive input on the Fiscal Year 2014-2015 Tax Revenue Increase.

1. Staff Presentation
2. Public Hearing
3. Staff Response and Summary

II. Originated by:

Sakura Moten-Dedrick, Director of Finance & IT

III. Summary:
According to Section 5.05 of the Texas Tax Code, the taxing unit must vote to place a proposal to adopt the proposed tax rate as an action item on the agenda of a future meeting when a proposed rate exceeds the rollback rate or the effective rate, whichever is lower, and hold two public hearings prior to. At its special called budget workshop meeting on August 15, 2014, Council approved the placement of an item to adopt a proposed tax rate not to exceed $.747500 on September 25, 2014 (special session). Furthermore, it scheduled two public hearings on the proposal to occur on September 11 (regular session) and September 18 (special session). The public was notified of both public hearing dates, times and places in the Fort Worth Star Telegram on August 29, 2014.

Taxpayers must have the opportunity to express their views on the revenue increase at each hearing, and the governing body may not adopt the tax rate at either.

City Staff will make a summary presentation prior to council receiving public comments, if any, on the FY2014-2015 Proposed Tax Revenue Increase.

This is a public hearing only. Action will be scheduled during a special called meeting on September 25, 2014. The FY2014-2015 budget and tax rate will be adopted, and the FY2014-2015 budget ratified.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
None

VII. Alternative Actions:
AT EACH OF THE TWO HEARINGS, THE GOVERNING BODY MUST ANNOUNCE THE DATE, TIME AND PLACE OF THE MEETING AT WHICH IT WILL VOTE ON THE TAX RATE AS FOLLOWS:

DATE: SEPTEMBER 25, 2014
TIME: 5:30PM
PLACE: COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE, KENNEDALE, TX 76060

VIII. Attachments:

Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: REGULAR ITEMS - C.

I. Subject:
Consider casting a ballot for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election.

II. Originated by:

Bob Hart

III. Summary:
Please see the attached information.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Ballot	20140822161103358.tif

OFFICIAL BALLOT

Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

This is the official ballot for the election of Places 1 – 4 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an "X" in the square beside the candidate's name or writing in the name of an eligible person in the space provided. You can only vote for one candidate for each place.

The officials listed on this ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees.

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2014. Ballots received after September 30, 2014, cannot be counted. **The ballot must be properly signed and all pages of the ballot must be mailed to: Trustee Election, David Reagan, Secretary of the Board, P. O. Box 149194, Austin, Texas 78714-9194. If the ballot is not signed, it will not be counted.**

PLACE 1

☐ **Robert T. Herrera** (Incumbent). City Manager, City of Cibolo (Region 7) since 2012. Mr. Herrera served as City Manager of Hondo, Texas from 2003 to 2012 and as City Manager of La Porte from 1986 to 2002. He has served other Texas cities, including management positions with the cities of San Marcos, Missouri City and Woodway. He has been a Board member of the TML Intergovernmental Risk Pool since 1993 and has served as Chair and Vice Chair of the Board.

WRITE IN CANDIDATE:

____

PLACE 2

☐ **John W. Fullen** (Incumbent). Commissioner, Henderson Housing Authority (Region 15) since 2011. Mr. Fullen served as Mayor of the City of Henderson from 2004 to 2012, and currently serves on the Henderson Main Street Board (2004–present), Henderson Civic Center Board (2003–present), and the Henderson ETMC Hospital Diabetes Board (2009–present). He has been a Board member of the TML Intergovernmental Risk Pool since 2010.

WRITE IN CANDIDATE:

____

PLACE 3

☐ **George Shackelford**. City Manager for Tomball (region 14) since 2010. He has served the past 30 years either as City Manager or Administrative Assistant for the cities of Canyon, Littlefield, Port Lavaca, Texarkana and Liberty. He has also served on the Texas City Management Association (TCMA) Board, numerous TCMA and regional committees, and as the TCMA representative to the TML Board. Mr. Shackelford is a 30-year member of the ICMA.

WRITE IN CANDIDATE:

____

PLACE 4

☐ **Peter Vargas** (Incumbent). City Manager, City of Allen (Region 13) since 1999. Mr. Vargas received the 2010 Public Administrator of the Year Award from the North Texas American Society for Public Administration. He has been in public service since 1978. Mr. Vargas has been a Board member of the TML Intergovernmental Risk Pool since 2011 and is currently serving as Chair of its Underwriting Committee.

☐ **Rona Stringfellow**. Assistant City Manager, City of Lancaster (Region 13), serving in Lancaster since 2004, initially as a Planner. Ms. Stringfellow also served as a Long Range Planner for the City of McKinney. She is a member of TCMA, ICMA, North Texas City Managers Association, Greater Dallas Planning Council, American Planning Association, American Institute of Certified Planners and National Forum for Black Public Administrators.

WRITE IN CANDIDATE:

____

Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the public entity named below.

Witness by hand, this ________ day of ________________________, 2014.

______________________________ ______________________________
Signature of Authorized Official Title

____
Printed Name of Authorized Official

____
Printed name of Political Entity

Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: REGULAR ITEMS - D.

I. Subject:
Consider appointing Kelly Cooper as the interim City Secretary.

II. Originated by:

Bob Hart

III. Summary:
Staff asks that Kelly Cooper be appointed interim City Secretary, until the position is filled.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

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Staff Report to the Honorable Mayor and City Council

Date: September 11, 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:

Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: EXECUTIVE SESSION - B.

I. Subject:
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 city council seeks to locate within the city limits.

1. Discuss projects at 1298 W Kennedale Parkway.
2. Discuss projects at 5409 High Ridge Road.

II. Originated by:

Bob Hart

III. Summary:
This item will be discussed in executive session.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
None

VII. Alternative Actions:

VIII. Attachments:

Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: EXECUTIVE SESSION - C.

I. Subject:
The City Council will meet in closed session pursuant to Section 551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property for the following:

1. Discuss Land Acquisition groundwater storage tanks in the areas of Dick Price Road and Linda Road, and Eden Road/Swiney Hiett Rd/Mansfield Cardinal Road.

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:

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Staff Report to the Honorable Mayor and City Council

Date: September 11, 2014

Agenda Item No: EXECUTIVE SESSION - D.

I. Subject:
The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1. Personnel - Discuss hiring new City Secretary

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: