

KENNEDALE CITY COUNCIL AGENDA
REGULAR MEETING | January 12, 2018
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE
WORK SESSION at 5:30 PM | REGULAR SESSION at 7:00 PM

I. CALL TO ORDER

NOTE: Pursuant to §551.071, Texas Government Code, 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.

II. WORK SESSION

- A. Discussion of items on regular agenda
- B. Discussion of potential board appointments to fill vacancies

III. REGULAR SESSION

IV. ROLL CALL

V. INVOCATION

VI. UNITED STATES PLEDGE AND TEXAS PLEDGE

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

VII. VISITOR/CITIZENS FORUM

At this time, any person with business before the City Council not scheduled on the agenda may address the Council, provided that an official 'Speaker's Request Form' has been completed and submitted to the City Secretary prior to the start of the meeting. All comments must be directed towards the Mayor and Council, rather than individual Councilmembers or staff. All speakers must limit their comments to the subject matter as listed on the 'Speaker's Request Form.' No formal action or discussion can be taken on these items.

VIII. REPORTS/ANNOUNCEMENTS

In addition to specific matters listed below, City Council may receive reports about items of community interest, including but not limited to recognition of individual officials, citizens, or departments, information regarding holiday schedules, and upcoming or attended events.

- A. Updates from the City Council
- B. Updates from the City Manager
- C. Updates from the Mayor

IX. MONITORING INFORMATION

- A. Monthly Financials – December 2017

X. INCIDENTAL ITEMS

XI. REQUIRED APPROVAL ITEMS (CONSENT)

All matters listed under Required Approval Items (Consent) have been previously discussed, require little or no deliberation, or are considered to be routine by the City Council. If discussion is desired, an item can be removed from the Consent Agenda and considered separately.

- A. Consider approval of minutes from December 18, 2017 regular meeting

XII. DECISION ITEMS

- A. Certification by City Secretary of Citizens Petitions for recall under Article XI of the City Charter; and Consideration and/or action regarding Citizens Petitions for recall under Article XI of the City Charter
- B. Consider approval of Resolution 516, calling a Special Election for May 5, 2018, pursuant to Article XI of the City Charter
- C. Determination of violation of express prohibition of City Charter/Forfeiture of Office for Councilmember Sandra Lee, pursuant to Section 3.06 of the City Charter
- D. Determination of Excused Absences/Forfeiture of Office for Councilmember Liz Carrington, pursuant to Section 3.06 of the City Charter

XIII. EXECUTIVE SESSION

The City Council may meet in closed session at any time during the work session or the regular 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, public official liability insurance, legal issues regarding the Open Meetings Act, interpretation of City Charter requirements regarding forfeiture of office, and the following litigation:

- A. Ray v. Johnson, et al; Civil Action No. 4:17-CV-1006-Y

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

XV. 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 January 12, 2018, 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.



Leslie Galloway, City Secretary



Staff Report to the Honorable Mayor and City Council

Date: January 12, 2018

Agenda Item No: WORK SESSION - A.

I. Subject:

Discussion of items on regular agenda

II. Originated by:

Leslie Galloway, City Secretary & Communications Coordinator

III. Summary:

At this time, Council may choose to discuss any item on the agenda.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Staff Report to the Honorable Mayor and City Council

Date: January 12, 2018

Agenda Item No: WORK SESSION - B.

I. Subject:

Discussion of potential board appointments to fill vacancies

II. Originated by:

III. Summary:

At this time, Council may discuss potential appointments to fill advisory board vacancies.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Staff Report to the Honorable Mayor and City Council

Date: January 12, 2018

Agenda Item No: REPORTS/ANNOUNCEMENTS - A.

I. Subject:

Updates from the City Council

II. Originated by:

III. Summary:

Updates and information from City Council Members, if any.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Staff Report to the Honorable Mayor and City Council

Date: January 12, 2018

Agenda Item No: REPORTS/ANNOUNCEMENTS - B.

I. Subject:

Updates from the City Manager

II. Originated by:

III. Summary:

Updates and information from City Manager George Campbell, if any.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Staff Report to the Honorable Mayor and City Council

Date: January 12, 2018

Agenda Item No: REPORTS/ANNOUNCEMENTS - C.

I. Subject:

Updates from the Mayor

II. Originated by:

III. Summary:

Updates and information from Mayor Brian Johnson, if any.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Staff Report to the Honorable Mayor and City Council

Date: January 12, 2018

Agenda Item No: MONITORING INFORMATION - A.

I. Subject:

Monthly Financials – December 2017

II. Originated by:

Brady Olsen, Finance Director

III. Summary:

Overview of the City's revenues and expenditures for all funds compared to budget and previous year.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	December Financials	2017_12 Monthly Financials.pdf
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CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
DECEMBER 2017

REVENUE SUMMARY BY FUND

REVENUES	FY16-17 YTD	FY16-17 ACTUAL	FY17-18 ADOPTED	CURRENT MONTH	FY17-18 YTD	% OF PY ACTUAL EARNED	% OF CY BUDGET EARNED	BUDGET REMAINING
GENERAL FUND	\$ 2,418,900	\$ 5,998,856	\$ 6,386,639	\$ 2,163,078	\$ 2,805,685	40.3%	43.9%	\$ 3,395,770
OTHER GENERAL FUNDS	\$ 214,166	\$ 1,001,006	\$ 973,127	\$ 118,542	\$ 142,415	21.4%	14.6%	\$ 1,502,750
GENERAL FUND	\$ 2,633,066	\$ 6,999,862	\$ 7,359,766	\$ 2,281,620	\$ 2,948,100	37.6%	40.1%	\$ 4,898,520
GENERAL DEBT SERVICE FUND	\$ 698,914	\$ 1,282,439	\$ 1,665,934	\$ 684,715	\$ 879,900	54.5%	52.8%	\$ 490,412
WATER/SEWER FUND	\$ 1,068,028	\$ 4,575,237	\$ 4,479,449	\$ 664,172	\$ 1,079,206	23.3%	24.1%	\$ 3,912,629
STORMWATER UTILITY FUND	\$ 64,513	\$ 349,044	\$ 256,664	\$ 43,692	\$ 65,212	18.5%	25.4%	\$ 426,614
WATER IMPACT FUND	\$ 9,848	\$ 152,434	\$ 120,450	\$ 7,912	\$ 22,978	6.5%	19.1%	\$ 45,680
SEWER IMPACT FUND	\$ 45	\$ 41,762	\$ 28,625	\$ 3,286	\$ 12,340	0.1%	43.1%	\$ 15,975
WATER/SEWER FUND	\$ 1,142,434	\$ 5,118,477	\$ 4,885,188	\$ 719,061	\$ 1,179,736	22.3%	24.1%	\$ 4,400,898
EDC4B FUND	\$ 91,053	\$ 483,952	\$ 575,878	\$ 378,314	\$ 397,534	18.8%	69.0%	\$ 535,693
CAPITAL FUND	\$ 8,352	\$ 180,171	\$ 162,535	\$ 17,446	\$ 30,505	4.6%	18.8%	\$ 93,515
SPECIAL REVENUE FUND	\$ 91,089	\$ 95,393	\$ 25,067	\$ -	\$ -	95.5%	0.0%	\$ 151,223
TOTAL REVENUES	\$ 4,664,907	\$ 14,160,294	\$ 14,674,368	\$ 4,081,156	\$ 5,435,774	32.9%	37.0%	\$ 10,570,260

EXPENDITURE SUMMARY BY FUND

EXPENDITURES	FY16-17 YTD	FY16-17 ACTUAL	FY17-18 ADOPTED	CURRENT MONTH	FY17-18 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
GENERAL FUND	\$ 1,358,931	\$ 5,918,989	\$ 6,453,680	\$ 456,743	\$ 1,469,345	23.0%	22.8%	\$ 5,019,962
OTHER GENERAL FUND	\$ 451,319	\$ 1,070,763	\$ 920,034	\$ 64,542	\$ 148,211	42.1%	16.1%	\$ (148,211)
GENERAL FUND	\$ 1,810,250	\$ 6,989,752	\$ 7,373,714	\$ 521,285	\$ 1,617,556	25.9%	21.9%	\$ 4,871,751
GENERAL DEBT SERVICE FUND	\$ 34,909	\$ 1,423,034	\$ 1,663,884	\$ -	\$ 33,794	2.5%	2.0%	\$ 1,331,833
WATER/SEWER FUND	\$ 776,118	\$ 3,708,608	\$ 4,258,316	\$ 243,194	\$ 780,896	20.9%	18.3%	\$ 4,048,879
STORMWATER UTILITY FUND	\$ 17,295	\$ 272,138	\$ 271,303	\$ 13,672	\$ 65,603	6.4%	24.2%	\$ 505,554
WATER IMPACT FUND	\$ -	\$ -	\$ 153,573	\$ -	\$ -	-	0.0%	\$ 154,415
SEWER IMPACT FUND	\$ -	\$ -	\$ 60,000	\$ -	\$ -	-	0.0%	\$ 60,000
WATER/SEWER FUND	\$ 793,413	\$ 3,980,746	\$ 4,743,192	\$ 256,866	\$ 846,499	19.9%	17.8%	\$ 4,768,848
EDC4B FUND	\$ 135,499	\$ 602,722	\$ 592,963	\$ 28,625	\$ 141,920	22.5%	23.9%	\$ 661,960
CAPITAL FUND	\$ 83,630	\$ 92,209	\$ 175,170	\$ 3,605	\$ 5,073	90.7%	2.9%	\$ 211,167
SPECIAL REVENUE FUND	\$ 29,110	\$ 104,097	\$ 22,984	\$ -	\$ -	28.0%	0.0%	\$ 151,223
TOTAL EXPENDITURES	\$ 2,886,810	\$ 13,192,560	\$ 14,571,907	\$ 810,380	\$ 2,644,841	21.9%	18.2%	\$ 11,996,782

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
DECEMBER 2017

EXPENDITURE SUMMARY BY DEPARTMENT

GENERAL FUND	FY16-17 YTD	FY16-17 ACTUAL	FY17-18 ADOPTED	CURRENT MONTH	FY17-18 YTD	% OF PY ACTUAL EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
CITY MANAGER	\$ 62,262	\$ 356,066	\$ 352,423	\$ 26,098	\$ 73,057	17.5%	20.7%	\$ 279,366
MAYOR/CITY COUNCIL	\$ 14,905	\$ 129,553	\$ 115,113	\$ 16,567	\$ 31,163	11.5%	27.1%	\$ 83,950
CITY SECRETARY	\$ 29,841	\$ 152,017	\$ 144,246	\$ 6,966	\$ 27,948	19.6%	19.4%	\$ 116,298
MUNICIPAL COURT	\$ 23,887	\$ 109,871	\$ 128,197	\$ 7,495	\$ 21,061	21.7%	16.4%	\$ 107,136
HUMAN RESOURCES	\$ 33,357	\$ 123,083	\$ 128,583	\$ 15,961	\$ 31,213	27.1%	24.3%	\$ 97,370
FINANCE	\$ 54,416	\$ 293,954	\$ 301,564	\$ 17,409	\$ 52,472	18.5%	17.4%	\$ 249,092
POLICE	\$ 490,957	\$ 2,149,697	\$ 2,405,689	\$ 148,029	\$ 534,270	22.8%	22.2%	\$ 1,871,419
FIRE	\$ 362,649	\$ 1,679,349	\$ 1,835,873	\$ 150,097	\$ 404,051	21.6%	22.0%	\$ 1,431,822
COMMUNITY DEVELOPMENT	\$ 64,120	\$ 305,758	\$ 341,663	\$ 15,855	\$ 44,440	21.0%	13.0%	\$ 297,223
SENIOR CITIZEN CENTER	\$ 10,857	\$ 49,345	\$ 51,439	\$ 7,301	\$ 11,787	22.0%	22.9%	\$ 39,652
LIBRARY	\$ 55,787	\$ 263,741	\$ 258,031	\$ 23,435	\$ 62,360	21.2%	24.2%	\$ 195,671
NONDEPARTMENTAL	\$ 155,894	\$ 306,556	\$ 390,859	\$ 21,531	\$ 175,524	50.9%	44.9%	\$ 215,335
TOTAL EXPENDITURES	\$ 1,358,932	\$ 5,918,989	\$ 6,453,680	\$ 456,744	\$ 1,469,346	23.0%	22.8%	\$ 4,984,334

WATER/SEWER FUND	FY16-17 YTD	FY16-17 ACTUAL	FY17-18 ADOPTED	CURRENT MONTH	FY17-18 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
UTILITY BILLING	\$ 140,968	\$ 928,580	\$ 1,237,043	\$ 59,322	\$ 68,142	15.2%	5.5%	\$ 1,168,901
WATER OPERATIONS	\$ 246,551	\$ 1,263,519	\$ 1,649,405	\$ 114,503	\$ 370,476	19.5%	22.5%	\$ 1,278,929
DEBT	\$ 152,813	\$ 511,309	\$ 677,361	\$ -	\$ 152,813	29.9%	22.6%	\$ 524,548
W&S CAPITAL	\$ 17,385	\$ 196,862	\$ 39,796	\$ -	\$ -		0.0%	\$ 39,796
NONDEPARTMENTAL	\$ 218,400	\$ 808,339	\$ 654,711	\$ 69,369	\$ 189,465	27.0%	28.9%	\$ 465,246
TOTAL EXPENDITURES	\$ 776,117	\$ 3,708,608	\$ 4,258,316	\$ 243,193	\$ 780,896	20.9%	18.3%	\$ 3,477,420

STREET IMPROVEMENT FUND	FY16-17 YTD	FY16-17 ACTUAL	FY17-18 ADOPTED	CURRENT MONTH	FY17-18 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
STREETS	\$ 150,465	\$ 711,530	\$ 698,143	\$ 56,766	\$ 130,513	21.1%	18.7%	\$ 567,630
PARKS MAINTENANCE	\$ 21,281	\$ 77,298	\$ 161,368	\$ 7,776	\$ 17,698	27.5%	11.0%	\$ 143,670
CAPITAL	\$ 279,573	\$ 281,935	\$ 60,523	\$ -	\$ -		0.0%	\$ 60,523
TOTAL EXPENDITURES	\$ 451,319	\$ 1,070,763	\$ 920,034	\$ 64,542	\$ 148,211	42.1%	16.1%	\$ 771,823

EDC4B FUNDS	FY16-17 YTD	FY16-17 ACTUAL	FY17-18 ADOPTED	CURRENT MONTH	FY17-18 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
ADMINISTRATION	\$ 41,475	\$ 190,611	\$ 195,517	\$ 6,804	\$ 31,824	21.8%	16.3%	\$ 163,693
DEBT SERVICE	\$ 77,953	\$ 324,250	\$ 322,365	\$ 4,766	\$ 75,471	24.0%	23.4%	\$ 246,894
TOWN SHOPPING CENTER	\$ 16,072	\$ 75,209	\$ 45,362	\$ 17,055	\$ 34,626	21.4%	76.3%	\$ 10,736
TOWNCENTER REDEVELOPMENT	\$ -	\$ 12,653	\$ -	\$ -	\$ -		#DIV/0!	\$ -
TOTAL EXPENDITURES	\$ 135,499	\$ 602,722	\$ 563,244	\$ 28,625	\$ 141,921	22.5%	25.2%	\$ 421,323

Staff Report to the Honorable Mayor and City Council

Date: January 12, 2018

Agenda Item No: REQUIRED APPROVAL ITEMS (CONSENT) - A.

I. Subject:

Consider approval of minutes from December 18, 2017 regular meeting

II. Originated by:

Leslie Galloway, City Secretary & Communications Coordinator

III. Summary:

Please see the attached minutes for your approval.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	2017_12.18_Minutes_City Council Regular Meeting_DRAFT	2017_12.18_Minutes_City Council Regular Meeting_DRAFT.pdf
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KENNEDALE CITY COUNCIL MINUTES
REGULAR MEETING | December 18, 2017
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 5:32 p.m.

II. WORK SESSION

A. Hold a discussion and provide staff direction regarding amending the City of Kennedale purchasing policy

City Manager George Campbell stated that this item was added at the request of Council. Mayor Pro Tem Jan Joplin proposed lowering the amount that the City Manager was authorized to spend without seeking Council approval from \$50,000.00 to \$10,000.00.

Campbell responded that the current limit is not unusually high, and that setting it to \$10,000.00 would limit his ability to conduct the daily operations necessary to meet contractual obligations and to move forward on projects approved by Council through the adoption of the budget. There was some discussion about how often the current threshold is met versus how often a threshold of \$10,000.00 might be, and the possibility of meeting more often.

Councilmember Kelly Turner stated that, though he understood the desire to lower the threshold, he did not believe such a dramatic decrease was necessary. Mayor Brian Johnson proposed considering a lower limit only for items that were not included in the budget.

Gilley asked that staff survey similar cities for their purchasing policies.

B. Hold a discussion and provide staff direction regarding City membership in the Texas Local Government Center

Gilley stated that the Texas Local Government Center (TLGC) is a relatively new organization that provides resources to members of local government.

TLGC Executive Director Art Martinez stated that the organization was created as a public policy think-tank that was more resident-oriented, focusing on transparency and budgetary reform. He added that membership was currently free. In response to Mayor Johnson's question, Martinez stated that there was currently one other member City.

C. Discussion of items on regular agenda

There was no discussion at this time.

Mayor Johnson recessed to Executive Session at 6:00 p.m. Executive Session recessed at 6:15 p.m., when two of the four attending Councilmembers left and there was no longer a quorum.

III. REGULAR SESSION

Mayor Johnson opened the regular session at 7:01 p.m.

IV. ROLL CALL

Present: Mayor Brian Johnson; Mayor Pro Tem Jan Joplin, Place 5; Rockie Gilley, Place 1; Liz Carrington, Place 2; Sandra Lee, Place 3; and Kelly Turner, Place 4. **Absent:** None

Staff: City Manager George Campbell, City Secretary and Communications Coordinator Leslie Galloway, Finance Director Brady Olsen, Fire Chief Mike McMurray, Police Chief Tommy Williams, Police Captain Darrell Hull, Public Works Director Larry Ledbetter, Public Works Superintendent Larry Hoover, Library Director Amanda King, City Attorney Wayne Olson

V. INVOCATION

Mayor Pro Tem Joplin provided the invocation.

VI. UNITED STATES PLEDGE AND TEXAS PLEDGE

VII. VISITOR/CITIZENS FORUM

- **Kelli Rod**, 945 Little School Road, and Scott Shepherd, CEO of 6 Stones gave an overview of the organization that was founded in January 2009 and aims to revitalize cities.
- **Frank Fernandez**, 911 Shady Vale Drive, stated his appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Hollis Matthews**, 1252 Elmbrook Drive, presented Charter amendments that he proposed be presented to voters at the May 5, 2018 election.
- **Syed Hassan**, 601 Engleside Drive, Arlington, TX, representing DFW Regional Concerned Citizens, stated that he believed recall of Councilmembers should only be used in serious situations that threaten the community, rather than to settle disagreements.
- **Ron Whitley**, 1009 Oakridge Court, stated his appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Mike Walker**, 717 Shady Creek, stated his appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Daniel Bennet**, 408 Pemberton Street, Fort Worth, TX, presented information to the Council about the past elections and actions of the Tarrant Appraisal District (TAD) Board.
- **Terri Arangio**, 3402 Jerry Lane, Arlington, TX, stated her appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Joe Taylor**, 604 Bluebonnet Lane, submitted written comments stating his appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Jesse Taylor**, 4408 Village Creek Road, Fort Worth, Chair of Republican Party of Precinct 1297, stated his appreciation for Councilmember Lee's service to the City of Kennedale.
- **Chris Pugh**, 715 Timberline, stated his appreciation for Councilmember Carrington's service to the City of Kennedale.

- **Laurie Sanders**, 208 W 5th Street, stated her appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Carolyn Coker Williamson**, 3170 Joplin Road, stated her appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Greg Adams**, 704 Crestview Drive, stated his appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Charles Overstreet**, 1256 Wendy Court, stated his appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Ann Fontenot**, 1043 Foxwood Drive, stated her appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Wilda Turner**, 1013 Sublett Road, stated her appreciation for Councilmember Carrington's and Ernest Harvey's service to the City of Kennedale.
- **Sharon Hamrick**, 1024 Sublett Road, stated her appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Eric Elam**, 349 Kennedale Sublett Road, spoke about a former Kennedale ISD bond and past disagreements.
- **Anthony J. Arangio**, 3402 Jerry Lane, Arlington, TX, stated his appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Marsha Knox**, 200 Hilltop Drive, stated her appreciation for Councilmember Lee's service to the City of Kennedale.
- **John Clark**, 100 Meadowlake Court, encouraged Council to demonstrate statesmanship and stated his appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Dean Carrington**, 1004 Ohio Court, stated his appreciation for Councilmember Carrington's service to the City of Kennedale; and summarized the health issues she has experienced.
- **Kayla Hughes**, 1208 Hunters Haven Drive, submitted written comments stating her appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Jeffrey Nevarez**, 338 Spring Branch Lane, submitted written comments stating his appreciation for Councilmember Carrington's service to the City of Kennedale.
- **Ruby Faye Woolridge**, 2001 Norwood Lane, submitted written comments asking "why is this happening?"

VIII. REPORTS/ANNOUNCEMENTS

A. Updates from the City Council

- Mayor Pro Tem Joplin thanked staff for the Christmas Tree Lighting Festival and the Fire Department's Angel Tree. She added that she was working on a Fire Department salary plan and addressing various resident and business issues. She concluded by saying that she does not like the current situation and feels things could have been done differently.
- Councilmember Turner stated that he was named Chair of the Emergency Preparedness Planning Committee (EPPC), a group that aims to ensure that all communities have access to resources during an event and conducts citizen training.

B. Updates from the City Manager

City Manager George Campbell had no updates at this time.

C. Updates from the Mayor

Mayor Brian Johnson stated that he attended the Southeast Tarrant Transportation Partnership and Tarrant Regional Transportation Coalition meetings regarding the transportation needs of those who face economic challenges. He added that he was named the Vice-Chair of the Mayor's Council and spent time working on a promotion video of the disc golf course at Sonora Park with Parks and Recreation Board Member Phil Wallace.

D. Stormwater presentation and survey information

Public Works Superintendent Larry Hoover introduced Ben Pylant and Matt Stahl of Halff Associates, who distributed a survey and discussed the importance of managing stormwater, as it is not connected to the sewer system, meaning it is discharged into waterways untreated.

IX. MONITORING INFORMATION

A. Monthly Financials – November 2017

There was no discussion at this time.

X. INCIDENTAL ITEMS

XI. REQUIRED APPROVAL ITEMS (CONSENT)

A. Consider approval of minutes from November 20, 2017 regular meeting

Motion To approve the Required Approval Items (Consent) Agenda. **Action** Approve, **Moved By** Turner, **Seconded By** Carrington. **Motion passed unanimously.**

XII. DECISION ITEMS

A. Consider approval of Ordinance 639, amending Chapter 16, Article II "Parks and Recreation Board" of the Kennedale Code of Ordinances, increasing the board membership from five places to seven

Motion To approve Ordinance 639, amending Chapter 16, Article II "Parks and Recreation Board" of the Kennedale Code of Ordinances, increasing board membership from five places to seven. **Action** Approve, **Moved By** Turner, **Seconded By** Lee. **Motion passed unanimously.**

B. Consider making appointments to the Parks and Recreation Board

Motion To approve appointment of Carlos Chargoy to the Parks and Recreation Board, Place 7. **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Gilley. **Motion passed unanimously.**

C. Determination of violation of expressed prohibition of City Charter/Forfeiture of Office for Councilmember Sandra Lee, pursuant to Section 3.06 of the City Charter

Councilmember Turner thanked everyone who spoke during the Visitors Forum and stated that he felt it was clear that residents wished that the Council move forward as a board of five, as nothing that has allegedly occurred has “endangered the public good.” He concluded by saying that he would prefer to find a way to move forward, working together.

Motion To postpone determination of violation of expressed prohibition of City Charter/Forfeiture of Office for Councilmember Sandra Lee until no earlier than December 25, 2017. **Action** Postpone, **Moved By** Gilley, **Seconded By** Mayor Pro Tem Joplin.

City Attorney Wayne Olson read the Charter provisions regarding forfeiture of office and noted that this procedure was rarely utilized. He added that he would recommend that the Council grant extensions if either Lee or Carrington made such a request.

Gilley stated that these were very serious charges and that he felt Councilmember Lee had not been given adequate time to prepare. Turner stated that he felt it was in the community’s best interest to move forward as a Council of five; but that if Council does decide that members should be dismissed if a violation had been made, that he did feel that violations had occurred.

Lee stated that she took issue with the timing of the hearing, as the cited acts occurred during June and July of 2017. Turner stated that the issues were ignored at the time in an attempt to work together, and that he still felt that voters – rather than the Council – should be allowed to decide. He added that he felt what citizens had said tonight clearly showed that they wish for Council to postpone these hearings, set aside differences, and move forward working together.

Mayor Pro Tem Joplin stated that she felt Councilmember Carrington had adequate time to prepare. Gilley stated that Carrington had ten days to prepare and that he felt Lee should be given the same time to prepare.

Mayor Johnson stated that he felt that residents wanted Council to put away the issues and find a way to move forward together. He asked what would be gained by holding these hearings. Gilley answered that we would gain the following of the rules of the Charter. Mayor Pro Tem Joplin stated that she also supported following the Charter and that as new councilmembers they needed but had lacked the support and guidance of veteran members because of the excessive absences. She added that if she was in Carrington’s position, that she would resign.

In response to Turner’s question, Gilley and Joplin stated that, if Lee’s actions were shown to be a violation of the Charter, they would vote to vacate her seat. Turner stated that he did not feel that upholding the rules of the Charter trumped protecting the best interest of the community.

Motion passed 4-0, with Lee abstaining.

D. Determination of Excused Absences/Forfeiture of Office for Councilmember Liz Carrington, pursuant to Section 3.06 of the City Charter

Turner stated that he felt the hearing should be postponed until Carrington felt adequately prepared to answer the charges. Gilley stated that he could support that decision, if the hearing was held no later than Friday, January 12, 2018.

Motion To postpone this item to a date no later than January 12, 2018. **Action** Postpone, **Moved By** Turner, **Seconded By** Gilley. **Motion passed 3-1**, with Carrington abstaining and Mayor Pro Tem Joplin voting against.

XIII. EXECUTIVE SESSION

The City Council may meet in closed session pursuant to the Texas Government Code for the following matters:

- Seek advice from the City Attorney regarding the interpretation of City Charter requirements regarding vacancies and forfeiture of office.
- Seek advice from the City Attorney regarding Public Official Liability Insurance.
- Pursuant to Section 501.071: 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 and legal issues regarding the Open Meetings Act.

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

Executive Session was held following Work Session, before the Regular Session was called to order.

No action was taken at this time.

XV. ADJOURNMENT

Mayor Johnson adjourned the meeting at 9:14 p.m.

APPROVED:

ATTEST:

BRIAN JOHNSON, MAYOR

LESLIE GALLOWAY, CITY SECRETARY

Staff Report to the Honorable Mayor and City Council

Date: January 12, 2018

Agenda Item No: DECISION ITEMS - A.

I. Subject:

Certification by City Secretary of Citizens Petitions for recall under Article XI of the City Charter; and Consideration and/or action regarding Citizens Petitions for recall under Article XI of the City Charter

II. Originated by:

Leslie Galloway, City Secretary & Communications Coordinator

III. Summary:

City Secretary and Communications Coordinator Leslie Galloway will present the certification of the citizens petitions to City Council, calling for the recall of Councilmembers Jan Joplin and Sandra Lee.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	City Sec Certification	Certification_CS_2018Petition.pdf
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STATE OF TEXAS §
COUNTY OF TARRANT §
CITY OF KENNEDALE §

CERTIFICATION OF PETITION BY CITY SECRETARY

I, Leslie Galloway, City Secretary of the City of Kennedale, Texas, do hereby certify that the attached petition regarding the recall of City Council Member SANDRA LEE, PLACE 3, filed in my office Monday, January 8, 2018, by John Clark contained 501 signatures, of which at least 425 were verified as adequate and complete.

Section 11.03 (Recall) of the City of Kennedale Home Rule Charter reads:

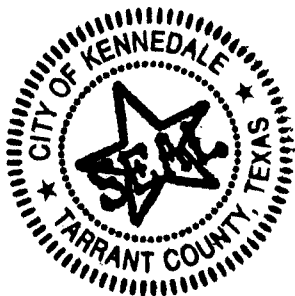
The qualified voters of the City shall have the power to recall any elected official of the City and may exercise that power by filing with the City Secretary a petition containing the same number of signatures and qualifications as required for an initiative petition under this Charter. If the petition is certified by the City Secretary to be sufficient, the City Council shall call an election to determine whether the official named in the petition shall be recalled. The election shall be held no earlier than thirty (30) days after the City Council receives the petition, nor no later than the next special election as allowed in the Texas Election Code.*

Section 11.01 (Initiative) of the City of Kennedale Home Rule Charter reads:

*Any initiated ordinance may be submitted to the City Council by a petition signed by qualified voters equal in number to *at least twenty-five (25) percent of the votes cast in the last regular municipal election, but not less than two hundred and fifty (250) signatures.*

According to Tarrant County Election Records, there were 1,216 voters in the most recent General Election, held May 6, 2017; therefore a minimum of 304 signatures is required. **There are a sufficient number of verified signatures.** I have determined that the petition has a proper, attached affidavit of the person who filed the petition and it otherwise meets the procedures of the Charter and other laws. Pursuant to Section 11.03 of the Charter, the City Council shall call a Special Election to determine whether the official named in the petition – SANDRA LEE, PLACE 3– shall be recalled. The next Special Election date that meets the requirements of the Charter and state law is Saturday, May 5, 2018, and the deadline for calling such an election is Friday, February 16, 2018.

WITNESS MY HAND AND THE SEAL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 9TH DAY OF JANUARY, 2018.



Leslie Galloway
LESLIE GALLOWAY, CITY SECRETARY
CITY OF KENNEDALE, TEXAS

STATE OF TEXAS §
COUNTY OF TARRANT §
CITY OF KENNEDALE §

CERTIFICATION OF PETITION BY CITY SECRETARY

I, Leslie Galloway, City Secretary of the City of Kennedale, Texas, do hereby certify that the attached petition regarding the recall of City Council Member JAN JOPLIN, PLACE 5, filed in my office Monday, January 8, 2018, by John Clark contained 498 signatures, of which at least 421 were verified as adequate and complete.

Section 11.03 (Recall) of the City of Kennedale Home Rule Charter reads:

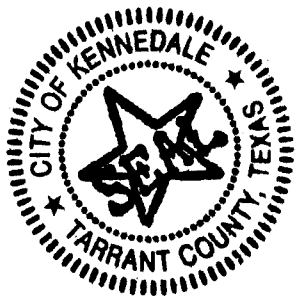
The qualified voters of the City shall have the power to recall any elected official of the City and may exercise that power by filing with the City Secretary a petition containing the same number of signatures and qualifications as required for an initiative petition under this Charter. If the petition is certified by the City Secretary to be sufficient, the City Council shall call an election to determine whether the official named in the petition shall be recalled. The election shall be held no earlier than thirty (30) days after the City Council receives the petition, nor no later than the next special election as allowed in the Texas Election Code.*

Section 11.01 (Initiative) of the City of Kennedale Home Rule Charter reads:

*Any initiated ordinance may be submitted to the City Council by a petition signed by qualified voters equal in number to *at least twenty-five (25) percent of the votes cast in the last regular municipal election, but not less than two hundred and fifty (250) signatures.*

According to Tarrant County Election Records, there were 1,216 voters in the most recent General Election, held May 6, 2017; therefore a minimum of 304 signatures is required. **There are a sufficient number of verified signatures.** I have determined that the petition has a proper, attached affidavit of the person who filed the petition and it otherwise meets the procedures of the Charter and other laws. Pursuant to Section 11.03 of the Charter, the City Council shall call a Special Election to determine whether the official named in the petition – JAN JOPLIN, PLACE 5– shall be recalled. The next Special Election date that meets the requirements of the Charter and state law is Saturday, May 5, 2018, and the deadline for calling such an election is Friday, February 16, 2018.

WITNESS MY HAND AND THE SEAL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 9TH DAY OF JANUARY, 2018.



Leslie Galloway
LESLIE GALLOWAY, CITY SECRETARY
CITY OF KENNEDALE, TEXAS

Staff Report to the Honorable Mayor and City Council

Date: January 12, 2018

Agenda Item No: DECISION ITEMS - B.

I. Subject:

Consider approval of Resolution 516, calling a Special Election for May 5, 2018, pursuant to Article XI of the City Charter

II. Originated by:

Leslie Galloway, City Secretary & Communications Coordinator

III. Summary:

At this time, Council will consider calling a Special Election, in response to the citizens petitions, regarding the recall of Councilmember Sandra Lee, Place 3 and Mayor Pro Tem Jan Joplin, Place 5.

Resolution 516 is not attached as it has not yet been finalized. It will be provided to Council at or before the meeting on Friday, January 12, 2018.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:



Staff Report to the Honorable Mayor and City Council

Date: January 12, 2018

Agenda Item No: DECISION ITEMS - C.

I. Subject:

Determination of violation of express prohibition of City Charter/Forfeiture of Office for Councilmember Sandra Lee, pursuant to Section 3.06 of the City Charter

II. Originated by:

III. Summary:

This hearing is placed on the agenda at the request of City Council Members.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Staff Report to the Honorable Mayor and City Council

Date: January 12, 2018

Agenda Item No: DECISION ITEMS - D.

I. Subject:

Determination of Excused Absences/Forfeiture of Office for Councilmember Liz Carrington, pursuant to Section 3.06 of the City Charter

II. Originated by:

III. Summary:

This hearing is placed on the agenda at the request of City Council Members.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Staff Report to the Honorable Mayor and City Council

Date: January 12, 2018

Agenda Item No: EXECUTIVE SESSION - A.

I. Subject:

Ray v. Johnson, et al; Civil Action No. 4:17-CV-1006-Y

II. Originated by:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	Ray v Johnson (CONFIDENTIAL)	LEGAL (CONFIDENTIAL).pdf
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