

**KENNEDALE CITY COUNCIL
AGENDA
REGULAR MEETING
December 15, 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. Report from the Youth Advisory Council
- B. Report on the Brickworks Festival
- C. Discuss moving the City Council meeting in January due to the Martin Luther King holiday
- D. Discuss senior housing opportunities in Kennedale
- E. Interview board member applicant (to be conducted in the conference room)

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 City Council

C. Updates from the City Manager

- A. Governance Report
- B. Balanced Scorecard
- C. Moody's Review

X. CONSENT ITEMS

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

A. Consider approval of minutes from November 17, 2014 regular meeting

B. City Council to Consider Awarding Contract For Stand Pipe Plumbing and Booster Pump Installation Project

C. Consider approval of the City Council Special Meeting Minutes for December 12, 2014

XI. REGULAR ITEMS

A. Consider appointment of City Secretary and Deputy City Secretary

B. Consider Ordinance 557 approving amendments to the Drought Contingency and Emergency Water Management Plan

C. City Council to consider making an appointment to the Parks and Recreation Board, Board of Adjustment/Building Board of Appeals, and/or Keep Kennedale Beautiful Commission

D. Consider the submittal of a request to the US Postal Service to modify the 76060 zip code boundary

XII. EXECUTIVE SESSION

A. 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 at 6867 Mansfield Cardinal Road.

B. 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.

1. TIRZ related to development agreements

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 December 15, 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.



Kelly Cooper, City Secretary

Date: December 15, 2014

Agenda Item No: WORK SESSION - A.

I. Subject:

Report from the Youth Advisory Council

II. Originated by:

Bob Hart

III. Summary:

Youth Advisory Council will provide a brief report of their activities, events and conferences attended.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: December 15, 2014

Agenda Item No: WORK SESSION - B.

I. Subject:

Report on the Brickworks Festival

II. Originated by:

Kelly Cooper, Director of Human Resources

III. Summary:

April Coltharp will provide an update regarding the plans for the Brickworks Festival.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: December 15, 2014

Agenda Item No: WORK SESSION - C.

I. Subject:

Discuss moving the City Council meeting in January due to the Martin Luther King holiday

II. Originated by:

Bob Hart

III. Summary:

The January regular council meeting, scheduled for January 19th will fall on Martin Luther King Jr. Day. This has been placed on the agenda for confirmation or potential change. Among the issues to consider:

1. Martin Luther King Jr, Day is a city recognized holiday and the offices will be closed.
2. Moving the meeting to the third Monday of each month was approved a month ago and changing it so soon may cause confusion.
3. The Planning and Zoning Commission will meet on January 15th and will have items that need to be forwarded to the city council as soon as possible.
4. Confirming a meeting date will allow staff to advertise notices to accomplish this.
5. Should you decide to move the meeting January 22nd is available (4th Thursday) or January 20th (Tuesday).

Comments/recommendation:

This is a tough call. On one hand the council meetings need to be consistent in terms of days, times, and location- in this case, the third Monday of each month at 5:30. On the other hand, having a meeting on a holiday may send an inappropriate message to the community and conducting a council meeting on a day on which city hall is closed may be confusing. All said, the recommendation is to have the meeting on January 19th but it is given with some reservation.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: December 15, 2014

Agenda Item No: WORK SESSION - D.

I. Subject:

Discuss senior housing opportunities in Kennedale

II. Originated by:

Bob Hart

III. Summary:

City Manager Bob Hart will lead a discussion regarding possible opportunities for senior housing developments within Kennedale.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: December 15, 2014

Agenda Item No: WORK SESSION - E.

I. Subject:

Interview board member applicant (to be conducted in the conference room)

II. Originated by:

City Council, City Council

III. Summary:

Dylan Black requested an application to serve on a board at the Christmas Tree lighting December 2, 2014. There is still a position open (Place 4) on the Parks and Recreation Board which is Dylan's first choice. Additional Board openings include: Board of Adjustment/Building Board of Appeals, Place 8; and Keep Kennedale Beautiful Commission, Place 6

This item will provide City Council with an opportunity to interview and determine which board(s) would be best suited for his skill set.

There is an item on the regular agenda for the appointment.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

1.	Dylan Black Board Application	Dylan Black application.pdf
2.	Board Applicant Interview Questions	Board Interview Questions.docx



KENNEDALE
You're Here, Your Home

405 Municipal Drive, Kennedale, Texas 76060

BOARD/COMMISSION CANDIDATE
Application

Check all Board and Commissions of Interest in rank order of interest (1 being most interested):

- | | |
|---|--|
| ☒ 1 Park and Recreation Board | ☒ 2 Board of Adjustment/ Building Board of Appeals |
| ☒ 4 Planning & Zoning | ☒ 3 Economic Development Corporation Board |
| ☒ 7 Library Advisory Board | ☒ 5 Brickworks Festival Committee |
| ☒ 3 Keep Kennedale Beautiful | |

Name: Dylan Black

Age (Optional): 22

Home Address: 1301 Peggy Lane

Primary Phone: 817-505-9004

Alternate Phone: 817-505-8522

Email: Dwbblack1992@gmail.com

Alt. Contact: Tiffany Dow

Resident of City for 22 Years

Registered Voter (Circle One): YES NO

Education level: College Field of Study: Marketing

Graduation Year: 2014

Additional College or University Attended: Tarrant County Community College

Field of Study & Degree Received: Marketing

Graduation Year:

Current Employer: La Madelines

Position/Title: Catering Specialist

Field/Type of Work: Marketing, hospitality

Have you ever been convicted of a felony? (Circle One):

YES

NO

I am applying as a(n):

____ INCUMBENT. I wish to continue serving on my current board. How many years have you served ____.

✓ NEW MEMBER. I do not currently serve on a board, or would like to be considered for a different board.

Applicants are expected to have a basic understanding of the Comprehensive Plan and the Strategic Plan. Both can be found on the website, www.cityofkennedale.com

Please provide a short biography:

Born and raised in Kennedale, Texas. I've always made an effort being involved in sports, school clubs, and other local events. I worked at Subway as a shift manager through out high school and after graduating I began catering at Corner Bakery while attending TCC for my basics. Today I am the catering specialist for la Madeirines and I am going to wrap up my last year of community college. I would like to continue my studies in marketing and give back to the community with the skills that I have developed and refined. I'm looking to expand my knowledge, grow my skills, meet new faces and to get more involved with my city.

Please list any prior and/or current community and civic involvement:

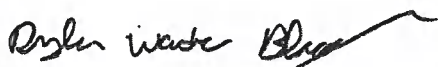
attendance/donations with: Art in The Park, KISD, Santa Fun Run 5K
Regular voter, Adopt a Soldier

Please add any additional comments that you feel may assist the City Council in making a selection:

I am a well-known catering specialist in DFW, and I have hosted/participated in a lot of past events. Being part of an event, and volunteering is my element.

By my signature, I verify that all the information included on this application is true and correct to the best of my knowledge.

Signature:



Date: 12/4/14

RETURN COMPLETED FORM TO THE CITY SECRETARY'S OFFICE,

City of Kennedale, 405 Municipal Drive, Kennedale, Texas 76060

Phone: (817) 985-2106 - E-mail: kcooper@cityofkennedale.com

Board:

Candidate:

Interview Questions

1. Why are you interested in serving (or continuing to serve) on a Board?
2. As a board member, how will you support or work toward the city's vision?
3. How would you handle a situation where you disagreed with a council decision?
4. What would you like to accomplish by serving on a board?
5. What do you think are the top 3 issues facing Kennedale?

Date: December 15, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - A.

I. Subject:

Updates from the Mayor

II. Originated by:

City Council, City Council

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: December 15, 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.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: December 15, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - C.

I. Subject:

Updates from the City Manager

- A. Governance Report
- B. Balanced Scorecard
- C. Moody's Review

II. Originated by:

Bob Hart

III. Summary:

Updates and information, if any.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

Date: December 15, 2014

Agenda Item No: CONSENT ITEMS - A.

I. Subject:

Consider approval of minutes from November 17, 2014 regular meeting

II. Originated by:

Kelly Cooper, Director of Human Resources

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.	City Council minutes 11.17.2014	CC Minutes.11.17.2014.docx
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KENNEDALE CITY COUNCIL
MINUTES
November 17, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

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

I. CALL TO ORDER

Mayor Johnson called the meeting to order at 5:33 p.m.

II. WORK SESSION

Joint meeting with Planning and Zoning Commission to discuss:

a. Downtown Development Plan

Rachel Roberts opened the presentation by introducing Shal Roos, President of SJR Planning Consultants. Shal Roos presented information for a consulting project to establish building codes and design standards appropriate to create a special district for the downtown/old town area. City Council and Planning and Zoning members discussed the process and goals for the project.

b. Development Code Update

Rachel Roberts provided a brief presentation articulating the reason for updating the development code. City Council and Planning and Zoning members discussed the type of code and issues that should be addressed by the consultant and staff as we move forward with the project.

III. REGULAR SESSION

Mayor Johnson opened the regular session at 7:06 PM.

IV. ROLL CALL

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

Absent:

V. INVOCATION

VI. UNITED STATES PLEDGE

VII. TEXAS PLEDGE

VIII. VISITOR/CITIZENS FORUM

No one present requesting to speak.

IX. REPORTS/ANNOUNCEMENTS

A. Updates from the Mayor

The Mayor attended the Taste of Asia event Friday, November 7, 2014 in support of United Way. It was well attended.

B. Updates from City Council

Mike Walker announced that the Kennedale Football continues to win and is in the second round of the playoffs.

Liz Carrington spoke to the success of the meet and greet event in Frank Fernandez neighborhood. There was good food, good turnout and good discussion of a variety of topics. Police and Fire Departments were also present.

Kelly Turner stated that the State of the City address with the chamber was received well by the business community. He received several comments from businesses who were pleased with the direction the city was taking.

C. Updates from the City Manager

No update with the exception of the reports mentioned below.

D. Governance/Operational Report including:

Bob Hart provided an update and overview of the following items.

1. Balanced Scorecard – Reviewed the map and outlined trends, all is looking favorable.
2. Village Creek Flood Study
3. Crime Activity Report – Police Chief Tommy provided a brief staff report updating City Council and answering questions regarding year to date crime stats for the city.
4. Municipal Court Activity Report – The City Marshal report attached to the packet indicates activity levels as expected.

X. CONSENT ITEMS

A. Consider approval of minutes from October 13, 2014 regular meeting

B. Receive a report from the Police Department for last year's asset forfeiture account.

Motion To approve the consent agenda as presented. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Liz Carrington
Motion passed Unanimously

XI. REGULAR ITEMS

A. Consider Ordinance 557 approving amendments to the Drought Contingency and Emergency

Water Management Plan

Staff report presented by Bob Hart requesting that the item be deferred to the December meeting.

Motion To table Ordinance 557 until December. **Action** Table, **Moved By** Mike Walker, **Seconded By** Kelly Turner

Motion passed Unanimously.

- B. Consider approval of an Ordinance 559 amending the city's schedule of administrative fees.

Staff presentation made by Sakura Moten-Dedrick outlining changes to the fee schedule.

Motion To approve Ordinance 559 as presented. **Action** Approve, **Moved By** Kelly Turner, **Seconded By** Charles Overstreet

Motion passed Unanimously.

- C. CASE # PZ 14-08 Public hearing and consideration of Ordinance 560 approval regarding a request by the City of Kennedale for a zoning change for 23.8 acres from "C-2" General commercial district to "I" Industrial district, at 7200, 7201, 7203, 7205, 7206, 7207, 7208, 7210, 7218, 7220, 7222, 7224, 7226, 7228, 7230, 7232, 7234, & 7236 & 3 unaddressed parcels on **Bloxom Park Rd**, 7208, 7210, 7213, 7225, & an unaddressed parcel on **Hudson Village Creek Rd**, and 4310, 4382, & an unaddressed parcel on **Eden Rd S**, legal descriptions of Wade H Hudson Survey A 716 Tracts 2C, 2C01, 2C02, 2C03, 2C04, 2C04A, 2C05, 2C06, 2C07, 2C08, 2C09, 2C10, 2C10A, 2C11, 2C12, 2C13, 2C18, 2C19, 2C20, 2C21, 2C22, 2C23, 2C24, 2C25, 2C25A, 2C25B, 2C14, 2C15, 2C16, & Peter Rouche Survey A1338 Tracts 1, 1B, 1C, 2, 2B, & 2C.
1. Staff presentation by Rachel Roberts explaining this request is to rezone property off Bloxom Park Road as Industrial to comply with the Comprehensive Land Use Plan.
 2. Public hearing
Mayor Johnson opened the public hearing; there was no one present requesting to speak. Mayor Johnson closed the public hearing.
 3. Staff summary and recommendation
Staff had no additional comments to make.
 4. Action by the Council

Motion To Approve Case # PZ 14-08 and Ordinance 560. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Liz Carrington

Motion passed Unanimously.

- D. Consider action authorizing the City Manager to execute an agreement with the U.S. Army Corps of Engineers for a Section 205 Flood Control Study on a portion of Village Creek

Bob Hart provided the staff report regarding the Corps of Engineers interest in moving forward on the village Creek Flood Control Study. The Initial Phase will be 14-18 months and the city's portion will be \$200,000. Funding is available from the Storm water fund. The Corps will pay the first \$100,000 of the study, then they will split the cost of the next \$400,000 with the city. The estimated total cost for the project is \$500,000, with the city's total estimated cost of \$200,000.

Wayne Olson, City Attorney reviewed the standard agreement necessary to be signed by the city. Should the council approve moving forward a letter of committal will need to be sent with this agreement.

Motion To Approve the City Manager executing the agreement with the US Army Corps of Engineers for the Section 205 Flood Control Study on a portion of Village Creek. **Action** Approve, **Moved By** Frank Fernandez, **Seconded By** Liz Carrington
Motion passed Unanimously.

Mayor Johnson recessed into executive session at 7:55 PM.

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.

1. Attorney consultation on development agreement

B. 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 at 501 Dick Price Road.

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

Mayor Johnson reconvened into open session at 8:15 PM.

Action pursuant to executive session - Authorize the City Manager to negotiate with Goss for the purchase of 13.5 acres at 1501 Dick Price Road.

Motion To authorize the City Manager to negotiate with Goss for the purchase of 13.5 acres at 501 Dick Price Road. **Action** Approve, **Moved By** Kelly Turner, **Seconded By** Charles Overstreet.
Motion passed Unanimously.

XIV. ADJOURNMENT

Motion To Adjourn. **Action** Adjourn, **Moved By** Kelly Turner, **Seconded By** Charles Overstreet
Motion passed Unanimously.

The meeting was adjourned at 8:18 PM.

APPROVED:

ATTEST:

Mayor Brian Johnson

City Secretary Kelly Cooper

Date: December 15, 2014

Agenda Item No: CONSENT ITEMS - B.

I. Subject:

City Council to Consider Awarding Contract For Stand Pipe Plumbing and Booster Pump Installation Project

II. Originated by:

Larry Ledbetter, Director of Public Works

III. Summary:

Two general Contractors submitted bids for the Standpipe Plumbing and Booster Pump Project on November 19, 2014. Schultz and Sons submitted the lowest base bid. Their base bid and best pump selection is Grundfos for \$347,930.00. Freese and Nichols has worked with Schultz and Sons on previous projects with success and the City of Corsicana gave them a great recommendation. Staff recommends awarding the construction contract to Shultz and Sons Construction Co. LLC. for the amount of \$347,930.00.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Standpipe Improvements LOA	Standpipe improvements LOA Ledbetter 2014 12 02.pdf
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December 5, 2014

Larry Ledbetter
Public Works Director
City of Kennedale
923 E. Kennedale Parkway
Kennedale, TX 76060

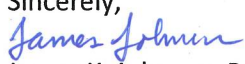
Re: Recommendation for Awarding the Construction Contract for the Kennedale Stand Pipe Plumbing Modifications and Booster Pump Installation Project

Dear Mr. Ledbetter,

Two general contractors submitted bids for the above referenced project on November 19, 2011. Included in each bid were alternates from three pump vendors. The vendors were required to submit their guaranteed efficiencies so that the pump systems can be evaluated based upon initial cost and efficiency. For the efficiency evaluation, the most efficient pump receives no penalty. The other pumps are then evaluated by subtracting their efficiency from the highest efficiency and multiplying the difference by \$2,000. The evaluation table is attached to this letter. The table shows that Grundfos, Pentair and Cornell submitted bids to Schultz and Sons Construction Co. LLC. (Schultz and Sons) with efficiencies of 74%, 52%, and 77% respectively. The efficiency that Associated Construction Partners, LTD submitted for Cornell was 84% but it did not affect the result of the evaluation.

Schultz and Sons submitted the lowest base bid. Per the attached table, their base bid and best pump selection is Grundfos for \$347,930.00. The schedule for delivering the Grundfos pumps is 10 weeks longer. The contractor can complete all of the piping required to meet the February 1, 2015 milestone and install the pump skid when it arrives. This will allow the system to operate as it currently does until the pump skid arrives.

Freese and Nichols has worked with Schultz and Sons on a previous project with success and the City of Corsicana gave them a great recommendation. **Therefore, Freese and Nichols recommends the City of Kennedale award the construction contract to Shultz and Sons Construction Co. LLC. for the amount of \$347,930.**

Sincerely,

James K. Johnson, P.E.
Project Manager

CC:
Brian C. Coltharp, P.E.

Attachments:
1 – Bid Evaluation
2 – Pump and System Curve Representing the Pump Submitted in the Bid

BID EVALUATION

Project Owner: City of Kennedale

Project Name: Standpipe Plumbing Modifications and Booster Pump Installation

Project Number: KEN14514

Date of Bid Opening: November 19, 2014

Bid Item	Description	Associated Construction Partners, LTD	Schultz and Sons Construction Co. LLC.
1	Base	\$199,000.00	\$143,000.00
2	Trench Safety	\$1,930.00	\$1,930.00
A	Grundfos Pumps	\$156,000.00	\$203,000.00
B	Goulds Pumps	No Bid	No Bid
C	American-Marsh	No Bid	No Bid
D	Pentair/Aurora	\$156,000.00	\$198,000.00
E	Patterson	No Bid	No Bid
F	Cornell	\$195,000.00	\$253,000.00

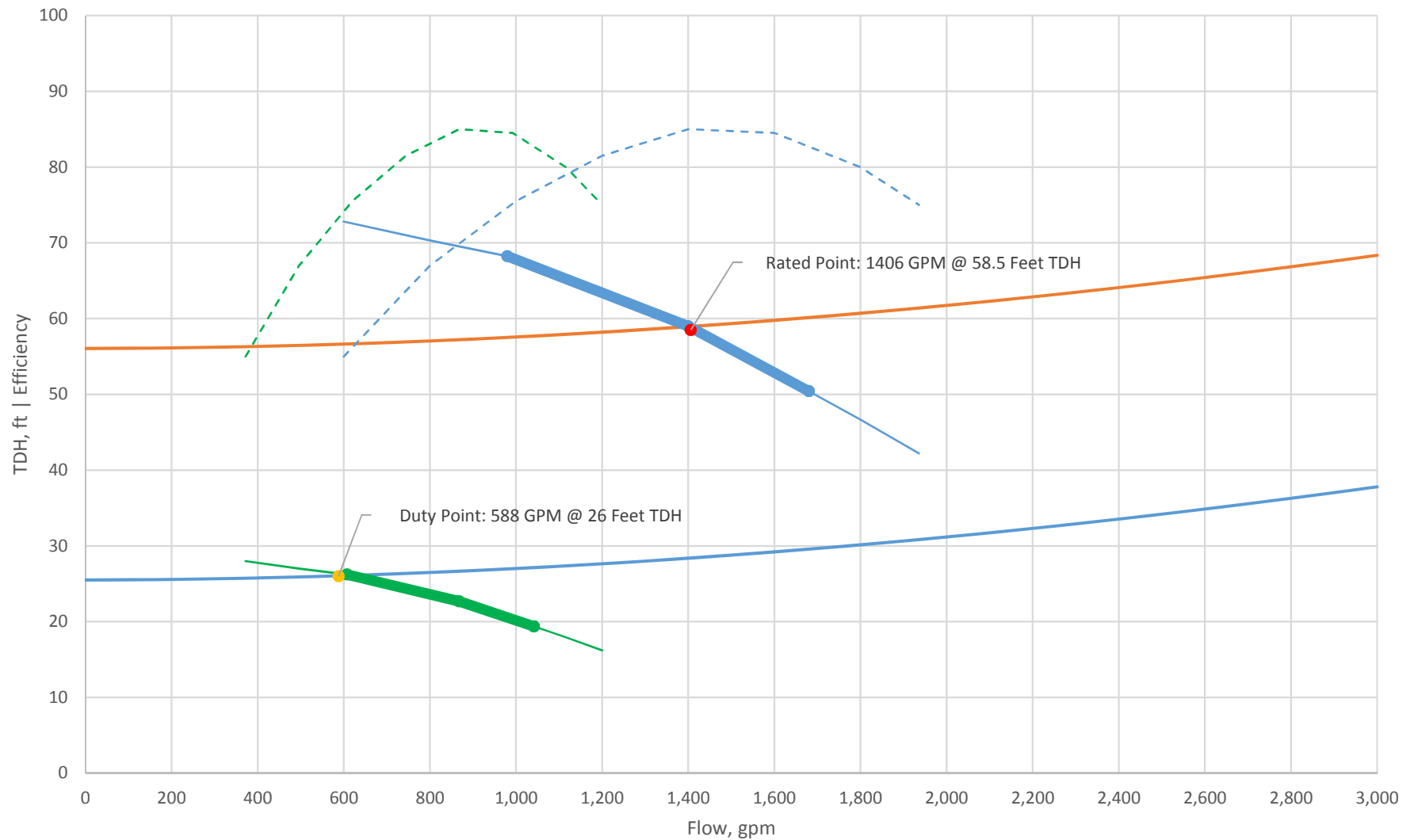
Combination of Bid Items	Associated Construction Partners, LTD			Schultz and Sons Construction Co. LLC.		
	Sum	Deduct	Total	Sum	Deduct	Total
1 Through 2 + A	\$356,930.00	\$0.00	\$356,930.00	\$347,930.00	\$0.00	\$347,930.00
1 Through 2 + B	No Bid	\$0.00	No Bid	No Bid	No Bid	No Bid
1 Through 2 + C	No Bid	\$0.00	No Bid	No Bid	No Bid	No Bid
1 Through 2 + D	\$356,930.00	\$0.00	\$356,930.00	\$342,930.00	\$0.00	\$342,930.00
1 Through 2 + E	No Bid	\$0.00	No Bid	No Bid	No Bid	No Bid
1 Through 2 + F	\$395,930.00	\$0.00	\$395,930.00	\$397,930.00	\$0.00	\$397,930.00

Evaluation:	Efficiency	Pentalty ¹	Evaluated Cost	Efficiency	Pentalty	Evaluated Cost ²
1 Through 2 + A	74%	\$20,000.00	\$376,930.00	74%	\$20,000.00	\$367,930.00
1 Through 2 + B	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
1 Through 2 + C	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
1 Through 2 + D	52%	\$64,000.00	\$420,930.00	52%	\$64,000.00	\$406,930.00
1 Through 2 + E	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
1 Through 2 + F	84%	\$0.00	\$395,930.00	77%	\$14,000.00	\$411,930.00

Notes: 1. Penalty is \$2,000 per efficiency point less than the most efficient pump submitted

2. Evaluated cost is not the amount the contract will be awarded for, but rather it provides a basis for comparing the initial cost and the cost associated with efficiency. The actual bid price corresponding to the lowest evaluated cost will be the contract amount.

Standpipe Booster Pump and System Curves



- | | | | |
|-----------------------------|--------------------------------|--------------------------|--------------------------|
| — Average System Head | — Max System Head | ● Duty Point | ● Rated Point |
| — AOR of Full Speed Curve | — POR of Full Speed Curve | — AOR of 62% Speed Curve | — POR of 62% Speed Curve |
| - - - Full Speed Efficiency | - - - Reduced Speed Efficiency | | |

Date: December 15, 2014

Agenda Item No: CONSENT ITEMS - C.

I. Subject:

Consider approval of the City Council Special Meeting Minutes for December 12, 2014

II. Originated by:

Kelly Cooper, Director of Human Resources

III. Summary:

The minutes are attached for your approval

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	City Council Minutes for December 12, 2014	CC Special 12.12.2014.docx
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KENNEDALE CITY COUNCIL
SPECIAL MEETING MINUTES
December 12, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE
REGULAR SESSION - 11:00 AM

I. CALL TO ORDER

Mayor Johnson called the meeting to order at 11:10 a.m.

II. ROLL CALL

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

Absent:

Mayor Johnson recessed into executive session at 11:15 a.m.

III. EXECUTIVE SESSION

A. 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. City Secretary Interviews

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

Mayor Johnson reconvened into open session at 2:50 p.m.

No action was necessary.

V. ADJOURNMENT

Motion To Adjourn. Action Adjourn, Moved By Liz Carrington, Seconded By Kelly Turner Motion passed Unanimously.

The meeting adjourned at 2:51p.m.

APPROVED:

ATTEST:

Mayor Brian Johnson

City Secretary Kelly Cooper

Date: December 15, 2014

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

Consider appointment of City Secretary and Deputy City Secretary

II. Originated by:

III. Summary:

The City posted and advertised the City Secretary role September 22, 2014 after the resignation of Amethyst Sloane. City staff and City Council has interviewed candidates and determined to offer the role to Leslie Galloway based on excellent qualifications. Due to the timing of the City Council meeting and appointment process, the candidate has been contacted with the employment offer with completion of the process after final testing can be coordinated. It is anticipated that the City Secretary candidate will begin work January 5, 2015.

The Deputy City Secretary will assist the City Secretary in the daily functions of that office including assisting with open records requests, compiling agenda's, lazerfiche software and other applications, filing documents with Tarrant County, ensuring documents are accurate, created and filed appropriately as well as other duties that may be assigned. The candidate selected has been hired by the City Manager to also fulfill the role as Executive Assistant to the Administrative Offices. This candidate's first day of employment is today, December 15, 2014.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

Date: December 15, 2014

Agenda Item No: REGULAR ITEMS - B.

I. Subject:

Consider Ordinance 557 approving amendments to the Drought Contingency and Emergency Water Management Plan

II. Originated by:

Larry Ledbetter, Director of Public Works

III. Summary:

The City of Kennedale is required by contract with the City of Fort Worth to amend the Drought Contingency & Emergency Water Management Plan every five years.

Due to the on-going drought, Tarrant Regional Water District in 2014 required all cities to permanently implement (YEAR ROUND) phase one watering restrictions to include no outside watering during the hours of 10:00 am and 6:00 pm.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Ordinance 557	ORDINANCE 557. DROUGHT CONTINGENCY PLAN.docx
2.	Exhibit A Dought Contingency Plan	Exhibit A for Ordinance 557.Drought Plan 2014 Final.docx

ORDINANCE NO. 557

AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS ADOPTING AN UPDATED DROUGHT CONTINGENCY AND EMERGENCY WATER MANAGEMENT PLAN; AMENDING CHAPTER 23, "WATER, SEWERS AND SEWAGE DISPOSAL" OF THE KENNEDALE CITY CODE OF ORDINANCES BY REPEALING ARTICLE VI, "DROUGHT CONTINGENCY/WATER EMERGENCY MANAGEMENT PLAN" AND ADOPTING A NEW ARTICLE VI; AMENDING CHAPTER 23 BY ADOPTING A NEW ARTICLE X "LAWN AND LANDSCAPE IRRIGATION"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas (the ACity@) 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 is a wholesale water service customer of the City of Fort Worth; and

WHEREAS, as a wholesale customer of the City of Fort Worth, the City is required to institute the same rationing and water use restrictions on City customers as does the City of Fort Worth for so long as any part of the total water supply is furnished by the City of Fort Worth; and

WHEREAS, as a wholesale customer of the City of Fort Worth, the City is required to adopt an updated drought contingency and emergency water plan; and

WHEREAS, the City has drafted a "Drought Contingency and Emergency Water Management Plan" which complies with Chapter 288, Title 30 of the Texas Administrative Code.

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

SECTION 1.

That the Drought Contingency and Emergency Water Management Plan attached as Exhibit "A" is hereby adopted and incorporated herein for all purposes. The Drought Contingency and Emergency Water Management Plan hereby adopted shall replace any previous such plans adopted by the City.

SECTION 2.

That Article VI, “Drought Contingency/Water Emergency Management Plan” of Chapter 23, “Water, Sewers and Sewage Disposal” is repealed in its entirety and replaced with the following:

“ARTICLE VI. DROUGHT CONTINGENCY/EMERGENCY WATER MANAGEMENT PLAN

Sec. 23-336. General

The Drought Contingency and Emergency Water Management Plan (“Plan”) outlines the city's water emergency water demand management efforts. The City will revise the Plan as needed to meet objectives requested by the Texas Commission on Environmental Quality, regional water planning groups, the City of Fort Worth and to meet the goals stated in the Plan. The Plan established in this Article shall be administered by the Director of Public Works of the city or his/her duly appointed representative ("director").

Sec. 23-337. Drought Contingency and Emergency Water Management Plan

(a) The City has adopted the Plan which is on file and available for inspection at the City Secretary's office. The Plan may be amended from time to time by adopting an ordinance amending the Plan.

(b) Purpose and scope. The purpose of this section is to establish the city's policy in the event of shortages or delivery limitations in the city's water supply and to establish water restrictions to be enforced in case of drought or emergency conditions. This section applies to:

- (1) All persons and premises within the city using water from the water system;
- (2) All retail customers who live in unincorporated areas within the city's extraterritorial jurisdiction and are served by the water system; and
- (3) All wholesale service customers outside the city to the extent provided in subsection (h).

(c) Authority. The director is authorized to implement measures prescribed when required by this section and by the Plan approved by the city council. The director is authorized to enforce the measures implemented and to promulgate regulations, not in conflict with this section, the Plan or state and federal laws, in aid of enforcement.

(d) Initiation of Plan stages. The director may order that the appropriate stage of the Plan be initiated upon determination that drought conditions or a water emergency exists. To be effective, the order must be made by some or all of the following methods:

- (1) publication in the local newspaper;

- (2) publication on the city's website; or
- (3) publication on utility bill inserts, the city's newsletter, or public access channel.

(e) Duration of stage; change. A stage will remain in effect until the conditions that triggered initiation of the stage have been eliminated. If the stage is initiated because of excessive demands, all initiated actions will remain in effect through September 30 of the year in which they were triggered unless the director determines that conditions exist that will allow termination of the stage before September 30. When conditions change, the director may terminate, upgrade or downgrade the stage. Any such change must be made in the same manner prescribed in subsection (d).

(f) Violation of section. A person commits an offense if he knowingly makes, causes or permits a use of water contrary to the measures implemented by the director as prescribed in the Plan. For purposes of this subsection, it is presumed that a person has knowingly made, caused or permitted a use of water contrary to the measures implemented if the mandatory measures have been formally ordered consistent with the terms of subsection (d) and:

- (1) The manner of use has been prohibited by the Plan;
- (2) The amount of water used exceeds that allowed by the Plan; or
- (3) The manner or amount used violates the terms and conditions of a compliance agreement made pursuant to a variance granted by the director.

(g) Penalties/enforcement of violations. Any person who is convicted of violating, disobeying, omitting, neglecting or refusing to comply with a measure implemented in accordance with this section and the Plan will be given a written warning that he has violated a mandatory water use restriction as a first offense. Any person who is convicted of violating, disobeying, omitting, neglecting or refusing to comply with a measure implemented in accordance with this section and the Plan may be fined not more than \$2,000.00 for each subsequent offense. In addition, the following penalties shall apply:

- (1) A person who is convicted of violating, disobeying, omitting, neglecting or refusing to comply with a measure implemented in accordance with this section and stage 1 of the Plan as a second offense, shall be fined not less than \$100.00.
- (2) A person who is convicted of violating, disobeying, omitting, neglecting or refusing to comply with a measure implemented in accordance with this section and stage 2 of the Plan as a second offense, shall be fined not less than \$250.00.
- (3) A person who is convicted of violating, disobeying, omitting, neglecting or refusing to comply with a measure implemented in accordance with this section and stage 3 of the Plan as a second offense, shall be fined not less than \$500.00.

(4) If a person is convicted of violating, disobeying, omitting, neglecting or refusing to comply with a measure implemented in accordance with this section and the Plan as a third offense, the director may either:

a. Install a flow restrictor in the water line to the premises where the violations occurred to limit the amount of water that may pass through the meter in a 24-hour period or a lock-out device to a backflow assembly; or

b. Discontinue water service to the premises where the violation occurred.

(h) Wholesale service to customers outside the city. The director shall advise customers receiving wholesale water service from the city of actions taken under the Plan. The director may restrict service to customers outside the city as permitted under the contract and state law.

(i) Authority under other laws. Nothing in this section shall be construed to limit the authority of the mayor, the city council or the city manager to seek emergency relief under the provisions of any state or federal disaster relief act.

(j) Variances. During the times the emergency order is operative, the director may grant variances only under the following circumstances and conditions:

(1) The applicant signs a compliance agreement on a form provided by the director, and approved by the city attorney, agreeing to use the water only in the amount and manner permitted by the variance;

(2) Granting of the variance would not cause an immediate significant reduction in the city's water supply;

(3) Failure to approve the variance would result in an extreme hardship or need relating to the health, safety or welfare of the applicant; and

(4) Granting the variance would not adversely affect the premises at which the violation occurred.

(k) Revocation of Variances. The director may revoke a variance when he or she determines that:

(1) The conditions of subsection (j) are not being met or are no longer applicable;

(2) The terms of the compliance agreement are being violated; or

(3) Revocation is advisable to protect the health, safety or welfare of other persons.

(l) Appeal. Denial or revocation of a variance by the director may be appealed to the city manager by filing a written notice of appeal with the city manager within ten days after issuance of the director's decision. The city manager's decision shall be final.

Secs. 23-338—23-375.—Reserved”

SECTION 3.

That Chapter 23, “Water, Sewers and Sewage Disposal” is amended by adding a new Article X, “Lawn and Landscape Irrigation” to read as follows:

“ARTICLE X. LAWN AND LANDSCAPE IRRIGATION

Sec. 23-570. Lawn and Landscape Irrigation Restrictions.

(a) Lawns and landscaping may be watered on any day, at any time, by handheld hose, drip irrigation, a soaker hose or tree bubbler. (The intent of this measure is to allow for the protection of structural foundations, trees, and other high value landscape materials). Except for hand watering, drip irrigation and the use of soaker hoses, a person may only irrigate, water, or cause or permit the irrigation or watering of any lawn or landscape, inclusive of structural foundations, trees, and other high value landscape materials, located on premises owned, leased, or managed by that person (i) on a day designated as an outdoor water use day for the property’s address as shown below; and (ii) between the hours of 12 midnight to 10 a.m. and 6 p.m. to 11:59 p.m. on such day.

(1) Residential addresses ending in an even number (0, 2, 4, 6 or 8) may water on Wednesdays and Saturdays.

(2) Residential addresses ending in an odd number (1, 3, 5, 7 or 9) may water on Thursdays and Sundays.

(3) All non-residential locations (apartment complexes, businesses, industries, parks, street and/or roadway medians, etc.) may water on Tuesdays and Fridays.

(b) Except for hand watering, drip irrigation and the use of soaker hoses, a person commits an offense if that person irrigates, waters, or causes or permits the irrigation or watering of any lawn or landscape located on premises owned, leased, or managed by that person between the hours of 10:00 a.m. and 6:00 p.m.

(c) Except for hand watering, drip irrigation and the use of soaker hoses, a person commits an offense if that person irrigates, waters, or causes or permits the irrigation or watering of any lawn or landscape located on premises owned, leased, or managed by that person on a day that is not designated as an outdoor water use for that property address as shown in subsection (a) above.

(d) A person commits an offense if a person knowingly or recklessly irrigates, waters, or causes or permits the irrigation or watering of a lawn or landscape located on premises owned, leased or managed by the person in a manner that causes:

(1) a substantial amount of water to fall upon impervious areas instead of a lawn or

landscape, such that a constant stream of water overflows from the lawn or landscape onto a street or other drainage area; or

(2) an irrigation system or other lawn or landscape watering device to operate during any form of precipitation.

(e) A person commits an offense if, on premises owned, leased, or managed by that person, a person operates a lawn or landscape irrigation system or device that:

(1) has any broken or missing sprinkler head; or

(2) has not been properly maintained in a manner that prevents the waste of water.

(f) Affirmative Defenses

(1) It shall be an affirmative defense to prosecution of an offense in section 86-301(a) that at the time such person irrigates, waters, or causes or permits the irrigation or watering of any lawn or landscape, such activity was for the purpose of:

(A) dust control of a sports field; or

(B) the maintenance, repair, or testing of an irrigation system.

(2) The activity described in subsection f(1) (A) and (B) may only occur within a period of two (2) days no more than once every thirty (30) days. Any such activity requiring a longer period or greater frequency shall require a variance as provided by subsection (g).

(g) Variances

(1) The city manager or his official designee (“director”) may grant variances to the twice per week watering and irrigation restrictions and schedule, if one or more of the following conditions are met:

(A) Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person requesting the variance;

(B) Compliance with the watering and irrigation restrictions and/or schedule cannot be accomplished due to technical or other limitations; or

(C) Alternative methods that achieve the same level of reduction in water use can be implemented.

(2) The director may grant variances to allow for establishment of hydromulch, grass sod, or grass seed for new lawns.

(3) Variances shall be granted or denied at the discretion of the director. All petitions for variances shall be in writing and shall include the following:

- (A) Name and address of the petitioner(s);
- (B) Purpose of the water use;
- (C) Specific provisions from which relief is requested;
- (D) Detailed statement of the adverse effect of the provision from which relief is requested;
- (E) Description of the relief requested;
- (F) Period of time for which the variance is sought;
- (G) Alternative measures that will be taken to reduce water use; and
- (H) Other pertinent information requested.

(h) A person who irrigates, waters, or causes or permits the irrigation or watering by use of an alternative water source such as a well, reclaimed or reused water, or water from the Trinity River is exempt from prosecution if that person has:

- (1) Registered such alternative water source with the City;
- (2) Provided sufficient proof to the director that the alternative water source is from a well, reclaimed or reused water or from the Trinity River and has allowed inspection by the director if deemed necessary; and
- (3) Complied with the City's Backflow and Cross-connection Control regulations.

Sec. 23-571. Rain sensing devices and freeze gauges.

(a) Any commercial or industrial customer class irrigation system installed within the City after the adoption of the Article must be equipped with rain and freeze sensors.

(b) Any installed commercial or industrial customer class system installed after the adoption of this Article may not be operated without being equipped with rain and freeze sensors.

(c) The potable water supply to lawn irrigation system shall be protected against backflow in accordance with the City's Backflow and Cross-connection Control regulations. All rain and freeze sensors for commercial class lawn irrigation systems shall undergo annual inspection and testing.

(d) Any residential customer class irrigation system installed within the City after adoption of this Article must be equipped with rain and freeze sensors.

(e) It shall be unlawful for any person to knowingly or recklessly install, operate, or cause or permit the installation of or the operation of, an irrigation system in violation of subsections 23-571 (a) through (d) on premises owned, leased, or managed by that person.

Sec. 23-572. Essential services.

The governmental use of water for essential services such as police, fire and emergency services which are necessary to preserve or protect the health, safety and welfare of the citizens of the City are exempt from any and all restrictions or mandates set forth in this Article.

Secs. 23-573—23-599.—Reserved”

SECTION 4. CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of all existing ordinances and of the Kennedale City Code, as amended, including but not limited to all ordinances of the City of Kennedale affecting drought contingencies or water emergencies, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 5. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6. SAVINGS CLAUSE

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of the Kennedale City Code, as amended, or any other ordinances regarding drought contingencies and water emergencies that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7.
PENALTY CLAUSE**

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 no more than Two Thousand Dollars and no cents (\$2,000.00) for each violation, and in addition shall pay all costs and expenses involved in the case. Each day a violation occurs is a separate offense. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

**SECTION 8.
PAMPHLET FORM CLAUSE**

The City Secretary of the City is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

**SECTION 9.
PUBLICATION CLAUSE**

The City Secretary of the City of Kennedale is hereby directed to publish the caption penalty clause publication clause and effective date clause 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 3.10 of the City of Kennedale Charter.

**SECTION 10.
EFFECTIVE DATE CLAUSE**

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 ON THE FIRST READING THIS 15TH DAY OF
DECEMBER, 2014.**

APPROVE:

Brian Johnson, Mayor

ATTEST:

Kelly Cooper, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Wayne K. Olson, City Attorney



City of Kennedale
405 Municipal Drive
Kennedale, Texas 76060
PWS #2200017

“EXHIBIT A”

Drought Contingency & Emergency Water Management Plan

May 2014

Adopted:

Effective:

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1. INTRODUCTION AND OBJECTIVES

The purpose of this Drought Contingency and Emergency Water Management Plan (subsequently referred to as the Plan) is as follows:

- To conserve the available water supply in times of drought and emergency
- To maintain supplies for domestic water use, sanitation, and fire protection
- To protect and preserve public health, welfare, and safety
- To minimize the adverse impacts of water supply shortages
- To minimize the adverse impacts of emergency water supply conditions.

2. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

TCEQ rule Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.1 (4) defines a drought contingency plan as “a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies.”

TCEQ rules governing development of and minimum requirements for drought contingency plans for municipal water suppliers and wholesale water suppliers are contained in Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 and Rule 288.22, respectively.

3. WATER SYSTEM PROFILE

Kennedale owns and operates five groundwater wells that pump water from the Trinity aquifer; these wells can reliably deliver up to 1.8 MGD. The City may also purchase up to 2.5 MGD of treated surface water from the City of Fort Worth. Fort Worth purchases raw surface water from the Tarrant Regional Water District (TRWD). The Fort Worth surface water supply sources are:

- West Fork of Trinity River: Lake Worth, Eagle Mountain Lake, and Lake Bridgeport; (A pipeline connecting Eagle Mountain Lake to the East Texas supply is under construction.)
- East Texas: Cedar Creek Reservoir, located approximately 75 miles southeast of Fort Worth; and Richland Chambers Reservoir, located approximately 75 miles southeast of Fort Worth; and
- Clear Fork of the Trinity River via Lake Benbrook. (A pipeline connects Lake Benbrook to the East Texas Supply.)

Kennedale has 3150 active retail service connections.

In accordance with Section 2.3 of the wholesale water contract, the City of Kennedale is required to institute and apply the same rationing, conservation measures or restrictions to

the use of water by their customers for so long as any part of their total water supply is being furnished by Fort Worth.

Kennedale maintains about 58 miles of distribution pipelines.

The water supply triggers defined in Section 4.4 were provided to Kennedale via Fort Worth and were developed by Tarrant Regional Water District. TRWD selected its triggers after hiring an outside consultant to evaluate where the triggers levels should be for the drought plan to achieve meaningful water savings.

4. DROUGHT CONTINGENCY/EMERGENCY WATER MANAGEMENT PLAN

4.1 Public Involvement

The City will afford an opportunity for the public to provide input into the preparation and/or amendment of the Plan by scheduling and providing notice of a public meeting. Notices will be published in the local newspaper, posted on the City website and in the vestibule of City Hall located at 405 Municipal Drive, Kennedale, Texas.

After the Plan is adopted and published, it will be available at City Hall, as well as on the City website in the Municode section. In addition, the Plan will be mailed to those who request a copy in writing. Written requests should be addressed to the Public Works Director, City of Kennedale, 405 Municipal Drive, Kennedale, Texas.

4.2 Public Education

The City will periodically provide the public with information about the Plan, including when a stage of the Plan has been initiated or terminated, information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information may be provided by publication in the local newspaper, press releases, utility bill inserts, and the City's newsletter and website.

4.3 Initiation & Termination of Drought & Emergency Response Stages

The provisions of this Plan shall apply to all persons, customers, and property utilizing potable water provided by the City of Kennedale. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities. The Plan does not apply to locations using treated wastewater effluent, private wells or possessing their own water rights in the Trinity River; however, any pond, impoundment, body of water, or other water source that is supplemented, or has the ability to supplement supply, with potable water shall adhere to the provisions of this plan.

The Plan may be applied to the entire city or geographic portions of the city as necessary. If the Plan is applied only to a limited sector, the boundaries will be defined in terms of roadways, creeks and other easily distinguishable features, such as city limits.

The following restrictions are year round mandatory water conservation strategies that will be enforced even when no Drought Stage has been initiated. The exceptions noted in Stage 1 Drought restrictions also apply to the year round mandatory restrictions.

- No outdoor watering with sprinklers or irrigation systems between 10 a.m. and 6 p.m.
- Limit landscape watering with sprinklers or irrigation systems at each service address to a twice per week schedule as outlined below. This includes landscape watering of parks, and sports fields.
 - Residential addresses ending in an even number (0, 2, 4, 6, or 8) may water on Wednesdays and Saturdays.
 - Residential addresses ending in an odd number (1, 3, 5, 7 or 9) may water on Thursdays and Sundays.
 - All non-residential locations (apartment complexes, businesses, industries, parks, medians, etc.) may water on Tuesdays and Fridays

Initiation of a Drought/ Emergency Water Management Stage

The City Manager or his/her duly appointed representative will monitor water supply and City system demands on a daily basis and will determine when conditions warrant initiation or termination of each stage of the Plan. This information shall be provided to the public by some or all of the following methods: publication in the local newspaper, press releases, utility bill inserts, and/or the City's newsletter or website.

Although each stage of the Plan will generally be implemented sequentially, when specific "triggers" are reached, the City Manager or his/her duly appointed representative may initiate the Plan beginning at any stage. Conversely, the City Manager or his/her duly appointed representative is not required to initiate the Plan simply because a "trigger" was reached.

Additional measures may be invoked whenever necessary, or if implementation of any stage of the Plan does not reduce demand enough to allow proper management of the system.

The City has a Wholesale Water Purchase Contract with the City of Fort Worth and is required to initiate water restrictions at least as stringent as those initiated by the City of Fort Worth.

Stages imposed by Tarrant Regional Water District (TRWD) action must be initiated by the City of Fort Worth and the City of Kennedale.

Termination of a Drought Stage

The City Manager or his/her official designee may order the termination of a drought response or water emergency stage when the conditions for termination are met or at their discretion. The public will be notified through local media, newsletter and the City of Kennedale Web site.

The City Manager or his/her official designee may decide not to order the termination of a drought response stage or water emergency even though the conditions for termination of the stage are met. The City Manager or his designee may choose to implement a phased out approach when exiting various stages to protect the integrity of the system. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the drought stage. The reason for this decision should be documented.

4.4 Drought and Emergency Response Stages

Stage 1 – Water Watch

Triggering Conditions

- Water demand reaches or exceeds 90% of reliable delivery capacity for three consecutive days. The delivery capacity could be citywide or in a specified portion of the system.
 - Kennedale's water treatment or distribution system becomes contaminated.
 - Kennedale's water demand for all or part of the delivery system approaches delivery capacity.
 - Kennedale's water supply system is unable to deliver water due to the failure or damage of major water system components.
 - TRWD initiated Stage 1 – Water Watch for one or more of the following reasons:
 - Total raw water supply in TRWD western and eastern division reservoirs drops below 75% (25% depleted) of conservation storage.
 - Water demand for all or part of the TRWD delivery system exceeds delivery capacity because delivery capacity is inadequate.
 - Water demand is projected to approach the limit of TRWD's permitted supply.
 - TRWD's supply source becomes contaminated.
 - TRWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
 - The TRWD General Manager, with the concurrence of the TRWD Board of Directors, finds that conditions warrant the declaration of a Stage 1 drought.
-

Terminating Conditions for Stage 1

Stage 1 will terminate when the total combined raw water supply in TRWD western and eastern division reservoirs exceeds 95% of conservation storage capacity or remains at or above 85% for 90 consecutive days, whichever occurs first.

Goal for Use Reduction for Stage 1

The goal for water use reduction under Stage 1, Water Watch, is five percent. If circumstances warrant or if required by TRWD, the City Manager or his/her official designee can set a goal for greater water use reduction.

Actions Available for Stage 1

The City Manager or his/her official designee may order the implementation of any of the actions listed below, as deemed necessary. The City Manager or his/her official designee must implement any action(s) required by the Tarrant Regional Water District.

All Water Users

Initiate mandatory restrictions to prohibit non-essential water use as follows:

- Discourage hosing of paved areas, such as sidewalks, driveways, parking lots, tennis courts, patios, or other impervious surfaces, except to alleviate an immediate health or safety hazard. This may include premises with raw or processed food, pharmaceutical or vaccine processing, storage or vending establishments including restaurants and grocery stores may be washed to the extent necessary for sanitary purposes. These areas may also include:
 - Trash and dumpster areas
 - Areas around fuel pumps
 - Store front cleaning of areas with accumulated bird droppings, feathers and debris
 - Localized spot cleaning of parking areas to remove oil, grease buildup that may pose a health and safety issue.
 - Discourage hosing of buildings or other structures for purposes other than fire protection or surface preparation prior to painting.
 - Prohibit using water in such a manner as to allow runoff or other waste, including:
 - failure to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet;
 - operating a permanently installed irrigation system with: (a) a broken head; (b) a head that is out of adjustment and the arc of the spray head is over a street or parking lot; or (c) a head that is misting because of high water pressure; or
-

- during irrigation, allowing water to (a) to run off a property and form a stream of water in a street for a distance of 50 feet or greater; or (b) to pond in a street or parking lot to a depth greater than one-quarter of an inch.
 - Allowing or causing an irrigation system or other lawn watering device to operate during any form of precipitation or when temperatures are at or below 32 degrees Fahrenheit.
- Prohibit outdoor watering with sprinklers or irrigation systems between 10 a.m. and 6 p.m.
- Limit landscape watering with sprinklers or irrigation systems at each service address to a twice per week schedule as outlined below. This includes landscape watering of parks, and sports fields.
 - Residential addresses ending in an even number (0, 2, 4, 6, or 8) may water on Wednesdays and Saturdays.
 - Residential addresses ending in an odd number (1, 3, 5, 7 or 9) may water on Thursdays and Sundays.
 - All non-residential locations (apartment complexes, businesses, industries, parks, medians, etc.) may water on Tuesdays and Fridays.

Exceptions:

- Lawns and landscaping may be watered on any day by handheld hose, drip irrigation, a soaker hose or tree bubbler.
 - Water use necessary for the repair of an irrigation system, plumbing line, fountain, etc. in the presence of the person making the repair.
 - Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the Public Works Director, if the Public Works Director determines that a property can not be completely irrigated with an average of three-quarters of an inch of water in a single day, and that the property should be divided into sections to be irrigated on different days. If approved, no station will be watered more than twice per week.
 - Establishing new turf is discouraged. If hydro mulch, grass sod, or grass seed is installed for the purpose of establishing a new lawn, there are no watering restrictions for the first 30 days while it is being established. After that, the watering restrictions set forth in this stage apply. (This does not include over seeding with rye, or seasonal grasses, since turf already exist.)
 - Skinned areas of sports fields may be watered as needed for dust control.
 - Watering of athletic fields (fields only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. Encouraged
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to reduce water use by five percent.

- Public areas that are open to the public at-large and have a high –impact from frequent use may be allowed additional watering, with a variance granted by the Public Works Director, if it is deemed to be beneficial to serve and protect the community amenity. Examples may include but are not limited to: outdoor amphitheaters, demonstration gardens, public art exhibitions, outdoor learning areas, arboretums, etc.
- All users are encouraged to reduce the frequency of draining and refilling swimming pools.
- All users are encouraged to use native and adapted drought tolerant plants in landscaping.
- Washing of any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle shall be limited to the use of a hand-held bucket or a hand-held hose equipped with a positive-pressure shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the premises of a commercial car wash or commercial service station. Companies with an automated on-site vehicle washing facility may wash its vehicles at anytime. Further, such washing may be exempt from these requirements if the health, safety, and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- Discourage the filling, draining, or refilling of swimming pools, wading pools, hot tubs and Jacuzzi type pools except to maintain adequate water levels for structural integrity, proper operation and maintenance, and/or to alleviate an issue that poses a public safety risk.

City and Local Governments

In addition to the actions listed above:

- Review conditions and problems that caused Stage 1. Take corrective action.
 - Increase public education efforts on ways to reduce water use.
 - Increase enforcement efforts.
 - Intensify leak detection and repair efforts.
 - Audit all city and local government irrigation systems to ensure proper condition, settings, and operation.
 - Identify and encourage voluntary reduction measures by high-volume water users through water use audits.
-

- Reduce non-essential water use. As used herein, non-essential water uses are those that do not have any health or safety impact and are not needed to meet the core function of the agency.
- The Fort Worth Water Director or his/her designee will notify wholesale customers of actions being taken and require them to implement the same stage and measures. Such action is in accordance with Section 2.3 of the uniform wholesale water contract. Per the contract, wholesale customers are required to institute and apply the same rationing, conservation measures or restrictions to the use of water by their customers for so long as any part of their total water supply is being furnished by Fort Worth.

Commercial or Industrial

- All actions listed above for all water users apply to commercial and industrial users.
- Stock at commercial plant nurseries is exempt from Stage 1 watering restrictions.
- Hotels, restaurants, and bars are encouraged to serve drinking water to patrons on an “on demand” basis.
- Hotels are encouraged to implement laundry conservation measures by encouraging patrons to reuse linens and towels.
- Car wash facilities must keep equipment in good working order, which should include regular inspections to be sure there are no leaks, broken or misdirected nozzles, and that all equipment is operating efficiently.
- All commercial and industrial customers are encouraged to audit irrigation systems

Stage 2 – Water Warning

Triggering Conditions for Stage 2

- Water demand reaches or exceeds 95% of reliable delivery capacity for three consecutive days. The delivery capacity could be citywide or in a specified portion of the system.
 - Contamination of the water supply source(s) or water supply system.
 - Demand for all or part of the delivery system equals or exceeds delivery capacity because delivery capacity is inadequate.
 - Water supply system is unable to deliver water due to the failure or damage of major water system components.
 - TRWD initiated Stage 2 – Water Warning for one or more of the following reasons:
-

- Total raw water supply in TRWD western and eastern division reservoirs drops below 60% (40% depleted) of conservation storage.
- Water demand for all or part of the TRWD delivery system exceeds delivery capacity because delivery capacity is inadequate.
- Water demand is projected to approach the limit of TRWD's permitted supply.
- TRWD's supply source becomes contaminated.
- TRWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- The TRWD General Manager, with the concurrence of the TRWD Board of Directors, finds that conditions warrant the declaration of a Stage 2 drought.

Terminating Conditions for Stage 2

Stage 2 will terminate when the total combined raw water supply in TRWD western and eastern division reservoirs exceeds 75% of conservation storage capacity or remains at or above 70% for 30 consecutive days.

Goal for Use Reduction for Stage 2

The goal for water use reduction under Stage 2 – Water Warning is to decrease use by 10 percent. If circumstances warrant or if required by TRWD, the City Manager or his/her official designee can set a goal for greater water use reduction.

Actions Available for Stage 2

The City Manager or his/her official designee may order the implementation of any of the actions listed below, as deemed necessary. The City Manager or his/her official designee must implement any action(s) required by the Tarrant Regional Water District.

- Continue actions under Stage 1.
- Initiate engineering studies to evaluate water supply alternatives should conditions worsen.

All Water Users

- Limit landscape watering with sprinklers or irrigation systems to a once per week schedule at each service address as determined by the Public Works Director. This includes landscape watering at parks, and sports fields.

Exceptions:

- Lawns and landscaping may be watered on any day, at any time, by handheld hose, drip irrigation, a soaker hose or tree bubbler.
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- Outdoor watering at service addresses with large multi-station irrigation systems may take place in accordance with a variance granted by the director of utilities, if the director determines that a property can not be completely irrigated with an average of three-quarters of an inch of water in a single day, and that the property should be divided into sections to be irrigated on different days. If approved, no station will be watered more than once per week.
- Watering of athletic fields (fields only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events. Encouraged to reduce water use by 10%.
- All users are encouraged to wait until the current drought or emergency situation has passed before establishing new landscaping and turf. Variances granted for establishing new turf grass or landscaping will be for a maximum of 30 days from the date of approval. After that, the watering restrictions set forth in this stage apply. (This does not include over seeding with rye since turf already exists.)
- Discourage the operation of ornamental fountains or ponds that use potable water except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- Discourage the filling, draining, or refilling of swimming pools, wading pools, hot tubs and Jacuzzi type pools except to maintain adequate water levels for structural integrity, proper operation and maintenance, and/or to alleviate an issue that poses a public safety risk.
- Encourage the use of covers for all types of pools, hot tubs, and Jacuzzi type pools when not in use.

City and Local Governments

- Review conditions or problems that caused Stage 2. Take corrective action.
 - Increase frequency of media releases on water supply conditions.
 - Further accelerate public education efforts on ways to reduce water use.
 - Eliminate non-essential water use. As used herein, non-essential water uses are those that do not have any health or safety impact and are not needed to meet the core function of the agency.
 - Prohibit wet street sweeping.
 - The Fort Worth Water Director or his/her designee will notify wholesale customers of actions being taken and require them to implement the same stage and measures. Such action is in accordance with Section 2.3 of the uniform wholesale water contract. Per the contract, wholesale customers are required to institute and apply the
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same rationing, conservation measures or restrictions to the use of water by their customers for so long as any part of their total water supply is being furnished by Fort Worth.

Commercial or Industrial

- All actions listed above for all water users apply to commercial and industrial users.
- Use of water from fire hydrants for any purpose other than firefighting related activities or other activities necessary to maintain public health, safety and welfare requires a variance issued by the Public Works Director.

Stage 3 – Emergency Water Use

Triggering Conditions for Stage 3

- Water demand has reaches or exceeds 98% of reliable delivery capacity for one day. The delivery capacity could be citywide or in a specified portion of the system.
 - Contamination of the water supply source(s) or water supply system.
 - Demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
 - Water supply system is unable to deliver water due to the failure or damage of major water system components.
 - TRWD has initiated Stage 3 – Emergency Water Use, which may also be initiated by one or more of the following:
 - Total raw water supply in TRWD western and eastern division reservoirs drops below 45% (55% depleted) of conservation storage.
 - Water demand for all or part of the TRWD delivery system exceeds delivery capacity because delivery capacity is inadequate.
 - Water demand is projected to approach or exceed the limit of TRWD's permitted supply.
 - TRWD's supply source becomes contaminated.
 - TRWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
 - The TRWD General Manager, with the concurrence of the TRWD Board of Directors, finds that conditions warrant the declaration of a Stage 3 drought.
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Terminating Conditions for Stage 3

Stage 3 will terminate when the total combined raw water supply in TRWD western and eastern division reservoirs exceeds 60% of conservation storage capacity or remains at or above 55% for 30 consecutive days, whichever occurs first.

Goals for Use Reduction for Stage 3

The goal for water use reduction under Stage 3, Emergency Water Use, is to decrease use by 20 percent. If circumstances warrant or if required by TRWD, the City Manager or his/her official designee can set a goal for a greater water use reduction.

Actions Available for Stage 3

The City Manager or his/her official designee may order the implementation of any of the actions listed below, as deemed necessary. The City Manager or his/her official designee must implement any action(s) required by the Tarrant Regional Water District.

- Continue or initiate any actions available under Stages 1 and 2.

All Water Users

- Prohibit landscape watering, including at parks and sports fields.

Exceptions:

- Watering with hand-held hose, soaker hose or drip irrigation system may occur any day and any time. (The intent of this measure is to allow for the protection of structural foundations, trees, and other high value landscape materials).
 - Watering of athletic fields (fields only, does not include surrounding landscaped areas) used for organized sports practice, competition, or exhibition events may occur as necessary to protect the health and safety of the players, staff, or officials present for athletic events may be allowed to water by variance. A water management plan must be submitted to the Public Works Director detailing how each area will comply with stage 3 drought measures.
 - Prohibit establishment of new landscaping. Variances may be granted for those landscape projects started prior to the initiation of stage 3 drought restrictions.
 - Vehicle washing restricted to commercial car wash, commercial service station or a private on-site vehicle washing facility and can only be done as necessary for health, sanitation, or safety reasons, including but not limited to the washing of garbage trucks and vehicles used to transport food and other perishables. All other vehicle washing is prohibited.
 - Prohibit the operation of ornamental fountains or ponds that use potable water except where necessary to support aquatic life.
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- Prohibit the draining, filling, or refilling of swimming pools, wading pools and Jacuzzi type pools. Existing private and public pools may add water to maintain pool levels; however they may not be refilled using automatic fill valves.
- Prohibit hosing of buildings or other structures for purposes other than fire protection or surface preparation prior to painting with high-pressure equipment. Must be performed by a professional power washing service utilizing high efficiency equipment and a vacuum recovery system where possible.

City and Local Governments

In addition to actions listed above:

- Continue or initiate any actions available under Stages 1 and 2.
- Review conditions or problems that caused Stage 3. Take corrective action.
- Implement viable alternative water supply strategies.
- Increase frequency of media releases explaining emergency situation.
- Reduce city and local government water use to maximum extent possible.
- Prohibit the permitting of new swimming pools, Jacuzzi type pools, spas, ornamental ponds and fountain construction. Pools already permitted and under construction may be completely filled with water.
- The Fort Worth Water Director will notify wholesale customers of actions being taken and require them to implement the same stage and measures. Such action is in accordance with Section 2.3 of the uniform wholesale water contract. Per the contract, wholesale customers are required to institute and apply the same rationing, conservation measures or restrictions to the use of water by their customers for so long as any part of their total water supply is being furnished by Fort Worth.

Commercial or Industrial

- All actions listed above for all water users apply to commercial and industrial users.
 - Hotels, restaurants, and bars required to serve drinking water to patrons on an “on demand” basis.
 - Hotels are required to implement laundry conservation measures by encouraging patrons to reuse linens and towels.
 - Stock at commercial plant nursery may be watered only with a hand-held hose, hand-held watering can, or drip irrigation system.
 - Commercial and industrial water users required to reduce water use by a set percentage determined by the Public Works Director.
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- Use of water from hydrants for any purpose other than firefighting related activities or other activities necessary to maintain public health, safety and welfare requires a special permit issued by the Public Works Director. Fire hydrant use may be limited to only designated hydrants.

4.5 Procedures for Granting Variances to the Plan

Variances granted from any particular stage of the Plan will automatically expire when that particular stage is terminated and is no longer in effect.

A variance is not automatically renewable; a subsequent re-initiation of a stage from which an applicant was previously granted a variance will require a new application and a new variance.

A variance will not be re-issued to an applicant simply because that applicant had previously been granted that variance. Each application will be evaluated based on the conditions in place at the time that application is received, regardless of any previously granted variance.

No variance will be retroactive or otherwise exempt an applicant from a violation of the Plan occurring prior to the issuance of the variance.

Grounds for Granting a Variance

The City Manager or his/her duly appointed representative may grant temporary variances for water uses otherwise prohibited under this Plan only if all of the following conditions are met:

1. Granting the variance would not cause an immediate, significant reduction in the City's water supply;
2. Failure to approve the variance would result in an extreme hardship or need relating to health, safety or welfare of the applicant;
3. Granting the variance would not adversely affect the health, safety and welfare of other persons; and
4. The applicant signs a compliance agreement provided by the City Manager or his/her duly appointed representative agreeing to use water only in the amount and manner approved by the variance.

Information Required for a Variance Request

Any application for variances must be in writing and must include the following information:

1. Name and address of applicant(s);
 2. Purpose of water use and the amount of daily use;
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3. Specific provisions from which relief is requested;
4. A detailed statement of the adverse effect of the provision from which relief is requested
5. A description of the relief requested;
6. The period of time for which the variance is sought;
7. Alternative measures that will be taken to reduce water use;
8. Methods of measurement and reporting to confirm water use reductions (if applicable); and
9. Any other pertinent information requested.

Requests for a variance may be directed to the following address:

Director of Public Works
City of Kennedale
405 Municipal Drive
Kennedale, Texas 76060

Revocation of a Variance

The City Manager or his/her duly appointed representative may revoke a variance when he or she determines that:

- The conditions set out in Grounds for Granting a Variance, above, are not being met or are no longer applicable;
- The terms of the compliance agreement have been violated; or
- Revocation is advisable to protect the health, safety, or welfare of the public or any person.

4.6 Procedures for Enforcing Mandatory Water Use Measures

Mandatory water use restrictions are in place year round and additional restrictions may be imposed in Stages 1, 2, and 3. These mandatory water use restrictions will be enforced by warnings and penalties as follows:

- On the first violation, customers will be given a written warning that they have violated the mandatory water use restriction.
- On the second and subsequent violations, citations may be issued to customers, with minimum and maximum fines established by ordinance.
- After three violations have occurred, the utility may cut off water service to the customer.

4.7 Coordination with the Other Entities

The Texas Water Development Board established Regional Water Planning Groups pursuant to Senate Bill 1 (75th Texas Legislature) and made these groups responsible for the development of regional water management plans. The City has modeled this plan to be complimentary to the Fort Worth plan. The Fort Worth plan has been modeled to conform to TRWD requirements and also to be complimentary with other retail water suppliers in the region.

4.8 Review and Update of Drought Contingency Plan

The City will review the Plan at least every five years, as required by Texas Commission on Environmental Quality rules. The Plan, or its sections, may be amended, revised or updated anytime it is appropriate to include new information.

4.9 Severability

It is hereby declared to be the intent of the City that the sections, paragraphs, sentences, clauses and phrases of this Plan are severable, and if any section, paragraph, sentence, clause or phrase of this Plan is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Plan, since the same would not have been enacted by the City without the incorporation into the Plan of any such unconstitutional section, paragraph, sentence, clause or phrase.

5. DROUGHT CONTINGENCY PLAN DEFINITIONS

Term	Definition
Aesthetic water use	Water use for ornamental or decorative features such as fountains, reflecting pools and water gardens.
Alternative Water Source	Means water produced by a source other than a water treatment plan and in not considered potable. These sources can include, but are not limited to: reclaimed/recycled water, collected rain water, collected grey water, private well water.
Athletic field	Means a sports playing field, the essential feature of which is turf grass, used primarily for organized sports for schools, professional sports, or sanctioned league play.
Automatic Irrigation System	Means a site specific system of delivering water generally for landscaping via a system of pipes or other conduits installed below ground that automatically cycles water use through water emitters to a preset program, whether on a designated timer or through manual operation.
Aquatic Life	Means a vertebrate organism dependent upon an aquatic environment to sustain its life.
Conservation	Those practices, techniques, and technologies that reduce water consumption; reduce the loss or waste of water; improve the efficiency in water use; and increase the recycling and reuse of water so that supply is conserved and made available for other or future uses.
Customer	Any person, company, or organization using water supplied by TRWD or through an entity supplied by TRWD.
Drip irrigation	An irrigation system (drip, porous pipe, etc.) that applies water at a predetermined controlled low-flow levels directly to the roots of the plant
Drought Contingency Plan	Means a strategy or combination of strategies for temporary supply management and demand management responses to temporary or potentially recurring water supply shortages and other water supply emergencies.

Fountain	An artificially created jet, stream or flow of water, a structure, often decorative, from which a jet, stream or flow of water issues.
Hand-held hose	Means a hose physically held by one person, fitted with a manual or automatic shutoff nozzle.
Hand Watering	Means the application of water for irrigation purposes through a hand-held watering hose, watering can, or bucket.
Hose-end Sprinkler	Means a device through which water flows from a hose to a sprinkler to water any lawn or landscape.
Hosing	Means to spray, water, or wash with a water hose.
Industrial water use	Means the use of water for or in connection with commercial or industrial activities, including but not limited to, manufacturing, bottling, brewing, food processing, scientific research and technology, recycling, production of concrete, asphalt, and cement, commercial uses of water for tourism, entertainment, and hotel or motel lodging, generation of power other than hydroelectric and other business activities.
Irrigation system	Means a system of fixed pipes and water emitters that apply water to landscape plants or turf grass, including, but not limited to, in-ground and permanent irrigation systems.
Lake, lagoon or pond	Means an artificially created body of fresh or salt water.
Landscape irrigation use	Water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, right-of-ways, medians and entry ways.

“New landscape” means	a. Installed during construction of a new house, multi-family dwelling, or commercial building; b. Installed as part of a governmental entity’s capital improvement project; or c. Alters more than one-half the area of an existing landscape.
Non-essential water use	Water uses that are not required for the protection of public health, safety and welfare, such as: a. Irrigating landscape areas, including parks, athletic fields, and golf courses, except as otherwise provided under this plan; b. Washing any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas; except to alleviate a public health and safety issue; c. Washing any automobile, motorbike, boat (and/or trailer), airplane, or other vehicle except where required by law for safety and sanitary purposes. d. Washing buildings or structures for purposes other than immediate fire protection, or other uses provided under this plan; e. Filling, refilling, or adding to any swimming pools or Jacuzzi-type pools, except to maintain safe operating levels; f. Filling or operation of a fountain or pond for aesthetic or scenic purposes except when necessary to support aquatic life; g. Failure to repair a controllable leak within a reasonable time period after being directed to do so by formal notice; and h. Drawing from hydrants for construction purposes or any other purpose other than firefighting or protection of public drinking water supplies.
Park	Means a non-residential or multifamily tract of land, other than a golf course, maintained by a city, private organization, or individual, as a place of beauty or public recreation and available for use to the general public.
Power/Pressure washer	Means a machine that uses water or a water-based product applied at high pressure to clean impervious surfaces.
Pressure washer (High-Efficiency)	Means a machine that uses water or a water-based product applied at 1500 pounds per square inch (PSI) or greater.
Reclaimed Water	Municipal wastewater effluent that is given additional treatment and distributed for reuse in certain applications. Also referred to as recycled water.
Soaker hose	Means a flexible hose that is designed to slowly emit water across the entire length and connect directly to a flexible hose or spigot. Does not include hose that by design or use sends a fine spray in the air. It is not considered drip irrigation.

Splash Pad/Spray Park	Means an area for water play that has no standing water. Typically, they utilize various spray nozzles which spray water in multiple directions.
Swimming pool	Means any structure, basin, chamber, or tank including hot tubs, containing an artificial body of water for swimming, diving, or recreational bathing, and having a depth of two (2) feet or more at any point.
Vegetable garden	Means any noncommercial vegetable garden planted primarily for household use; "noncommercial" includes incidental direct selling of produce from such a vegetable garden to the public.
Well Water	Means water that has been, or is, obtained from the ground by digging, boring, or drilling to access an underground aquifer.

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Date: December 15, 2014

Agenda Item No: REGULAR ITEMS - C.

I. Subject:

City Council to consider making an appointment to the Parks and Recreation Board, Board of Adjustment/Building Board of Appeals, and/or Keep Kennedale Beautiful Commission

II. Originated by:

City Council, City Council

III. Summary:

The following boards have open places for consideration:

Parks and Recreation Board, Place 4

Board of Adjustment/Building Board of Appeals, Place 8

Keep Kennedale Beautiful, Place 6

Should City Council be interested in appointing Mr. Black on one or more boards, a motion should identify the board and place for the appointment.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

Date: December 15, 2014

Agenda Item No: REGULAR ITEMS - D.

I. Subject:

Consider the submittal of a request to the US Postal Service to modify the 76060 zip code boundary

II. Originated by:

Nadia Alkam, Communications

III. Summary:

The postal serviced provides a process whereby the city can align Kennedale's zip code boundaries with the city's geographic boundaries. This would serve to further the city's economic development efforts and would improve the collection of sales tax revenues by eliminating the confusion from the areas that currently fall outside of Kennedale's 76060 zip code boundary but within the city limits.

Moreover, changing the zip codes in the selected areas (please see attached letter for details) would strengthen community identity in the city as having a uniform zip code would signify belonging to the City of Kennedale.

Recommended action:

Authorizing the submission of a letter petitioning the USPS to modify the 76060 zip boundary with the Mayor and Council Members signing the letter.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Letter to Post Office District Manager	Letter Postal Code Modification Edited.doc
2.	Zip Code Boundary Map	Zip Code Adjustment petition.pdf
3.	Zip Code Boundary Map Highlighted	Zip Code Adjustment petition (highlighted only).pdf

November 13, 2014

District Manager
US Post Office
317 E Kennedale Pkwy
Kennedale, TX 76060

Dear Sir/Madame,

The City of Kennedale would like to request the modification of the following areas' zip code boundaries to more closely align with the city's geographic boundaries (more fully shown in the enclosed map):

- (1) The area roughly bounded by I-20/280 to the north, the Union Pacific railroad line to the west, and Village Creek to the south and east
- (2) The area roughly bounded by I-20 to the north, Little School Rd to the east (the Kennedale city limits), Tealpond Dr to the south, and the Kennedale city limits to the west
- (3) The area roughly bounded by Hudson Village Creek Rd to the south, the Kennedale city limits to the west, Linda Rd to the north, and Valley Trail to the east

The current zip code boundaries which fall outside of Kennedale's 76060 zip code boundary but within its city limits are detrimental to the city's economic development efforts and to its collection of sales tax revenue; there have been multiple instances wherein sales tax revenue was paid to the City of Fort Worth and Kennedale had to pay to recover the funds. The recruitment of new businesses has been hindered due to differing and reliance on demographic data based on zip codes. Moreover, Kennedale is initiating a comprehensive community engagement effort, and the disparate zip codes hinder the strengthening of local identity.

Our request is based on the November 18, 1999 directive issued by the USPS to the vice presidents in charge of each of the nine postal areas that emphasizes:

"If you receive a municipal identity request and a reasonable means of full or partial accommodations can be identified, offer it, apply the customer survey process, and move on...The objective is to find ways to say 'yes,' not excuses for saying 'no.'"

We strongly believe that modifying the zip code boundaries would be in the best interests of the residents of the City of Kennedale. This request has been discussed and approved by unanimous vote during the regularly scheduled meeting of the City Council and we therefore respectfully request you consider this proposition.

Respectfully Submitted,

Brian Johnson

Mayor

Kelly Turner, Mayor Pro-Tem & Place 4

Mayor Pro-Tem & Place 4

Charles Overstreet

City Council Member, Place 1

Liz Carrington

City Council Member, Place 2

Mike Walker

City Council Member, Place 3

Frank Fernandez

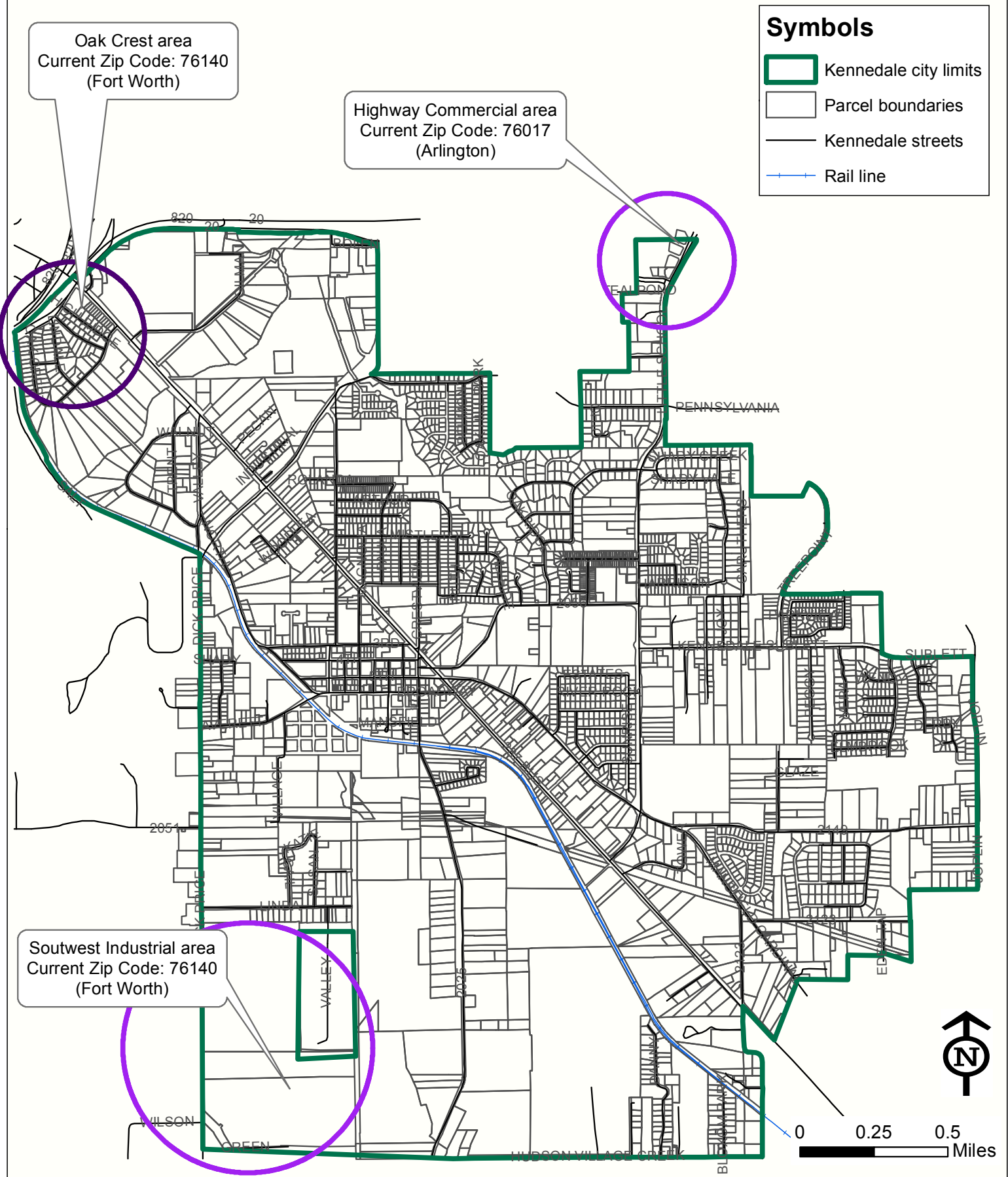
City Council Member, Place 5

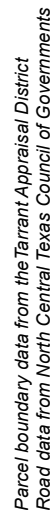


KENNEDALE
You're Here, Your Home
www.cityofkennedale.com



Petition to Expand Zip Code 76060 to include all of Kennedale City Limits





Date: December 15, 2014

Agenda Item No: EXECUTIVE SESSION - A.

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 at 6867 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:

Date: December 15, 2014

Agenda Item No: EXECUTIVE SESSION - B.

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.

1. TIRZ related to development 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: