
405 Municipal Drive, Kennedale, Texas 76060

**AGENDA
KENNEDALE CITY COUNCIL
REGULAR MEETING - August 11, 2011
CITY COUNCIL CHAMBERS**

**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. Discuss options for conducting the May 2012 general election.
- B. Discuss economic development incentive strategies.
- C. Update on water restrictions.
- D. Present information and receive guidance on potential revisions to noise regulations and to oil and gas regulations.
- E. Effective Tax Rate & Rollback Tax Rate Summary
- F. Discuss other agenda items as needed.

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. Present Police Department Life Saving Awards.
 - Shannan DeFrancisco
 - James Peterson

- B. Library Summer Reading Program Winners

- C. Mayor: Updates and information, if any.

- D. Councilmembers: Updates and information, if any.

- E. City Manager: Updates and information, if any.

- 1. Economic Development Corporation 2011-2012 budget update.

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 regular meeting minutes dated July 14th, 2011.

- B. Consider officially designating the position of City Secretary to encompass the duties of Records Manager and Elections Administrator.

C.

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

D.

Consider approval of AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS, ("CITY") APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC" OR "STEERING COMMITTEE") AND ATMOS ENERGY CORP., MID-TEX DIVISION ("ATMOS MID-TEX" or "COMPANY") REGARDING THE COMPANY'S FOURTH ANNUAL RATE REVIEW MECHANISM ("RRM") FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; REPEALING CONFLICTING RESOLUTIONS OR ORDINANCES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AND EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL.

E. Consider approval of A RESOLUTION WAIVING TAXES FOR 1000 EAST KENNEDALE PARKWAY.

F. Consider authorizing the Mayor to sign an agreement with Naval Air Station Firearms Range Agreement for firearms range services for police training.

G. Consider approving the City Manager to execute an interlocal agreement for participation in the City of Fort Worth's Environmental Collection Center Household Hazardous Waste Program.

H.

Discuss and consider AN ORDINANCE OF THE CITY OF KENNEDALE, AMENDING SECTION 2 OF ORDINANCE NO. 353; AMENDING THE FEE SCHEDULE TO REFLECT THE SAME; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

XI. REGULAR ITEMS

A. Discuss and consider authorizing the City Manager to approve and sign agreements awarding bids for health, dental, life, and accidental death and dismemberment insurance coverage, and flexible spending accounts.

B. Discuss and consider appointing LaCresha Sanders to Place 2 on the Keep Kennedale Beautiful Commission.

C. Discuss and consider appointing Ernest Harvey as Chair and Charles Overstreet as Vice-Chair of the Planning and Zoning Commission, as recommended by that Commission.

D.

Discuss and consider A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS ESTABLISHING AN ATTENDANCE POLICY FOR ALL MEMBERS OF ALL CITY BOARDS AND COMMISSIONS AND PROVIDING AN EFFECTIVE DATE.

E.

Conduct a public hearing, review, and consider action to approve Case PZ 11-07, final plat requested by McCaslin Holdings for approximately 3.776 acres located on Bowman Springs Road, more particularly described as a portion of Lot 1, Block 1 Gaona Addition and a tract in the J Prickett Survey A 1225 and the E R Mingus Survey A 1075, City of Kennedale, Tarrant County, Texas.

F. Consider authorizing the City Manager to execute a contract with Halff and Associates to conduct a flood control study on Village Creek in an amount not to exceed \$75,000

G.

Discuss and Consider ADOPTING BY REFERENCE THE TEXAS FOOD ESTABLISHMENT RULES: AN ORDINANCE REGARDING THE REGULATION OF FOOD ESTABLISHMENTS INCLUDING FOOD SERVICE ESTABLISHMENTS, RETAIL FOOD STORES, TEMPORARY FOOD ESTABLISHMENTS, MOBILE FOOD UNITS, AND ROADSIDE FOOD VENDORS; REQUIRING PERMITS FOR FOOD MANAGERS AND FOOD HANDLERS AND PROCEDURES FOR THE SUSPENSION OR REVOCATION OF PERMITS; REQUIRING CONSTRUCTION PLANS FOR FOOD ESTABLISHMENTS; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

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 on any item posted on the agenda.

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

XIV. ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Kennedale will provide for reasonable accommodations for persons attending City Council meetings. This

building is wheelchair accessible, and parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meetings. Please contact Amethyst Cirno, City Secretary, at 817.985.2104 or (TDD) 1.800.735.2989

CERTIFICATION

I certify that a copy of the August 11, 2011, 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 on the following date and time: by 5:00 p.m., at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.

A handwritten signature in black ink that reads "Amethyst G. Cirno". The signature is written in a cursive style and is positioned above a horizontal line.

Amethyst G. Cirno, City Secretary