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KENNEDALE CITY COUNCIL AGENDA

REGULAR MEETING | JANUARY 15, 2019
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. Interviews of candidates to potentially serve as alternate members on the Utility and Infrastructure Board

B. Discussion of top ten streets in need of repair – *Requested by Joplin/Gilley*

C. Continued discussion of potential amendments to the FY 2018-19 Budget – *Requested by Joplin/Gilley*

D. Discuss and consider providing staff direction regarding the FY 2019-20 Budget – *Requested by Joplin/Gilley*

E. Discussion of potential amendments to the Comprehensive Plan – *Requested by Joplin/Gilley*

F. Discussion of Global Water Fathom utility billing

G. Discussion regarding the status of the Charter Study Committee – *Requested by Joplin/Rhodes*

H. Discussion of items on the Regular Agenda

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 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 as a whole, rather than individual Council members 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, the 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
   - Recognition of outgoing board members

IX. MONITORING INFORMATION

A. Monthly Financials – December 2018

B. Schedule of Investment Activity for quarter ending September 30, 2018

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 the minutes from the December 6, 2018 Special Meeting

B. Consider approval of the minutes from the December 11, 2018 Regular Meeting

C. Consider Resolution 544 approving the low bid of $281,269.00 to Atkins Brothers Equipment Company, and the City's participation amount of $98,249.30, for the 44th year CDBG project for Danny Drive water line improvements

D. Consider approval of Resolution 545 calling the General Election for May 4, 2019

E. Consider authorizing the Mayor to sign a one-year extension of an Interlocal Agreement with City of Fort Worth for rabies control services and the utilization of animal impoundment and quarantine facilities

F. Consider approval of the low bid of $369,249.00 to PM Construction & Rehab, LLC, for Crestdale sewer line improvements

G. Consider Resolution 546, approving of the sale of 229 S. New Hope to Maria Crespo for the amount of $4,000

H. Discuss and consider approving payment of property taxes on real property owned by the Kennedale Arts and Culture Foundation and authorizing City staff to execute all documents necessary to reinstate the Foundation’s right to transact business and pay filing costs related thereto

XII. DECISION ITEMS

A. Consider appointment of two Utility and Infrastructure Board alternate members pursuant to Ordinance 656

B. Discuss and consider a Resolution of Support for an application to the Texas Department of Housing and Community Affairs (TDHCA) 2019 Housing Credit Program by OM Housing, LLC to partially finance the mixed-use development of The Village at Hammack Creek, located at the northeast corner of East Kennedale Parkway and Kennedale Sublett Road

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 of any item posted on the agenda and legal issues regarding the Open Meetings Act.

A. Discuss proposed contract to purchase potable water from the City of Arlington and contract to transfer the operation and maintenance of the Kennedale water and sewer systems to the City of Arlington

B. Discuss pending legal matters regarding Ron Sturgeon vs. City of Kennedale

Pursuant to Section 551.074 deliberation of the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:

C. Discussion of City Manager's Annual Evaluation

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 meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meeting. Please contact the City Secretary at 817-985-2104 or (TTY) 1-800-735-2989.

CERTIFICATION

I do hereby certify that a copy of the January 15, 2019 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

LESLIE GALLOWAY, CITY SECRETARY

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: WORK SESSION - A.

I. Subject:
Interviews of candidates to potentially serve as alternate members on the Utility and Infrastructure Board

II. Originated by:

Leslie Galloway, City Secretary & Communications Coordinator

III. Summary:
At the Tuesday, December 11, 2018, meeting, the City Council adopted Ordinance 656, adding two alternate places to the Utility and Infrastructure Board.

At this time, the Council may interview applicants for these positions as well as discuss potential appointments to these two newly-created alternate places on the board.

UIB Membership
PLACE1 Harry Browne
PLACE 2 Kenneth Michels
PLACE 3 Johnny Trevino, Vice Chair
PLACE 4 Jeff Gregory
PLACE 5 Tom Newsom
PLACE 6 Idin Deljavan, Chair
PLACE 7 Mark Perkins
PLACE 8 VACANT, Alternate
PLACE 9 VACANT, Alternate

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	Massengill, Bo_CONFIDENTIAL	Massengill, Bo_CONFIDENTIAL.pdf
2.	Hicks, Heather_CONFIDENTIAL	Hicks, Heather_CONFIDENTIAL.pdf
3.	Cates, Amy_CONFIDENTIAL	Cates, Amy_CONFIDENTIAL.pdf

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: WORK SESSION - B.

I. Subject:
Discussion of top ten streets in need of repair – *Requested by Joplin/Gilley*

II. Originated by:

Larry Hoover, Public Works Superintendent

III. Summary:

This item was added to the agenda at the request of the Council.

In the attached presentation, the first slide lists streets in need of a complete rebuild, and was previously presented to Council at a Special Meeting on October 9, 2018.

The second slide lists additional streets in need of heavy maintenance.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	20190115 Street Presentation_LG	20190115 Street Presentation_LG.pdf

405 Municipal Drive, Kennedale, TX 76060 | Telephone: 817-985-2100 | Fax: 817-478-7169

Critical Road Reconstruction Projects

TUESDAY, JANUARY 15, 2019

City of KENNEDALE Texas
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Roads in Need of Complete Rebuild

Project Name	Matrix Score	Reason for Not Being Considered
TxDOT New Hope Road Culvert Replacement	56	Project is being considered for funding by Tax Note
TxDOT EMP: Averett Road and Valley Lane	55	Project is being considered for funding by Tax Note
Timberline Drive Sewer Improvements	50	Project is being cash funded out of the water fund
Danny Drive Water Improvements (CDBG)	50	Project is being cash funded out of the water fund
Crestview Drive Sewer Improvements	50	Project is being cash funded out of the water fund
Mistletoe Drive Sewer Improvements	50	Project is being cash funded out of the water fund
Kennedale Safe Routes to School	50	Project is being considered for funding by Tax Note
Danny Drive Pavement Improvements (by County)	49	Roadway improvement project
3rd Street Drainage Improvements	48	Project is currently in construction
Danny Drive Drainage Improvements	46	Roadway improvement project
Industrial Dr. (Asphalt)	46	Roadway improvement project
Shady Creek (Concrete)	45	Roadway improvement project
Grapevine Tr. (Asphalt)	45	Roadway improvement project
Woodland Ct. (Concrete)	45	Roadway improvement project
Oakwood Ln. (Concrete)	45	Roadway improvement project
Peachtree Ct. (Concrete)	45	Roadway improvement project
Broadway (Asphalt)	45	Roadway improvement project
Gail Dr. (Asphalt)	45	Roadway improvement project
Mineral St. (Asphalt)	44	Roadway improvement project
Cloverlane Drive	42	Roadway improvement project
Peggy Ln	42	Roadway improvement project

SOURCE: BOND ISSUANCE PRESENTATION TO COUNCIL DURING THE OCTOBER 9, 2018 SPECIAL MEETING

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Top Ten Streets Rated 'Poor'

REQUIRING HEAVY MAINTENANCE

STREET NAME	LENGTH (ft)	TYPE	REPAIR TYPE
BATCHELOR	475	GRAVEL	BASE STABILIZATION AND PAVEMENT
CENTURY DR.	765	OTHER	BASE STABILIZATION AND PAVEMENT
COLLETT SUBLETT RD.	1300	OIL & CHIP	PATCHING, CRACK SEAL, AND OVERLAY
NEW HOPE RD.	630	OIL & CHIP	PATCHING, CRACK SEAL, AND OVERLAY
NORTH RD.	2940	OIL & CHIP	PATCHING, CRACK SEAL, AND OVERLAY
TOWER	1740	CONCRETE	PATCHING AND CRACK SEAL
HIGH RIDGE RD.	970	OIL & CHIP	PATCHING, CRACK SEAL, AND OVERLAY
KENNEDALE ST.	1040	OIL & CHIP	PATCHING, CRACK SEAL, AND OVERLAY
PINE MEADOWS DR.	1340	CONCRETE	PATCHING AND CRACK SEAL
SHORT ST.	180	OIL & CHIP	PATCHING, CRACK SEAL, AND OVERLAY

The Top Ten list was requested, but there are, in fact, currently 12 total streets rated 'Poor'. The two additional streets are Spring Branch Lane (concrete) and Swiney Hiett Road (asphalt), which are both also in need of heavy maintenance.

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: WORK SESSION - C.

I. Subject:
Continued discussion of potential amendments to the FY 2018-19 Budget – *Requested by Joplin/Gilley*

II. Originated by:

III. Summary:
This item was added to the agenda at the request of the City Council.

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 15, 2019

Agenda Item No: WORK SESSION - D.

I. Subject:
Discuss and consider providing staff direction regarding the FY 2019-20 Budget – *Requested by Joplin/Gilley*

II. Originated by:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: WORK SESSION - E.

I. Subject:
Discussion of potential amendments to the Comprehensive Plan – *Requested by Joplin/Gilley*

II. Originated by:

III. Summary:
This item was added to the agenda at the request of the City Council.

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 15, 2019

Agenda Item No: WORK SESSION - F.

I. Subject:
Discussion of Global Water Fathom utility billing

II. Originated by:

Brady Olsen, Finance Director

III. Summary:
Staff will provide a report to the Council regarding this item either at or before the meeting.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: WORK SESSION - G.

I. Subject:
Discussion regarding the status of the Charter Study Committee – *Requested by Joplin/Rhodes*

II. Originated by:

III. Summary:
This item was added to the agenda at the request of the Council.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	2019.01.03 Debt Issuance Presentation (by SAMCO) to Charter Committee	2019.01.03 Debt Issuance Presentation (by SAMCO) to Charter Committee.pdf

SAMCO Capital

CITY OF KENNEDALE, TEXAS

City Charter Committee Discussion on Types of Municipal Debt

JANUARY 3, 2019

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Types of Municipal Debt

General Obligation Bonds

- Authorized by a successful bond election or multiple bond elections for multiple projects
- If voters turn down a bond election the City is prohibited from issuing COs for the same project for 2 years
- Secured by ad valorem tax levy, but can be paid from other sources as well
- Typically used for general improvements in the City (street improvements, municipal facilities, rolling stock, etc.)
- NOT typically used to fund enterprise fund improvements (i.e. utility system improvements)
- Bond Elections alone carry an added cost (renting election machines, legal fees for drafting election ordinance, etc.) typically around $15,000 - $30,000 regardless of election success

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Types of Municipal Debt

Revenue Bonds

- No election required
- Ad valorem taxes are not allowed in repayment of the Bonds
- Often carry a higher cost of borrowing due to weaker security of the bonds (utility system revenues versus ad valorem taxes)
- Stricter bond covenants that can make revenue bonds much more difficult to issue requiring higher utility rates as a result.
    - A typical covenant would require prior year's net revenues of 1.25X the average debt service of all utility system debt outstanding (including the issuance of the Bonds)
    - Debt Service Reserve Fund must be created and funded over the course of 60 months in an amount equal to the average annual debt service of the revenue bonds

Types of Municipal Debt

Certificates of Obligation

- No election required, but voters retain the right of referendum
- City Council must adopt a Notice of Intent Resolution and publish the notice in its paper of record for two consecutive weeks, so citizens are aware of the upcoming financing
- Subject to petition by the registered voters of the City
    - If a petition is submitted with 5% of the qualified voters contesting the issuance of the COs then the issuance of COs is paused until a bond election can be called and held. Only after a successful election could the COs be sold
- Sale can only proceed once 30 days has elapsed since the publication of the Notice and no valid petition has been filed with the City
- Ad valorem taxes and utility system revenues may be pledged in repayment of the Obligations depending on which fund supports the project
- Allows the City to finance multiple projects with multiple sources of repayment together to create economies of scale and reduce issuance costs

Types of Municipal Debt

Tax Notes

- No election required
- Not subject to referendum by the citizens
- Maximum maturity of 7 years
- Used primarily for financing assets with a shorter useful life
- Quickest process to issue debt and have the funds deposited into the City's accounts
- Typically a cheaper borrowing alternative to Lease Purchase Agreements

Types of Municipal Debt

Pros and Cons of Requiring a Bond Election for All Debt Issuances

Pros:

- Voters have a direct say in each financing the City is considering

Cons:

- Costly for the City to hold bond elections for potential projects (especially for smaller projects)
- Projects turned down at a bond election cannot be funded for two years
- Long lead time to fund projects

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Types of Municipal Debt

Pros and Cons of Certificates of Obligation

Pros:

- Less costly than issuing general obligation bonds (no election cost)
- Cheaper than issuing revenue bonds and less restrictive bond covenants
- Quicker process than having a bond election and issuing GO Bonds
- Fund multiple projects at one-time
  - i.e. can fund general fund projects and utility system projects together rather than issue two separate bonds and incurring twice the cost

Cons:

- Less input from the voters
  - Voters are made aware of the City's intention to sell debt and retain the right of referendum
  - Very low threshold (5% of qualified voters) to stop a CO issuance
- Potential public perception that you are circumventing the voters
  - Elected officials are tasked with directing the City based upon their insight of the various issues facing the city

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: WORK SESSION - H.

I. Subject:
Discussion of items on the Regular Agenda

II. Originated by:

III. Summary:
At this time, the 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 15, 2019

Agenda Item No: REPORTS/ANNOUNCEMENTS - A.

I. Subject:
Updates from the City Council

II. Originated by:

III. Summary:
Updates and information from Council members, if any.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: REPORTS/ANNOUNCEMENTS - B.

I. Subject:
Updates from the City Manager

II. Originated by:

Leslie Galloway, City Secretary & Communications Coordinator

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 15, 2019

Agenda Item No: REPORTS/ANNOUNCEMENTS - C.

I. Subject:
Updates from the Mayor

- Recognition of outgoing board members

II. Originated by:

Leslie Galloway, City Secretary & Communications Coordinator

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:

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: MONITORING INFORMATION - A.

I. Subject:
Monthly Financials – December 2018

II. Originated by:

Brady Olsen, Finance Director

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

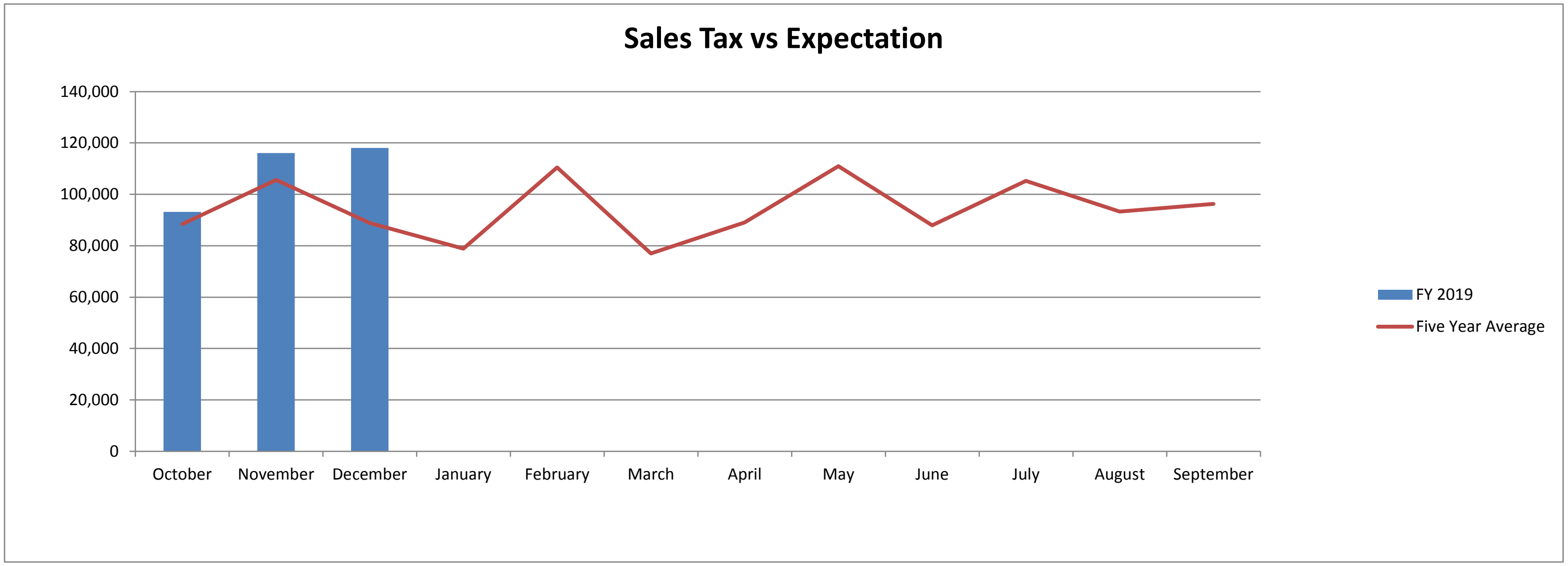
VIII. Attachments:

1.	Sales Tax Update-DECEMBER 2018	Sales Tax Update-DECEMBER 2018.pdf
2.	2018_12 Monthly Financials	2018_12 Monthly Financials.pdf

405 Municipal Drive, Kennedale, TX 76060 | Telephone: 817-985-2100 | Fax: 817-478-7169

Sales Tax By Month

Year	October	November	December	January	February	March	April	May	June	July	August	September	Total
FY2019	$ 93,144	$ 116,039	$ 118,085										**$ 327,267**
FY2018	$ 103,820	$ 114,506	$ 86,956	$ 95,425	$ 163,502	$ 95,017	$ 123,760	$ 129,363	$ 108,885	$ 123,268	$ 118,770	$ 89,090	**$ 1,352,361**
FY2017	$ 88,748	$ 116,156	$ 81,855	$ 88,956	$ 105,794	$ 78,644	$ 87,130	$ 100,121	$ 80,241	$ 100,943	$ 49,590	$ 86,549	**$ 1,064,725**
FY2016	$ 93,137	$ 119,137	$ 97,985	$ 75,878	$ 116,006	$ 87,589	$ 79,516	$ 114,543	$ 83,718	$ 84,586	$ 87,693	$ 91,377	**$ 1,131,165**
FY2015	$ 71,955	$ 94,438	$ 82,545	$ 73,782	$ 107,571	$ 72,312	$ 81,193	$ 119,350	$ 128,463	$ 165,756	$ 146,297	$ 177,697	**$ 1,321,359**
FY2014	$ 65,971	$ 89,600	$ 94,982	$ 67,373	$ 97,781	$ 69,685	$ 79,236	$ 93,957	$ 77,496	$ 71,927	$ 86,597	$ 67,978	**$ 962,584**
FY2013	$ 100,850	$ 93,890	$ 70,338	$ 60,406	$ 90,009	$ 62,374	$ 60,955	$ 96,061	$ 63,409	$ 67,304	$ 83,919	$ 78,075	**$ 927,591**
	*Net payment after correcting an audit error.												**$ -**



Industry	Amount	% Change	Adjusted Chan	YTD	FYTD
Manufacturing	$25,067.18	628.01%	-31.03%	$253,565.63	$66,205.70
Retail	$23,373.46	-1.04%	6.75%	$284,517.58	$70,540.05
General Services	$20,927.24	18.88%	13.22%	$307,536.78	$79,787.92
Professional Services	$18,982.70	15.18%	12.40%	$197,618.78	$54,927.67
Wholesale	$18,878.99	7.37%	138.27%	$219,677.88	$50,515.42
Food	$9,254.58	23.85%	-2.56%	$103,036.52	$24,928.76
Agricultural	$1,930.30	344.40%	0.00%	$6,096.66	($23,222.09)
Miscellaneous	$1,072.86	-72.51%	-2.00%	$10,875.11	$5,665.93
Accommodation	$0.00	0.00%	0.00%	$0.00	$0.00

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
December 2018

REVENUE SUMMARY BY FUND

REVENUES	FY17-18 YTD	FY17-18 ACTUAL*EST	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL EARNED	% OF CY BUDGET EARNED	BUDGET REMAINING
GENERAL FUND	$ 2,805,685	$ 6,364,833	$ 6,406,759	$ 2,176,678	$ 3,001,271	44.1%	46.8%	$ 3,405,488
OTHER GENERAL FUNDS	$ 142,415	$ 998,892	$ 941,983	$ 114,552	$ 145,316	14.3%	15.4%	$ 796,667
GENERAL FUND	**$ 2,948,100**	**$ 7,363,725**	**$ 7,348,742**	**$ 2,291,230**	**$ 3,146,587**	**40.0%**	**42.8%**	**$ 4,202,155**
								$ -
GENERAL DEBT SERVICE FUND	**$ 879,900**	**$ 1,561,277**	**$ 1,518,995**	**$ 712,320**	**$ 864,808**	**56.4%**	**56.9%**	**$ 654,187**
								$ -
WATER/SEWER FUND	$ 1,079,206	$ 5,007,743	$ 4,010,901	$ 277,647	$ 962,922	21.6%	24.0%	$ 3,047,979
STORMWATER UTILITY FUND	$ 65,212	$ 264,150	$ 254,950	$ 22,079	$ 66,702	24.7%	26.2%	$ 188,248
WATER IMPACT FUND	$ 22,978	$ 165,170	$ 120,450	$ -	$ 17,185	13.9%	14.3%	$ 103,265
SEWER IMPACT FUND	$ 12,340	$ 93,162	$ 32,664	$ -	$ 10,007	13.2%	30.6%	$ 22,657
WATER/SEWER FUND	**$ 1,179,736**	**$ 5,530,225**	**$ 4,418,965**	**$ 299,726**	**$ 1,056,815**	**21.3%**	**23.9%**	**$ 3,362,150**
EDC4B FUND	**$ 397,819**	**$ 919,542**	**$ 629,752**	**$ 61,376**	**$ 172,406**	**43.3%**	**27.4%**	**$ 457,346**
CAPITAL FUND	**$ 30,505**	**$ 173,755**	**$ 172,535**	**$ 196**	**$ 15,306**	**17.6%**	**8.9%**	**$ 157,229**
SPECIAL REVENUE FUND	**$ 0**	**$ 51,332**	**$ 127,497**	**$ -**	**$ 0**	**0.0%**	**0.0%**	**$ 127,497**
TOTAL REVENUES	**$ 5,436,060**	**$ 15,599,856**	**$ 14,216,486**	**$ 3,364,847**	**$ 5,255,923**	**34.8%**	**37.0%**	**$ 8,960,563**

EXPENDITURE SUMMARY BY FUND

EXPENDITURES	FY17-18 YTD	FY17-18 ACTUAL*EST	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
GENERAL FUND	$ 1,469,345	$ 6,227,160	$ 7,028,284	$ 461,586	$ 1,596,021	23.6%	22.7%	$ 5,432,263
OTHER GENERAL FUND	$ 168,000	$ 956,249	$ 1,197,369	$ 55,152	$ 186,644	17.6%	15.6%	$ 1,010,725
GENERAL FUND	**$ 1,637,345**	**$ 7,183,409**	**$ 8,225,653**	**$ 516,738**	**$ 1,782,665**	**22.8%**	**21.7%**	**$ 6,442,988**
GENERAL DEBT SERVICE FUND	**$ 33,794**	**$ 1,420,004**	**$ 1,511,744**	**$ -**	**$ 32,413**	**2.4%**	**2.1%**	**$ 1,479,331**
WATER/SEWER FUND	$ 780,896	$ 4,112,494	$ 4,659,521	$ 382,379	$ 588,692	19.0%	12.6%	$ 4,070,829
STORMWATER UTILITY FUND	$ 65,603	$ 199,561	$ 139,764	$ 15,655	$ 22,257	32.9%		
WATER IMPACT FUND	$ -	$ 153,573	$ 152,525	$ -	$ -			
SEWER IMPACT FUND	$ -	$ 60,000	$ 60,000	$ -	$ -			
WATER/SEWER FUND	**$ 846,498**	**$ 4,525,628**	**$ 5,011,810**	**$ 398,034**	**$ 610,949**	**18.7%**	**12.2%**	**$ 4,400,861**
EDC4B FUND	**$ 141,920**	**$ 852,344**	**$ 539,912**	**$ 15,822**	**$ 70,215**	**16.7%**	**13.0%**	**$ 469,697**
CAPITAL FUND	**$ 5,073**	**$ 186,536**	**$ 130,170**	**$ -**	**$ -**	**2.7%**	**0.0%**	**$ 130,170**
SPECIAL REVENUE FUND	**$ -**	**$ 26,919**	**$ 11,767**	**$ -**	**$ -**	**0.0%**	**0.0%**	**$ 11,767**
TOTAL EXPENDITURES	**$ 2,664,630**	**$ 14,194,840**	**$ 15,431,056**	**$ 930,594**	**$ 2,496,242**	**18.8%**	**16.2%**	**$ 12,934,814**

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
December 2018

EXPENDITURE SUMMARY BY DEPARTMENT

GENERAL FUND	FY17-18 YTD	FY17-18 ACTUAL*EST	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
CITY MANAGER	$ 73,057	$ 352,054	$ 365,464	$ 30,239	$ 78,315	20.8%	21.4%	$ 287,149
MAYOR/CITY COUNCIL	$ 31,163	$ 164,586	$ 127,323	$ 29,636	$ 52,972	18.9%	41.6%	$ 74,351
CITY SECRETARY	$ 21,061	$ 127,514	$ 164,073	$ 8,168	$ 26,418	16.5%	16.1%	$ 137,655
MUNICIPAL COURT	$ 31,213	$ 87,773	$ 108,148	$ 7,022	$ 19,989	35.6%	18.5%	$ 88,159
HUMAN RESOURCES	$ 534,270	$ 163,716	$ 104,909	$ 161,177	$ 610,520	326.3%	582.0%	$ (505,611)
FINANCE	$ 404,051	$ 333,079	$ 358,365	$ 127,044	$ 354,273	121.3%	98.9%	$ 4,092
POLICE	$ 44,687	$ 2,205,638	$ 2,686,196	$ 32,386	$ 85,470	2.0%	3.2%	$ 2,600,726
FIRE	$ 11,787	$ 1,712,530	$ 1,907,680	$ 4,798	$ 9,585	0.7%	0.5%	$ 1,898,095
COMMUNITY DEVELOPMENT	$ 62,360	$ 328,430	$ 372,090	$ 31,337	$ 90,495	19.0%	24.3%	$ 281,595
SENIOR CITIZEN CENTER	$ 27,701	$ 49,752	$ 54,028	$ 10,302	$ 41,208	55.7%	76.3%	$ 12,820
LIBRARY	$ 52,472	$ 300,995	$ 268,259	$ 17,022	$ 53,783	17.4%	20.0%	$ 214,476
NONDEPARTMENTAL	$ 175,524	$ 400,969	$ 511,749	$ 2,455	$ 172,993	43.8%	33.8%	$ 338,756
TOTAL EXPENDITURES	**$ 1,469,345**	**$ 6,227,036**	**$ 7,028,284**	**$ 461,586**	**$ 1,596,021**	**23.6%**	**22.7%**	**$ 5,432,263**

WATER/SEWER FUND	FY17-18 YTD	FY17-18 ACTUAL*EST	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
UTILITY BILLING	$ 68,142	$ 1,411,379	$ 1,293,973	$ 160,359	$ 182,907	4.8%	14.1%	$ 1,111,066
WATER OPERATIONS	$ 370,476	$ 1,501,598	$ 1,576,197	$ 67,137	$ 205,022	24.7%	13.0%	$ 1,371,175
DEBT	$ 152,813	$ 541,586	$ 509,680	$ 152,813	$ 152,813	28.2%		
W&S CAPITAL	$ -	$ 16,920	$ 654,796	$ -	$ -		0.0%	$ 654,796
NONDEPARTMENTAL	$ 189,465	$ 641,010	$ 624,875	$ 2,070	$ 47,951	29.6%	7.7%	$ 576,924
TOTAL EXPENDITURES	**$ 780,896**	**$ 4,112,493**	**$ 4,659,521**	**$ 382,379**	**$ 588,692**	**19.0%**	**12.6%**	**$ 4,070,829**

STREET IMPROVEMENT FUND	FY17-18 YTD	FY17-18 ACTUAL*EST	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
STREETS	$ 130,513	$ 622,272	$ 740,910	$ 43,530	$ 123,523	21.0%	16.7%	$ 617,387
PARKS MAINTENANCE	$ 17,698	$ 80,379	$ 125,920	$ 10,546	$ 15,139	22.0%	12.0%	$ 110,781
CAPITAL	$ -	$ 60,555	$ 79,058	$	$ -			
TOTAL EXPENDITURES	**$ 148,211**	**$ 763,206**	**$ 945,888**	**$ 54,076**	**$ 138,662**	**19.4%**	**14.7%**	**$ 807,226**

EDC4B FUNDS	FY17-18 YTD	FY17-18 ACTUAL*EST	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
ADMINISTRATION	$ 31,824	$ 136,556	$ 168,360	$	$ -	23.3%		
DEBT SERVICE	$ 75,471	$ 339,552	$ 320,432	$ 9,926	$ 40,210	22.2%		
TOWN SHOPPING CENTER	$ 34,626	$ 168,331	$ 51,120	$ 5,896	$ 30,005	20.6%		
TOWNCENTER REDEVELOPMENT	$ -	$ 177,712	$ -	$	$ -			
TOTAL EXPENDITURES	**$ 141,920**	**$ 822,151**	**$ 539,912**	**$ 15,822**	**$ 70,215**	**17.3%**	**13.0%**	**$ 469,697**

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: MONITORING INFORMATION - B.

I. Subject:
Schedule of Investment Activity for quarter ending September 30, 2018

II. Originated by:

Brady Olsen, Finance Director

III. Summary:
This investment report for the final quarter of FY2017-18 is attached for the City Council's review, in accordance with the Public Funds Investment Act (PFIA).

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	September 30 2018 Qtrly Investment Report	September 30 2018 Qtrly Investment Report.pdf

City of Kennedale, Texas

SCHEDULE OF INVESTMENT ACTIVITY

For The Quarter Ending September 30, 2018

CITY OF KENNEDALE, TEXAS
INVESTMENT REPORT
FOR QUARTER ENDING SEPTEMBER 30, 2018

The Quarterly Investment Report provides the City's investment portfolio position as of the report period indicated above. Fund of the City are invested in accordance with the City of Kennedale Investment Policy as originally adopted on September 13, 2001 and subsequently reviewed in June of 2018

SUMMARY OF INVESTMENTS FOR THE QUARTER

98.9% of the City of Kennedale's investments are owned by the Pooled Cash Fund. The remaining .1.1% goes to the $2.0M 2010 CO Bond Fund, $1.7M TX Leverage Fund, and Clearing Funds. As of the reporting quarter, 95.03% of the City's investments are in investment pools, and 4.97% are invested in money market savings accounts.

INVESTMENT STRATEGIES

The City's main objectives in managing the portfolio are as follows: suitability, preservation & safety of principal, liquidity, marketability, diversification, and yield.

INVESTMENT PORTFOLIO ALLOWABLE BREAKDOWN

Certificates of Deposit (50%), Investment Pools (100%)* , Money Market Mutual Funds (100%)*, Repurchase Agreements (50%)*, Government Obligations (25%), US Treasury & US Agency Callables (25%), US Government Agencies & Instrumentalities (100%), and US Treasury Notes/Bills (100%) *(no more than 50% in any individual pool, fund, or repurchase agreement)

MONTHLY BALANCES- INVESTMENTS

Investment Pool	Account Name	Interest Rate	July 2018	August 2018	September 2018	Interest Earned
Texas Daily	Consolidated Cash	0.50%	$ 32,113.34	$ 32,617.70	$ 32,221.49	$ 161.39
TexStar	Consolidated Cash	0.49%	334,362.07	334,908.01	335,458.31	1,633.90
TexPool	$2.0M CO Bond	0.49%	30,095.88	30,144.97	30,194.41	146.76
TexPool	Central Deposit	0.48%	5,452,815.26	5,339,049.19	5,466,703.63	26,303.30
TOTAL INVESTMENT POOLS			$ 5,849,386.55	$ 5,736,719.87	$ 5,864,577.84	$ 28,245.35

MONTHLY BALANCES- WELLSFARGO

Bank	Account Name	Interest Rate	July 2018	August 2018	September 2018	Interest Earned
Wellsfargo	Consolidated Cash	N/A	$ 416,794.81	$ 440,953.54	$ 266,094.78	
Wellsfargo	Payroll Clearing	0.04%-0.05%	0.55	37,059.68	38,710.32	3.51
Wellsfargo	Section 125 Flex	0.04%-0.05%	-	-	1,590.39	
Wellsfargo	Dick Price Rd	0.005%	-	-	-	
Wellsfargo	Health Reimbursement	0.00%	1,133.00	1,133.00	1,133.00	
Wellsfargo	Employee Health Benefit Trust	0.00%	0.32	0.35	1.49	2.16
TOTAL WELLSFARGO			$ 417,928.68	$ 479,146.57	$ 307,529.98	$ 5.67
TOTAL MONTHLY BALANCES- ALL			$ 6,267,315.23	$ 6,215,866.44	$ 6,172,107.82	$ 28,251.02

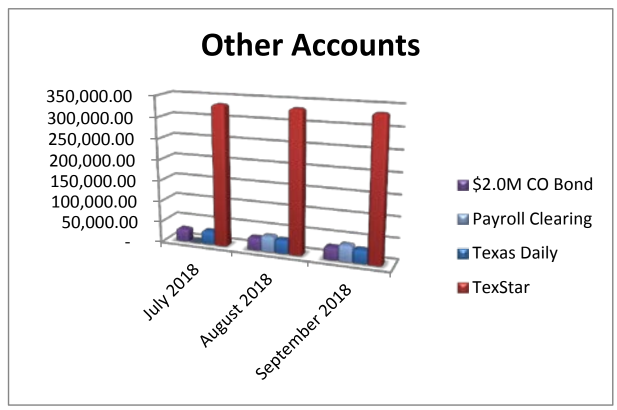
TRANSACTION ACTIVITY- INVESTMENTS

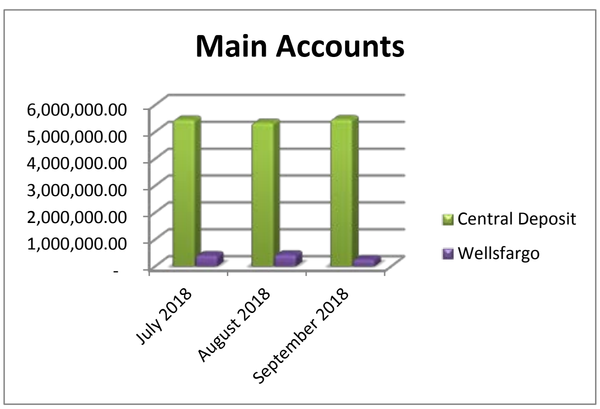
Investment Pool	Account Name	Balance 6/30/2018	Deposits	Withdrawls	Interest	Balance 9/30/2018
Texas Daily	Consolidated Cash	$ 32,060.10	$ -	$ -	$ 161.39	$ 32,221.49
TexStar	Consolidated Cash	333,824.41	-	-	1,633.90	335,458.31
TexPool	$2.0M CO Bond	30,047.65	-	-	146.76	30,194.41
TexPool	Central Deposit	5,181,642.87	558,757.46	(300,000.00)	26,303.30	5,466,703.63
TOTAL INVESTMENT POOLS		$ 5,577,575.03	$ 558,757.46	$ (300,000.00)	$ 28,245.35	$ 5,864,577.84

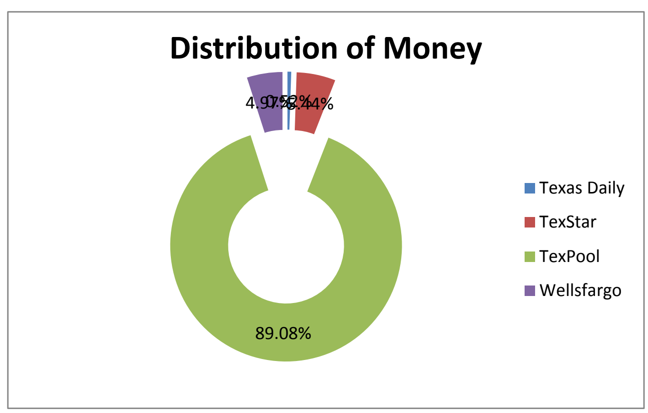
TRANSACTION ACTIVITY- WELLSFARGO

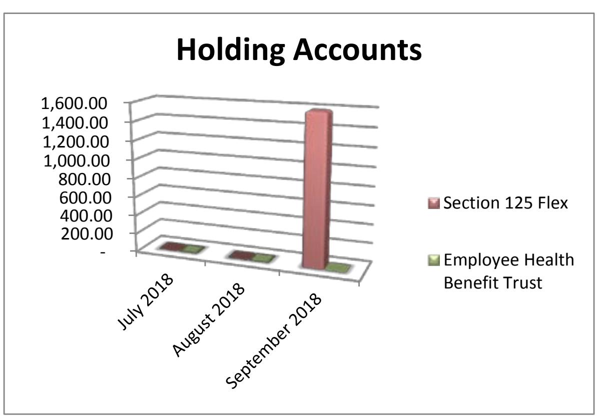
Bank	Account Name	Balance 6/30/2018	Deposits	Withdrawls	Interest	Balance 9/30/2018
Wellsfargo	Consolidated Cash	$ 753,446.53	$ 2,463,682.24	$ (2,951,033.99)	$ -	$ 266,094.78
Wellsfargo	Payroll Clearing	82.75	1,022,868.20	(984,240.63)	3.51	38,710.32
Wellsfargo	Section 125 Flex	0.00	3,564.54	(1,974.15)	-	1,590.39
Wellsfargo	Health Reimbursement	1,133.00	3,399.00	(3,399.00)	-	1,133.00
Wellsfargo	Employee Health Benefit Trust	0.47	180,976.41	(180,975.39)	2.16	1.49
TOTAL WELLSFARGO		$ 1,815,446.12	$ 3,674,490.39	$ (4,121,623.16)	$ 5.67	$ 307,529.98

CASH BREAKDOWN BY FUND	July 2018	August 2018	September 2018
01- General Fund	$2,424,625.73	$2,059,285.46	$1,596,512.90
02- Debt Service Fund	-$46,088.80	-$44,766.92	$124,241.78
04- Capital Project Fund	$74,624.81	$81,617.40	-$1,308.78
05- Capital Replacement Fund	$339,784.00	$324,050.78	$397,006.37
07- Storm Drainage Utility Fund	$112,176.36	$134,938.25	$21,883.43
10- Water/Sewer Fund	$1,636,731.00	$1,902,576.16	$2,248,385.33
12- Court Security Fund	$16,871.06	$17,183.32	$17,553.90
14- Park Dedication Fund	$237,584.01	$237,777.32	$158,091.57
15- Economic Development Fund	$114,278.30	$160,036.77	$118,295.21
16- Court Technology Fund	$6,164.52	$6,559.51	$7,032.20
17- Streets Improvement Fund	$285,644.27	$238,285.48	$457,763.97
18- Juvenile Case Manager Fund	$15,560.25	$14,715.84	$14,472.09
21- TIF #1 New Hope Fund	-$7,395.52	-$7,395.52	$19,693.91
32- Library Building Fund	$4,166.57	$504.63	-$41.95
34- LEOSE Fund	$1,746.17	$1,746.37	$1,746.57
41- Park Rec/Other Donation Fund	$18,887.86	$18,608.83	$18,611.15
45- Roadway Impact Fee Fund	$249,277.53	$254,831.64	$257,068.04
61- Water Impact Fee Fund	$262,576.75	$269,189.64	$129,193.32
62- Sewer Impact Fee Fund	$165,754.29	$169,935.40	$119,789.06
83- Tree Reforestation Fund	$68,767.67	$68,858.31	$68,949.23
85- Unclaimed Property Fund	$1,990.24	$1,990.24	$1,990.24
95- EDC Reserve Fund	$121,678.10	$121,838.48	$121,999.34
TOTAL ALL FUNDS	$ 6,105,405.17	$ 6,032,367.39	$ 5,898,928.88









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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

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

I. Subject:
Consider approval of the minutes from the December 6, 2018 Special Meeting

II. Originated by:

Kathryn Roberson, Deputy City Secretary

III. Summary:
Please see the attached minutes for your approval.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	2018_12.06_Minutes_City Council Special Meeting_DRAFT	2018_12.06_Minutes_City Council Special Meeting_DRAFT.pdf

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KENNEDALE CITY COUNCIL MINUTES

SPECIAL MEETING | DECEMBER 6, 2018 at 5:30 PM

CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

DRAFT UNTIL APPROVED BY COUNCIL

I. CALL TO ORDER

Mayor Pro Tem Sandra Lee called the meeting to order at 5:34 p.m. and immediately convened into Executive Session.

II. EXECUTIVE SESSION

Mayor Pro Tem Sandra Lee reconvened into Open Session at 6:11 p.m.

III. ROLL CALL

Present: Mayor Johnson *(arrived at 6:11 p.m.)*; Mayor Pro Tem Lee, Place 3; Rockie Gilley, Place 1; Chris Pugh, Place 2; Linda Rhodes, Place 4; Jan Joplin, Place 5. **Absent**: NONE.

Staff: *City Manager George Campbell, Deputy City Secretary Kathryn Roberson, Finance Director Brady Olsen, Public Works Superintendent Larry Hoover, Backflow/CS Inspector Dennis Brown, City Attorney Wayne Olson.*

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

1. Staff Presentation

Finance Director Brady Olsen presented details of the ongoing negotiations, noting that communication with the City of Arlington continued to be open and honest and negotiations had been successful. He outlined the projected implementation timeline, services included in the contract, and the expected operational, staff, and citizen impact. He then presented details of current contracts with the City of Fort Worth, Fathom, and Waste Connections.

2. Public Hearing

John Hivale, *418 Coker Valley Drive*, spoke in support based upon the assessment of the delivery/Kennedale water situation and how the agreement benefits the City.
Jeff Nevarez, *338 Spring Branch Lane*, spoke in support, and expressed his desire to see the Fathom contract cancelled due to ongoing billing issues.
Mark Babina, *1056 Falcon Crest Drive*, spoke in support of the proposed contract.
Robert Mundy, *712 Shady Creek Drive*, spoke in support of the proposed contract, stating that it would be a turning point for Kennedale and that he encouraged Councilmembers to think about the potential long-term gains associated with the negotiations.
Kayla Hughes, *1208 Hunters Haven Drive*, registered in support of any measures that improve Kennedale water quality, pressure, and rates.
Susan Ryan, *1048 Falcon Nest Drive*, registered in support of both contracts.
Marsha Mellott, *1161 Falcon Ridge Drive*, registered in support of both contracts.
Ann Fontenot, *1043 Fox Wood Drive*, registered in support of an agreement with Arlington, expressing a preference for better water quality at a lower price.

3. Staff Response and Summary

City Manager George Campbell recommended postponing items IV.B., IV.C., and IV.F.

Motion To Postpone items IV.B., IV.C., and IV.F. until the January 15, 2019 regular council meeting. **Action** Postpone, **Moved By** Pugh, **Seconded By** Gilley. **Motion passed Unanimously.**

B. Consider authorizing the City Manager to enter into a contract to purchase potable water from City of Arlington
This item was postponed until the January 15, 2019 Regular Meeting of the City Council.

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
This item was postponed until the January 15, 2019 Regular Meeting of the City Council.

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

City Manager George Campbell presented details of the Memorandum of Understanding with the City of Fort Worth and recommended Council approval.

Motion To Approve a Memorandum of Understanding with the City of Fort Worth regarding transmission rights and impact fees. **Action** Approve, **Moved By** Gilley, **Seconded By** Pugh. **Motion passed Unanimously.**

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

Motion To Approve authorizing the City Manager to enter into negotiations regarding the status of the contract with Global Water Fathom. **Action** Approve, **Moved By** Pugh, **Seconded By** Rhodes. **Motion passed Unanimously.**

F. Consider adoption of Ordinance 657 amending the water and sewer rate structure
This item was postponed until the January 15, 2019 Regular Meeting of the City Council.

V. ADJOURNMENT

Motion To Adjourn. **Action** Adjourn, **Moved By** Johnson, **Seconded By** Joplin. **Motion passed Unanimously.**

Mayor Johnson adjourned the meeting at 7:04 p.m.

DRAFT UNTIL APPROVED BY COUNCIL

APPROVED:

BRIAN JOHNSON, MAYOR

ATTEST:

LESLIE GALLOWAY, CITY SECRETARY

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

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

I. Subject:
Consider approval of the minutes from the December 11, 2018 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:

VII. Alternative Actions:

VIII. Attachments:

1.	2018_12.11_Minutes_City Council Regular Meeting_DRAFT	2018_12.11_Minutes_City Council Regular Meeting_DRAFT.pdf

KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | DECEMBER 11, 2018
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE
WORK SESSION at 5:30 PM | REGULAR SESSION at 7:00 PM

I. CALL TO ORDER

Mayor Brian Johnson called the meeting to order at 5:32 p.m.

II. WORK SESSION

A. Continued discussion of potential amendments to the FY 2018-19 budget

There was no discussion at this time. Council requested that this item be moved forward to the January 15, 2019 Regular Meeting.

B. Winding Creek Erosion Study Presentation and discussion of other drainage/erosion issues

Public Works Superintendent Larry Hoover introduced Ben Pylant Director of Water Resources at Halff Associates who presented an overview of a study of the Erosion and Drainage of Winding Creek (from Bowman Springs Road to Kennedale Sublett Road) that was finalized in December 2017. Both were available to answer Council's questions regarding this study that aimed to prioritize erosion issues, develop options, and inform future planning and budget efforts. Stabilization suggestions included gabions and rock rip rap, at a total cost of roughly $3.5 million among the 16 prioritized sites.

There was discussion among the City Council of the possible causes of this erosion and the need to prioritize the mitigation. Finance Director Brady Olsen stated his recommendation to increase the Stormwater Drainage Fee to fund the project. Public Works Superintendent Larry Hoover stated that during his 17 years on staff, he had advocated for the funding of stormwater projects, including originating the stormwater fee for purposes such as this.

Resident Glen Massengill, *628 Briar Court*, who spoke at the previous month's Visitor/ Citizens Forum, stated his concerns regarding the erosion and shared photos.

Craig Barnes of Shield Engineering Group presented an overview of erosion issues and means of repair on Valley Lane and Danny Drive and was available to answer Council's questions regarding these subjects. Barnes stated that additional pavement failures have occurred on Valley Lane and that the repair cost will require engineering analysis. Options presented were gabions, channel improvements, and/or a connection with Trent Street.

Councilmember Pugh stated his support of identifying another entry point for Valley Lane. Councilmembers Gilley and Joplin stated their support for prioritizing this issue. Public Works Superintendent Larry Hoover requested direction regarding funding and noted the City's Silver Certification through the NCTCOG iSWM program.

There was a brief discussion of the need for easements.

DRAFT UNTIL APPROVED BY COUNCIL

Regarding Danny Drive, Barnes stated that bids for the current CDBG Project would be opened Wednesday, December 12. He presented hydraulic work maps from the NCTCOG FY13 Risk Map Project (prepared by Halff), which was part of a study that had since been submitted to FEMA. There was some discussion of rebuilding the roadway and addressing a low point in the road. Barnes stated that installation of culverts or anything that moved water downstream faster would assist in low flow events, but would not keep water from the roadway during larger events. There was a brief discussion of the existing detention pond.

The City Council stated their desire for the Utility and Infrastructure Board (UIB) to offer recommendations on these projects.

C. Discuss amending the Comprehensive Plan as it relates to Urban Village zoning

There was no discussion at this time. Council requested that this item be moved forward to the January 15, 2019 Regular Meeting.

D. Discuss issues of Utility Billing by Fathom

There was no discussion at this time. Council requested that this item be moved forward to the January 15, 2019 Regular Meeting.

Mayor Johnson recessed the Work Session at 6:55 p.m.

III. REGULAR SESSION

Mayor Johnson called the Regular Session to order at 7:06 p.m.

IV. ROLL CALL

Present: Mayor Brian Johnson; Rockie Gilley, Place 1; Chris Pugh, Place 2; Linda Rhodes, Place 4; Jan Joplin, Place 5; **Absent:** Mayor Pro Tem Sandra Lee, Place 3

Staff: *City Manager George Campbell, City Secretary & Communications Coordinator Leslie Galloway, Finance Director Brady Olsen, Director of Planning and Economic Development Melissa Dailey, Police Chief Tommy Williams, Fire Chief James Brown, Public Works Superintendent Larry Hoover, Director of Human Resources & Administrative Services Danielle Clarke, Library Director Amanda King, and City Attorney George A. Staples, Jr.;* ***Consultants****: Ben Pylant, Director of Water Resources at Halff Associates; and Craig Barnes President of Shield Engineering Group*

V. INVOCATION

Pastor Nelda Barrett Murraine of FUMC Kennedale offered the invocation.

VI. UNITED STATES PLEDGE AND TEXAS PLEDGE

VII. VISITOR/CITIZENS FORUM

No one spoke at this time.

VIII. REPORTS/ANNOUNCEMENTS

A. Updates from the City Council

- **ROCKIE GILLEY, PLACE 1**, announced that he visited local businesses and toured the creeks of Kennedale.

DRAFT UNTIL APPROVED BY COUNCIL

- **CHRIS PUGH, PLACE 2**, announced that he attended the Christmas Tree Lighting and thanked the public works staff for their work at that event and the community for attending.
- **LINDA RHODES, PLACE 4**, announced that she attended the Christmas Tree Lighting and enjoyed meeting members of the Youth Advisory Council (YAC); and that she would be attending a TMCA training on January 24-25.
- **JAN JOPLIN, PLACE 5**, stated that she attended the Senior Center Thanksgiving luncheon; attended EDC, Council, Park Board, and P&Z meetings; and thanked the staff for their work on the Christmas Tree Lighting and the KPFFA for their Angel Tree Program; and that there was a "Police Navidad" luncheon on December 20 at FUMC.

Joplin then read a proclamation recognizing James F. Delaney Elementary for their "Linda Huckabay Thanksgiving Food Drive".

Pastor Nelda Barrett Murraine of FUMC Kennedale thanked the students, families, and staff of Delaney for their support of the FUMC Mission Store Food Pantry through this program.

B. Updates from the Mayor
This item was taken out of order; Followed VII.C. Updates from the City Manager.

Mayor Brian Johnson announced that he attended the Mayors Council meeting (which he chairs) and visited the Presbyterian Night Shelter; he noted the approval of the Tarrant County bond package, which included satellite health care locations; stated that the Commissioners Court recently approved the funding of a $10 million project to improve the portion of Sublett Road between Joplin Road and the Kennedale city limit; and that Kennedale Theatre in the Park had upcoming productions on Friday, December 14 and Saturday, December 15.

Mayor Johnson then read a Proclamation designating December 22 as Arbor Day.

C. Updates from the City Manager
This item was taken out of order; Followed VII.A. Updates from the City Council.
City Manager George Campbell introduced newly appointed Fire Chief James Brown.

IX. MONITORING INFORMATION

A. Monthly Financials – November 2018
There was no discussion at this time.

B. Monthly EDC Financials and Activity Report
There was no discussion at this time.

X. INCIDENTAL ITEMS

XI. REQUIRED APPROVAL ITEMS (CONSENT)

A. Consider approval of minutes from November 12, 2018 regular meeting

B. Consider appointment to the Fort Worth Wholesale Water and Wastewater Advisory Committee

DRAFT UNTIL APPROVED BY COUNCIL

Councilmember Rhodes requested that item A be removed from Consent.

Motion To Approve Consent Agenda, except Item A. **Action** Approve, **Moved By** Joplin, **Seconded By** Rhodes. **Motion passes Unanimously.**

In relation to item XI.A (November 12 Minutes), Councilmember Rhodes requested that Work Session item B have the following language added to the final sentence: "… and for the Senior Center Board to turn in monthly financial reports to the City."

Motion To Approve Consent Item A as amended by Councilmember Rhodes. **Action** Approve, **Moved By** Rhodes, **Seconded By** Gilley. **Motion passes Unanimously.**

XII. DECISION ITEMS

A. Consider appointment of a Chair of the TIRZ Board per Ordinance 506 (refer to Section 3)

Mayor Johnson nominated Councilmember Rockie Gilley as Chair of the TIRZ Board.

Motion To Approve appointment of Councilmember Rockie Gilley as Chair of the TIRZ Board. **Action** Approve, **Moved By** Joplin, **Seconded By** Rhodes. **Motion passes 4-0-1**, with Councilmember Gilley abstaining**.**

B. Consider adoption of Ordinance 656 adding two alternate places to the Utility and Infrastructure Board

Motion To Approve Ordinance 656 adding two alternate places to the Utility and Infrastructure Board. **Action** Approve, **Moved By** Pugh, **Seconded By** Joplin. **Motion passes unanimously.**

C. Consider appointment of two Utility and Infrastructure Board alternate members pursuant to Ordinance 656

Motion To Postpone appointments of two alternate members to the UIB until Council can interview applicants. **Action** Postpone, **Moved By** Gilley, **Seconded By** Joplin. **Motion passes unanimously.**

D. Discuss and consider adoption of Ordinance 643, amending Chapter 15, Article V, Sec. 15-155 of the City Code to regulate noise nuisances near residential dwellings

Director of Planning and Economic Development Melissa Dailey gave a brief overview of this ordinance and was available to answer Council's questions regarding the ordinance.

Motion To Amend Ordinance 643, by maintaining a start time of 7:00 a.m. on weekdays, but delaying the start time until 8:00 a.m. on Saturdays and Sundays. **Action** Amend, **Moved By** Gilley, **Seconded By** Joplin. **Motion passes unanimously.**

Motion To Approve Ordinance 643, amending Chapter 15, Article V, Sec. 15-155 of the City Code, as amended. **Action** Approve, **Moved By** Pugh, **Seconded By** Joplin. **Motion passes unanimously.**

E. Receive a staff report and hold a discussion regarding the Village of Hammack Creek

DRAFT UNTIL APPROVED BY COUNCIL

located at the northeast corner of East Kennedale Parkway and Kennedale Sublett Road

Director of Planning and Economic Development Melissa Dailey gave a brief overview of this proposed mixed-use development, including a description of the requirements of the Urban Village zoning which the developers intended to pursue, pending approval of Decision Item F by the Council. Dailey then presented a preliminary site plan provided by OM Housing, which included 144 apartments, 16 townhomes (in Phase 1), 31,000 sqft. of retail, 7,500 sqft. of office space, and 2 acres of open space. She noted that the aim of Section 42 or the IRS code was to allow for a higher quality of housing than might be seen without offering subsidized financing to decrease development costs.

In response to questions from Council, Patricia Ward, Director of the Tarrant County Community Development And Housing Department, stated that the proposed funding was subsidized on the developer side, rather than on the tenant side.

Dailey then discussed the maximum rent amounts, the income levels that would qualify, the appeal of affordable housing to seniors and veterans (which the developer is required to reach out to under the proposed financing program), myths associated with affordable housing, the quality requirements of Urban Village zoning, and the principles of the Comprehensive Plan with which this development would align.

Dailey noted that this was a $50 million investment in a parcel of land currently valued at about $700,000; and that the economic impact was estimated to be $1.24 million annually ($513,000 in sales and property tax to the City and $726,000 in property tax to KISD) or $36.5 million over 20 years as well as 50 added permanent jobs.

F. Discuss and consider a resolution of Support for an application to the Texas Department of Housing and Community Affairs (TDHCA) 2019 Housing Credit Program by OM Housing, LLC to partially finance the mixed-use development of The Village at Hammack Creek, located at the northeast corner of East Kennedale Parkway and Kennedale Sublett Road

Mayor Johnson noted that approval of this item was merely an expression of support for the developer's application for the tax credit financing, not approval of the development, which would require application to the Planning & Zoning Commission for rezoning and site plan approval, which would then be considered by the City Council, if approved by the P&Z.

Patricia Ward noted the lack of affordable housing in Tarrant County, and the need to have quality housing for all levels of income, including those beginning their careers or families that earn a median income.

Director of Planning and Economic Development Melissa Dailey was also available to answer questions from the City Council, including those concerning the economic impact, the infrastructure and staff required to support the added residential and retail, mitigation of increased water runoff, and the potential impact on the school district.

Councilmember Chris Pugh reiterated Mayor Johnson's statement that Council was not considering the approval of the development, but was merely considering expressing support of the developer's application for funding on a proposed $50 million development

DRAFT UNTIL APPROVED BY COUNCIL

that would then go through many levels of review by both the Planning & Zoning Commission and the City Council where concerns could be addressed. He added that the community survey results presented to Council in an Informal Staff Report indicated several desires that would be met by this proposed development including professional office space, neighborhood services and small retail, and varying types of housing and designs.

Councilmember Gilley stated his belief that this development would fundamentally change the community, and that he desired public input before supporting the developer's application for tax credit funding.

Deepak Sulakhe, President and CEO of OM Housing, stated that the deadline for the application for funding was March 1, 2019, with a pre-application due January 7, 2019.

Mayor Johnson then requested that several emails from residents presented by himself and Councilmember Joplin be added to the minutes:

- **Lisa Cooper**, *717 Timberline Street*, stated via email her opposition to low income housing, and her support of seeking businesses in this area.
- **Cheryl Pond**, *606 Hilltop Court*, stated via email her opposition to the Council considering mixed use low income apartments.
- **Anthony Bichel**, *908 Shady Vale Drive*, stated via email his opposition to this proposed development because of the potential effects to the City and KISD.
- **Thelma Kobeck**, *200 Valley Lane*, stated via email her opposition to the Council supporting the developer's application to the TDHCA due to the reduced rents and increased traffic; and urged the City Council and staff to review and revise the Comprehensive Plan.
- **Josh Altom**, *1033 Estates Drive*, stated via email his support of this Resolution and the related development, stating that it would be a housing option for public safety personnel and teachers. He also attached a statement from **LeCretia Johnson** who stated that she was born and raised in Kennedale, but as a single mother had left because of the lack of affordable housing.
- **Michael Strait**, *509 Mansfield Cardinal Road*, stated via email his opposition of this proposed development as well as the one on Little Road (Item G on this agenda).
- **Allen Ray**, 1025 Winding Creek Drive, stated via email his desire for Council to table this item until more information is available about the financing.
- **Doug Elliott**, *205 Hilltop Drive*, stated via email his opposition to low cost family housing.
- **Sarah Turner**, *1000 Oak Hill Park*, stated via email her opposition to affordable housing unless the schools, first responders, and businesses can support it.
- **Jennifer Cannon**, *701 Sunrise Drive*, stated via email her support of apartments in this location if they were high-end with retail and restaurants attached, but not if they were "Section 8, HUD, or Government Assistance living".

Jason Lain, Director of Acquisitions of OM Housing, stated that the company focuses on high-end LEED-certified developments, partners with local companies, and includes the necessary infrastructure for each retail space. He went on to discuss the economic development advantages, the management of the property after completion, and the environmental standards of their developments. Lain reiterated that this resolution of

DRAFT UNTIL APPROVED BY COUNCIL

support would allow OM Housing to proceed in the State application process, but would not guarantee approval in that process or indicate approval of the proposed site plan.

Deepak Sulakhe stated that the State requires a 'Hold Harmless' letter at the time of zoning application, and understands that the development could be voted down in the future and was available to answer Council's questions regarding these subjects.

Motion To Approve a resolution of Support for an application to the Texas Department of Housing and Community Affairs (TDHCA) 2019 Housing Credit Program by OM Housing, LLC to partially finance the mixed-use development of The Village at Hammack Creek. **Action** Approve, **Moved By** Pugh, **Motion Not Seconded**. **Motion Failed**.

Mayor Johnson declared this item dead for lack of a second.

DRAFT UNTIL APPROVED BY COUNCIL

G. **Case PZ 18-07** to conduct a public hearing and consider a request by Harlan Properties, Inc. for a rezoning of approximately 5 acres at 1109 North Little School Road, legal description of M P Lamar Survey, Abstract 987, Tract 2B Less HS and David Strickland Survey, Abstract 1376, Tract 8B, and approximately 6 acres at 1121 North Little School Road, legal description of David Strickland Survey, Abstract 1376, Tract 8A, 8A1 & 8A2, Less AG, and M P Lamar Survey, Abstract 987, Tract 2A, 2A1 & 2a1A Less HS, City of Kennedale, Tarrant County, Texas from C-1 Restricted Commercial to UV Urban Village

1. Staff Presentation

Director of Planning and Economic Development Melissa Dailey stated that these four parcels would be combined for a proposed development on Little Road, that current surrounding uses are primarily commercial with some residential and one multifamily location (most of which are in the City of Arlington), and that the proposed zoning change would comply with the Future Land Use Plan.

She provided a brief overview of the proposed development for this location and was available to answer Council's questions regarding these subjects.

Dailey stated that staff recommends approval and that the Planning and Zoning Commission recommends approval 4-2 vote.

2. Public Hearing

- **Wayne Burgdorf**, *of SVN Trinity Advisors at 3000 Race Street (Fort Worth),* stated his support for the proposed rezoning, adding that during the four years he had been the listing agent for these properties, he had received more than 360 inquiries many of which were higher density rental developments, but that it was his opinion that something like this proposed medium density owner-occupied custom product would fit best within the plan and as well as meeting the needs of market demand and the Urban Village goals as defined by leadership.

Mayor Johnson recessed the meeting at 8:59 p.m. and reconvened the meeting at 9:09 p.m.

3. Staff Response and Summary

Director of Planning and Economic Development Melissa Dailey was available to answer the Council's questions regarding the origin on the Urban Village zoning classification and other potential uses allowed under that zoning as well as the current zoning of C-1.

Suresh Shridharani, President of Harlan Properties and Sumeer Homes, the developer of the proposed townhomes, stated that he only had intentions of building what was presented and that groundbreaking could likely happen by August of 2019.

Motion To Approve Case PZ 18-07, a request by Harlan Properties, Inc. for a rezoning of approximately 5 acres at 1109 North Little School Road, legal description of M P Lamar Survey, Abstract 987, Tract 2B Less HS and David Strickland Survey, Abstract 1376, Tract 8B, and approximately 6 acres at 1121 North Little School Road, legal description of David Strickland Survey, Abstract 1376, Tract 8A, 8A1 & 8A2, Less AG, and M P Lamar Survey, Abstract 987, Tract 2A, 2A1 & 2a1A Less HS, City of Kennedale, Tarrant County, Texas from C-1 Restricted Commercial to UV Urban Village. **Action** Approve, **Moved By** Gilley, **Seconded By** Pugh. **Motion passes unanimously.**

Mayor Johnson recessed to Executive Session at 9:32 p.m.

XIII. EXECUTIVE SESSION

A. Discuss proposed contract to purchase potable water from the City of Arlington and contract to transfer the operation and maintenance of the Kennedale water and sewer systems to the City of Arlington

B. Discuss pending legal matters regarding Ron Sturgeon vs. City of Kennedale

C. Discussion of City Manager's Annual Evaluation

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

Mayor Johnson reconvened the meeting at 9:48 p.m.

Council directed staff to move forward Work Session items A, C, and D and Executive Session item C to the January 15, 2019 Regular Meeting.

XV. ADJOURNMENT

Motion To Adjourn. **Action** Adjourn, **Moved By** Gilley, **Seconded By** Rhodes. **Motion passed Unanimously.**

Mayor Brian Johnson adjourned the meeting at 9:50 p.m.

DRAFT UNTIL APPROVED BY COUNCIL

APPROVED: **ATTEST:**

BRIAN JOHNSON, MAYOR

LESLIE GALLOWAY, CITY SECRETARY

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

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

I. Subject:
Consider Resolution 544 approving the low bid of $281,269 to Atkins Brothers Equipment Company, and the City's participation amount of $98,249.30, for the 44th year CDBG project for Danny Drive water line improvements

II. Originated by:

Larry Hoover, Public Works Superintendent

III. Summary:

On March 19, 2018, the City Council approved Resolution 521 authorizing funding for the water line improvements on Danny Drive with Tarrant County Community Development and Housing as a Community Development Block Grant (CDBG) project.

The eight formal project bids that were received were opened at the office of the Tarrant County Community Development and Housing on December 12, 2018, and have been tabulated for review. The lowest bid received is from Atkins Brothers Equipment Company in the amount of $281,269.00. The construction funds available from the 44th year CDBG program are $183,019.70, leaving a balance of $98,249.30 as the City's matching fund participation.

Attached to this staff report are the City Engineer's recommendation letter, resolution 521 and the staff report from the March 19, 2018 Council packet.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	44th Year CDBG Danny Drive Bid Tabulation	44th Year CDBG Danny Drive Bid Tabulation.pdf
2.	Contractor Award Recommendation Letter	Contractor Award Recommendation Letter.pdf
3.	20181226142515850	20181226142515850.pdf
4.	R544 CDBG 44th Year	R544 CDBG 44th Year.pdf

SHIELD ENGINEERING GROUP, PLLC
Consulting Engineers

BID OPENING: Wednesday, December 12, 2018 at 11:00am

BID TABULATION REPORT

44TH YEAR COMMUNITY DEVELOPMENT PROJECT
WATERLINE IMPROVEMENTS FOR
DANNY DRIVE
IN KENNEDALE, TX

Bidlist Item No.	Description	Unit of Measure	Bid Quantity	Atkins Brothers Equipment Company Unit Price	Atkins Brothers Equipment Company Bid Value	Reytech Services, LLC Unit Price	Reytech Services, LLC Bid Value	Cidrax Texas, LLC Unit Price	Cidrax Texas, LLC Bid Value	A & M Construction and Utilities Inc. Unit Price	A & M Construction and Utilities Inc. Bid Value
BASE BID											
1	8" PVC Waterline by Open cut	LF	2526	$63.00	$159,138.00	$38.22	$96,543.72	$56.00	$141,456.00	$41.00	$103,566.00
2	6" PVC Waterline by Open Cut	LF	33	$62.00	$2,046.00	$21.01	$693.33	$52.00	$1,716.00	$38.95	$1,285.35
3	Permanent Asphalt Pavement Repair	SY	1128	$35.00	$39,480.00	$66.84	$75,395.52	$40.00	$45,120.00	$95.00	$107,160.00
4	Connect 1" Copper Water Service	EA	39	$650.00	$25,350.00	$1,077.10	$42,006.90	$1,000.00	$39,000.00	$943.00	$36,777.00
5	Install Meter Box	EA	39	$150.00	$5,850.00	$224.03	$8,737.17	$300.00	$11,700.00	$155.00	$6,045.00
6	Install automatic Flushing Device Assembly	EA	1	$5,000.00	$5,000.00	$6,568.73	$6,568.73	$6,200.00	$6,200.00	$5,158.00	$5,158.00
7	Install 6" x 6" Tapping Sleeve & Valve Assembly	EA	1	$2,000.00	$2,000.00	$3,875.39	$3,875.39	$5,000.00	$5,000.00	$2,567.00	$2,567.00
8	Remove andDispose of 6" ACP	LF	692	$1.00	$692.00	$16.07	$11,120.44	$15.00	$10,380.00	$35.00	$24,220.00
9	Install 8" Gate Valve and Box	EA	6	$1,500.00	$9,000.00	$1,793.18	$10,759.08	$1,850.00	$11,100.00	$1,434.00	$8,604.00
10	Install 6" Gate Valve and Box	EA	3	$1,200.00	$3,600.00	$1,065.47	$3,196.41	$1,250.00	$3,750.00	$930.00	$2,790.00
11	Install New Fire Hydrant	EA	3	$4,000.00	$12,000.00	$4,175.73	$12,527.19	$3,500.00	$10,500.00	$3,919.00	$11,757.00
12	Ductile Iron Water Fittings (AWWA C-153 With Restraint)	TON	0.54	$3,000.00	$1,620.00	$20,320.82	$10,973.24	$8,592.59	$4,640.00	$13,310.00	$7,187.40
13	Flowable Fill for Abandoned Waterline	CY	14	$400.00	$5,600.00	$210.80	$2,951.20	$180.00	$2,520.00	$195.00	$2,730.00
14	6" Abandonment Plug	EA	6	$100.00	$600.00	$393.61	$2,361.66	$1,850.00	$11,100.00	$595.85	$3,575.10
15	Water Lowering	EA	1	$2,500.00	$2,500.00	$5,073.51	$5,073.51	$3,500.00	$3,500.00	$4,007.00	$4,007.00
16	Salvage Fire Hydrant	EA	3	$100.00	$300.00	$375.74	$1,127.22	$500.00	$1,500.00	$496.00	$1,488.00
17	Salvage 6" Gate Valve	EA	5	$50.00	$250.00	$145.74	$728.70	$500.00	$2,500.00	$175.00	$875.00
18	Salvage 8" Gate Valve	EA	1	$50.00	$50.00	$277.47	$277.47	$500.00	$500.00	$175.00	$175.00
19	Salvage 3/4" Water Meter	EA	39	$25.00	$975.00	$56.63	$2,208.57	$150.00	$5,850.00	$100.00	$3,900.00
20	Trench Safety	LF	3218	$1.00	$3,218.00	$0.83	$2,670.94	$1.50	$4,827.00	$0.65	$2,091.70
21	Traffic Control	LS	1	$1,000.00	$1,000.00	$5,666.91	$5,666.91	$6,750.00	$6,750.00	$2,000.00	$2,000.00
22	SWPPP (Erosion Control)	LS	1	$1,000.00	$1,000.00	$21,612.69	$21,612.69	$4,791.00	$4,791.00	$1,800.00	$1,800.00
			Total - Base Bid		**$281,269.00**		**$327,075.99**		**$334,400.00**		**$339,758.55**
			Total - Base Bid		**$281,269.00**		**$327,075.99**		**$334,400.00**		**$339,758.55**
				Apparent Low Bidder							

Bidlist Item No.	Description	Chiener LLC Unit Price	Chiener LLC Bid Value	Canary Construction, Inc. Unit Price	Canary Construction, Inc. Bid Value	Excel 4 Construction, LLC Unit Price	Excel 4 Construction, LLC Bid Value	GRA-TEX Utilitis Unit Price	GRA-TEX Utilitis Bid Value
1	8" PVC Waterline by Open cut	$58.00	$146,508.00	$60.00	$151,560.00	$52.00	$131,352.00	$65.50	$165,453.00
2	6" PVC Waterline by Open Cut	$50.00	$1,650.00	$45.00	$1,485.00	$70.00	$2,310.00	$30.00	$990.00
3	Permanent Asphalt Pavement Repair	$30.00	$33,840.00	$80.00	$90,240.00	$110.00	$124,080.00	$75.50	$85,164.00
4	Connect 1" Copper Water Service	$1,450.00	$56,550.00	$900.00	$35,100.00	$1,000.00	$39,000.00	$860.00	$33,540.00
5	Install Meter Box	$240.00	$9,360.00	$200.00	$7,800.00	$150.00	$5,850.00	$290.00	$11,310.00
6	Install automatic Flushing Device Assembly	$6,885.00	$6,885.00	$6,200.00	$6,200.00	$7,600.00	$7,600.00	$6,400.00	$6,400.00
7	Install 6" x 6" Tapping Sleeve & Valve Assembly	$2,450.00	$2,450.00	$3,200.00	$3,200.00	$6,000.00	$6,000.00	$5,650.00	$5,650.00
8	Remove andDispose of 6" ACP	$25.00	$17,300.00	$25.00	$17,300.00	$20.00	$13,840.00	$100.00	$69,200.00
9	Install 8" Gate Valve and Box	$1,461.00	$8,766.00	$1,420.00	$8,520.00	$2,000.00	$12,000.00	$1,650.00	$9,900.00
10	Install 6" Gate Valve and Box	$1,150.00	$3,450.00	$1,000.00	$3,000.00	$1,500.00	$4,500.00	$1,250.00	$3,750.00
11	Install New Fire Hydrant	$2,680.00	$8,040.00	$3,200.00	$9,600.00	$3,400.00	$10,200.00	$3,450.00	$10,350.00
12	Ductile Iron Water Fittings (AWWA C-153 With Restraint)	$13,550.00	$7,317.00	$4,500.00	$2,430.00	$9,000.00	$4,860.00	$20,500.00	$11,070.00
13	Flowable Fill for Abandoned Waterline	$250.00	$3,500.00	$230.00	$3,220.00	$150.00	$2,100.00	$300.00	$4,200.00
14	6" Abandonment Plug	$1,650.00	$9,900.00	$350.00	$2,100.00	$200.00	$1,200.00	$490.00	$2,940.00
15	Water Lowering	$4,760.00	$4,760.00	$4,500.00	$4,500.00	$4,100.00	$4,100.00	$6,050.00	$6,050.00
16	Salvage Fire Hydrant	$350.00	$1,050.00	$500.00	$1,500.00	$500.00	$1,500.00	$375.00	$1,125.00
17	Salvage 6" Gate Valve	$175.00	$875.00	$400.00	$2,000.00	$200.00	$1,000.00	$185.00	$925.00
18	Salvage 8" Gate Valve	$175.00	$175.00	$425.00	$425.00	$200.00	$200.00	$185.00	$185.00
19	Salvage 3/4" Water Meter	$100.00	$3,900.00	$25.00	$975.00	$100.00	$3,900.00	$10.00	$390.00
20	Trench Safety	$1.00	$3,218.00	$1.00	$3,218.00	$0.50	$1,609.00	$0.25	$804.50
21	Traffic Control	$8,500.00	$8,500.00	$560.00	$560.00	$2,500.00	$2,500.00	$1,000.00	$1,000.00
22	SWPPP (Erosion Control)	$10,250.00	$10,250.00	$1,200.00	$1,200.00	$5,000.00	$5,000.00	$3,500.00	$3,500.00
	Total - Base Bid		**$348,244.00**		**$356,133.00**		**$384,701.00**		**$433,896.50**
	Total - Base Bid		**$348,244.00**		**$356,133.00**		**$384,701.00**		**$433,896.50**

SHIELD
ENGINEERING GROUP

December 14, 2018

Mr. George Campbell
City of Kennedale
405 Municipal Drive
Kennedale, TX 76060

RE: Recommendation of Award
44th Year Community Development Project - Kennedale
Water Line Improvements for
Danny Drive

Dear Mr. Campbell:

The bid opening was held at the office of Tarrant County Community Development on Thursday December 12, 2018. Eight formal bids were received at the 11:00 AM bid opening for the above referenced project which appears on the attached bid tabulation. We have reviewed the bids for accuracy and omissions and they are in order. Atkins Brothers Equipment Company submitted the lowest total bid of $281,269.00.

A summary of bids received is as follows:

1.	Atkins Brothers Equipment Company	$ 281,269.00
2.	Reytech Services, LLC	$ 327,075.99
3.	Cidrax Texas, LLC	$ 334,400.00
4.	A&M Construction and Utilities Inc.	$ 339,758.55
5.	Chiener LLC	$ 348,244.00
6.	Canary Construction, Inc.	$ 356,133.00
7.	Excel 4 Construction, LLC	$ 384,701.00
8.	GRA-TEX Utilities	$ 433,896.50

The available 44th Year CDBG construction funds amount to $183,019.70; therefore, the City of Kennedale will provide the supplemental funding of 98,249.30

Atkins Brothers Equipment Company has successfully completed numerous sized projects for developments in Dallas/ Fort Worth and surrounding areas. We suggest the City recommend to Tarrant County the award of the 44th Year CDBG Project to Atkins Brothers Equipment Company in the amount of $281,269.00.

Sincerely,

Craig H. Barnes, P.E., President
Shield Engineering Group, PLLC

Attachments: 44th Year CDBG Danny Drive Bid Tabulation

CC: Brad Hearne, Tarrant County, Program Manager

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

Staff Report to the Honorable Mayor and City Council

Date: March 19, 2018

Agenda Item No: DECISION ITEMS - C.

I. Subject:
Consider approval of Resolution 521 authorizing funding participation with Tarrant County Community Development and Housing for the 44th Year Community Development Block Grant (CDBG) Project for water line improvements on Danny Drive

II. Originated by:

Larry Ledbetter, Director of Public Works

III. Summary:
The City participates in an annual Public Works project that is funded, in part, by a HUD Community Development Block Grant (CDBG) and administered by Tarrant County. As part of the application process, the County requires the City to authorize the project and pledge any funds that may exceed the HUD grant for the design and construction.

The recommended 2018 (44th-year CDBG) project is waterline improvements for 4000-4405 Danny Drive. **The project includes the replacement of 2,700 LF of approximately 70-year-old 6" asbestos-cement waterline along Danny Drive with 8" PVC.** The existing 6" pipe will be abandoned in place and the new 8" line will be located within the existing right-of-way.

The estimated Engineering and Construction cost of the project is $341,965, of which it is estimated that the City of Kennedale will provide $201,965 (noted in the proposal as the "City Leverage Amount"). The assumed CDBG Award amount is $140,000.

IV. Fiscal Impact Summary:
The estimated cost to the City of Kennedale for this project will be $201,965.00, and will need to be included in the FY18/19 Budget.

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	R521_44th CDBG_2018	R521_44th CDBG_2018_TOASE.pdf

RESOLUTION NO. 521

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS AUTHORIZING FUNDING PARTICIPATION WITH TARRANT COUNTY COMMUNITY DEVELOPMENT AND HOUSING FOR THE 44th YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT FOR WATER LINE IMPROVEMENTS WITHIN THE CITY OF KENNEDALE, TEXAS AND PROVIDING AN EFFECTIVE DATE

WHEREAS, in the City Council meeting of March 19, 2018, the City Council of the City of Kennedale held a public hearing and approved the 44th Year Community Development Block Grant (CDBG) Project to replace 2,700 linear feet of 6" asbestos-cement waterline with 8" PVC waterline at 4000-4405 Danny Drive, in the City of Kennedale; and

WHEREAS, the budget for the project approved on March 19, 2018, reflected an estimated engineering and construction cost in the amount of $341,965.00, with the City of Kennedale pledging funds in the amount of $201,965.00; and

WHEREAS, the City funds shall be budgeted in the 2018/19 fiscal year budget and will be utilized for project costs in excess of the CDBG funds available for the project.

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

SECTION 1. That all matters stated in the preamble of this resolution are true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. That the City of Kennedale pledges to fund $201,965.00 to Tarrant County for the 44th Year CDBG Project for the Danny Drive water line replacement.

SECTION 3. That this resolution shall be effective upon its passage.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 19TH DAY OF MARCH, 2018.

APPROVED:

____
MAYOR, BRIAN JOHNSON

ATTEST:

____
CITY SECRETARY, LESLIE GALLOWAY

RESOLUTION NO. 544

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS RECOMMENDING THE AWARD OF A BID FOR THE 44TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT FOR DANNY DRIVE WATER LINE IMPROVEMENTS WITHIN THE CITY OF KENNEDALE, TEXAS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 19, 2018, the City Council of the City of Kennedale approved Resolution No. 521 approving the 44th Year Community Development Block Grant (CDBG) Project for Danny Drive Water Line Improvements; and

WHEREAS, the budget for the project approved on March 19, 2018 reflects CDBG Construction Funds in an amount of $140,000.00 and City of Kennedale Funds in an amount of $201,965.00; and

WHEREAS, the CDBG Construction Funds currently available for this project are $183,019.70; and

WHEREAS, on December 12, 2018, Tarrant County Community Development and Housing opened formal bids for the Danny Drive Water Line Improvements, with Atkins Brothers Equipment Company submitting a low bid of $281,269.00; and

WHEREAS, the City funds approved in the budget will be utilized for project costs in excess of the CDBG Construction Funds available for the project.

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

Section 1. All matters stated in the preamble of this resolution are true and correct and are incorporated herein as if copied in their entirety.

Section 2. The City Council of the City of Kennedale accepts the low bid of Atkins Brothers Equipment Company in the amount of $281,269.00 with a 90 calendar day construction timeline and requests that Tarrant County award the Contract for the Danny Drive Water Line Improvements to Atkins Brothers Equipment Company.

Section 3. The City Council approves funding participation for the Danny Drive Water Line Improvements CDBG construction project in the amount of $98,249.30, consistent with the project budget approved on March 19, 2018.

Section 4. This resolution shall be effective upon passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENENDALE, TEXAS on this 15th day of January, 2019.

APPROVED:

Mayor

ATTEST:

City Secretary

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

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

I. Subject:
Consider approval of Resolution 545 calling the General Election for May 4, 2019

II. Originated by:

Leslie Galloway, City Secretary & Communications Coordinator

III. Summary:

The attached Resolution is an ordering of the General Election on Saturday, May 4, 2019. City Council Places 1, 3, and 5 will appear on the ballot. **The last date for a political subdivision to order a General and/or Special election for Saturday, May 4, 2019, is Friday, February 15, 2019.**

If the Council seeks to order a Special Election to submit to the voters proposed Charter amendments, final ballot language of those amendments must be included in an Ordinance calling that Special Election. TOASE has requested a minimum of two weeks to draft ballot language.

As the next Regular City Council Meeting is Tuesday, February 19, 2019, a Special Meeting would be required to call a Special Election in addition to the General Election (which is ordered by the attached Resolution).

Candidate Packets are now available online (www.cityofkennedale.com/candidate) and in the City Secretary's Office. The filing period is from 8:00 a.m. on Wednesday, January 16 through 5:00 p.m. on Friday, February 15, 2019, during regular office hours. More information is available at www.cityofkennedale.com/election.

The City of Kennedale contracts with Tarrant County for election purposes. There have been no significant changes to the contract with Tarrant County since it was made in 2010. Dates of importance for the upcoming General Election include:

- Wednesday, January 16, 2019: First day to file an 'Application for a Place on Ballot'
- Friday, February 15, 2019: Deadline to file an 'Application for a Place on Ballot' (*must be received by 5:00 pm*); last day for the governing body of a municipality to order a General and/or Special Election
- Friday, February 22, 2019, at 4:30 p.m.: Drawing to determine order of names on the ballot
- April 4, 2019: Last day to register to vote in the May 4, 2019 General Election
- April 22-30, 2019: Early Voting
- **May 4, 2019 - ELECTION DAY 7:00 am to 7:00 pm at the Kennedale Community Center (316 W 3rd Street)**
- May 7-15, 2019: Period for official canvass of returns and oaths of office of newly elected officers, unless runoff is necessary
- June 8, 2019 - Runoff Election, if necessary (This date will be officially set by Tarrant County Elections, but this is the tentative date noted in the draft schedule available at this time.)

A calendar of local dates is attached. The official election calendar published by the Texas Secretary of State is available at www.sos.state.tx.us/elections/laws/may-4-election-law-calendar-2019.shtml.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	R545 Calling 2019 General Election_TOASE	R545 Calling 2019 General Election_TOASE.pdf
2.	Pages from Candidate Packet Letter 2019_FINAL_3	Pages from Candidate Packet Letter 2019_FINAL_3.pdf

RESOLUTION NO. 545

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 4, 2019; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas, (the "City") 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 regular election for City Council of the City of Kennedale is required to be held on May 4, 2019, at which time the voters will elect persons to fill the offices of City Council Places 1, 3, and 5; and

WHEREAS, the election will be held as a joint election, conducted under the authority of Chapter 271 of the Texas Election Code (the "Code"); and

WHEREAS, by this Resolution, it is the intention of the City Council to designate a polling place for the election, to appoint the necessary election officers, to establish and set forth procedures for conducting the election, and to authorize the Mayor to execute a contract with Tarrant County for conducting the election.

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

SECTION 1. GENERAL ELECTION CALLED.

An election is hereby called to elect the offices of City Council Places 1, 3, and 5 to serve from May of 2019 until May of 2021, or until their successors are duly elected and qualified. The election shall be held on May 4, 2019, between the hours of 7:00 a.m. and 7:00 p.m. at Kennedale Community Center, 316 W. 3rd Street, Kennedale, Texas 76060.

SECTION 2. JOINT ELECTION AGREEMENT APPROVED.

The Mayor is authorized to execute a Joint Election Agreement (the "Agreement") with Tarrant County for the purpose of having Tarrant County furnish all or any portion of the election services and equipment needed to conduct the election. The Agreement and election services provided therein shall conform to Chapter 31, Subchapter D of the Code and other applicable statutes and laws. In the event of conflict between this resolution and the Agreement, the Agreement shall control.

SECTION 3. APPLICATION FOR PLACE ON BALLOT.

Qualified persons may file as candidates by filing applications in the office of the City Secretary from 8:00 a.m. to 5:00 p.m., Monday through Friday, from January 16, 2019 through February 15, 2019.

SECTION 4. EARLY VOTING.

a. **Early voting by personal appearance.** Early voting by personal appearance shall be conducted beginning April 22, 2019, and continue through April 30, 2019, at the Kennedale Community Center, 316 W. 3rd Street, Kennedale, Texas 76060 at the following times:

MONDAY, APRIL 22, 2019	8:00 A.M. – 5:00 P.M.
TUESDAY, APRIL 23, 2019	8:00 A.M. – 5:00 P.M.
WEDNESDAY, APRIL 24, 2019	8:00 A.M. – 5:00 P.M.
THURSDAY, APRIL 25, 2019	8:00 A.M. – 5:00 P.M.
FRIDAY, APRIL 26, 2019	8:00 A.M. – 5:00 P.M.
SATURDAY, APRIL 27, 2019	7:00 A.M. – 7:00 P.M.
SUNDAY, APRIL 28, 2019	11:00 A.M. – 4:00 P.M.
MONDAY, APRIL 29, 2019	7:00 A.M. – 7:00 P.M.
TUESDAY, APRIL 30, 2019	7:00 A.M. – 7:00 P.M.

Branch offices for early voting by personal appearance shall also be established as outlined in the Joint Election Agreement with Tarrant County.

b. **Early Voting by Mail.** Heider Garcia, the Tarrant County Elections Administrator, or his successor, acting pursuant to Texas Government Code §601.002 ("Election Administrator"), is hereby designated as Early Voting Clerk for the election. Applications for early voting by mail may be delivered not later than the close of business on April 23, 2019 to the Election Administrator in any of the following ways: via mail to Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas 76161-0011; via courier or hand delivery to Tarrant County Elections, 2700 Premier St., Fort Worth, Texas 76111-3011; via fax to 817-831-6118; or via email to votebymail@tarrantcounty.com.

c. **Early Voting Ballot Board.** Early voting, both by personal appearance and by mail, shall be canvassed by the Early Voting Ballot Board established by Tarrant County under the terms of the Agreement.

SECTION 5. APPOINTMENT OF ELECTION JUDGE AND ALTERNATE ELECTION JUDGE. The Presiding Election Judge and Alternate Presiding Judge shall be appointed by Tarrant County as authorized by Chapter 271 of the Code.

SECTION 6. METHOD OF VOTING; COSTS.

The Joint Election Agreement shall provide (a) the type of electronic voting equipment to be used for early voting by personal appearance and on election day, (b) notification and training for election judges and clerks, (c) an estimate and final payment terms for the election services provided, (d) agreements for early voting equipment and voting machine rental, and (e) other procedures to conduct the election. All expenditures necessary for the conduct of the election, the purchase of materials therefor, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Code.

SECTION 7. GOVERNING LAW AND QUALIFIED VOTERS.

The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

SECTION 8. PUBLICATION AND POSTING OF NOTICE OF ELECTION.

Notice of the election shall be given as required by Chapter 4 of the Code.

SECTION 9. SUBMISSIONS TO THE UNITED STATES JUSTICE DEPARTMENT.

Tarrant County is authorized to make such submissions as are necessary to the United States Justice Department to seek pre-clearance for any changes in voting practices as authorized by the Voting Rights Act of 1965, as amended.

SECTION 10. NECESSARY ACTIONS.

The Mayor and the City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of federal and state law in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 11. RUNOFF ELECTION.

The Council hereby orders that, following the canvass of the May 4, 2019 election, any runoff election required shall be held in accordance with Section 2.025(a) of the Code, and on a date as agreed to between the City of Kennedale and Tarrant County Elections Administration.

SECTION 12. EFFECTIVE DATE.

This resolution shall be effective upon its adoption.

PASSED AND APPROVED THIS 15th DAY OF JANUARY, 2019.

APPROVED:

____

MAYOR, BRIAN JOHNSON

[CITY SEAL

ATTEST:

____

CITY SECRETARY, LESLIE GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

____

CITY ATTORNEY, WAYNE OLSON

2019 GENERAL ELECTION CALENDAR

1/16 First day candidate may file an "Application for Place on the General Election Ballot" (SOS Form 2-21)

2/15 **5:00 p.m. Deadline for filing an "Application for Place on the General Election Ballot" (SOS Form 2-21)**
(The City Secretary's office is allotted five (5) days to review applications (Election Code §141.032).
If an application is found to be invalid or incomplete after this deadline has passed, you cannot amend or re-file.)

2/22 Drawing to determine order of names on ballot at 4:30 p.m. in the City Secretary's office (405 Municipal Dr.)
Candidates and/or their representatives are encouraged (but not required) to be present for the drawing.

2/22 Last day for a candidate to withdraw; Must be received in writing by 5:00 p.m.

4/4 CAMPAIGN FINANCE*: **FIRST REPORT OF CAMPAIGN CONTRIBUTIONS & EXPENDITURES DUE**
By 5:00 p.m. in the City Secretary's Office (405 Municipal Drive, Kennedale, TX 76060)
Opposed candidates must file 30 days and 8 days before the election, unless they selected (and remain eligible for) modified reporting.

4/4 Last day a person may register to vote in the upcoming General Election

4/22– 4/30 Polls are open for **EARLY VOTING** by personal appearance; Visit cityofkennedale.com/election for details;
Generally, during early voting, any voter can vote at any one of the Tarrant County Early Voting Locations.

4/26 CAMPAIGN FINANCE*: **SECOND REPORT OF CAMPAIGN CONTRIBUTIONS & EXPENDITURES DUE**
By 5:00 p.m. in the City Secretary's Office (405 Municipal Drive, Kennedale, TX 76060)
Opposed candidates must file 30 days and 8 days before the election, unless they selected (and remain eligible for) modified reporting.

5/4 ELECTION DAY: **Polls are open from 7:00 a.m. to 7:00 p.m.**; On Election Day, registered voters can only vote at their precinct polling location which is the Community Center in the Library (316 W 3rd St.) for Kennedale voters. Voters can look up their voter registration status at https://gisit.tarrantcounty.com/VoterLookup/

5/15 Last day for official canvass of returns by governing authority of political subdivision; By or on this date, winners will be declared and sworn into office for two-year terms (*unless a runoff election is necessary*)

6/8 Runoff Election, if necessary
The City of Kennedale elects by majority; A candidate must receive more than 50% of the votes cast

7/15 CAMPAIGN FINANCE†: **SEMIANNUAL REPORTS OF CAMPAIGN CONTRIBUTIONS & EXPENDITURES DUE**
Generally, candidates and officeholders are required to file reports of contributions and expenditures by January 15 and July 15 of each year (even those who chose "Modified Reporting"). These reports must be filed even if there is no activity to report for the period covered.

1/15/2020 CAMPAIGN FINANCE†: **SEMIANNUAL REPORTS OF CAMPAIGN CONTRIBUTIONS & EXPENDITURES DUE**

** A candidate who has elected (and remains eligible for) modified reporting is not required to file these reports. If Modified Reporting was not selected, these must be filed even if there is no activity to report for the period covered.*
† Semiannual Reports are required for all active candidates and officeholders, regardless of their Modified Reporting selection.

2019 GENERAL ELECTION: Library's Community Center (316 W 3rd St.)

EARLY VOTING	
During Early Voting, any registered voter may vote at any early voting location in Tarrant County.	
Monday, April 22 – Friday, April 26, 2019	8:00 a.m. – 5:00 p.m.
Saturday, April 27, 2019	7:00 a.m. – 7:00 p.m.
Sunday, April 28, 2019	11:00 a.m. – 4:00 p.m.
Monday April 29 – Tuesday, April 30, 2019	7:00 a.m. – 7:00 p.m.
ELECTION DAY	
On Election Day, voters can only vote at the precinct polling location in which they are registered.	
Saturday, May 4, 2019	7:00 a.m. – 7:00 p.m.

Questions?

LOCAL
City Secretary Leslie Galloway 817-985-2104

COUNTY
Tarrant County Elections 817-831-8683
Kennedale contracts with the County for election services.

STATE
Secretary of State 800-252-8683
Texas Ethics Commission 512-463-5800

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

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

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

I. Subject:
Consider authorizing the Mayor to sign a one-year extension of an Interlocal Agreement with City of Fort Worth for rabies control services and the utilization of animal impoundment and quarantine facilities

II. Originated by:

Tommy Williams, Police Chief

III. Summary:
In FY2016-17, the City Council approved an Interlocal Agreement (ILA) with the City of Fort Worth for limited rabies control services and impoundment and quarantine facilities for animals.

During the calendar year 2018 we were billed for a total of $32,400.00 in shelter services. These invoices were associated with the impounding and adoption fees for our animals that were not claimed by an owner. When an animal is brought into the shelter, it is held for the requisite three days for owner reclamation, as required by ordinance. After that the animal is placed for adoption with the City of Fort Worth through the shelter. We pay a boarding fee until the animal is adopted. A total of 77 dogs and 4 cats were impounded by the Animal Control Officer during the year.

That contract allowed for three additional one-year extensions by written agreement of both parties. The first of these extensions was signed in 2018, and the current consideration is the attached (received December 14, 2018) that would extend this ILA through September 30, 2019.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:
Staff recommends approval.

VIII. Attachments:

1.	CONTRACT RENEWAL NOTICE - Kennedale ILA Rabies Control-noWM	CONTRACT RENEWAL NOTICE - Kennedale ILA Rabies Control-noWM.pdf
2.	Interlocal Agreement (2016-2017)	Interlocal Agreement (2016-2017).pdf

CSC No. 48788

CITY OF FORT WORTH
REQUEST TO EXERCISE RENEWAL OPTION

December 12, 2018

City of Kennedale
401 Municipal Dr.
Kennedale, TX. 76060

Re: REQUEST TO EXERCISE RENEWAL OPTION
Interlocal Agreement for Rabies Control
Contract No. CSC No. 48788 (the "Contract")
Renewal Term No. 2: October 1, 2018 through September 30, 2019

The above referenced Contract will expire on September 30, 2018. Pursuant to Section 3 of the Contract, renewals are at the mutual agreement of the parties. This letter is to inform you that the City requests renewal of CSC No. 48788 for an additional one year period, which will begin immediately upon the expiration of the current term and will end on September 30, 2019. All other terms and conditions of CSC No. 48788 remain unchanged. **Please return your signed agreement letter to the address set forth below.**

If you have any questions concerning this Request for Contract Renewal, please contact me at the telephone number listed below.

Sincerely yours,

Chris Lirette
Code Compliance Superintendent
5000 Martin Luther King Blvd.
Fort Worth, TX. 76119
PH# 817-392-7084 Cell#817-372-7345

__ Yes, renew this contract for a one year period ending on September 30, 2019.

__ No, do not renew this contract.

By: ___________________________________ Date: ___________________________

Printed Name and Title

____

Signature

CSC No. 48788

CITY OF FORT WORTH	CITY OF KENNEDALE
______________________ Fernando Costa Assistant City Manager Date: _________________	______________________ Name: _________________ Title: _________________ Date: _________________
RECOMMENDED ______________________ Dr. Timothy Morton Asst. Code Compliance Director	
APPROVED AS TO FORM AND LEGALITY ______________________ Matthew Murray Assistant City Attorney	APPROVED AS TO FORM AND LEGALITY ______________________ Assistant City Attorney
ATTEST: ______________________ Mary J. Kayser City Secretary	

M&C C-28077

CONTRACT COMPLIANCE MANAGER:
By signing I acknowledge that I am the person responsible for the monitoring and administration of this contract, including ensuring all performance and reporting requirements.

By: ______________________
Name: ______________________
Title: ______________________

CITY SECRETARY CONTRACT NO. 48788

STATE OF TEXAS §
§
COUNTY OF TARRANT §

INTERLOCAL AGREEMENT FOR RABIES CONTROL CITY OF KENNEDALE

THIS AGREEMENT is made and entered into by and between the City of Fort Worth, a home-rule municipal corporation situated in Tarrant, Denton, Parker, and Wise Counties, Texas, acting by and through its duly authorized Assistant City Manager (hereinafter referred to as "City"), and the City of Kennedale, Texas, a home-rule municipal corporation located in Tarrant County, Texas, acting by and through its duly authorized Mayor (hereinafter referred to as "Kennedale").

WHEREAS, Chapter 791 of the Texas Government Code authorizes the formulation of interlocal cooperation agreements between and among municipalities and counties for the performance of governmental functions; and

WHEREAS, Chapter 826 of the Texas Health and Safety Code, also known as the Rabies Control Act of 1981 (hereinafter referred to as the "Act"), requires governing bodies of each municipality to designate a local rabies control authority to enforce the Act and minimum standards for rabies control adopted by the Texas Department of State Health Services; and

WHEREAS, Section 826.016 of said Act authorizes a municipality to enter into agreements with public entities to carry out activities required or authorized under the Act; and

WHEREAS, Kennedale wishes to participate in an interlocal agreement with City for the purpose of limited rabies control in the City of Kennedale; and

WHEREAS, Kennedale and City mutually desire to be subject to the provisions of Chapter 791 of the Texas Government Code, also known as the Interlocal Cooperation Act.

NOW, THEREFORE, it is agreed as follows:

1. PURPOSE

The purpose of this Interlocal Agreement is to enter into an Agreement between City and Kennedale whereby, subject to the terms and conditions hereinafter set forth and consideration specified below, City agrees to provide Kennedale with limited rabies control services in the City of Kennedale, and City agrees to provide impoundment and quarantine facilities for animals pursuant to this Agreement for the benefit of Kennedale.

2.
DEFINITIONS

For the purposes of this Agreement, the following definitions shall apply:

ACT shall mean the Rabies Control Act of 1981, codified as Chapter 826 of the Texas Health and Safety Code.

ANIMAL shall mean any living, vertebrate creature, domestic or wild, other than homo sapiens.

ANIMAL CARE AND CONTROL CENTER shall mean a facility located in Fort Worth, Texas, which is operated by the City for the purpose of impounding and caring for animals as prescribed by law.

BITE shall mean a bite or scratch capable of transmitting rabies, which is inflicted by an animal on a human.

CAT shall mean a commonly domesticated member of the Felidae (feline) family, other than a lion, tiger, bobcat, jaguar, panther, leopard, cougar, or other prohibited animal.

DANGEROUS DOG shall mean a dog that makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog is being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

DAY shall mean a calendar day or any part thereof.

DOG shall mean canis familiaris.

QUARANTINE shall mean the strict confinement of a biting animal, in accordance with the Act and the Rules.

RABIES shall mean an acute viral disease of man and animal affecting the central nervous system and usually transmitted by an animal bite.

RULES shall mean the rules adopted by the Texas Department of State Health Services for rabies control and eradication under 25 TAC § 169.21 et seq.

STRAY shall mean roaming with no physical restraint beyond the premises of an animal's owner or keeper.

3.
TERM

Unless terminated pursuant to the terms herein, this Agreement shall be for a term of one year, beginning on October 1, 2016 and ending on September 31, 2017. In addition, the term may be extended by mutual written agreement of the parties, for up to three additional (3) one-year terms.

4.
SERVICES BY CITY

A. Hours
City agrees to perform the services described herein for Kennedale in the City of Kennedale, between the hours of 8:00 a.m. and 4:00 p.m. weekdays and weekends, excluding holidays, with no after hours service provided.

B. Rabies Response
In the manner and to the extent that it deems appropriate and in accordance with the Rules and the Act, bite animals which are presented by Kennedale to the City will be handled by the City in accordance with the Act and Texas Administrative Code, §169.33 Submission of Specimens for Laboratory Examination.

C. Impoundment of Dogs
City will board dogs delivered to the City's Animal Care and Control Center by Kennedale officials pursuant to Section 6.

5.
DUTIES OF KENNEDALE

A. Kennedale agrees that it will retain all responsibility for enforcement of all aspects of the Act not covered in Paragraph 4 of this Agreement, including criminal enforcement.

B. Kennedale agrees that it will pursue, at its discretion, the issuance and execution of warrants or other court orders necessary for the seizure of animals requiring quarantine or testing under Section 4 (C) of this Agreement, whose owners have failed or refused to place them for quarantine or testing. Kennedale further agrees that City is not required to pursue the issuance and execution of such warrants.

6.
IMPOUNDMENT AND DISPOSITION OF ANIMALS

A. A live, stray dog impounded by the City under this Agreement shall be held for a period of not less than seventy-two 72 hours, unless released earlier to its owner ("Animal Owner") or as described in subsection 6.D. below. A quarantined animal shall be held or presented for testing according to the Act and the Rules. Kennedale shall provide in writing to the City the date of the bite incident and the animal's date of release from quarantine. Kennedale shall pay charges for impounded dogs as specified in Exhibit "A."

B. Prior to the expiration of the impoundment period, the City may destroy an impounded dog if the Animal Services Administrator or Animal Control Manager of the City or the Animal Care and Control's veterinarian recommends and approves such action.

C. Impounded animals will be released to their owners upon:
   (1) Proof of identification;
   (2) Payment of Exhibit "B" fees;
   (3) The animal is vaccinated against rabies at the owner's expense if the animal is a dog or a cat over 12 weeks of age and the owner does not have an unexpired rabies vaccination certificate for the animal.

D. The ownership of impounded or quarantined animals that have not been released to their owners on the expiration of the impoundment or quarantine period shall lie with Kennedale, and Kennedale authorizes the City to place the animals for adoption, to transfer them to other animal welfare organizations, or to be euthanized at the sole discretion of the City or as required by law. Kennedale specifically requests the City euthanize all animals from Kennedale that are not adopted or transferred.

E. All quarantined animals from Kennedale not reclaimed by their owner will be disposed of pursuant to Section 6D. above, and Kennedale will be billed for the cost in accordance with the fee schedule.

F. Kennedale will be billed for all impounded dogs and quarantined animals delivered by or from the Kennedale in accordance with Exhibit "A" below.

G. The City will impound and hold dogs from Kennedale which have been seized by Kennedale only under Chapters 821 or 822 of the Texas Health and Safety Code. Kennedale agrees to request, pursuant to Chapters 821and 822, an Appeals Bond to cover the fees estimated to be charged to the Animal Owner under Exhibit "B" and Kennedale agrees to pay the City all fees which would have been charged the Animal Owner in the event the court does not require the Animal Owner to pay the fees or where the Animal Owner is ordered by the court to pay and fails to pay.

7.
EXCLUSIONS

A. Nothing in this Agreement shall be deemed as designating the City or an officer or employee of the City as the "local health authority" or "local rabies control authority" of Kennedale as those terms are defined or used in Title 10 of the Texas Health and Safety Code, Vernon's Texas Codes Annotated.

B. Nothing in this Agreement shall be deemed as requiring the City to investigate reports of dangerous dogs, to register dangerous dogs, or otherwise regulate dangerous dogs in the

City of Kennedale under the authority of Chapter 822 Subchapter D. of the Texas Health and Safety Code, Vernon's Texas Codes Annotated.

C. Nothing in this Agreement shall be deemed as requiring the City to quarantine or present for testing domestic animals that have been bitten by or directly exposed by physical contact to a rabid animal or its fresh tissues.

D. City shall not impound stray animals if Kennedale fails to enact and maintain rules or ordinances pursuant to Sections 826.015 and 826.033 of the Texas Health and Safety Code that require animals to be restrained at all times.

8. RESPONSIBILITY FOR EMPLOYEES

City employees who provide services under this Agreement are deemed to be City employees when providing such services. City will exercise complete control over the hiring, training, supervision, and conduct of such employees. City will be responsible for all wages and applicable payroll deductions, unemployment taxes, workers' compensation insurance, vacations, holidays, and fringe benefits for such employees and for all uniforms, vehicles, and equipment used by such employees for providing services under this Agreement. Kennedale shall have no direct supervisory authority over such employees except in emergency situations where the exercise of supervision by Kennedale becomes necessary for resolution of the emergency. Regarding workers' compensation insurance, the City shall not waive its right to subrogate against Kennedale for losses incurred in the course of City's services rendered to Kennedale under this Agreement.

9. COMPENSATION

A. As fair compensation for the services rendered Kennedale agrees to pay City for its services based on the schedule attached hereto as Exhibit "A", as pertinent, which is hereby incorporated as a part of this Agreement as if it were set forth at length. City may adjust any fee listed in Exhibit "A" during the term of this Agreement by giving Kennedale 120 days

B. Head and shipment preparation fees shall be as described in Exhibit "A".

C. Kennedale will not pay City more than **$55,000.00**, in total per contract year, for services rendered during the term of this Agreement. This amount shall herein constitute a **not to exceed** limitation placed upon this Agreement, and when such amount is reached, City will cease providing such services. City agrees to provide the Kennedale with an itemized monthly bill. Kennedale agrees to promptly pay such bills upon presentation by the City, such payments to be made from current revenues available to Kennedale, within thirty (30) days of receipt. In the event of the termination of this Agreement, City shall bill Kennedale for any outstanding balance, regardless of the amount, and Kennedale agrees to promptly pay such bill, within thirty (30) days of receipt.

D. Pursuant to the requirements of Section 791.011(d)(3) of the Texas Government Code, the amount due City shall be paid from revenues available to Kennedale in that current fiscal year.

10.
FEES CHARGED ANIMAL OWNERS

Kennedale hereby agrees that City may charge, or cause to be charged, the fees set out in "Exhibit B" to the owners of animals that have been impounded or quarantined. "Exhibit B" is hereby incorporated as a part of this Agreement as if it were set forth at length. City is hereby authorized to increase said fees during the terms of this Agreement by giving Kennedale 120 days' notice. Notwithstanding the fees charged to animal owners, Kennedale shall remain responsible to the City for the fees set out in Exhibit "A."

11.
LIABILITIES

A. To the extent permitted by law, Kennedale shall be responsible for all work-related deaths, injuries or diseases of Kennedale employees, and for property damage, personal injury or death caused by such employees, relating to work provided pursuant to this Agreement.

B. To the extent permitted by law, City shall be responsible for all work-related deaths, injuries or diseases of City employees, and for property damage, personal injury or death caused by City employees or volunteers relating to work provided pursuant to this Agreement.

C. Kennedale shall be responsible for all property damages, personal injuries and death caused by the use of City and Kennedale equipment and vehicles caused by Kennedale employees or volunteers pursuant to this Agreement. Furthermore, Kennedale shall be responsible for the repair or replacement of all such equipment and vehicles damaged, destroyed, lost or stolen by Kennedale employees or volunteers during the provision of services hereunder.

D. City shall be responsible for all property damages, personal injuries and death caused by the use of City equipment and vehicles caused by City employees or volunteers pursuant to this Agreement. Furthermore, City shall be responsible for the repair or replacement of all such equipment and vehicles damaged, destroyed, lost or stolen caused by City employees or volunteers during the provision of services hereunder.

12.
IMMUNITY & THIRD PARTIES

A. Kennedale expressly waives its right to assert immunity from suit for a claim forming the basis of a suit between the City and Kennedale alleging a breach of this Agreement. Kennedale does this as consideration for the City's offer to enter into this Contract with

Kennedale. No third party may use this waiver in any way and no waiver of immunity in favor of a third party is intended by this Agreement.

B. Nothing in this Agreement shall be construed to expand the liability of City or Kennedale beyond the scope of Chapter 101 of the Texas Civil Practice and Remedies Code unless specifically stated herein.

13.
TERMINATION

It is further agreed by and between City and Kennedale that City and Kennedale shall each have the right to terminate this Agreement upon thirty (30) days written notice to the other party.

14.
ENTIRETY

This Agreement contains all commitments and agreements of the parties hereto, and no other oral or written commitments shall have any force or effect if not contained herein.

15.
MODIFICATION

This Agreement may be modified by the mutual agreement of the parties, if the modification is in writing and signed by City and Kennedale.

16.
SEVERABILITY

In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provisions had never been contained herein.

17.
AUTHORITY

This Agreement is made for City and Kennedale as an Interlocal Agreement pursuant to VTCA, Government Code, Chapter 791.

18.
AUTHORIZATION

The undersigned officer and/or agents of the parties hereto are properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties hereto, and each party hereby certifies to the other that any necessary resolutions extending such authority have been duly passed and are now in full force and effect.

19.
FORCE MAJEURE

It is expressly understood and agreed by the parties to this Agreement that if the performance of any obligations hereunder is delayed by reason of war; civil commotion; acts of God; inclement weather; governmental restrictions, regulations, or interferences; fires; strikes; lockouts, national disasters; riots; material or labor restrictions; transportation problems; or any other circumstances which are reasonably beyond the control of the party obligated or permitted under the terms of this Agreement to do or perform the same, regardless of whether any such circumstance is similar to any of those enumerated or not, the party so obligated or permitted shall be excused from doing or performing the same during such period of delay, so that the time period applicable to such design or construction requirement shall be extended for a period of time equal to the period such party was delayed.

20.
FISCAL FUNDING LIMITATION

If for any reason, at any time during any term of this Agreement, either city fails to appropriate funds sufficient for the City to fulfill its obligations under this Agreement, that City may terminate this Agreement to be effective on the later of (i) thirty (30) days following delivery of written notice of the city's intention to terminate or (ii) the last date for which funding has been appropriated by the City Council for the purposes set forth in this Agreement.

Remainder of Page Intentionally Blank

SIGNATURE PAGE
INTERLOCAL AGREEMENT FOR RABIES CONTROL
CITY OF FORT WORTH AND KENNEDALE

CITY OF FORT WORTH

Fernando Costa
Fernando Costa
Assistant City Manager

Date: 3/6/17

RECOMMENDED

Dr. Timothy Morton
Asst. Code Compliance Director

APPROVED AS TO FORM
AND LEGALITY

Melinda Ramos
Melinda Ramos
Assistant City Attorney

CITY OF FORT WORTH
TEXAS

ATTEST:

Mary J. Kayser
City Secretary

M&C C-28077

CITY OF KENNEDALE

By: Brian Johnson
Title: Mayor or Manager

APPROVED AS TO FORM
AND LEGALITY

City Attorney

Contract Compliance Manager:
By signing I acknowledge that I am the person responsible for the monitoring and administration of this contract, including ensuring all performance and reporting requirements.

[Name of Employee]

Superintendent

[Title]

EXHIBIT A

SCHEDULE OF FEES PAID BY KENNEDALE

Impoundments/Boarding Fee:

Kennedale shall pay the City a flat fee of $400.00 per dog or quarantine animal delivered to the City by Kennedale officials during the term of this agreement.

SPECIMEN HEAD PREPARATION AND SHIPMENT

Per Animal Head Specimen	$200.00 per specimen

EXHIBIT B

SCHEDULE OF FEES TO BE PAID TO CITY BY OWNERS RECLAIMING ANIMALS

Rabies vaccination fee	$ 9.00 per reclaimed dog or cat
Spay or neuter fee	$50.00 per cat $80.00 per dog
Microchip Fee	$12.00 per reclaimed dog or cat
Daily board fees:	
Kenneling (dog, cat, small animal)	$30.00 per day
Kenneling (other than dogs, cats or small animal)	$30.00 per day
Quarantined animals and dangerous dogs	$50.00 per day

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

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

I. Subject:
Consider approval of the low bid of $369,249.00 to PM Construction & Rehab, LLC, for Crestdale sewer line improvements

II. Originated by:

Larry Hoover, Public Works Superintendent

III. Summary:

Award the contract and approval of low bid of $369,249.00 by PM Construction & Rehab, LLC, for the construction of the Crestdale sewer line improvements.

PM Construction & Rehab, LLC, submitted the low bid of $369,249.00 for the Crestdale sewer line improvements. The Project was advertised in the *Fort Worth Star-Telegram* on Wednesday, December 19, and Wednesday, December 26, 2018; and the bid opening was held on Wednesday, January 9, 2019, at 2:30 p.m. in City Hall.

The project consists of the rehabilitation of an estimated 3610 linear feet of sewer lines by pipe burst construction and related repairs as outlined in the contract.

The City Council, at their August 20, 2018 meeting, approved the engineering and construction of the project. The project will be funded out of the Water and Sewer Capital Projects fund. The City's Engineer has submitted a letter of recommendation and a bid tabulation form which is included in this packet.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Crestdale Sewer Improvements Bid Tabulation	Crestdale Sewer Improvements Bid Tabulation.pdf
2.	Signed Contractor Award Recommendation Letter	Signed Contractor Award Recommendation Letter.pdf

SHIELD ENGINEERING GROUP, PLLC
Consulting Engineers

BID OPENING: Wednesday, January 9, 2019 at 2:30pm

BID TABULATION REPORT
CRESTDALE SEWER IMPROVEMENTS
IN KENNEDALE, TX

Project Item Information				PM Construction and Rehab			Excel 4 Construction			Circle C Construction Co.			Sapulpa Digging Inc.	
Bidlist Item No.	Description	Unit of Measure	Bid Quantity	Unit Price	Bid Value		Unit Price	Bid Value		Unit Price	Bid Value		Unit Price	Bid Value
BASE BID														
1	8" Sewer Main by Pipe Burst	LF	3610	$42.00	$151,620.00		$52.00	$187,720.00		$50.00	$180,500.00		$110.00	$397,100.00
2	Remove and Dispose of 4' SSMH	EA	9	$450.00	$4,050.00		$500.00	$4,500.00		$1,000.00	$9,000.00		$450.00	$4,050.00
3	4' Standard SSMH	EA	11	$5,850.00	$64,350.00		$5,400.00	$59,400.00		$5,800.00	$63,800.00		$3,500.00	$38,500.00
4	4' Drop SSMH	EA	1	$2,750.00	$2,750.00		$9,900.00	$9,900.00		$6,500.00	$6,500.00		$4,000.00	$4,000.00
5	Vacuum Testing	EA	12	$250.00	$3,000.00		$200.00	$2,400.00		$150.00	$1,800.00		$300.00	$3,600.00
6	Reconnect 4" Services w/ 2 Way Cleanout	EA	63	$750.00	$47,250.00		$770.00	$48,510.00		$1,200.00	$75,600.00		$800.00	$50,400.00
7	4" Sewer Service (SDR-35)	LF	730	$35.00	$25,550.00		$30.00	$21,900.00		$30.00	$21,900.00		$50.00	$36,500.00
8	Trench Safety	LF	3610	$2.00	$7,220.00		$1.00	$3,610.00		$1.00	$3,610.00		$3.00	$10,830.00
9	Post CCTV Inspection	LF	3610	$2.40	$8,664.00		$2.00	$7,220.00		$3.00	$10,830.00		$10.00	$36,100.00
10	Remove and Replace 6" Curb and Gutter	LF	183	$18.00	$3,294.00		$25.00	$4,575.00		$35.00	$6,405.00		$20.00	$3,660.00
11	Asphalt Pavement Repair	SY	64	$110.00	$7,040.00		$118.00	$7,552.00		$45.00	$2,880.00		$100.00	$6,400.00
12	Concrete Driveway Repair	SY	22	$80.00	$1,760.00		$75.00	$1,650.00		$85.00	$1,870.00		$100.00	$2,200.00
13	Concrete Pavement Repair	SY	173	$105.00	$18,165.00		$145.00	$25,085.00		$90.00	$15,570.00		$125.00	$21,625.00
14	Concrete Sidewalk Repair	SF	267	$80.00	$21,360.00		$8.00	$2,136.00		$15.00	$4,005.00		$15.00	$4,005.00
15	Remove and Replace Fence (6' Wood)	LF	76	$25.00	$1,900.00		$25.00	$1,900.00		$20.00	$1,520.00		$20.00	$1,520.00
16	Remove and Replace Fence (4' Chain link)	LF	58	$22.00	$1,276.00		$20.00	$1,160.00		$20.00	$1,160.00		$14.00	$812.00
			Total - Base Bid		**$369,249.00**			**$389,218.00**			**$406,950.00**			**$621,302.00**
			Total - Base Bid		**$369,249.00**			**$389,218.00**			**$406,950.00**			**$621,302.00**
				Apparent Low Bidder										

SHIELD
ENGINEERING GROUP

January 10, 2019

Mr. George Campbell
City of Kennedale
405 Municipal Drive
Kennedale, TX 76060

RE: Recommendation of Award
Crestdale Sewer Improvements

Dear Mr. Campbell:

The bid opening was held at **City of Kennedale's City Hall** on Wednesday, January 09, 2019. Four formal bids were received at the 2:30 PM bid opening for the above referenced project which appears on the attached bid tabulation. We have reviewed the bids for accuracy and omissions and they are in order. PM Construction & Rehab, LLC submitted the lowest total bid of $369,249.00.

A summary of bids received is as follows:

1. PM Construction & Rehab	$ 369,249.00
2. Excel 4 Construction, LLC	$ 389,218.00
3. Circle C Construction Co.	$ 406,950.00
4. Sapulpa Digging Inc.	$ 621,302.00

PM Construction & Rehab has successfully completed numerous sized projects for developments in Texas (Houston & San Antonio areas) as well as in Louisiana and Arkansas. Based on the bids submitted, it is recommended that PM Construction & Rehab be authorized to perform this work for the proposed amount of $369,249.00.

Upon your approval, we will immediately begin to prepare and circulate the appropriate contract documents for execution. Should you have any questions or require any additional information, please call me at 817.810.0696

Sincerely,

Craig H. Barnes, P.E., President
Shield Engineering Group, PLLC

Attachments: Crestdale Sewer improvements Bid Tabulation
CC: Larry Hoover, Public Works Director

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

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

I. Subject:
Consider Resolution 546, approving of the sale of 229 S. New Hope to Maria Crespo for the amount of $4,000

II. Originated by:

George Campbell, City Manager

III. Summary:
In the State of Texas, if there are delinquent taxes owed on a piece of real property, the overdue amount becomes a lien and a taxing authority may initiate a foreclosure suit. If the owner does not pay the overdue amounts (or have a valid defense to the foreclosure), the court will enter a judgment and the property will be sold at a public auction to the highest bidder. If the property does not receive at least the minimum bid at a tax auction, it may be “struck off” and ownership deeded to the taxing entity that initiated the suit. Usually, the property is posted for resale at a later date.

In 2005, the property at 229 South New Hope Road was "struck-off" to KISD after their attorney filed a delinquent property tax suit. KISD is now in possession of that property, and a bid has recently been submitted for its purchase. All three taxing entities (City, County, ISD) will need to pass a resolution to accept their portion of the proceeds. Upon successful closing of the sale of this property, the City of Kennedale will receive an estimated $3,323.95 and the property will be added back to the ad valorem tax roll.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:
Staff recommends approval.

VIII. Attachments:

1.	4667_001	4667_001.pdf

LINEBARGER GOGGAN BLAIR & SAMPSON, LLP
ATTORNEYS AT LAW
100 Throckmorton, Suite #300
Fort Worth, Texas 76102

817.877.4589
FAX 817.877.0601

September 14, 2018

Brian Johnson
Attn: George Campbell, City Manager
405 Municipal Drive
Kennedale, TX 76060

RE: Offer to Purchase Property Struck-Off for Taxes
E09355-94/ State of Texas, County of Tarrant, et al vs. Sammie B. Joseph Rives
Abstract 1260 aka Tract 1H; Jesse B Renfro Survey
229 S. New Hope Road; Account No.04105044

Dear Mr. Johnson:

Enclosed you will find information for the sale of the above mentioned property which was struck off to Kennedale ISD for $9,778.04 at a tax foreclosure sale on August 2, 2005. The total due under the judgment is $5,860.98. The appraised value of the property on the date of Judgment was $10,400 and the current appraised value is $19,500.

The bid packet was submitted in the amount of $4,000 by MARIA CRESPO to purchase of the property.

Enclosed are the Resolution and the Deed for the Mayor's signature, should the Council consent to the sale. Please consider placing this item on your next agenda for the City Council and advise me regarding the outcome of the Council's vote. If the bid is approved, please forward a copy of the Resolution or the minutes showing approval, as well as the original signed Deed.

If you have any questions or need additional information, please contact me at your convenience.

Very truly yours,

Stephen T. Meeks
Attorney at Law

STM/nr
Enclosures

Account No: 04105044

Cause No. E09355-94

BIDDER'S INFORMATION SHEET FOR TAX FORECLOSED PROPERTY

Property Address: 229 S. New Hope Road

Property Description: Abstract 1260 aka Tract 1H; Jesse B Renfro Survey

BIDDER'S NAME: Maria Crespo

ADDRESS: 4209 Salem st.

ADDRESS: Grand Prairie, TX. 75052

PHONE #: 682-360-6089

EMAIL: mecrespo@yahoo.com

Offer: $ 4,000.00

Bidder's intended use of the property:

Maintaing for investment purpose

I am aware that in addition to the above noted offer, I will be responsible for the payment of all post-judgment taxes, penalties & interest in the amount of $11,479.59 (1997-2005). (If paid by August 31, 2018)

Signature

BID SHEET

Cause No. E09355-94
STATE OF TEXAS, COUNTY, OF TARRANT, ET AL VS. SAMMIE B. JOSEPH RIVES

Struck off to Kennedale ISD on August 2, 2005 for $9,778.04

Account number: 04105044
Property Description: Abstract 1260 aka Tract 1H; Jesse B Renfro Survey
Location: *229 S. New Hope Road*

Buyers: Maria Crespo
Intended Use of Property: Maintain/ Investment

CURRENT VALUE: $19,500.00

OFFER: $4,000.00

Total Amount of Bid offered:	$4,000.00
Less Court Costs	$ 616.00

Remaining balance of **$3,384.00,** to be prorated to taxing entities as follows:

Judgment Yrs: 1990-1996	**Judg Amt**	**ProRata Share of Judg**	**Amt Realized if Bid is accepted**
Tarrant County	$1,275.10	(21.76%)	$ 736.36
Kennedale ISD	$3,396.01	(57.94%)	$1,960.69
City of Kennedale	$1,189.87	(20.30%)	+ $ 686.95
	$5,860.98	100.00%	$3,384.00

Post Judgment Amount Due (TO BE PAID IN ADDITION TO BID AMOUNT)

1997-2005 TAX YEAR	
Tarrant County	**$2,401.06**
Kennedale ISD	**$6,479.15**
City of Kennedale	**$2,637.00**
	$11,517.21 (If paid in September, 2018)

RESOLUTION NO. ____________

A RESOLUTION OF THE CITY OF KENNEDALE, APPROVING THE SALE OF CERTAIN REAL PROPERTY

WHEREAS, CITY OF KENNEDALE, for itself and the use and benefit Of KENNEDALE INDEPENDENT SCHOOL DISTRICT and TARRANT COUNTY, ET AL has acquired title to a certain tract of real estate at a Tax Sale held on August 2, 2005 in Cause No. E09355-94, State of Texas, County of Tarrant, et al vs. Sammie B. Joseph Rives and

WHEREAS, Section 34.05(a), Texas Property Tax Code, authorizes the City of Kennedale by and through its governing body, to resale the property; and

WHEREAS, it is in the best interest of the City of Kennedale and its taxpayers to return this property to a productive use; and

WHEREAS, an offer has been made by MARIA CRESPO, to purchase the property for the sum of Four Thousand and 00/100 Dollars ($4,000.00) for judgment years 1990-1996;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Kennedale, that the Mayor is authorized to sell, convey and transfer that certain tract of real estate acquired at the above described tax sale for the sum of $4,000.00 as authorized by Section 34.05, Texas Property Tax Code. The liens foreclosed by the judgment are extinguished by virtue of the conveyance.

TRACT 1H, ABSTRACT 1260, JESSE B. RENFRO SURVEY, SITUATED IN THE CITY OF KENNEDALE, TARRANT COUNTY, TEXAS, AND LOCATED WITHIN THE KENNEDALE INDEPENDENT SCHOOL DISTRICT. AS SHOWN BY A DEED OF RECORD IN VOLUME 8786, PAGE 1437 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS.

ACCOUNT NUMBER: 04105044; ALSO KNOWN AS 229 S. NEW HOPE ROAD, KENNEDALE, TX 76060

PRESENTED and PASSED this ______ day of ________________, 2018, by a vote of _____Ayes and _____ Nays by the City of Kennedale Council, Tarrant County, Texas.

BY: Brian Johnson, Mayor

ATTEST:

BY: Leslie Galloway, City Secretary

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

TAX RESALE DEED

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF TARRANT

That KENNEDALE INDEPENDENT SCHOOL DISTRICT, CITY OF KENNEDALE, and TARRANT COUNTY, ET AL acting through the presiding officer of its governing body, hereunto duly authorized by resolution and order of each respective governing body which is duly recorded in their official Minutes, hereinafter called grantors, for and in consideration of the sum of $4,000.00, cash in hand paid by

MARIA CRESPO
4209 SALEM STREET
GRAND PRAIRIE, TX 75052

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, have quitclaimed and by these presents do quitclaim unto said grantee(s) all of the right, title and interest of grantor and all other taxing units interested in the tax foreclosure judgment against the property herein described, acquired by tax foreclosure sale heretofore held under Suit No. E09355-94, in the district court of said county, said property being located in Tarrant County, Texas, and described as follows:

TRACT 1H, ABSTRACT 1260, JESSE B. RENFRO SURVEY, SITUATED IN THE CITY OF KENNEDALE, TARRANT COUNTY, TEXAS, AND LOCATED WITHIN THE KENNEDALE INDEPENDENT SCHOOL DISTRICT. AS SHOWN BY A DEED OF RECORD IN VOLUME 8786, PAGE 1437 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS.

ACCOUNT NUMBER: 04105044; ALSO KNOWN AS 229 S. NEW HOPE ROAD, KENNEDALE, TX 76060

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said grantee(s), their heirs and assigns forever, so that neither the grantors, nor any other taxing unit interested in said tax foreclosure judgment, nor any person claiming under it and them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

All liens foreclosed by the judgment are discharged and extinguished by virtue of this conveyance. Post Judgment taxes and any prorated taxes for the present year are to be paid by grantee(s) herein.

This deed is given expressly subject to recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the tax lien(s) arose.

This deed is given without any warranty of title. Grantors make no warranties, express or implied, regarding the above described property.

IN TESTIMONY WHEREOF CITY OF KENNEDALE has caused these presents to be executed this ________ day of ____________________, 2018.

BY: ____
Brian Johnson
Mayor
City of Kennedale

STATE OF TEXAS X

COUNTY OF TARRANT X

This instrument was acknowledged before me on this _______ day of ______________________, 2018, by Brian Johnson, Mayor of City of Kennedale.

____
Printed Name:
Notary Public, State of Texas
My Commission Expires:

IN TESTIMONY WHEREOF KENNEDALE INDEPENDENT SCHOOL DISTRICT has caused these presents to be executed this 20th day of December, 2018.

BY: John Hunt

John Hunt
President, Board of Trustees
Kennedale Independent School District

STATE OF TEXAS **X**

COUNTY OF TARRANT **X**

This instrument was acknowledged before me on this 20th day of December, 2018, by John Hunt, President, Board of Trustees, Kennedale Independent School District.

JEANETTE FRANKLIN
MY COMMISSION EXPIRES
AUGUST 18, 2019

Jeanette Franklin
Jeanette Franklin
Printed Name:
Notary Public, State of Texas
My Commission Expires:

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

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

I. Subject:
Discuss and consider approving payment of property taxes on real property owned by the Kennedale Arts and Culture Foundation and authorizing City staff to execute all documents necessary to reinstate the Foundation's right to transact business and pay filing costs related thereto

II. Originated by:

George Campbell, City Manager

III. Summary:
The Arts and Culture Foundation – a non-profit entity – was created by a City Advisory Board of the same name in 2010. The City board has since been abolished. Though the Foundation is a separate entity, it is currently being utilized as a land bank for the City for future grant application purposes. On August 31, 2016, the Foundation authorized acceptance of two land parcels via Resolutions 316 and 318.

There are currently delinquent ad valorem (property) taxes owed on these pieces of land in the amount of $14,640.98. As this land is ultimately meant to benefit the City, staff recommends payment of those taxes.

Of note, it is possible that this will not be the final amount owed, as the larger tract may have been conveyed from the Foundation to the City in 2016 or 2017, and staff is not yet able to determine if the current amount owed has been calculated to reflect any tax exemption that should have been applied at that time.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:
Council authority is requested to pay any tax determined to be due in order to preserve the land for eventual park use and to preserve the Foundation's ability to transact business.

Council consideration is respectfully requested.

VIII. Attachments:

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: DECISION ITEMS - A.

I. Subject:
Consider appointment of two Utility and Infrastructure Board alternate members pursuant to Ordinance 656

II. Originated by:

Leslie Galloway, City Secretary & Communications Coordinator

III. Summary:
At the Tuesday, December 11, 2018, meeting, the City Council adopted Ordinance 656, adding two alternate places to the Utility and Infrastructure Board.

The Council may now consider making appointments to these two newly-created alternate places on the board.

UIB Membership
PLACE1 Harry Browne
PLACE 2 Kenneth Michels
PLACE 3 Johnny Trevino, Vice Chair
PLACE 4 Jeff Gregory
PLACE 5 Tom Newsom
PLACE 6 Idin Deljavan, Chair
PLACE 7 Mark Perkins
PLACE 8 VACANT, Alternate
PLACE 9 VACANT, Alternate

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 15, 2019

Agenda Item No: DECISION ITEMS - B.

I. Subject:
Discuss and consider a Resolution of Support for an application to the Texas Department of Housing and Community Affairs (TDHCA) 2019 Housing Credit Program by OM Housing, LLC to partially finance the mixed-use development of The Village at Hammack Creek, located at the northeast corner of East Kennedale Parkway and Kennedale Sublett Road

II. Originated by:

Melissa Dailey, Director of Planning and Economic Development

III. Summary:
OM Housing, LLC is proposing a $50 million redevelopment of property located on approximately 16 acres at 133 E. Kennedale Parkway. The development would be a catalyst project for Kennedale Parkway and the central part of the community, and therefore carries more risk than developments that would follow.

This risk is commonly mitigated by incentives often provided by cities to attract catalyst projects. However, OM Housing, LLC is proposing the use of Federal Housing Tax Credits to mitigate this risk on the development, which would provide 9% of the financing for the development. These tax credits are provided to the developer directly and require maximum rent amounts for residents that earn up to 60% of AMFI (Area Median Family Income).

This development would include 144 multi-family homes for which the housing tax credits would apply. Additionally, 16 market-rate townhomes, 31,000 square feet of retail, and 7,500 square feet of office space would be developed. The developer plans to utilize Urban Village zoning, which has significant development requirements to ensure the plan is based on a human-scale with public realm amenities in a walkable community. These new homes with maximum rents would provide for quality workforce housing in a vibrant neighborhood. Many who work in Kennedale would have this high-quality housing option that is affordable for their wages. A one bedroom apartment, for example, would have a maximum rent of $846.

A mixed-use development of this size will help move additional development in the area forward on what is now vacant or underutilized land, and will also provide synergy needed to draw people and tenants to TownCenter. It would help Kennedale make significant progress on a key goal in the 2012 Comprehensive Plan – Create vibrant centers by promoting social integration and economic activity through the development of different-scale centers throughout the community. Additionally, the Comprehensive Plan calls for promoting access to housing, including housing options for people of varying financial means and residential preferences. Promoting access to jobs by creating job opportunities in Kennedale that help stabilize the local tax base and allow residents to work close to home is also a key goal in the comprehensive plan that this development helps to achieve.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

Staff recommends approval of OM Housing, LLC’s request for support of their application for Housing Tax Credits.

VIII. Attachments:

1.	R543 VAHC Resolution of Support	R543 VAHC Resolution of Support.pdf
2.	Village at Hammack Creek Presentation from Previous Meeting	OM Housing Presented to Council December 11, 2018.pdf

Resolution No. 543

City of Kennedale Resolution Supporting OM Housing's Application for Housing Tax Credits for the proposed Village at Hammack Creek project

WHEREAS, OM Housing, LLC, has proposed The Village at Hammack Creek - a mixed use development for high quality, eco-friendly, retail, office, and rental apartments at 133 Kennedale Parkway in City of Kennedale; and

WHEREAS, the naming of the proposed project as "Hammack" is reflective of Kennedale history **–** D. J. A. Hammack and the tributary located on the site; and

WHEREAS, OM Housing, LLC, intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2019 Housing Credit Program to partially finance the development of The Village at Hammack Creek; and

WHEREAS, The Village at Hammack Creek project will be required to comply with all City zoning and site development regulations/standards, prior to issuance of any building permits; and

WHEREAS, the proposed Village at Hammack Creek will be required to be consistent with the Kennedale Comprehensive Plan, to be an Eco-Friendly facility, and be architecturally compatible with the TownCenter.

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

This resolution affirms the City of Kennedale's acknowledgement and support of the application for the Village at Hammack Creek subject to the provisions noted in the preamble.

PASSED AND APPROVED by the City Council of the City of Kennedale, Texas, on this 11th day of December, 2018.

____
Brian Johnson, Mayor

Attest:

____
Leslie Galloway, City Secretary

HOME

Housing

Village at Hammock Creek

OWNER / DEVELOPER

HOME
Housing

U.S. GREEN BUILDING COUNCIL
LEED GOLD
USGBC

1900 SHOAF DR
BRITAIN WAY APARTMENTS

Irving, Texas

HAS SUCCESSFULLY ACHIEVED THE FOLLOWING LEVEL OF CERTIFICATION ESTABLISHED BY THE U.S. GREEN BUILDING COUNCIL IN THE LEED GREEN BUILDING RATING SYSTEM™ AS VERIFIED BY AN INDEPENDENT GREEN RATER.

LEED FOR HOMES

GOLD

December 2012

S. RICHARD FEDRIZZI, PRESIDENT & CEO
U.S. GREEN BUILDING COUNCIL

TIM COLE, BOARD CHAIR
U.S. GREEN BUILDING COUNCIL

Village at Hammock Creek

development team

- BGO Architects
  - 1 Million + apartment homes
  - 40+ Years experience
- Alpha-Barnes – Property Management
  - 22,800+ units
  - Experienced team since 1967
- KWA Construction – General Contractor
  - One of Country’s top General Contractors
  - 10,000+ units
  - Since 2004
- US Eco-Logic – Green Building Services Provider
  - Largest provider or energy efficiency / green building services in the world.
  - Since 1966
- Local Award Winning Team, NOT A MERCHANT DEVELOPER!

HOME
Housing

City of KENNEDALE Texas
EST. 1887
YOU'RE HERE YOUR HOME

Village at Hammock Creek
Economic Development

- **EXTEND** infrastructure, **REDUCE** land cost on other uses, **RECLAIM** flood plain, **PROVIDE** needed retail/housing, help **SPUR** economic development, all while being **ENVIRONMENTALLY SENSITIVE**.
- New Extended infrastructure / discounted land cost will reduce cost basis on other uses.
- Build-ready retail pads at reduced costs will attract quality retail stores.
- Involve Kennedale Chamber of Commerce for construction bidding
- High quality affordable housing will attract future employers.

HOME
Housing

Village at Hammock Creek

LEED / NATIONAL GREEN BUILT

- Project will include current LEED / National Green Built Design standards
- Exceeds Kennedale Energy Code
  - Mandatory 15% improvement in energy use
  - Minimum 15% better water efficiency
  - 20% reduction in water use
  - Better landscape with water efficiency
  - Increased wall insulation
  - Mandatory requirement to provide Energy Star bath/kitchen fan for mold control
  - Higher standards for air filtration

HOME
Housing

Village at Hammock Creek

Professional Management

City of
KENNEDALE
Texas
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- Professional Management
- Full time on-site staff for management / maintenance
- Stringent applicant screening criteria
- HD Cameras distributed throughout the site
- CPTED Design Standards
- Perimeter fencing with controlled access gates
- 1 key fob per adult, not to exceed 2 per unit
- 1 car sticker per adult, not to exceed 2 per unit
- Required $350/unit/annum replacement reserve for long-term maintenance and capital improvements to ensure project will not fall into disrepair.

Village at Hammock Creek
IMPACT ON INFRASTRUCTURE

- Eco-Friendly – reduced impact on electricity, water/sewer; will preserve existing trees and ecological system.
- Walkable community with Multi-modal transportation reduces burden on roads.
- Stringent applicant screening criteria
- 59% of residents locate from one Zip Code away, thus reduced impact on ISD. CPTED Design Standards
- Organized quality and influx of growth.

Village at Hammock Creek
REQUEST TO CITY

- Resolution of Support

HOME

Housing

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: EXECUTIVE SESSION - A.

I. Subject:
Discuss proposed contract to purchase potable water from the 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:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: EXECUTIVE SESSION - B.

I. Subject:
Discuss pending legal matters regarding Ron Sturgeon vs. City of Kennedale

II. Originated by:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: January 15, 2019

Agenda Item No: EXECUTIVE SESSION - C.

I. Subject:
Discussion of City Manager's Annual Evaluation

II. Originated by:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments: