

KENNEDALE CITY COUNCIL AGENDA
SPECIAL MEETING | December 6, 2018 AT 5:30 PM
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

I. CALL TO ORDER

II. EXECUTIVE SESSION

The City Council may meet in Closed Session at any time during the meeting, 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.

III. ROLL CALL

IV. DECISION ITEMS

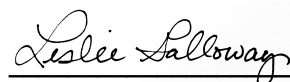
- A. Hold a Public Hearing on contract to purchase potable water from City of Arlington and contract to transfer the operation and maintenance of the Kennedale water and sewer systems to the City of Arlington
- B. Consider authorizing the City Manager to enter into a contract to purchase potable water from City of Arlington
- C. Consider authorizing the City Manager to enter into a contract to transfer the operation and maintenance of the Kennedale water and sewer systems to the City of Arlington
- D. Consider approval of a Memorandum of Understanding with the City of Fort Worth regarding transmission rights and impact fees
- E. Consider authorizing the City Manager to enter into negotiations regarding the status of the contract with Global Water Fathom
- F. Consider adoption of Ordinance 657 amending the water and sewer rate structure

V. 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 do hereby certify that a copy of the December 6, 2018 Kennedale City Council agenda was posted on the bulletin board next to the main entrance of City Hall (405 Municipal Drive; Kennedale, TX 76060), in a place convenient and readily accessible to the general public at all times; and that said agenda was posted at least seventy-two (72) hours preceding the scheduled time of said meeting, in accordance with Chapter 551 of the Texas Government Code.


Leslie Galloway, City Secretary



Date: December 6, 2018

Agenda Item No: DECISION ITEMS - A.

I. Subject:

Hold a Public Hearing on contract to purchase potable water from City of Arlington and contract to transfer the operation and maintenance of the Kennedale water and sewer systems to the City of Arlington

II. Originated by:

Kathryn Roberson, Deputy City Secretary

III. Summary:

A combined presentation outlining provisions of the contracts for the purchase of water and for the operation and maintenance of the water and sewer system will be provided as background for the public hearing.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Date: December 6, 2018

Agenda Item No: DECISION ITEMS - B.

I. Subject:

Consider authorizing the City Manager to enter into a contract to purchase potable water from City of Arlington

II. Originated by:

Kathryn Roberson, Deputy City Secretary

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	2. Wholesale Water Contract 2018.11.29	2. Wholesale Water Contract 2018.11.29.pdf
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Date: December 6, 2018

Agenda Item No: DECISION ITEMS - C.

I. Subject:

Consider authorizing the City Manager to enter into a contract to transfer the operation and maintenance of the Kennedale water and sewer systems to the City of Arlington

II. Originated by:

Kathryn Roberson, Deputy City Secretary

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	3. OperationsMaintenance.Arlington.rd-003 (2) 2018_11.29	3. OperationsMaintenance.Arlington.rd-003 (2) 2018_11.29.pdf
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Date: December 6, 2018

Agenda Item No: DECISION ITEMS - D.

I. Subject:

Consider approval of a Memorandum of Understanding with the City of Fort Worth regarding transmission rights and impact fees

II. Originated by:

Kathryn Roberson, Deputy City Secretary

III. Summary:

The attached MOU addresses and clarifies provisions in the water purchase agreement, currently in place with the City of Fort Worth, as it is affected by the proposed agreements with the City of Arlington. It specifically addresses how Impact Fees in Kennedale will be assessed once the new water supplies from Arlington are realized. Additionally it clarifies how provisions in the Fort Worth agreement regarding prohibitions on our ability to re-sell Fort Worth water will be monitored.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Adjourn

VII. Alternative Actions:

VIII. Attachments:

1.	4. MOU - Kennedale Water Amendmentv2	4. MOU - Kennedale Water Amendmentv2.pdf
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Date: December 6, 2018

Agenda Item No: DECISION ITEMS - E.

I. Subject:

Consider authorizing the City Manager to enter into negotiations regarding the status of the contract with Global Water Fathom

II. Originated by:

Kathryn Roberson, Deputy City Secretary

III. Summary:

Staff has been in preliminary discussions with Fathom to determine the possibility of terminating our contract. Doing so may enhance the benefits of our contract with Arlington.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

Staff requests authority for the City Manager to negotiate such a termination of the contract with Fathom. Any such agreement would be presented to Council for consideration and approval.

VIII. Attachments:



Date: December 6, 2018

Agenda Item No: DECISION ITEMS - F.

I. Subject:

Consider adoption of Ordinance 657 amending the water and sewer rate structure

II. Originated by:

Kathryn Roberson, Deputy City Secretary

III. Summary:

This item is placed on the agenda in order that Council can consider further adjustment to the water and sewer rates, and rate structure that will effectively result in an overall slight further reduction in total revenue, but which will continue to meet revenue requirements under the proposed contract with the City of Arlington.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

It is recommended that Council consider the rate design being prepared as discussed in detail during the public hearing and provide staff direction.

VIII. Attachments:

1.	O657 Water_Sewer Rates	O657 Water_Sewer Rates.pdf
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ORDINANCE NO. 657

AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS, REVISING THE RATES FOR WATER SERVICE AND SANITARY SEWER SERVICE; PROVIDING AN EFFECTIVE DATE FOR THE RATES CONTAINED HEREIN; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council has adopted ordinances establishing rates for water service and sanitary sewer service within and outside the city limits of Kennedale in compliance with Sections 23-52 and 23-79 of the Code of Ordinances of the City of Kennedale; and

WHEREAS, in accordance with the provisions of Sections 23-52 and 23-79 of the Code of Ordinances of the City of Kennedale, the City Council has determined that it is in the best interests of the City of Kennedale to appropriate money to meet the funding requirements necessary to operate the water and sewer system by adopting a revised rate schedule for water and sewer rates, as provided herein.

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

SECTION 1. WATER RATES

In accordance with the provisions of Section 23-52 of the Code of Ordinances, the City Council hereby adopts water rates to fund the expenditures necessary to operate and maintain the water system and for payment of debt related to the provision of such service. The following rate schedule is hereby adopted for monthly residential and commercial/industrial water usage. The total monthly charge shall include a base rate plus a volume charge for water usage.

A. For service within the city limits:

1. Base Rate:

METER SIZE	BASE RATE RESIDENTIAL	BASE RATE COMMERCIAL/ INDUSTRIAL	BASE RATE* SENIOR/DISABLED	MULTIPLE RESIDENTIAL UNITS ON SINGLE METER
¾"	\$20.00	\$25.00	\$20.00	\$20.00/Per Unit
1"	\$33.40	\$41.75	\$33.40	\$20.00/Per Unit
1.5"	\$66.60	\$83.25	\$66.60	\$20.00/Per Unit
2"	\$106.60	\$133.25	\$106.60	\$20.00/Per Unit
3"	\$200.00	\$250.00	\$200.00	\$20.00/Per Unit
4"	\$333.40	\$416.75	\$333.40	\$20.00/Per Unit

*For senior/disabled rate, a credit of \$7.50 per month/billing cycle will apply towards the applicable meter size for water service.

2. Volume Charge:

VOLUME	RESIDENTIAL RATE	COMMERCIAL/ INDUSTRIAL RATE	SENIOR/DISABLED RATE
First 5,000 Gallons	\$2.50 Per 1000 Gallons	\$2.50 Per 1000 Gallons	\$2.50 Per 1000 Gallons
5,001-20,000 Gallons	\$5.50 Per 1000 Gallons	\$5.50 Per 1000 Gallons	\$5.50 Per 1000 Gallons
20,001-50,000 Gallons	\$7.00 Per 1000 Gallons	\$7.00 Per 1000 Gallons	\$7.00 Per 1000 Gallons
Over 50,000 Gallons	\$7.00 Per 1000 Gallons	\$8.50 Per 1000 Gallons	\$7.00 Per 1000 Gallons

Note: For multiple residential units on a single water meter, the volume charge shall be calculated on a per unit basis by dividing the total volume of water used by the number of residential units.

B. For service outside the city limits:

1. Base Rate:

METER SIZE	BASE RATE RESIDENTIAL	BASE RATE COMMERCIAL/ INDUSTRIAL	BASE RATE SENIOR/DISABLED	MULTIPLE RESIDENTIAL UNITS ON SINGLE METER
¾"	\$39.00	\$39.00	N/A	\$39.00/Per Unit
1"	\$97.50	\$97.50	N/A	\$39.00/Per Unit
1.5"	\$195.00	\$195.00	N/A	\$39.00/Per Unit
2"	\$312.00	\$312.00	N/A	\$39.00/Per Unit
3"	\$624.00	\$624.00	N/A	\$39.00/Per Unit
4"	\$975.00	\$975.00	N/A	\$39.00/Per Unit

Note: Senior/disabled credit does not apply for service outside the city limits.

2. Volume Charge

VOLUME	RESIDENTIAL RATE	COMMERCIAL/ INDUSTRIAL RATE	SENIOR/DISABLED RATE
First 5,000 Gallons	\$2.75 Per 1000 Gallons	\$2.85 Per 1000 Gallons	\$2.75 Per 1000 Gallons
5,001-20,000 Gallons	\$5.36 Per 1000 Gallons	\$5.36 Per 1000 Gallons	\$5.36 Per 1000 Gallons
20,001-50,000 Gallons	\$6.70 Per 1000 Gallons	\$6.70 Per 1000 Gallons	\$6.70 Per 1000 Gallons
Over 50,000 Gallons	\$8.38 Per 1000 Gallons	\$8.38 Per 1000 Gallons*	\$8.38 Per 1000 Gallons

Note: For multiple residential units on a single water meter, the volume charge shall be calculated on a per unit basis by dividing the total volume of water used by the number of residential units.

SECTION 2. SEWER RATES

In accordance with the provisions of Section 23-79 of the Code of Ordinances, the City Council hereby adopts sewer rates to fund the expenditures necessary to operate and maintain the sewer system and for payment of debt related to the provision of such service. The following rate schedule is hereby adopted for monthly residential and commercial/industrial sewer usage. The total monthly charge shall include a base rate plus a volume charge based on water usage.

A. For service within the city limits:

	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	SENIOR/DISABLED RATE
Min. Base Rate	\$30.00	\$55.00	\$55.00	\$30.00*
Volume	\$2.90 Per 1000 Gallons	\$6.50 Per 1000 Gallons	\$6.50 Per 1000 Gallons	\$2.90 Per 1000 Gallons

*For senior/disabled rate, a credit of \$7.50 per month/billing cycle will apply towards the applicable meter size for water service.

B. For service outside the city limits:

	RESIDENTIAL	COMMERCIAL/ INDUSTRIAL	SENIOR/DISABLED RATE
Minimum Base Rate	\$67.50	\$91.08	N/A
Volume	\$4.35 Per 1000 Gallons	\$10.08 Per 1000 Gallons	N/A

Note: Senior/disabled credit does not apply for service outside the city limits.

**SECTION 3.
RATE EFFECTIVE DATE**

The rates established in this ordinance shall supersede all prior adopted rates and shall become effective _____ 1, 2019.

**SECTION 4.
CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of all existing ordinances and of the Kennedale City Code (1991), as amended, 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. The criteria for qualifying senior citizen and disabled individual credits adopted in Ordinance No. 611 shall remain in effect.

**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.
EFFECTIVE DATE**

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

**PASSED AND APPROVED ON THIS ____ DAY OF _____,
2019.**

CITY OF KENNEDALE:

Mayor, Brian Johnson

ATTEST:

City Secretary, Leslie Galloway

EFFECTIVE DATE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney, Wayne Olson