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KENNEDALE CITY COUNCIL AGENDA

REGULAR MEETING | MAY 21, 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 Texas Government Code §551.071, the City Council reserves the right to adjourn into Executive Session at any time during the Work Session or the Regular Session to discuss posted Executive Session items or to seek legal advice from the City Attorney on any item posted on the agenda.

II. WORK SESSION

A. Discussion of policy regarding short-term rentals

B. Discussion of potential amendments to Chapter 3 – "Animals" of the Kennedale Municipal Code

C. 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 AND CITIZEN FORUM

At this time, any person may address the City Council, provided that a 'Speaker Request Form' is submitted to the City Secretary before the meeting begins. Speakers are allotted three (3) minutes, must limit their comments to the subject indicated on the submitted form, and should address the Council as a whole, rather than individual Councilmembers or staff. No formal action or discussion may be taken at this time. Those wishing to speak about an agenda item should indicate as much on the "Speaker Request Form" and will be called upon to speak when the Council considers that item.

VIII. REPORTS AND ANNOUNCEMENTS

In addition to any items listed below, the Mayor and Councilmembers may give or receive reports regarding items of community interest, including, but not limited to, recognition of officials, citizens, staff, or departments; information regarding holiday schedules; and upcoming or attended events.

A. Updates from the City Council

B. Updates from the City Manager

C. Updates from the Mayor

IX. INCIDENTAL ITEMS

X. MONITORING INFORMATION

A. Monthly Financials for April 2019

B. KEDC Financial Report for March 2019

XI. ELECTION BUSINESS

A. Certification by the City Secretary of official Recount Committee Report, which was conducted May 16, 2019

B. Consider approval of Resolution 551, canvassing the recount results – conducted May 16, 2019 – of the General Election held on May 4, 2019, and declaring Sandra Lee elected to the office of City Council Place 3

C. Oath of Office for Sandra Lee, City Council Place 3 (2019-2021)

D. Consider approval of Resolution 552, canceling the June 8, 2019 runoff election

XII. REQUIRED APPROVAL ITEMS (CONSENT)

Consent items are matters that have appeared on previous agendas, require little or no deliberation, or are considered routine. If discussion is desired, any item may be removed from Consent and considered separately.

A. Consider approval of the minutes from the April 16, 2019 Regular Meeting

B. Consider approval of the minutes from the May 14, 2019 Special Meeting at 5:00 p.m.

C. Consider approval of the minutes from the May 14, 2019 Special Meeting at 7:00 p.m.

D. Consider authorizing the City Manager to enter into a Cooperative Purchasing Agreement with the City of North Richland Hills

E. Consider approval of Resolution 553, supporting a grant application for police body cameras

F. Consider approval of contract award to Emergicon for emergency medical service billing and collections, and authorize the City Manager to sign the agreement

XIII. DECISION ITEMS

A. Consider approval of Resolution 554, adopting an incentive policy, establishing guidelines and criteria for tax abatement, and electing to become eligible to participate in tax abatement

B. Review and consider contract for Animal Control services from North Texas Animal Control Authority

C. Consider making appointments to various advisory boards and commissions

D. Consider appointment of a Chair and Vice Chair of the Planning & Zoning Commission

E. Consider appointment of a Chair and Vice Chair of the Board of Adjustment and Building Board of Appeals

XIV. 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. Discussion with the City Attorney regarding settlement agreement between Ron Sturgeon, et al and the City of Kennedale

B. Discussion with the City Attorney regarding salvage yard special exception/special use permits

C. Discussion with City Attorney regarding legal issues associated with potential tax abatement, Chapter 380 incentives, and EDC grants

Pursuant to §551.087 *– (1) deliberation regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1):*

D. Potential tax abatement, Chapter 380 incentives, and EDC grant to relocating industrial business prospect

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

XVI. ADJOURNMENT

CERTIFICATION

I DO HEREBY CERTIFY THAT THE MAY 21, 2019 KENNEDALE CITY COUNCIL AGENDA WAS POSTED INSIDE THE MAIN ENTRANCE OF CITY HALL (405 MUNICIPAL DRIVE), 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 E. Galloway

LESLIE E. GALLOWAY, CITY SECRETARY

In compliance with the Americans with Disabilities Act (ADA), 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 by calling 817-985-2104 or (TTY) 1-800-735-2989.

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: WORK SESSION - A.

I. Subject:
Discussion of policy regarding short-term rentals

II. Originated by:

Melissa Dailey, Director of Planning & Economic Development

III. Summary:

City staff has received multiple complaints regarding short-term rentals (STRs) in the City of Kennedale. Complaints have primarily focused on noise, trash, security, and excessive on-street parking. There are currently several short-term rentals listed on Airbnb in the City of Kennedale, one of which is listed to accommodate 20 people. These STRs are single-family homes within residential subdivisions. The primary companies that list short-term rentals are Airbnb and VRBO (Vacation Rentals by Owners).

Short-term rentals are typically defined as rentals of residential units for less than 30 days. Airbnb estimated about 466,000 guests stayed in DFW Airbnbs last year. Many cities in Texas and nationwide are addressing this issue in various ways. Some cities, such as Waco, Haslett, and Amarillo, allow STRs but permit and regulate them. The City of Fort Worth does not allow short term rentals in residential neighborhoods, but only in commercial, industrial, or mixed-use areas with businesses, and a certificate of occupancy (CO) is required. In April of this year, the City of Arlington passed an ordinance only allowing short-term rentals in a designated area around the Entertainment District that includes Six Flags Over Texas, AT&T Stadium, and Globe Life Park.

A bill limiting a City's ability to regulate STRs was recently presented at the State level that would have limited Cities' ability to regular short-term rentals across the state, but now remains pending in the House Urban Affairs Committee. In September 2018, the Grapevine City Council upheld a long-existing city ordinance banning short-term rentals, but in November a judge ordered the City to stop enforcing the ban pending a lawsuit. The 3rd Texas Court of Appeals ruled in 2017 that a rented room, house, or apartment is not a commercial enterprise restricted to commercial and industrial zones. The Texas Supreme Court ruled in June 2018 in favor of a homeowner in San Antonio whose homeowners association pressed to restrict his short-term rental activity. The Court ruled that deed restrictions in homeowners associations cannot prevent short-term rental of a residence and that what visitors do in a home rental is consistent with "a residential purpose" in covenants.

There are several options that could be considered for the city regarding short-term rentals in Kennedale:

- Ban STRs. Given recent court rulings, such action would likely require more research.
- Limit STRs to a specific area of the City. Although this option could limit how many STRs exist in the city, it could be difficult to implement, given the small size of Kennedale and the challenge of selecting appropriate areas.
- Require a special exception from the Board of Adjustment for STRs with a list of requirements to be met.This would allow a case-by-case analysis of each STR request.However, this option could also result in inconsistent approvals/denials for STRs. More research may be required.
- Regulate STRs by requiring a permit or certificate of occupancy and regulating issues such as the maximum number of renters per bedroom, allowable number and location of parking, distance to other STRs, allowable functions, noise, security, and notice to residents within a certain distance. STRs would still exist in the City,

but would be regulated and could address some concerns expressed by residents.Texas cities that have implemented restrictions like this have not yet been legally challenged.

Staff will be available at this work session to respond to questions. Council discussion and direction is appreciated.

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: May 21, 2019

Agenda Item No: WORK SESSION - B.

I. Subject:
Discussion of potential amendments to Chapter 3 – "Animals" of the Kennedale Municipal Code

II. Originated by:

Melissa Dailey, Director of Planning & Economic Development

III. Summary:
City staff regularly receives questions from residents and individuals inquiring about purchasing property in Kennedale as to whether they can have livestock and/or fowl, how many and what type. The request is typically for purposes of having a hobby farm or livestock/fowl that are pets. Staff also periodically receives questions or complaints from neighbors about what type of animals are allowed.

The City's Unified Development Code (UDC) addresses this issue by listing "Hobby Farm" as an allowable use, but only with AG (Agricultural) zoning. Hobby Farm is defined in the UDC as "the non-commercial keeping of livestock and animals on residential property." Commercial keeping of livestock is addressed in the municipal code, along with animal cruelty/neglect and nuisance regulations relating to animals.

As properties that are zoned AG are increasingly rezoned to other zoning categories, most often R (residential) categories, there are fewer opportunities within the current zoning code to keep animals, even when significant acreage exists to do so. For example, there are many properties zoned R1, which requires a minimum of 1-acre, which does not allow for the ability to keep livestock or fowl.

In an effort to broaden the ability to own livestock and/or fowl on appropriate lots within the City, staff has researched other cities' ordinances on this topic and has held three meetings with a focus group of local residents to gain input. That research and input has resulted in the creation of potential modifications to the municipal code to allow for the keeping of livestock and fowl under certain conditions. A summary of those possible changes to the animal code is attached.

Staff will be available at this work session to respond to questions. Council discussion and direction is appreciated.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	LivestockOrdinanceTopics	LivestockOrdinanceTopics.pdf

Potential Livestock/Fowl Regulations	
Permitting	
Definitions	Large fowl - larger fowl such as emus, ostriches, rheas and other similar size birds
	Small fowl - all birds commonly called poultry including chickens, ducks, geese, guinea fowl, turkeys, pigeons, and other similar size birds
	Large Livestock - any animal such as horses, mules, cattle, ponies, llamas, alpacas, and other animal of the same approximate size and weight
	Small Livestock - Any animal, such as goats, sheep, lambs and animals of the same approximate size and weight
	Pot-bellied pig - breed of miniature pig meeting the standards established by the North American Potbelly Pig Association (NAPPA)
	Pet Birds - Birds such as parrots, cockatoos, mccaws, finches and similar birds, not to include large or small fowl
Zoning required for livestock/fowl	Any property in residential use or zoned for residential use
Minimum acreage for livestock/fowl	1 acre, except pot-bellied pigs and hens (see below)
BOA Exceptions for any residential acreage	Yes
Distance requirements	50 feet from adjacent residence
Legal non-conforming	Livestock use legal non-conforming if residence(s) built adjacent after
Property owner or representative lives on/near property	Yes
Number of large fowl	12 per acre
Number of small fowl	25 per acre
Number of large livestock	1 for the first acre, 1/2 acre per head after that
Number of small livestock	8 per acre
Pigs	Not allowed
Roosters	Not allowed
BOA special exceptions	Yes
Allowed on any size single family residential lot (land use, not zoning)	2 pot-bellied pigs max, 6 hens per quarter acre (not including roosters)
Pet Birds	Must be kept indoors

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STAFF REPORT
TO THE CHARTER STUDY COMMITTEE

Date: May 21, 2019

Agenda Item No: WORK SESSION - C.

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:

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: REPORTS AND ANNOUNCEMENTS - A.

I. Subject:
Updates from the City Council

II. Originated by:

III. Summary:
Updates and information from each of the Councilmembers, 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: May 21, 2019

Agenda Item No: REPORTS AND ANNOUNCEMENTS - B.

I. Subject:
Updates from the City Manager

II. Originated by:

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

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: REPORTS AND ANNOUNCEMENTS - C.

I. Subject:
Updates from the Mayor

II. Originated by:

III. Summary:
Updates and information from Mayor Brian Johnson, if any.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: MONITORING INFORMATION - A.

I. Subject:
Monthly Financials for April 2019

II. Originated by:

Debby Scott, Interim Finance Director

III. Summary:
Monthly financials and sales tax update as produced by the Finance Department.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

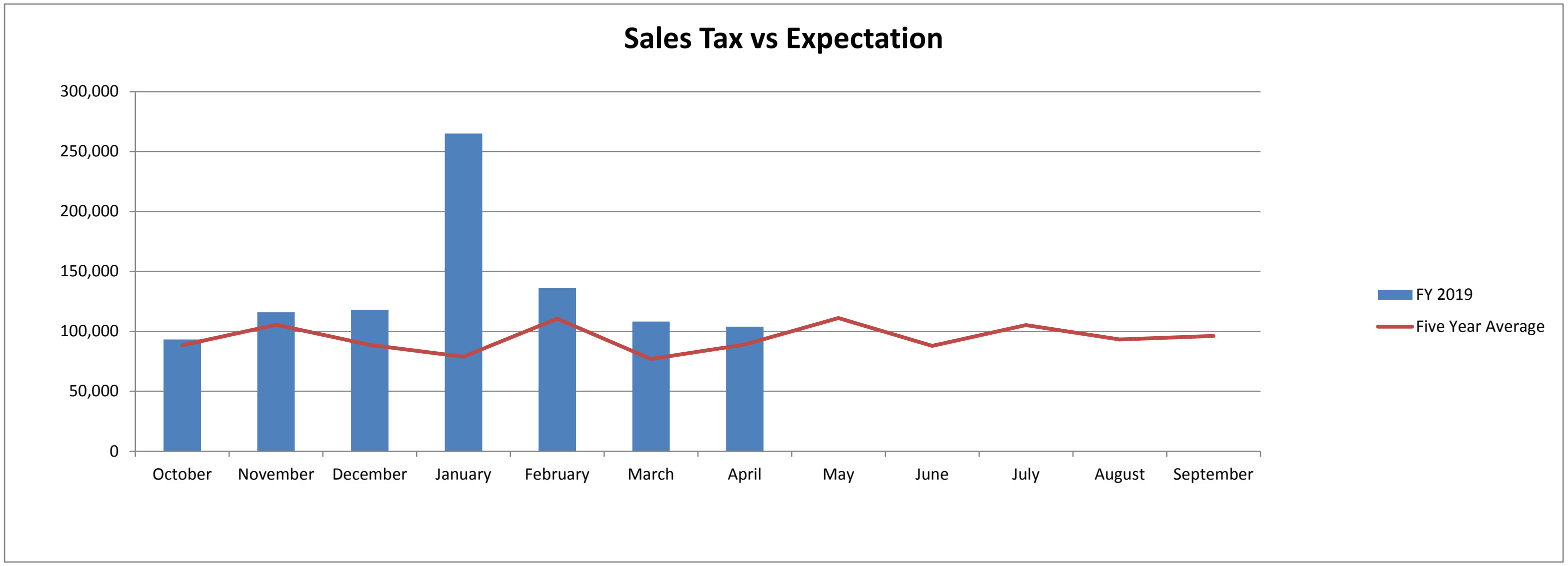
VII. Alternative Actions:

VIII. Attachments:

1.	Sales Tax Update- April	Sales Tax Update- April.pdf
2.	2019_04Monthly Financials	2019_04Monthly Financials.pdf

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	$ 265,081	$ 136,298	$ 108,098	$ 103,810	$ -	$ -	$ -	$ -	$ -	**$ 940,555**
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 Chang	YTD	FYTD
Manufacturing	$26,815.08	-9.40%	-2.85%	$100,373.05	$168,791.17
Wholesale	$22,282.00	19.74%	31.78%	$73,185.77	$123,807.80
Retail	$22,020.98	15.90%	0.93%	$102,548.12	$173,586.44
Professional Services	$15,984.93	2.80%	66.46%	$64,690.89	$119,650.55
General Services	$10,111.96	-34.65%	19.84%	$79,567.06	$159,838.31
Food	$7,277.06	-32.70%	-11.74%	$33,831.13	$60,244.10
Agricultural	$535.85	-96.63%	405.23%	$168,930.86	$145,708.76
Miscellaneous	$389.01	43.21%	79.08%	$928.04	$1,777.14
Accommodation	$0.00	0.00%	0.00%	$0.00	$0.00

REVENUE SUMMARY BY FUND

REVENUES	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL EARNED	% OF CY BUDGET EARNED	BUDGET REMAINING
GENERAL FUND	$ 5,101,228	$ 6,751,815	$ 6,406,759	$ 237,995	$ 5,205,730	75.6%	81.3%	$ 1,201,029
OTHER GENERAL FUNDS	$ 367,206	$ 1,035,991	$ 941,983	$ (27,812)	$ 301,097	35.4%	32.0%	$ 640,886
GENERAL FUND	**$ 5,468,434**	**$ 7,787,806**	**$ 7,348,742**	**$ (210,183)**	**$ (5,506,827)**	**70.2%**	**-74.9%**	**$ 12,855,569**
								$ -
GENERAL DEBT SERVICE FUND	**$ 1,338,560**	**$ 1,572,159**	**$ 1,518,995**	**$ 12,907**	**$ 1,316,261**	**85.1%**	**86.7%**	**$ 202,734**
								$ -
WATER/SEWER FUND	$ 2,417,135	$ 4,804,352	$ 4,010,901	$ 321,626	$ 2,164,436	50.3%	54.0%	$ 1,846,465
STORMWATER UTILITY FUND	$ 153,120	$ 256,278	$ 254,950	$ 22,602	$ 156,621	59.7%	61.4%	$ 98,329
WATER IMPACT FUND	$ 103,871	$ 165,170	$ 120,450	$ 6,195	$ 22,964	62.9%	19.1%	$ 97,486
SEWER IMPACT FUND	$ 55,286	$ 93,162	$ 32,664	$ 2,578	$ 12,403	59.3%	38.0%	$ 20,261
WATER/SEWER FUND	**$ 2,729,412**	**$ 5,318,962**	**$ 4,418,965**	**$ 353,001**	**$ 2,356,424**	**51.3%**	**53.3%**	**$ 2,062,541**
EDC4B FUND	**$ 617,807**	**$ 991,633**	**$ 629,752**	**$ 57,325**	**$ 404,926**	**62.3%**	**64.3%**	**$ 224,826**
CAPITAL FUND	**$ 97,965**	**$ 186,462**	**$ 172,535**	**$ 11,857**	**$ 795,307**	**52.5%**	**461.0%**	**$ (622,772)**
SPECIAL REVENUE FUND	**$ 1,750**	**$ 43,873**	**$ 127,497**	**$ 88,391**	**$ 90,254**	**4.0%**	**70.8%**	**$ 37,243**
TOTAL REVENUES	**$ 10,253,928**	**$ 15,900,895**	**$ 14,216,486**	**$ 313,298**	**$ (543,655)**	**64.5%**	**-3.8%**	**$ 14,760,141**

EXPENDITURE SUMMARY BY FUND

EXPENDITURES	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
GENERAL FUND	$ 3,519,246	$ 6,340,017	$ 7,028,284	$ 615,446	$ 3,886,952	55.5%	55.3%	$ 3,141,332
OTHER GENERAL FUND	$ 547,450	$ 1,063,510	$ 1,197,369	$ 98,855	$ 517,188	51.5%	43.2%	$ 680,181
GENERAL FUND	**$ 4,066,696**	**$ 7,403,527**	**$ 8,225,653**	**$ 714,301**	**$ 4,404,140**	**54.9%**	**53.5%**	**$ 3,821,513**
GENERAL DEBT SERVICE FUND	**$ 1,288,954**	**$ 1,420,004**	**$ 1,511,744**	**$ 124,663**	**$ 1,383,846**	**90.8%**	**91.5%**	**$ 127,898**
WATER/SEWER FUND	$ 2,151,566	$ 4,370,392	$ 4,659,521	$ 436,615	$ 2,204,248	49.2%	47.3%	$ 2,455,273
STORMWATER UTILITY FUND	$ 81,760	$ 188,545	$ 139,764	$ 9,682	$ 82,829	43.4%		
WATER IMPACT FUND	$ -	$ 153,573	$ 152,525	$ -	$ -			
SEWER IMPACT FUND	$ -	$ 60,000	$ 60,000	$ -	$ -			
WATER/SEWER FUND	**$ 2,233,326**	**$ 4,772,510**	**$ 5,011,810**	**$ 446,297**	**$ 2,287,078**	**46.8%**	**45.6%**	**$ 2,724,732**
EDC4B FUND	**$ 724,528**	**$ 1,013,841**	**$ 539,912**	**$ 105,169**	**$ 282,884**	**71.5%**	**52.4%**	**$ 257,028**
CAPITAL FUND	**$ 7,293**	**$ 186,536**	**$ 130,170**	**$ 48,952**	**$ 74,906**	**3.9%**	**57.5%**	**$ 55,264**
SPECIAL REVENUE FUND	**$ 9,971**	**$ 26,919**	**$ 11,767**	**$ -**	**$ 1,650**	**37.0%**	**14.0%**	**$ 10,117**
TOTAL EXPENDITURES	**$ 8,330,768**	**$ 14,823,337**	**$ 15,431,056**	**$ 1,439,382**	**$ 8,434,504**	**56.2%**	**54.7%**	**$ 6,996,552**

EXPENDITURE SUMMARY BY DEPARTMENT

GENERAL FUND	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
CITY MANAGER	$ 205,608	$ 363,210	$ 365,464	$ 25,861	$ 205,347	56.6%	56.2%	$ 160,117
MAYOR/CITY COUNCIL	$ 80,664	$ 158,561	$ 127,323	$ 10,311	$ 99,789	50.9%	78.4%	$ 27,534
CITY SECRETARY	$ 75,394	$ 130,433	$ 164,073	$ 9,613	$ 91,357	57.8%	55.7%	$ 72,716
MUNICIPAL COURT	$ 61,488	$ 65,492	$ 108,148	$ 6,740	$ 53,242	93.9%	49.2%	$ 54,906
HUMAN RESOURCES	$ 79,837	$ 165,966	$ 104,909	$ 8,901	$ 52,966	48.1%	50.5%	$ 51,943
FINANCE	$ 215,495	$ 341,293	$ 358,365	$ 31,050	$ 235,841	63.1%	65.8%	$ 122,524
POLICE	$ 1,280,900	$ 2,257,421	$ 2,686,196	$ 238,145	$ 1,425,289	56.7%	53.1%	$ 1,260,907
FIRE	$ 967,575	$ 1,744,007	$ 1,907,680	$ 139,826	$ 961,130	55.5%	50.4%	$ 946,550
COMMUNITY DEVELOPMENT	$ 134,552	$ 338,010	$ 372,090	$ 25,615	$ 203,930	39.8%	54.8%	$ 168,160
SENIOR CITIZEN CENTER	$ 27,255	$ 49,877	$ 54,028	$ 5,854	$ 28,081	54.6%	52.0%	$ 25,947
LIBRARY	$ 145,964	$ 311,250	$ 268,259	$ 22,225	$ 191,257	46.9%	71.3%	$ 77,002
NONDEPARTMENTAL	$ 244,516	$ 414,496	$ 511,749	$ 91,306	$ 338,726	59.0%	66.2%	$ 173,023
TOTAL EXPENDITURES	**$ 3,519,248**	**$ 6,340,016**	**$ 7,028,284**	**$ 615,447**	**$ 3,886,955**	**55.5%**	**55.3%**	**$ 3,141,329**

WATER/SEWER FUND	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
UTILITY BILLING	$ 475,331	$ 1,412,952	$ 1,293,973	$ 137,573	$ 692,835	33.6%	53.5%	$ 601,138
WATER OPERATIONS	$ 843,684	$ 1,324,784	$ 1,576,197	$ 262,352	$ 693,361	63.7%	44.0%	$ 882,836
DEBT	$ 464,750	$ 175,327	$ 509,680	$	$ 470,199	265.1%		
W&S CAPITAL	$ 2,765	$ 15,519	$ 654,796	$ 4,338	$ 81,168		12.4%	$ 573,628
NONDEPARTMENTAL	$ 365,036	$ 1,441,811	$ 624,875	$ 32,352	$ 266,685	25.3%	42.7%	$ 358,190
TOTAL EXPENDITURES	**$ 2,151,566**	**$ 4,370,393**	**$ 4,659,521**	**$ 436,615**	**$ 2,204,248**	**49.2%**	**47.3%**	**$ 2,455,273**

STREET IMPROVEMENT FUND	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
STREETS	$ 320,192	$ 630,950	$ 740,910	$ 63,210	$ 354,421	50.7%	47.8%	$ 386,489
PARKS MAINTENANCE	$ 34,957	$ 80,379	$ 125,920	$ 7,583	$ 43,575	43.5%	34.6%	$ 82,345
CAPITAL	$ 32	$ 60,555	$ 79,058	$	$ -			
TOTAL EXPENDITURES	**$ 355,181**	**$ 771,884**	**$ 945,888**	**$ 70,793**	**$ 397,996**	**46.0%**	**42.1%**	**$ 547,892**

EDC4B FUNDS	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
ADMINISTRATION	$ 68,997	$ 142,581	$ 168,360	$ 16,526	$ 89,403	48.4%		
DEBT SERVICE	$ 220,797	$ 325,006	$ 320,432	$ 85,368	$ 140,603	67.9%		
TOWN SHOPPING CENTER	$ 288,472	$ 278,194	$ 51,120	$ 3,275	$ 47,140	103.7%		
TOWNCENTER REDEVELOPMENT	$ 146,262	$ 237,866	$ -	$	$ 5,738			
TOTAL EXPENDITURES	**$ 724,528**	**$ 983,647**	**$ 539,912**	**$ 105,169**	**$ 282,884**	**73.7%**	**52.4%**	**$ 257,028**

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: MONITORING INFORMATION - B.

I. Subject:
KEDC Financial Report for March 2019

II. Originated by:

Debby Scott, Interim Finance Director

III. Summary:
Reports from the previous EDC meeting are attached for your reference.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

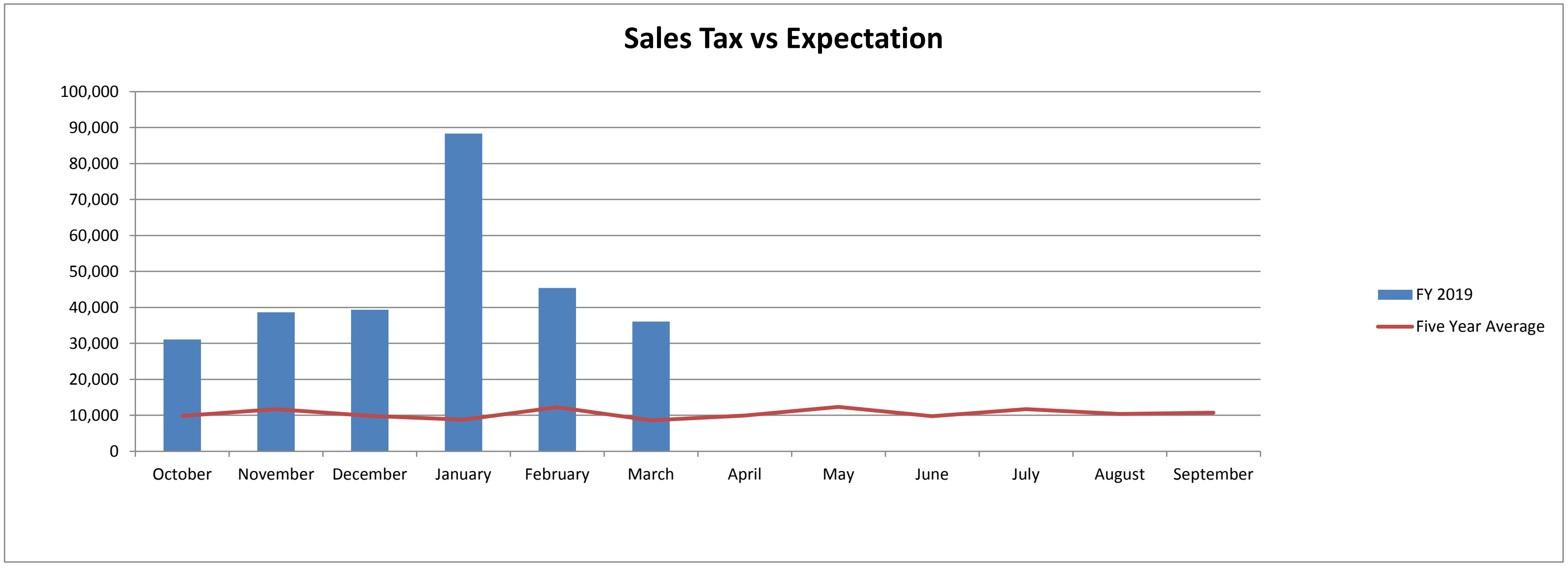
VII. Alternative Actions:

VIII. Attachments:

1.	Sales Tax Update-EDC March	Sales Tax Update-EDC March.pdf
2.	2019_03 Monthly Financials - EDC	2019_03 Monthly Financials - EDC.pdf

Sales Tax By Month

Year	October	November	December	January	February	March	April	May	June	July	August	September	Total
FY2019	$ 31,048	$ 38,680	$ 39,362	$ 88,360	$ 45,433	$ 36,033	$ -	$ -	$ -	$ -	$ -	$ -	**$ 92,972**
FY2018	$ 34,607	$ 38,169	$ 28,985	$ 31,808	$ 54,501	$ 31,672	$ 41,253	$ 43,121	$ 36,295	$ 41,089	$ 39,590	$ 29,697	**$ 150,262**
FY2017	$ 29,583	$ 38,719	$ 27,285	$ 29,652	$ 35,265	$ 26,215	$ 29,043	$ 33,374	$ 26,747	$ 33,648	$ 16,530	$ 28,850	**$ 118,303**
FY2016	$ 31,046	$ 39,712	$ 32,662	$ 25,293	$ 38,669	$ 29,196	$ 26,505	$ 38,181	$ 27,906	$ 28,195	$ 29,231	$ 30,459	**$ 125,685**
FY2015	$ 23,985	$ 31,479	$ 27,515	$ 24,594	$ 35,857	$ 24,104	$ 27,064	$ 39,783	$ 42,821	$ 55,252	$ 48,766	$ 59,232	**$ 146,818**
FY2014	$ 21,990	$ 29,867	$ 31,661	$ 22,458	$ 32,594	$ 23,228	$ 26,412	$ 31,319	$ 25,832	$ 23,976	$ 28,866	$ 22,659	**$ 106,954**
FY2013	$ 33,617	$ 31,297	$ 23,446	$ 20,135	$ 30,003	$ 20,791	$ 20,318	$ 32,020	$ 21,136	$ 22,435	$ 27,973	$ 26,025	**$ 103,066**
	*Net payment after correcting an audit error.												**$ -**



Industry	Amount	% Change	Adjusted Chang	YTD	FYTD
General Services	$7,627.00	8.29%	3.87%	$26,839.17	$50,514.92
Retail	$7,378.47	52.80%	59.41%	$24,519.99	$47,326.03
Manufacturing	$6,601.09	22.18%	-81.38%	$23,151.70	$49,908.79
Wholesale	$5,784.79	16.61%	53.50%	$16,235.32	$34,555.21
Professional Services	$5,236.54	-19.41%	-3.53%	$16,970.47	$33,848.17
Food	$2,870.40	1.23%	3.98%	$8,851.36	$17,655.68
Agricultural	$462.65	918.21%	-1.82%	$56,131.67	$48,390.97
Miscellaneous	$76.23	14.60%	-24.23%	$179.68	$462.71
Accommodation	$0.00	0.00%	0.00%	$0.00	$0.00

ECONOMIC DEVELOPMENT CORPORATION FINANCIALS SUMMARY

Budget Amendment

Monthly Information

1. $36,033 Sales Tax continues strong growth; mostly in manufacturing and wholesale
2. EDC audit complete. "Clean" opinion--meaning our books represent our finances accurately
3. Fund has recovered to a respectable cash position
4. EDC director engaged in long-term planning, including relationship with Chamber, hotel status, Red's Roadhouse, and development deals

Rental Fees, MMD Tax and Rental Insurance are reported on the Accrual Basis of Accounting, while all other revenues and expenditures are reported on the Cash Basis. This procedure has been in effect for several years, but can be changed should the Board wish.

Brady Olsen

ADDITIONAL INFORMATION

FUND 15- OPERATING FUND (ALL BILLS AND REVENUE RECEIVED IN THIS FUND)
FUND 19- CAPITAL BOND FUND (REMAINING CAPITAL MONEY)
FUND 95- RESERVE FUND FOR DEBT REQUIREMENTS

EDC CASH POSITION

CATEGORY	DESCRIPTION		FY18-19 YTD
FROM PREVIOUS MONTHS REPORT:			
BEGINNING CASH BALANCE - FUND 15	(Operating Cash)	$	256,046
BEGINNING TEXPOOL BALANCE - FUND 15	(Operating Investments)	$	-
BEGINNING TEXPOOL BALANCE - FUND 19	(Unspent bond proceeds)	$	-
BEGINNING CASH BALANCE - FUND 95	(Required reserves)	$	122,808
BEGINNING CASH BALANCE - TOTAL		**$**	**378,854**
BEGINNING AVAILABLE CASH - TOTAL			**256,046**
TOTAL REVENUES MINUS EXPENDITURES FOR MONTH		$	27,708 *
ENDING CASH BALANCE - FUND 15	(Operating Cash)	$	269,250
ENDING TEXPOOL BALANCE - FUND 15	(Operating Investments)	$	-
ENDING TEXPOOL BALANCE - FUND 19	(Unspent bond proceeds)	$	-
ENDING CASH BALANCE - FUND 95	(Required reserves)	$	123,254
ENDING CASH BALANCE - TOTAL		**$**	**392,505**
UNAVAILABLE CASH - EARMARKED			
RESERVES FOR LEVERAGE NOTE	(Required reserves)	$	123,254
TOTAL UNAVAILABLE CASH		**$**	**123,254**
AVAILABLE CASH		**$**	**269,250**

*Due to prior period adjustments, beginning cash balance plus monthly income will not always be an exact match for ending cash balance

COMBINED EDC4B FUNDS SUMMARY

CATEGORY	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL USED	% OF CY BUDGET USED	BUDGET REMAINING
BEGINNING FUND BALANCE	**$ 313,866**	**$ 313,866**	**$ 134,784**		**$ 303,248**			
AD VALOREM TAXES	-	-	35,000	-	-	#DIV/0!	0.0%	35,000
SALES/BEVERAGE TAXES	145,503	447,132	384,598	36,212	212,434	32.5%	55.2%	172,164
INVESTMENT EARNINGS	1,809	5,399	65	743	4,406	33.5%	6778.1%	(4,341)
MISCELLANEOUS INCOME	23,996	66,420	24,120	3,462	17,355	36.1%	72.0%	6,765
SURPLUS SALES/RENTALS	391,459	487,579	185,969	18,814	113,406	80.3%	61.0%	72,563
TRANSFERS	-	-	29,719	-	-	0.0%	0.0%	-
TOTAL REVENUES	**$ 562,766**	**$ 1,006,531**	**$ 659,471**	**$ 59,231**	**$ 347,600**	**55.9%**	**52.7%**	**$ 282,152**
SUPPLIES	-	-	2,100	-	-	#DIV/0!	0.0%	2,100
MAINTENANCE	263,276	237,161	29,920	3,561	27,300	111.0%	91.2%	2,620
SUNDRY	72,762	183,614	187,460	17,944	89,442	39.6%	47.7%	98,018
DEBT	56,076	172,418	165,607	10,017	55,236	32.5%	33.4%	110,371
TRANSFERS	33,794	152,588	184,544	-	-	22.1%	0.0%	184,544
CAPITAL	89,262	237,866	-	-	5,738	37.5%	#DIV/0!	(5,738)
TOTAL EXPENDITURES	**$ 515,169**	**$ 983,646**	**$ 569,631**	**$ 31,522**	**$ 177,715**	**52.4%**	**31.2%**	**$ 391,916**
REVENUES OVER EXPENDITURES	$ 47,596	$ 22,885	$ 89,840	$ 27,708	$ 169,885			
ENDING FUND BALANCE	**$ 361,462**	**$ 336,751**	**$ 224,624**		**$ 473,133**			
FUND BALANCE AS % OF EXP	**70.2%**	**34.2%**	**39.4%**	**0.0%**	**266.2%**			
RESERVE ($115,000) REQUIREMENT)	$ -	$ -	$ 115,000	$ -	$ -			
RESERVE SURPLUS/(SHORTFALL)	**$ 361,462**	**$ 336,751**	**$ 109,624**	**$ -**	**$ 473,133**			

15: EDC4B FUND

CATEGORY	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL USED	% OF CY BUDGET USED	BUDGET REMAINING
BEGINNING FUND BALANCE	**$ 164,460**	**$ 164,460**	**$ (15,517)**		**$ 152,017**			
AD VALOREM TAXES	-	-	35,000	-	-	#DIV/0!	0.0%	35,000
SALES/BEVERAGE TAXES	145,503	447,132	384,598	36,212	212,434	32.5%	55.2%	172,164
INVESTMENT EARNINGS	1,119	3,574	65	506	3,151	31.3%	4847.1%	(3,086)
MISCELLANEOUS INCOME	23,996	66,420	24,120	3,462	17,355	36.1%	72.0%	6,765
SURPLUS SALES/RENTALS	391,459	487,579	185,969	18,814	113,406	80.3%	61.0%	72,563
TOTAL REVENUES	**$ 562,076**	**$ 1,004,706**	**$ 629,752**	**$ 58,994**	**$ 346,345**	**55.9%**	**55.0%**	**$ 283,407**
SUPPLIES	-	-	2,100	-	-	#DIV/0!	0.0%	2,100
MAINTENANCE	263,276	237,161	29,920	3,561	27,300	111.0%	91.2%	2,620
SUNDRY	72,762	183,614	187,460	17,944	89,442	39.6%	47.7%	98,018
DEBT	56,076	172,418	165,607	10,017	55,236	32.5%	33.4%	110,371
TRANSFERS	33,794	152,588	154,825	-	-	22.1%	0.0%	154,825
CAPITAL	89,262	237,866	-	-	5,738	37.5%	#DIV/0!	(5,738)
TOTAL EXPENDITURES	**$ 515,169**	**$ 983,646**	**$ 539,912**	**$ 31,522**	**$ 177,715**	**52.4%**	**32.9%**	**$ 362,197**
REVENUES OVER EXPENDITURES	$ 46,906	$ 21,060	$ 89,840	$ 27,471	$ 168,630			
ENDING FUND BALANCE	**$ 211,367**	**$ 152,017**	**$ 74,323**		**$ 320,647**			
FUND BALANCE AS % OF EXP	**41.0%**	**15.5%**	**13.8%**	**0.0%**	**180.4%**			
RESERVE (NO REQUIREMENT)	$ -	$ -	$ -	$ -	$ -			
RESERVE SURPLUS/(SHORTFALL)	**$ 211,367**	**$ 152,017**	**$ 74,323**	**$ -**	**$ 320,647**			

15: EDC4B FUND

ACCOUNT	ACCOUNT NAME	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL USED	% OF CY BUDGET USED	BUDGET REMAINING
4002-00-00	MMD TAX-CURRENT YEAR	-	-	35,000	-	-	#DIV/0!	0.0%	35,000
	AD VALOREM TAXES	**$ -**	**$ -**	**$ 35,000**	**$ -**	**$ -**	**#DIV/0!**	**0.0%**	**$ 35,000**
4081-00-00	SALES TAX	145,503	447,132	384,598	36,212	212,434	32.5%	55.2%	172,164
	SALES/BEVERAGE TAXES	**$ 145,503**	**$ 447,132**	**$ 384,598**	**$ 36,212**	**$ 212,434**	**32.5%**	**55.2%**	**$ 172,164**
4401-00-00	INVESTMENT INCOME	1,119	3,574	65	506	3,151	31.3%	4847.1%	(3,086)
	INVESTMENT EARNINGS	**$ 1,119**	**$ 3,574**	**$ 65**	**$ 506**	**$ 3,151**	**31.3%**	**4847.1%**	**$ (3,086)**
4409-00-00	MISCELLANEOUS INCOME	23,996	36,624	24,120	3,462	17,355	65.5%	72.0%	6,765
4415-00-00	INSURANCE REIMBURSEMENTS	-	14,898	-	-	-	0.0%	0.0%	-
	MISCELLANEOUS INCOME	**$ 23,996**	**$ 66,420**	**$ 24,120**	**$ 3,462**	**$ 17,355**	**36.1%**	**72.0%**	**$ 6,765**
4805-00-00	RENTAL FEES-SHOPPING CENTER	42,280	105,856	185,223	18,814	113,406	39.9%	61.2%	71,817
4806-00-00	RENTAL INSURANCE	-	2,350	746	-	-	0.0%	0.0%	746
4902-00-00	PROCEEDS-DEBT/LOAN/LEASE	349,179	349,179	-	-	-	100.0%	#DIV/0!	-
4884-00-01	SALE OF ASSETS	-	30,194	-	-	-	0.0%	#DIV/0!	-
	SURPLUS SALES/RENTALS	**$ 391,459**	**$ 487,579**	**$ 185,969**	**$ 18,814**	**$ 113,406**	**139.9%**	**#DIV/0!**	**$ 72,563**
	TOTAL REVENUES	**$ 562,076**	**$ 1,004,706**	**$ 629,752**	**$ 58,994**	**$ 346,345**	**55.9%**	**55.0%**	**$ 283,407**
	TOTAL REVENUES (EXCLUDING INTEREST/TRANSFERS)	**$ 560,957**	**$ 1,001,132**	**$ 629,687**	**$ 58,488**	**$ 343,195**			

15: EDC4B FUND
01: ADMINISTRATION

ACCOUNT	ACCOUNT NAME	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL USED	% OF CY BUDGET USED	BUDGET REMAINING
5240-01-00	PRINTED SUPPLIES	-	-	2,000	-	-		0.0%	2,000
5260-01-00	GENERAL OFFICE SUPPLIES	-	-	50	-	-	0.0%	0.0%	50
5261-01-00	POSTAGE	-	-	50	-	-	0.0%	0.0%	50
	SUPPLIES	**$ -**	**$ -**	**$ 2,100**	**$ -**	**$ -**		**0.0%**	**$ 2,100**
5501-01-00	ADVERTISING	-	35	1,200	-	-	0.0%	0.0%	1,200
5510-01-00	ASSOC DUES/PUBLICATIONS	-	4,890	5,320	-	-	0.0%	0.0%	5,320
5525-01-00	TRAINING/SEMINARS	-	-	250	-	-	#DIV/0!	0.0%	250
5565-01-00	LEGAL SERVICES	4,200	20,855	13,000	1,400	1,570	20.1%	12.1%	11,430
5567-01-00	AUDIT SERVICES	-	2,000	4,250	-	-	0.0%	0.0%	4,250
5570-01-00	SPECIAL SERVICES	5,752	13,774	250	44	147	41.8%	58.8%	103
5578-01-00	TRAVEL	-	-	100	-	-	0.0%	0.0%	100
5595-01-00	ADMIN CHARGE-GENERAL FUND	40,823	81,647	117,890	9,824	58,945	50.0%	50.0%	58,945
5615-01-00	FUNCTIONAL GRANT	7,660	19,380	24,000	5,690	12,216	39.5%	50.9%	11,784
	SUNDRY	**$ 58,435**	**$ 142,581**	**$ 166,260**	**$ 16,958**	**$ 72,877**	**41.0%**	**43.8%**	**$ 93,383**
	CAPITAL	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**0.0%**		**$ -**
	TOTAL EXPENDITURES	**$ 58,435**	**$ 142,581**	**$ 168,360**	**$ 16,958**	**$ 72,877**	**41.0%**	**43.3%**	**$ 95,483**

15: EDC4B FUND
01: ADMINISTRATION
03: DEBT SERVICE

ACCOUNT	ACCOUNT NAME	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY BUDGET USED	% OF CY BUDGET USED	BUDGET REMAINING
5643-01-03	2007 $1.2M TAX BOND-INTEREST	27,378	54,831	50,735	-	25,321	49.9%	49.9%	25,414
5644-01-03	2007 $1.2M TAX BOND-PRINCIPAL	-	60,000	60,000	-	-	0.0%	0.0%	60,000
5645-01-03	2011 $1.7M TX LEVERAGE-INT	8,537	17,926	12,834	3,395	10,169	47.6%	79.2%	2,665
5646-01-03	2011 $1.7M TX LEVERAGE-PRI	20,160	39,661	42,038	6,622	19,745	50.8%	47.0%	22,293
	DEBT	**$ 56,076**	**$ 172,418**	**$ 165,607**	**$ 10,017**	**$ 55,236**	**32.5%**	**33.4%**	**$ 110,371**
5702-01-03	TRANSFER OUT-DEBT SERVICE FUND	33,794	152,588	154,825	-	-	22.1%	0.0%	154,825
	TRANSFER	**$ 33,794**	**$ 152,588**	**$ 154,825**	**$ -**	**$ -**	**22.1%**	**0.0%**	**$ 154,825**
	TOTAL EXPENDITURES	**$ 89,870**	**$ 325,006**	**$ 320,432**	**$ 10,017**	**$ 55,236**	**27.7%**	**17.2%**	**$ 265,196**

15: EDC4B FUND
02: TOWN SHOPPING CENTER

ACCOUNT	ACCOUNT NAME	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL USED	% OF CY BUDGET USED	BUDGET REMAINING
5403-02-00	BUILDING MAINTENANCE	263,276	237,161	29,920	3,561	27,300	111.0%	91.2%	2,620
	MAINTENANCE	**$ 263,276**	**$ 237,161**	**$ 29,920**	**$ 3,561**	**$ 27,300**	**111.0%**	**91.2%**	**$ 2,620**
5530-02-00	ELECTRIC SERVICES	2,846	8,002	6,700	486	2,425	35.6%	36.2%	4,275
5545-02-00	INSURANCE-PROPERTY	8,341	8,341	8,500	-	11,139	100.0%	131.0%	(2,639)
5570-02-00	SPECIAL SERVICES	3,141	24,691	6,000	500	3,000	12.7%	50.0%	3,000
	SUNDRY	**$ 14,327**	**$ 41,033**	**$ 21,200**	**$ 986**	**$ 16,564**	**34.9%**	**78.1%**	**$ 4,636**
	TOTAL EXPENDITURES	**$ 277,603**	**$ 278,194**	**$ 51,120**	**$ 4,547**	**$ 43,864**	**99.8%**	**85.8%**	**$ 7,256**

15: EDC4B FUND

03: TOWN CENTER REDEVELOPMENT

ACCOUNT	ACCOUNT NAME	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL USED	% OF CY BUDGE USED	BUDGET REMAINING
5847-03-00	CONSTRUCTION	89,262	237,866	-	-	5,738	0.0%		(5,738)
	CAPITAL	**$ 89,262**	**$ 237,866**	**$ -**	**$ -**	**$ 5,738**	**0.0%**		**$ (5,738)**
	TOTAL EXPENDITURES	**$ 89,262**	**$ 237,866**	**$ -**	**$ -**	**$ 5,738**	**0.0%**		**$ (5,738)**

15: EDC4B FUND
04: TEXAS LEVERAGE PROGRAM

ACCOUNT	ACCOUNT NAME	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL USED	% OF CY BUDGET USED	BUDGET REMAINING
5800-04-00	LAND	-	-	-	-	-		0.0%	-
	CAPITAL	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**		**0.0%**	**$ -**
	TOTAL EXPENDITURES	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**		**0.0%**	**$ -**

19: EDC4B CAPITAL BOND FUND

CATEGORY	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL USED	% OF CY BUDGET USED	BUDGET REMAINING
BEGINNING FUND BALANCE	**$ 29,444**	**$ 29,444**	**$ 29,719**		**$ 29,904**			
INVESTMENT EARNINGS	184	460	-	-	-	39.9%		-
TOTAL REVENUES	**$ 184**	**$ 460**	**$ -**	**$ -**	**$ -**	**39.9%**		**$ -**
TRANSFERS	-	-	29,719	-	-	0.0%	0.0%	-
CAPITAL	-	-	-	-	-	0.0%	0.0%	-
TOTAL EXPENDITURES	**$ -**	**$ -**	**$ 29,719**	**$ -**	**$ -**	**0.0%**	**0.0%**	**$ -**
REVENUES OVER EXPENDITURES	$ 184	$ 460	$ (29,719)	$ -	$ -			
ENDING FUND BALANCE	**$ 29,628**	**$ 29,904**	**$ 0**		**$ 29,904**			
FUND BALANCE AS % OF EXP	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**			
RESERVE (NO REQUIREMENT)	$ -	$ -	$ -	$ -	$ -			
RESERVE SURPLUS/(SHORTFALL)	**$ 29,628**	**$ 29,904**	**$ 0**	**$ -**	**$ 29,904**			

19: EDC4B CAPITAL BOND FUND

ACCOUNT	ACCOUNT NAME	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL USED	% OF CY BUDGET USED	BUDGET REMAINING
4401-00-00	INVESTMENT INCOME	184	460	-	-	-	39.9%		-
	INVESTMENT EARNINGS	**$ 184**	**$ 460**	**$ -**	**$ -**	**$ -**	**39.9%**		**$ -**
	TOTAL REVENUES	**$ 184**	**$ 460**	**$ -**	**$ -**	**$ -**	**39.9%**		**$ -**

19: EDC4B CAPITAL BOND FUND
01: TOWN CENTER REDEVELOPMENT

ACCOUNT	ACCOUNT NAME	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL USED	% OF CY BUDGET USED	BUDGET REMAINING
5580-01-00	TRANSFER OUT	-	-	-	-	-	0.0%	0.0%	-
	TRANSFERS	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**0.0%**	**0.0%**	**$ -**
5800-01-00	LAND	-	-	-	-	-	0.0%	0.0%	-
5847-01-00	CONSTRUCTION	-	-	-	-	-	0.0%	0.0%	-
	CAPITAL	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**0.0%**	**0.0%**	**$ -**
	TOTAL EXPENDITURES	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**0.0%**	**0.0%**	**$ -**

95: EDC4B RESERVE FUND

CATEGORY	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY ACTUAL USED	% OF CY BUDGET USED	BUDGET REMAINING
BEGINNING FUND BALANCE	**$ 119,962**	**$ 119,962**	**$ 120,582**		**$ 121,327**			
INVESTMENT EARNINGS	506	1,365	-	237	1,255	37.1%		(1,255)
TOTAL REVENUES	**$ 506**	**$ 1,365**	**$ -**	**$ 237**	**$ 1,255**	**37.1%**		**$ (1,255)**
TOTAL EXPENDITURES	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**0.0%**	**0.0%**	**$ -**
REVENUES OVER EXPENDITURES	$ 506	$ 1,365	$ -	$ 237	$ 1,255			
ENDING FUND BALANCE	**$ 120,468**	**$ 121,327**	**$ 120,582**		**$ 122,582**			
FUND BALANCE AS % OF EXP	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**			
RESERVE ($112,606 REQUIREMENT)	$ 112,606	$ 112,606	$ 112,606	$ 112,606	$ 112,606			
RESERVE SURPLUS/(SHORTFALL)	**$ 7,862**	**$ 8,721**	**$ 7,976**	**$ (112,606)**	**$ 9,976**			

95: EDC4B RESERVE FUND

ACCOUNT	ACCOUNT NAME	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY BUDGET USED	% OF CY BUDGET USED	BUDGET REMAINING
4401-00-00	INVESTMENT INCOME	506	1,365	-	237	1,255	37.1%		(1,255)
	INVESTMENT EARNINGS	**$ 506**	**$ 1,365**	$ -	**$ 237**	**$ 1,255**	**37.1%**		**$ (1,255)**
	TOTAL REVENUES	**$ 506**	**$ 1,365**	$ -	**$ 237**	**$ 1,255**	**37.1%**		**$ (1,255)**

95: EDC4B RESERVE FUND

ACCOUNT	ACCOUNT NAME	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY BUDGET USED	% OF CY BUDGET USED	BUDGET REMAINING
	TRANSFERS	**$ -**	**$ -**	$ -	**$ -**	**$ -**	**0.0%**	**0.0%**	**$ -**
	TOTAL EXPENDITURES	**$ -**	**$ -**	$ -	**$ -**	**$ -**	**0.0%**	**0.0%**	**$ -**

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: ELECTION BUSINESS - A.

I. Subject:
Certification by the City Secretary of official Recount Committee Report, which was conducted May 16, 2019

II. Originated by:

Leslie E. Galloway, City Secretary & Communications Coordinator

III. Summary:
Following the certification of the official returns of the Saturday, May 4, 2019 election at the Council meeting on Tuesday, May 14, at 5:00 p.m., candidate Sandra Lee submitted a "Petition Requesting a Recount" for City Council Place 3 (attached).

A recount was held Thursday, May 16, at 1:30 p.m. at the Tarrant County Elections office, and shows that Sandra Lee did, in fact, receive one more vote than opponent Cesar Guerra. The complete report is attached.

Tarrant County Elections is currently investigating potential causes of the initial erroneous report.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	Recount Petition	Recount Petition.pdf
2.	2019_05.16 Recount Committee Report	2019_05.16 Recount Committee Report.pdf

AW14-1
Prescribed by Secretary of State
Section 212.001, Texas Election Code
5/18

PETITION REQUESTING A RECOUNT

(The following petition may be used for requesting a recount as provided by Section 212.001 of the Texas Election Code.

To: Heider Garcia (name of presiding officer of canvassing authority)

I, Sandra Lee, hereby request a recount for the May 4th 2019 City of Kennedale (date of election and name of political subdivision) election for the office of City Council Place 3 (identify the office for which a recount is desired (e.g., County Commissioner, Precinct #1).

Check one or more of the applicable grounds:

(X) Difference between number of votes received by petitioner and number of votes received by person who was elected or is entitled to a place on the runoff election ballot is less than 10% of the number of votes received by the person elected or entitled to a place on the runoff ballot; OR

(X) Number of votes received by all candidates is less than 1000; OR

( ) Electronic system used in election; OR

( ) An election judge swears that he or she counted paper ballots incorrectly (must also be certified by the secretary of state).

Identify each election precinct for which a recount is being requested and identify the method of voting used in each precinct.

Election precinct(s) and voting system used:

2029 Hart voting Systems

If an electronic system was used in the election, I request a manual (by hand) count/electronic count (circle one).

Sandra Lee

Signature of Person(s) or agent of person(s) requesting recount

RECOUNT COMMITTEE REPORT

Manual Recount conducted May 16, 2018
of votes cast in the
City of Kennedale General Election
held May 04, 2019 for Councilmember, Place 3

The following tabulation of votes was compiled from the PCMCIA cards, E-Slate tabulations and paper ballots submitted by the recount committee following the recount of votes cast in the May 04, 2018 election for the City of Kennedale, Councilmember Place 3.

eScan #	Key Precinct	Polling Place	Cesar Guerra	Sandra Lee	Over Votes	Under Votes
--	-2474	(P) Early Voting - Mail	4	7	0	0
-154-	-2474	(E) Early Voting - Personal Appearance	250	228	0	10
--	2474	(P) Election Day – Kennedale Community Center	63	67	0	2
154	2474	(E) Election Day – Kennedale Community Center	71	87	0	3
		GRAND TOTALS	388	389	0	15

(P) = Paper ballots
(E) = Electronic ballots

The recount was held at the Tarrant County Elections Center. Troy Havard served as Recount Supervisor and Leslie Galloway served as Recount Coordinator. The following persons served as members of the recount committee:

Carolyn Williamson, Chair
Aschea Hassen, Member
Dianna Lyons, Member
Asma Shaikh, Member

This report issued this 16th day of May, 2019.

Carolyn Williamson

Carolyn Williamson, Recount Committee Chair

RECOUNT SUPERVISOR'S REPORT
Manual Recount conducted May 16, 2019
of votes cast in the
City of Kennedale General Election
held May 04, 2019 for Councilmember, Place 3

The following tabulation of votes was compiled from the tally sheets submitted by the recount committee following the recount of votes cast in the May 04, 2018 election for the City of Kennedale, Councilmember Place 3.

eScan #	Key Precinct	Polling Place	Cesar Guerra	Sandra Lee	Over Votes	Under Votes
--	-2474	(P) Early Voting - Mail	4	7	∅	∅
-154-	-2474	(E) Early Voting - Personal Appearance	25∅	228	∅	1∅
--	2474	(P) Election Day – Kennedale Community Center	63	67	∅	2
154	2474	(E) Election Day – Kennedale Community Center	71	87	∅	3
		GRAND TOTALS	388	389	∅	15

The recount was held at the Tarrant County Elections Center. Troy Havard served as Recount Supervisor and Leslie Galloway served as Recount Coordinator.

This report shall serve as the official statement of the vote count in the local canvassing authority's jurisdiction (Election Code §213.055).

This report issued this 16th day of May, 2019.

Troy Havard, Recount Supervisor
Tarrant County Assistant Elections Administrator

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	~~IIII~~	~~IIII~~	III
Clerk	Joe Blow	~~IIII~~	II	

absentee

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra	IIII																				4
	Sandra Lee	~~IIII~~	II																			7
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	~~IIII~~	~~IIII~~	III
Clerk	Joe Blow	~~IIII~~	II	

absentee

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra	IIII																				4
	Sandra Lee	~~IIII~~	II																			7
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	卌	卌	III
Clerk	Joe Blow	卌	II	

Pct. No. 2474-064	early voting JBC Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	248
		卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	
		卌	卌	卌	卌	卌	卌	卌	卌	卌	III											
	Sandra Lee																					
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

early voting JBC

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					248
	Sandra Lee																					
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

early voting - JBC

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
City of Kennedale Councilmember, Place 3	Cesar Guerra																					
	Sandra Lee																					224
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

early voting JBC

Pct No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee																					224
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

early voting JBC

Pct. No. 2474-066	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee	|																				|
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

Pct. No. 2474-066 early voting JBC

Name of Presiding Judge

Date of Election 05/04/2019

Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee	I																				1
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list Asma Afzal

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

early voting JBC

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
City of Kennedale Councilmember, Place 3	Cesar Guerra																					
	Sandra Lee																					
	Over Votes																					
	Under Votes	𝍸	𝍸																			10

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

early voting JBC

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee																					
	Over Votes																					
	Under Votes	𝍸	𝍸																			10

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

Pct. No. 2474-065 early voting JBC	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra	I																				1
	Sandra Lee	II																				2
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

early voting JBC

Pct. No 2474-065	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra	I																				1
	Sandra Lee	II																				2
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

early voting provisional

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee	|																				1
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [illegible]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	~~IIII~~	~~IIII~~	III
Clerk	Joe Blow	~~IIII~~	II	

early voting provisional

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee	I																				1
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

early voting TBC

Pct. No. 2474-057	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
City of Kennedale Councilmember, Place 3	Cesar Guerra	I																				1
	Sandra Lee																					
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

early voting JBC

Pct. No 2474-051	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra	I																				1
	Sandra Lee																					
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	~~||||~~	~~||||~~	III
Clerk	Joe Blow	~~||||~~	II	

election day e-scan

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra	~~||||~~	~~||||~~	~~||||~~	~~||||~~	~~||||~~	~~||||~~	~~||||~~	~~||||~~	~~||||~~	~~||||~~	~~||||~~	~~||||~~	|||								63
	Sandra Lee																					
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [illegible]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	||||/	||||/	III
Clerk	Joe Blow	||||/	II	

election day e-scan

Pct. No: 2479064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra	||||/	||||/	||||/	||||/	||||/	||||/	||||/	||||/	||||/	||||/	||||/	||||/	|||								63
	Sandra Lee																					
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

election day e-scan

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	II							67
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

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Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

election day e-scan

Pct. No. 2474064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	II							67
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

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Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	~~IIII~~	~~IIII~~	III
Clerk	Joe Blow	~~IIII~~	II	

election day - e-scan

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee																					
	Over Votes																					
	Under Votes	II																				2

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

election day e-scan

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

Pct. No 2474067	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee																					
	Over Votes																					
	Under Votes	II																				2

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [illegible]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	𝍸	𝍸	III
Clerk	Joe Blow	𝍸	II	

election day JBC

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	I						71
	Sandra Lee																					
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

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Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	卌	卌	III
Clerk	Joe Blow	卌	II	

election day JBC

Pct. No 2474064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					71
	Sandra Lee																					
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

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Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	卌	卌	III
Clerk	Joe Blow	卌	II	

election day JBC

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	卌	II			87
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

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Signature of person who kept list [signature]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	~~IIII~~	~~IIII~~	III
Clerk	Joe Blow	~~IIII~~	II	

election day JBC

Pct. No 2474-064 Name of Presiding Judge

Date of Election 05/04/2019

Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	~~IIII~~	II			87
	Over Votes																					
	Under Votes																					

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [illegible]

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	卌	卌	III
Clerk	Joe Blow	卌	II	

election day TBC

Pct. No. 2474-064	Name of Presiding Judge
Date of Election 05/04/2019	Type of Election Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee																					
	Over Votes																					
	Under Votes	III																				3

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

election day JBC

AW8-1
Prescribed by Secretary of State
Section 65.004, Texas Election Code
3/07

TALLY SHEET

Place five tallies in each square
Example

County	Jane Doe	卌	卌	III
Clerk	Joe Blow	卌	II	

Pct. No.	Name of Presiding Judge
2474-064	
Date of Election	Type of Election
05/04/2019	Joint General and Special Elections

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates Or Propositions	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	TOTAL
Councilmember, Place 3 City of Kennedale	Cesar Guerra																					
	Sandra Lee																					
	Over Votes																					
	Under Votes	III																				3

See Reverse Side for Instructions

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described election.
Signature of person who kept list [signature]

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: ELECTION BUSINESS - B.

I. Subject:
Consider approval of Resolution 551, canvassing the recount results – conducted May 16, 2019 – of the General Election held on May 4, 2019, and declaring Sandra Lee elected to the office of City Council Place 3

II. Originated by:

Leslie E. Galloway, City Secretary & Communications Coordinator

III. Summary:
The original returns from Tarrant County Elections showed Place 3 ending in a tie (with both candidates receiving 388 votes). A recount showed that the candidates actually received the following votes:

Cesar Guerra: 388
Sandra Lee: 389

Resolution 551 canvasses the results of this recount of the May 4, 2019 ballots cast for City Council Place 3, and declares Sandra Lee as being reelected.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	R551 Canvass of Recount	R551 Canvass of Recount.pdf

RESOLUTION NO. 551

A RESOLUTION OF THE CITY COUNCIL OF KENNEDALE, TEXAS, RECANVASSING THE RESULTS OF THE MAY 4, 2019 GENERAL CITY ELECTION AFTER RECOUNT; AND DECLARING THE CANDIDATE ELECTED TO THE OFFICE OF CITY COUNCIL PLACE 3; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an election was duly held in the City of Kennedale May 4, 2019, in conformity with laws of the State of Texas for the purpose of electing City Council Places 1, 3, and 5; and

WHEREAS, the City Council originally canvassed the returns of the election on May 14, 2019, in accordance with state law, and adopted Resolution No. 549, which original canvass showed the following results:

Place 1	**Number of Votes**
Jeff Nevarez	373
Josh Altom	401

Place 3	**Number of Votes**
Cesar Guerra	388
Sandra Lee	388

Place 5	**Number of Votes**
Chad Wandel	462
Idin Deljavan	274

WHEREAS, after the original canvassing of the votes, candidate Sandra Lee requested a recount of the election results for her place in accordance with the Texas Election Code; and

WHEREAS, in accordance with the Texas Election Code, a recount committee was appointed and a recount was held on May 16, 2019 with respect to Place 3 only; and

WHEREAS, the recount committee has submitted a report of the vote count, and state law requires that the governing body of the city canvass the offices for which a recount was conducted after the recount has been performed; and

WHEREAS, the recount committee report indicates the following votes cast for Place 3:

Place 3	**Number of Votes**
Cesar Guerra	388
Sandra Lee	389

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

SECTION 1.

That the original canvass of the May 4, 2019 general election as contained in Resolution No. 549 be, and is hereby repealed only with respect to Place 3. As no recount was requested with regard to Places 1 and 5, the original canvass with regard to Places 1 and 5 shall remain in place and is not affected hereby.

SECTION 2.

That the above results of the recount of votes for City Council Place 3 are correct and are adopted as the returns of the election held May 4, 2019.

SECTION 3.

That Sandra Lee is hereby declared to have been elected to the office of City Council Place 3 to serve until May 2021 or until her successor is duly elected and qualified.

SECTION 4.

That this resolution shall be in full force and effect from and after its passage, and it is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE ON THE 21st DAY OF MAY, 2019.

APPROVED:

____

MAYOR BRIAN JOHNSON

[C I T Y S E A L

ATTEST:

____

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

____

CITY ATTORNEY DREW LARKIN

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: ELECTION BUSINESS - C.

I. Subject:
Oath of Office for Sandra Lee, City Council Place 3 (2019-2021)

II. Originated by:

Leslie E. Galloway, City Secretary & Communications Coordinator

III. Summary:
At this time, City Secretary Leslie E. Galloway will administer the Oath of Office to Sandra Lee for City Council, Place 3 (2019-2021).

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: ELECTION BUSINESS - D.

I. Subject:
Consider approval of Resolution 552, canceling the June 8, 2019 runoff election

II. Originated by:

Leslie E. Galloway, City Secretary & Communications Coordinator

III. Summary:
As the recount of the ballots cast for City Council Place 3 showed that there was, in fact, a candidate that received a majority of the votes, a run-off election is no longer required.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	R552 Cancelling Runoff	R552 Cancelling Runoff.pdf

RESOLUTION NO. 552

A RESOLUTION CANCELLING THE JUNE 8, 2019 RUNOFF ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with law, the City Council of the City of Kennedale ordered a runoff election to be held on June 8, 2019, for the purpose of electing a council member to serve in City Council Place 3; and

WHEREAS, after the City Council ordered a runoff election, candidate Sandra Lee requested a recount of the election results for City Council Place 3 in accordance with the Texas Election Code; and

WHEREAS, a recount committee was appointed and a recount was held on May 16, 2019, with respect to City Council Place 3; and

WHEREAS, the recount committee report indicated Sandra Lee received a majority of votes cast for City Council Place 3; and

WHEREAS, the City Council conducted a recanvass for City Council Place 3, and declared Sandra Lee to have been elected to the office of City Council Place 3 to serve until May 2021 or until her successor is duly elected and qualified; and

WHEREAS, the City Council determines it is necessary to cancel the runoff election for City Council Place 3.

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

SECTION 1.

The runoff election previously ordered for June 8, 2019, for the purpose of electing a council member to serve in City Council Place 3 is hereby canceled.

SECTION 2.

The City Secretary and Mayor are authorized to take all necessary actions to carry out the purpose and effect of this resolution.

SECTION 3.

That this resolution shall be in full force and effect from and after its passage, and it is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE ON THE 21st DAY OF MAY, 2019.

APPROVED:

____

MAYOR BRIAN JOHNSON

[C I T Y S E A L

ATTEST:

____

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

____

CITY ATTORNEY DREW LARKIN

KENNEDALE
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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

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

I. Subject:
Consider approval of the minutes from the April 16, 2019 Regular Meeting

II. Originated by:

Leslie E. 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.	2019_04.16_Minutes_City Council Regular Meeting_DRAFT2	2019_04.16_Minutes_City Council Regular Meeting_DRAFT2.pdf

KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | APRIL 16, 2019
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE
WORK SESSION AT 6:30 PM | REGULAR SESSION AT 7:00 PM

I. CALL TO ORDER
Mayor Brian Johnson called the meeting to order at 6:30 p.m.

II. WORK SESSION

A. Discussion of items on the Regular Agenda

Mayor Brian Johnson recessed to Executive Session at 6:30 p.m.

Councilmember Chris Pugh recused himself from the Executive Session discussion.

III. REGULAR SESSION
Mayor Brian Johnson called the Regular Session to order at 7:05 p.m.

IV. ROLL CALL
Present: Mayor Brian Johnson; Mayor Pro Tem Sandra 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, City Secretary & Communications Coordinator Leslie E. Galloway, City Attorney Drew Larkin, Interim Finance Director Debby Scott, Consultant Brady Olsen, Police Captain Darrell Hull, Fire Chief James Brown, Director of Planning & Economic Development Melissa Dailey, Director of Human Resources & Administrative Services Danielle Clarke, Public Works Director Larry Hoover*

V. INVOCATION
Minister Marcus Simmons of Full of Faith Bible Church offered the invocation.

VI. UNITED STATES PLEDGE AND TEXAS PLEDGE

VII. VISITOR/CITIZENS FORUM
Mayor Johnson stated that speakers would be allowed three minutes and that yielding of time would not be allowed.

- **Chad Wandel**, *614 Reeves Lane*, noted that, in relation to this month being proclaimed Child Abuse Prevention Month, that he would recommend supporting "Kids Matter".
- **Hollis Matthews**, *1252 Elmbrook Drive*, thanked Councilmembers Joplin and Gilley and Mayor Pro Tem Lee for their service.
- **Jeff Nevarez**, *358 Spring Branch Lane*, on behalf of the Parks Board, announced Concert in the Park on October 12, 2019, supporting the FUMC Food Bank; and noted needs for the Senior Center computer room that he is currently working on.
- **Erin Jackson**, *1037 Swiney Hiett Road*, requested that Council consider her request for reimbursement for the clean-up necessary after sewage backed-up into her residence.
  City Manager George Campbell stated that the City's engineers were currently assessing the situation and that the City Council would be kept informed.
- **Kenneth Michels**, **Glen Massengill**, and **Perry Clementi** declined to speak at this time.

VIII. REPORTS/ANNOUNCEMENTS

A. Updates from the City Council
- **ROCKIE GILLEY, PLACE 1**, had no updates at this time.
- **CHRIS PUGH, PLACE 2**, had no updates at this time.
- **MAYOR PRO TEM SANDRA LEE, PLACE 3,** had no updates at this time.
- **LINDA RHODES, PLACE 4,** stated that she attended the Employee Banquet and thanked staff; and that she attended the TML Region 8 meeting with Mayor Johnson and City Manager George Campbell.
- **JAN JOPLIN, PLACE 5,** requested that the next agenda have an opportunity for outgoing Councilmembers to make closing remarks; and stated that she continued to visit with citizens and businesses.

B. Updates from the City Manager
City Manager George Campbell had no updates at this time.

C. Updates from the Mayor
Mayor Brian Johnson announced that he attended the Mayors Council meeting along with Mayor Pro Tem Sandra Lee; and proclaimed April as Child Abuse Prevention Month. Carol Logan of Alliance for Children was present to accept the proclamation and offer a brief overview of the organization and their gratitude for the City's support.

IX. MONITORING INFORMATION

A. Monthly Financials for March 2019
There was no discussion at this time.

B. KEDC Financial Report for February 2019
There was no discussion at this time.

C. Schedule of Investment Activity for quarter ending March 31, 2019
There was no discussion at this time.

X. INCIDENTAL ITEMS

XI. REQUIRED APPROVAL ITEMS (CONSENT)

A. Consider approval of the minutes from the March 19, 2019 Regular Meeting

B. Receive the independent auditor's report (Comprehensive Annual Financial Report (CAFR)) for the fiscal year ended September 30, 2018

C. Consider authorizing Fire Chief James Brown to enter into a Clinical Affiliation Agreement with the School of EMS

D. Consider approval Resolution 549, denying the Distribution Cost Recover Factor ("DCRF") application by Oncor Electric Delivery LLC

Mayor Brian Johnson noted that Items B and C were being removed from Consent.

Motion To Approve Consent Items A and D. **Action** Approve, **Moved By** Joplin. **Seconded By** Mayor Pro Tem Lee. **Motion passes unanimously.**

In regards to Consent Item B, former Finance Director Brady Olsen was present to answer questions from Council regarding the CAFR. There was some discussion regarding fund balance and reserves, the auditors' letter, EDC expenditures in past years, staffing levels, and the recent public safety salary adjustments.

Motion To Approve Consent Item B., acceptance of the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2018. **Action** Approve, **Moved By** Pugh. **Seconded By** Rhodes. **Motion passes unanimously.**

In regards to Consent Item D, City Attorney Drew Larkin requested that any motion to approve the Clinical Affiliation Agreement with the School of EMS include an allowance for minor wording revisions by the City Attorney's office.

Motion To Approve Consent Item D., authorizing Fire Chief James Brown to enter into a Clinical Affiliation Agreement with the School of EMS, pending adjustments to the contract language by the City Attorney's Office. **Action** Approve, **Moved By** Joplin. **Seconded By** Pugh. **Motion passes unanimously.**

XII. DECISION ITEMS

A. Consider approval of Ordinance 659, amending the FY2018-19 Budget

City Manager George Campbell stated that this item was added to the agenda at request of Council, and that Exhibit A outlined the recommended amendments.

Motion To Approve Ordinance 659, amending the FY2018-19 Budget. **Action** Approve, **Moved By** Joplin. **Seconded By** Rhodes. **Motion passes unanimously.**

COUNCIL DID NOT CONVENE INTO CLOSED SESSION AT THIS TIME. AN EXECUTIVE SESSION WAS HELD FOLLOWING THE WORK SESSION, BUT BEFORE THE REGULAR SESSION.

XIII. EXECUTIVE SESSION

A. Discussion with the City Attorney regarding a damage claim submitted by Erin L. Jackson (1037 Swiney Hiett Road)

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

There was neither discussion nor action at this time.

XV. ADJOURNMENT

Motion To Adjourn. **Action** Adjourn, **Moved By** Mayor Pro Tem Lee. **Seconded By** Joplin. **Motion passes unanimously.**

Mayor Johnson adjourned the meeting at 7:50 p.m.

APPROVED: **ATTEST:**

BRIAN JOHNSON, MAYOR

LESLIE E. GALLOWAY, CITY SECRETARY

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

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

I. Subject:
Consider approval of the minutes from the May 14, 2019 Special Meeting at 5:00 p.m.

II. Originated by:

Leslie E. 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.	2019_05.14_Minutes_City Council Canvassing Meeting_DRAFT	2019_05.14_Minutes_City Council Canvassing Meeting_DRAFT.pdf

KENNEDALE CITY COUNCIL MINUTES

SPECIAL MEETING | MAY 14, 2019 AT 5:00 PM
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

I. CALL TO ORDER

Mayor Pro Tem Lee called the meeting to order at 5:12 p.m.

II. ROLL CALL

Present: Mayor Brian Johnson *(arrived at 5:24);* Mayor Pro Tem Sandra Lee, Place 3; Chris Pugh, Place 2; Linda Rhodes, Place 4; Jan Joplin, Place 5; **Absent:** Rockie Gilley, Place 1

Staff: *City Manager George Campbell, City Secretary & Communications Coordinator Leslie E. Galloway, City Attorney Drew Larkin, Interim Finance Director Debby Scott, Director of Planning & Economic Development Melissa Dailey, Public Works Director Larry Hoover, Library Director Amanda King, Police Chief Tommy Williams, Administrative Assistant Rosie Ericson*

III. REPORTS AND ANNOUNCEMENTS

A. Outgoing Councilmembers' closing statements

Councilmember Jan Joplin offered an overview of accomplishments and observations during her term (2017-19). She thanked her family and supporters.

IV. ELECTION BUSINESS

A. Certification of official returns by the City Secretary
City Secretary & Communications Coordinator Leslie E. Galloway read the official returns received from Tarrant County Elections for the Saturday, May 4, 2019 general and special elections, stating that as a result of these tabulations, the following are hereby elected:

- **Josh Altom**, City Council – Place 1
- **Chad Wandel**, City Council – Place 5

Further, that because no candidate for the office of Place 3 received a majority of votes, Resolution 550, calling a runoff election for Saturday, June 8, appears on the 7:00 p.m. agenda for Council's consideration; and that each of the three proposed amendments to the Charter were approved by the voters and would be codified.

Motion To Approve Council's receipt of the certification of these official returns for the election held Saturday, May 4, 2019; and approving that they be filed within the City's election register. **Action** Approve, **Moved By** Pugh. **Seconded By** Rhodes. **Motion passes unanimously.**

B. Resolution 549, canvassing the returns and declaring the results of the General Election held on May 4, 2019, for the purpose of electing Council Members Places 1, 3, and 5 for the City of Kennedale and the Special Election for three Charter Amendment propositions

There was no discussion at this time.

Motion To Approve Resolution 549, canvassing the returns and declaring the results of the General Election held on May 4, 2019, for the purpose of electing Council Members Places 1, 3, and 5 for the City of Kennedale and the Special Election for three Charter Amendment propositions. **Action** Approve, **Moved By** Rhodes. **Seconded By** Mayor Pro Tem Lee. **Motion passes unanimously.**

V. ADJOURNMENT

Motion To Adjourn. **Action** Adjourn, **Moved By** Joplin. **Seconded By** Mayor Pro Tem Lee. **Motion passes unanimously.**

Mayor Johnson adjourned the meeting at 5:27 p.m.

APPROVED:	**ATTEST:**
______________________	______________________
BRIAN JOHNSON, MAYOR	*LESLIE E. GALLOWAY, CITY SECRETARY*

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

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

I. Subject:
Consider approval of the minutes from the May 14, 2019 Special Meeting at 7:00 p.m.

II. Originated by:

Leslie E. 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.	2019_05.14_Minutes_City Council Special Meeting_DRAFT	2019_05.14_Minutes_City Council Special Meeting_DRAFT.pdf

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KENNEDALE CITY COUNCIL AGENDA

SPECIAL MEETING | MAY 14, 2019 AT 7:00 PM
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

I. CALL TO ORDER

Mayor Brian Johnson called the meeting to order at 7:01 p.m.

II. ROLL CALL

Present: Mayor Brian Johnson*;* Mayor Pro Tem Sandra Lee, Place 3; Josh Altom, Place 1; Chris Pugh, Place 2; Linda Rhodes, Place 4; Chad Wandel, Place 5; **Absent:** NONE

Staff: *City Manager George Campbell, City Secretary & Communications Coordinator Leslie E. Galloway, City Attorney Drew Larkin, Interim Finance Director Debby Scott, Director of Planning & Economic Development Melissa Dailey, Public Works Director Larry Hoover, Library Director Amanda King, Police Chief Tommy Williams, Fire Chief James Brown*

III. REPORTS AND ANNOUNCEMENTS

A. Statements by incoming, returning, or continuing Councilmembers
- **JOSH ALTOM, PLACE 1**, announced that he attended the Rotary Club and the YMCA; and thanked his family, supporters, and opposing candidate Jeff Nevarez.
- **CHRIS PUGH, PLACE 2**, announced that he attended '*Seussical*', and reminded everyone of KIDFISH and Bark in the Park on Saturday, May 18, at Sonora Park.
- **MAYOR PRO TEM SANDRA LEE, PLACE 3,** announced that she met with the developers of Hammack Creek and the YMCA about a potential collaborative effort to offer programming on-site; and thanked her opposing candidate Cesar Guerra.
- **LINDA RHODES, PLACE 4,** thanked outgoing Councilmembers for their service.
- **CHAD WANDEL, PLACE 5,** thanked voters for the opportunity to serve and his wife and family for their support through the campaign.

B. Fire Department Badge Pinning Ceremony

Fire Chief James Brown congratulated Firefighter/Paramedics Morgan Cudd, Chance Warren, and David Kelley on completing their probationary year and issued their badges and black helmet shields and tags. Mayor Johnson administered the Firefighter's Oath.

Mayor Brian Johnson recessed to Executive Session at 7:11 p.m.

Councilmember Chris Pugh recused himself from Executive Session item A.

IV. EXECUTIVE SESSION

A. Discussion with the City Attorney regarding a damage claim submitted by Erin L. Jackson (1037 Swiney Hiett Road)

B. Discussion with the City Attorney regarding the terms of a potential termination of an agreement with Global Water Fathom

C. Discussion with the City Attorney regarding settlement agreement between Ron Sturgeon, et al and the City of Kennedale

D. Discussion with the City Attorney regarding salvage yard special exception/special use permits

E. Discussion with City Attorney regarding legal issues associated with potential tax abatement, Chapter 380 incentives, and EDC grants

F. Potential tax abatement, Chapter 380 incentives, and EDC grant to relocating industrial business prospect

V. DECISION ITEMS

Mayor Brian Johnson reconvened the meeting at 7:38 p.m.

A. Consider approval of Resolution 550, calling a runoff election for City Council Place 3

Motion To Approve. **Action** Approve Resolution 550, calling a runoff election for City Council Place 3, **Moved By** Pugh. **Seconded By** Rhodes. **Motion passes unanimously.**

B. **Case #PZ19-01:** To conduct a public hearing and consider a request by Josiah Development, Inc. for a rezoning from "C-1" Restricted Commercial to "NV" Neighborhood Village of approximately 2 acres at 917 Kennedale Sublett Road, Tract 5, J. M. Lilly Survey, Abstract 980

Director of Planning & Economic Development Melissa Dailey presented an overview of Oak's Court, 14 gated residential lots and two commercial buildings, at the northeast corner of Kennedale Sublett and Little Road. She stated that staff recommended approval and was available to answer questions from Council.

The developer, Carl Greer, President of Sthenos Properties, gave an overview of the evolution of this project design – which is targeted towards seniors with smaller maintained lots, rear entry garages, front porches, and common gathering areas including a community garden – and was available to answer questions from Council.

Jacob Sumpter, Chief Operating Officer of mma, inc., described the steps his firm had taken to combine the City's preferences with Mr. Greer's vision for this development and was available to answer questions from Council.

There was some discussion of the alley design, masonry, preservation of existing trees, the price point of the homes, Mr. Greer's other developments, the inability to restrict the sale of market rate homes by age, and the potential for this to be a catalyst project.

Public Hearing on Case #PZ19-01

- **Sara Johnson Cotton**, *700 Crestview Drive*, spoke in opposition of this item.
- **Carolyn Williamson**, *3170 Joplin Road*, spoke in favor of this item.

Melissa Dailey stated that these 14 homes were not expected to have much effect on traffic. She added that the neighborhood would not be walled off and that the entry gate would be transparent. There was also some discussion of sidewalks and connectivity.

Motion To Approve. **Action** Approve Case #PZ19-01(and related Ordinance 660), a rezoning from "C-1" Restricted Commercial to "NV" Neighborhood Village of approximately 2 acres at 917 Kennedale Sublett Road, Tract 5, J. M. Lilly Survey, Abstract 980, **Moved By** Pugh. **Seconded By** Wandel. **Motion passes unanimously.**

Mayor Brian Johnson recessed to Executive Session at 8:26 p.m.

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

Mayor Johnson reconvened the meeting at 9:04 p.m.

There was neither discussion nor action at this time.

VII. ADJOURNMENT

Motion To Adjourn. **Action** Adjourn, **Moved By** Mayor Pro Tem Lee. **Seconded By** Wandel. **Motion passes unanimously.**

Mayor Johnson adjourned the meeting at 9:05 p.m.

APPROVED:

BRIAN JOHNSON, MAYOR

ATTEST:

LESLIE E. GALLOWAY, CITY SECRETARY

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

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

I. Subject:
Consider authorizing the City Manager to enter into a Cooperative Purchasing Agreement with the City of North Richland Hills

II. Originated by:

James Brown, Fire Chief

III. Summary:
The attached is a Cooperative Purchasing Agreement would allow Kennedale to take advantage of competitive contracts that North RIchland Hills has in place with various vendors, now and in the future.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	2019_05.21 Cooperative Purchasing Agreement_NRH_KENNEDALE	2019_05.21 Cooperative Purchasing Agreement_NRH_KENNEDALE_final.pdf

COOPERATIVE PURCHASING AGREEMENT
BETWEEN
CITY OF NORTH RICHLAND HILLS AND CITY OF KENNEDALE

This Cooperative Purchasing Agreement (the “Agreement”), made and entered into by and between the City of North Richland Hills, hereinafter referred to as “NRH”, and the City of Kennedale, hereinafter referred to as “Kennedale”.

Pursuant to the authority granted by Chapter 271 of the Texas Local Government Code, providing for the cooperation between local governmental bodies, the parties hereto, in consideration of the premises and mutual promises contained herein, agree as follows:

NRH and Kennedale desire to enter into an Agreement for the purchase of goods and services from vendors selected through the competitive bidding process. Specifications for said items should be determined in cooperation with the final approval of the entity processing the bid.

The responsibility of each entity shall be as follows:

I.

NORTH RICHLAND HILLS

1. NRH shall be allowed to purchase goods and services from vendors who have been selected by Kennedale through the competitive bidding process. NRH will place orders directly with and pay directly to the selected vendor for goods and services purchased through a contract.

2. All purchases will be within the specifications and under the terms and conditions that have been agreed to by the parties. NRH shall be responsible for the Vendors compliance with all conditions of delivery, price and quality of the purchased goods or services.

3. NRH shall give a 30 (thirty) days’ written notification to all participating agencies of any change or cancellation of participation.

4. The Purchasing Agent shall be designated as the official representative to act for NRH in all matters relating to this cooperative purchasing agreement.

II.

KENNEDALE

1. Kennedale shall be allowed to purchase goods and services from vendors who have been selected by NRH through the competitive bidding process of NRH. Kennedale will place orders directly with and pay directly to the selected vendor for goods and services purchased through a contract.

2. All purchases will be within the specifications and under the terms and conditions that have been agreed to by the parties. Kennedale shall be responsible for the Vendors compliance with all conditions of delivery, price and quality of the purchased goods or services.

3. Kennedale shall give a 30 (thirty) days' written notification to a participating agency of any change or cancellation of participation.

4. The Finance Director, shall be designated as the official representative to act for Kennedale in all matters relating to this cooperative purchasing agreement.

This Agreement shall take effect upon execution by the signatories, and shall be in effect from date of execution until terminated by either party with thirty (30) days' written notice.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their authorized officers.

CITY OF NORTH RICHLAND HILLS	**CITY OF KENNEDALE**
BY:	**BY:**
______________________	______________________
CITY MANAGER	GEORGE CAMPBELL, CITY MANAGER
DATE: ______________________	DATE: ______________________
ATTEST:	**ATTEST:**
______________________	______________________
CITY SECRETARY	LESLIE E. GALLOWAY, CITY SECRETARY
APPROVED AS TO FORM:	**APPROVED AS TO FORM:**
______________________	______________________
ATTORNEY FOR THE CITY	DREW LARKIN, CITY ATTORNEY

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

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

I. Subject:
Consider approval of Resolution 553, supporting a grant application for police body cameras

II. Originated by:

Tommy Williams, Police Chief

III. Summary:
The police department is submitting a grant to the Criminal Justice Division of the Governor's Office for body cameras. This grant resolution is required as part of the application process.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	R553 Police Body Cameras Grant	R553 Police Body Cameras Grant.pdf

RESOLUTION NO. 553

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, DESIGNATING AN AUTHORIZED OFFICIAL AS RESPONSIBLE FOR COORDINATION WITH THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS FOR THE PURPOSE OF PARTICIPATION IN A GRANT (#3798001) FOR POLICE BODY CAMERAS; AND CERTIFYING THAT THE CITY OF KENNEDALE IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE.

WHEREAS, The City Council of the City of Kennedale, Texas, finds it in the best interest of the citizens of Kennedale that POLICE BODY CAMERAS be operated for 2019/20; and

WHEREAS, the City Council of the City of Kennedale agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City Council of the City of Kennedale assures that the funds will be returned to the Criminal Justice Division in full; and

WHEREAS, the City Council of the City of Kennedale designates City Manager George Campbell as the grantee's authorized official, with the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

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

The City Council of Kennedale, Texas approves submission of the grant application for the police body cameras to the Office of the Governor, Criminal Justice Division (Grant Application Confirmation Number: 3798001).

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE ON THE 21st DAY OF MAY, 2019.

APPROVED:

MAYOR BRIAN JOHNSON

[C I T Y S E A L

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

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

I. Subject:
Consider approval of contract award to Emergicon for emergency medical service billing and collections, and authorize the City Manager to sign the agreement

II. Originated by:

James Brown, Fire Chief

III. Summary:
A Request for Proposals (RFP) was published at cityofkennedale.com/bids on Thursday, April 4; in the City's newspaper of record (the Star-Telegram) on Saturday, April 6 and Saturday, April 13, 2019. Bidding closed Monday, May 6, at 3:00 p.m.; and the bid opening was conducted by Fire Chief James Brown on Monday, May 6, at 4:00 p.m..

Staff has evaluated the 2 bid proposals received, considering actual costs as well as best value to the City and service provision to the citizens. The bid tab sheet is attached for your review, and staff now respectfully recommends to the City Council awarding of this contract to Emergicon.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	2019_04.06_KFD RFP for Ambulance Billing and Collections	2019_04.06_KFD RFP for Ambulance Billing and Collections_201904241555464449.pdf
2.	Fire_Recommendation Letter	Fire_Recommendation Letter.pdf
3.	Fire_Emergicon Evaluations	Fire_Emergicon Evaluations.pdf
4.	Fire_Wittman Evaluations	Fire_Wittman Evaluations.pdf

CITY OF KENNEDALE, TEXAS
FIRE DEPARTMENT

REQUEST FOR PROPOSAL (RFP)
EMERGENCY MEDICAL SERVICE BILLING AND COLLECTIONS

RFP #2019-01

DUE DATE:
MAY 6, 2019 BY 3:00 P.M.

CITY OF KENNEDALE
405 MUNICIPAL DR.
KENNEDALE, TX 76060
817-985-2151

SECTION I: CALENDAR FOR EMERGENCY MEDICAL SERVICE BILLING SERVICES CONTRACT

1[ST] Advertisement for RFP	April 6, 2019
2[ND] Advertisement for RFP	April 13, 2019
RFP Submittal Due Date	**May 6, 2019 by 3:00 p.m.**
Public Opening of Sealed Proposals	May 6, 2019 at 4:00 p.m.
RFP Submittal Committee Review	May 14, 2019
Tentative Award of Contract	May 17,2019
Tentative Contract Start Date	July 1, 2019

SECTION II: INTRODUCTION

The City of Kennedale is soliciting RFP submittals from Emergency Medical Service (EMS) billing and collections contractors who are interested and qualified to provide the required product and services as indicated herein. It is the intent of the City to select a single provider to accomplish all the services outlined in this request.

Submissions will be evaluated utilizing the criteria herein and should be accompanied by: one (1) original copy, four (4) additional hard copies, and one (1) electronic copy of the complete RFP response. The electronic copy MUST be combined as a single file. The RFP should be returned in a sealed envelope bearing the following information on the outside of the submittal envelope: the name and address of the respondent, as well as "City of Kennedale RFP EMS Billing and Collections."

Sealed response packages will be accepted until **3:00 p.m. Monday, May 6, 2019.**

CITY OF KENNEDALE, TEXAS
ATTN: JAMES BROWN, FIRE CHIEF
405 MUNICIPAL DR.
KENNEDALE, TX 76060
817-985-2151

SECTION III: DEFINITIONS

To simplify the language throughout this document, the following definitions shall apply:

CITY OF KENNEDALE – Same as "City".

CITY COUNCIL – Elected officials of the City of Kennedale, Texas, given the authority to exercise such powers and jurisdiction of all City business, as conferred by the State Constitution of the State of Texas, laws, statutes, and/or the City of Kennedale Home Rule Charter.

CONTRACT – An agreement between the City and a Contractor to furnish supplies and/or services over a designated period of time, during which repeated purchases are made of the commodity and/or service specified.

CITY – The government of the City of Kennedale, Texas.

CONTRACTOR – The successful Offeror of this request.

ePCR – Electronic Patient Care Report, this is a reporting system that is used to document each response, is the permanent patient record of treatment and is stored in electronic format.

KFD – Kennedale Fire Department.

OFFEROR or FIRM – Contractors submitting proposals in response to this RFP.

RFP – Request for Proposal

SECTION IV: TECHNICAL SPECIFICATIONS

BACKGROUND

The City of Kennedale is located in the Dallas-Fort Worth Metroplex. The population, according to the 2016 Census, is 7,840. The City has a 6.6 square mile footprint and covers approximately 2 square miles of County area. Kennedale is a home-rule City that operates under the Council-Manager form of government, and provides a full range of municipal services as prescribed by statute or Charter. These services include police, fire and emergency medical services, parks, library services, street maintenance and construction, public improvements, general administrative services, and water, sewer, and sanitation systems.

Kennedale Fire Department (KFD) provides Mobile Intensive Care and Advanced Life Support services to include treatment and transport of clients to area multiple hospitals. The Department utilizes 1 ambulance for patient transport. In fiscal year 2018, the Department was called to render aid to more than 900 patients and transported more than 600 patients to area hospital emergency facilities.

Ambulance billing for the City is currently contracted. The City pursues delinquent accounts through a collections process with the current billing provider.

2017 Gross Charges $838,668; Adjustments $371,474; Net charges $467,194; Collections $215,760
2018 Gross Charges $756,445; Adjustments $318,210; Net charges $438,235; Collections $168,194

Approximate Payer Mix:

- Medicare 48%
- Medicaid 13%
- Private Insurance 15%
- Self-Pay 24%

The City currently receives cash receipts, checks, remittance advices, explanation of benefits, and any other reimbursement documentation and forwards that information to its current billing provider.

SCOPE OF WORK

It is the intent of the City to contract with one (1) Firm for the billing and collection of ambulance fees. The City is requesting RFP submittals from qualified Offerors for the billing and collection of ambulance fees. The resulting contract shall remain in full force and effect with fixed prices for a period of thirty six (36) months, subject to an annual performance review by the Fire Department and Finance Department. The City shall have the option of extending this contract for additional one-year periods, subject to approval of funding and review of the service provided by the Contractor. Contract shall be extended upon mutual agreement of both the Firm and the City. Offerors should provide a sample of their standard services contract along with their proposal for City review. The contents of any resulting contract shall be subject to negotiation and consent on the part of both the City and the Firm.

The Offeror shall include satisfactory assurances under the "business associate" provisions of the Health Insurance Portability and Accountability Act (HIPAA) privacy regulations that the Offeror will safeguard the City's protected health information in accordance with the standards set forth in the privacy rule.

The Offeror will facilitate the provision of the latest National Emergency Medical Service Information System (NEMSIS) compliant electronic patient care reporting (ePCR) system of the City's choosing and required computer hardware. The ePCR and hardware are discussed in further detail under the ePCR Requirements section of this RFP.

The Contractor will charge a flat percentage, all-inclusive fee for billing services. Separate fees for provision of ESO as the ePCR provider and hardware will be detailed as well. The ePCR system must have the approval of KFD prior to consideration.

The Contractor shall carry and provide proof of insurance with a minimum of $1,000,000.00 coverage.

BILLING AND COLLECTIONS

The Contractor will be responsible for providing billing, accounts receivable, and delinquent account collection services for the City's Emergency Medical Services (EMS). Any use of a sub-contracted collections agency for delinquent accounts by the Contractor will be at the Contractor's expense. The City may submit to the Contractor all unbilled ambulance calls with a date of service of Monday, July 1, 2019 (anticipated contract start date) and later. The Contractor shall invoice all ambulance calls submitted by the City from that date forward.

The Contractor will review current EMS billing activities and rate schedules and make recommendations to City on any rate adjustments that may be necessary.

The Contractor will use professionally trained and fully compliant coders to manually review and code all run reports.

The Contractor shall file initial client billings and customer insurance claims within five (5) working days from receipt of transport information from KFD. The Contractor shall not have the right to refuse to bill and collect any EMS fee.

Information for ambulance billing is often gathered under urgent conditions and may be incomplete. The Contractor shall obtain any missing data necessary for billing through telephone or e-mail queries from the appropriate source: the ePCR provider, KFD, the receiving hospital, or the patient. (Using the postal mail system for such inquiries is discouraged and only viable if telephone contact numbers are unavailable.)

The Contractor shall provide a proposed billing and collection procedure including sample bills, letters, notices, language, and timelines. The Contractor shall work with the City to formalize and implement City authorized billing and collection protocol.

The Contractor shall be responsible for rebilling the insurance company for its portion of a bill if the claim is not paid in accordance with the City's terms. If correspondence with the insurance company is required, a copy of the correspondence should be sent to the customer/patient.

To obtain prompt payment of accounts the Contractor shall request patients, insurance carriers, or other responsible parties to pay any outstanding balance within thirty (30) days of the billing date.

The Contractor shall agree to implement new fee schedules from time to time, as directed by the City.

The Contractor will suspend the billing and collection efforts on any EMS fee upon written notice via email to do so by the Kennedale Fire Chief (or his designee) and write off the balance of that account.

The Contractor will be required to bill the patient's secondary and tertiary insurance carriers (if applicable).

The Contractor must be fully compliant with all rules related to all forms of medical billing. Contractor must also provide proof of a compliance program adhering to proper billing guidelines; shall provide a copy of the companies' policies and procedures; and shall denote the existence of a compliance officer for the company, internal auditors if retained, Office of Inspector General (OIG) compliance procedures, billing enforcing standards and quality assurance and control program. In addition, the Contractor shall provide proof of an audit program that satisfies the rules established by Centers for Medicare and Medicaid Services (CMS).

The Contractor will be responsible for timely submittals to insurance companies, Medicare, and Medicaid. If the Contractor fails to bill insurance companies, Medicare, or Medicaid in a timely manner, which leads to lost collections, the Contractor may be held liable for reimbursement to the City for the amount of those lost collections.

The Contractor shall be equipped with computer operations to receive and send data electronically; shall have the capability of electronically transmitting claims to Medicare; and will indicate if they are filing electronically for any service at this time and how other types of insurance filing will be handled.

The Contractor shall proactively work with City staff to implement and maintain procedures which facilitate the electronic exchange of all data necessary to accomplish the billing, collection, and reporting requirements of this RFP.

The Contractor shall use the National Provider Identification (NPI) number for Kennedale EMS.

The Contractor will work with City staff to ensure that all requirements of HIPAA are met, including, but not limited to distributing Privacy Notices, in the form required by the City, to all EMS customers.

The Contractor will be required to collect the patient's signature in cases where the City's EMS personnel were unable to obtain a signature during transport. The record of this signature shall be maintained by the Contractor for review by Medicare and City auditors. The Contractor shall make and document no less than two (2) attempts to obtain the patient's signature.

The Contractor must make every effort possible to make collection within 180 days of initial billing without jeopardizing the goodwill of the City.

The Contractor may authorize self-pay patients to liquidate any outstanding balance on an installment basis. No interest shall be charged to patients for these extended terms. Patients making payments on an installment basis shall be tracked by the Contractor. Any patient making prompt, regular installment payments shall not be turned over to a collection agency.

If a hardship case is brought to the attention of the Contractor or the City, the fee of a patient may be lowered if agreed to by both parties by an amount of 30% and the patient placed on a payment plan of no less than $50.00 per month.

As part of the collection of accounts receivable, the Contractor will be required to pay for all postage, computer equipment, billing software, computer supplies, envelopes, address labels, letterhead, insurance claim forms, Privacy Notices, and all other supplies needed to collect the amount due.

The City recognizes that under Medicare guidelines, the City can only bill the Medicare patient the amount that the Medicare Explanation of Benefits (EOB) sheet indicates as the patient's responsibility. The remainder of the balance may be billed to secondary or tertiary insurance policies that the patient may have. The City recognizes that under Medicaid guidelines, the City cannot pursue the Medicaid recipient for any balances remaining after Medicaid has made payment.

The Contractor will process, within five (5) working days, all returned mail that originates from mailings by the Contractor.

The Contractor will post all payments to the patient accounts within five (5) working days from receipt of information.

EPCR REQUIREMENTS

KFD plans to change its ePCR provider simultaneously with the start date of this RFP. The ePCR provider will be the company known as ESO Solutions. The Contractor shall be compatible with, have a professional relationship with, and support the ESO ePCR platform. All contract negotiations between the City and the Contractor shall include and cover all costs and fees associated with ESO as the ePCR provider.

The City intends to engage a new vendor known as ESO Solutions as its ePCR provider, to coincide with the start date of any contract that might result from this RFP. The Contractor shall be compatible with, have a professional relationship with, and fully support all functions of the ESO Solutions ePCR platform. All Contract negotiations between the City and the Contractor shall include and cover all direct or indirect costs and fees associated with ESO Solutions serving as the City's ePCR provider. Any Offeror's submittal in response to this RFP must be "turnkey", with stated costs to include billing services and all necessary software, hardware, staff, equipment, and/or expenditure necessary to accommodate ESO Solutions as the City's ePCR provider.

Offeror must submit a detailed description of their compatibility with ESO Solutions to include:

- Demand reports;
- Software support details;
- Implementation timeline; and
- Ability to work with and any past experience working with ESO.

The City reserves the right for additional information as needed.

Additionally, upon the effective date of the Contract, the Contractor will provide three (3) new Panasonic CF-20 Toughbook computers with the ESO Solutions ePCR program pre-installed for KFD staff to document patient reports. The Contractor shall provide on-going technical support and warranty coverage for the provided computers and software at all times throughout the term of the Contract. These computers shall be replaced every three (3) years with the most recent version of the Toughbook CF model that is on the market or another equivalent model that is mutually agreed upon by both parties. All of these costs are to be included in the pricing bid and contract upon award of the RFP.

The City will execute the necessary Master Service License Agreement (MSLA) with ESO Solutions and the Contractor will be responsible to contact ESO Solutions and execute the necessary Services Provided Agreement (SPA) contract to provide the ePCR that will satisfy this RFP.

REPORTS

The Contractor shall be required to submit monthly reports no later than the 6th day of each month for the preceding month. The City reserves the right to request additional reports at any time. **Reports most likely to be requested are:**

- Aging of Accounts Receivable, to include (at a minimum) patient's name, date of service, account number, and total amount due aged in thirty (30) day intervals from current to 180+ days
- Monthly Credit Detail report showing all payments recorded in the prior month, to include (at a minimum) patient's name, date of service, account number, total amount paid, date of payment, and the name of company or individual that made the payment
- Monthly Charge Detail Report showing all invoices issued in the prior month, to include (at a minimum) patient's name, date of service, account number, company or individual to whom the invoice was sent, number of miles billed, and total charges
- Monthly Summary Charge Report showing total number of calls and total amount billed by company (i.e. Medicare, Medicaid, private insurance companies, individuals, Tricare, etc.)
- Year-to-date Patient Detail Report to include (at a minimum) patient's name, date of service, account number, total charge, total credits to date, and balance due
- Monthly Adjustments Report showing all adjustments booked during the month, to include (at a minimum) patient's name, date of service, account number, and amount of adjustment
- Monthly Refunds (Credit Balance) Report to include (at a minimum) patient's name, date of service, account number, and amount of overpayment (must be accompanied by supporting documentation of payments received on each account and any required write-offs)
- Charge/Credit Analysis Report showing the percentage of collections, amounts billed, amounts adjusted, amounts collected, and amounts due by month for a minimum of a 12 (twelve) month period
- Listing of all invoices alphabetically by patient name
- Report of accounts being referred for collections, prior to being sent to collections

The City's fiscal year begins October 1 and ends September 30. On a fiscal year basis, the Contractor shall provide annual fiscal year financial and statistical reports. **Required statistical and financial data may include, but not be limited to, the following:**

- Total number of transports for the fiscal year
- Total amount billed for the fiscal year
- Total collections for the fiscal year
- Comparison of current year to prior years (when data is available to Contractor)
- Percentage of total transports which were Medicare, Medicaid, Private Insurance, and Self Pay
- Amount billed broken down by Medicare, Medicaid, Private Insurance, and Self Pay
- Total amount collected from Medicare, Medicaid, Private Insurance, and Self Pay
- Average amount paid by Medicare, Medicaid, Private Insurance, and Self Pay per transport
- Total amount of write-offs for the fiscal year for Medicare, Medicaid, and Private Insurance

ASPP PREPARATION AND SUBMITTAL

The Contractor shall prepare and submit all reporting necessary to successfully claim available funds through the Ambulance Supplemental Payment Program (ASPP). Submission of the forms needed in order to claim all available funds shall be submitted to the State of Texas Health and Human Services (HHS) Department, under the direction of the Contractor or a third-party vendor representing the Contractor, at the cost of the Contractor. Such documentation may include but not be limited to cost reports, cost settlement reports, and any future changes that would make the City eligible to receive any and all funds that are available through this program. There shall be at least one face-to-face meeting between the team performing the preparation and City staff. This team is typically a contracted third-party hired by the Contractor.

ADDITIONAL REQUIREMENTS

The Contractor may be expected to address the Kennedale City Council and respond to their questions.

The Contractor shall maintain records as required by Medicare, Medicaid, and all other applicable Federal, State, and local governmental agencies and/or laws, statutes, ordinances, and/or regulations.

The Contractor shall designate a single point of contact for handling the City's account (the Client Representative).

Upon request, the Contractor shall make available to the City's internal and/or external auditors all records that pertain to the City's business. The Contractor shall be required, upon notice, to allow the City and its authorized agents the right to audit, inspect and copy all such records and documentation as often as the City deems necessary during the contract period established; and during the period of five (5) years thereafter. Such activity shall be conducted during normal business hours and at the expense of the City. The City shall retain ownership of all such records.

The Contractor shall adhere to generally accepted accounting principles to ensure the establishment of an efficient billing, collection, and recording system that is easily understood and audited.

The Contractor shall keep and maintain adequate records of work, information, expenses, costs, invoices, materials provided, and services performed pertaining to the City's EMS ambulance transport billing. These records shall be maintained for 10 (ten) years and patients that are under the age of 18 (eighteen) at time of treatment shall be maintained until the patient reaches 21 (twenty-one) or for 7 (seven) years from the date of last treatment, whichever is longer, per the Texas Administrative Code, Rule §157.11. If, at any time during the Contract term, this portion of the Texas Administrative Code is updated to require a different period of record retention, the Contractor shall comply with such new requirements.

The Contractor must provide and maintain a local or toll-free telephone number for the purpose of processing customer account inquiries. Voicemail, facsimile, and e-mail, and website address shall also be provided to customers. Under no circumstances shall customers pay for the cost of calling or otherwise contacting the Contractor. At a minimum, the Contractor must be available to accept customer inquiries Monday through Friday, from 9:00 a.m. to 5:00 p.m., daily (excluding holidays). The Contractor shall also provide avenues of communication for non-English speaking individuals.

All written or verbal communications between the Contractor, the EMS customer (patient or legal guardian), and third-party payers (including, but not limited to governmental agency staff and private insurance representatives) shall be conducted in a professional and courteous manner.

The Contractor shall, at all times, maintain a professional and courteous working relationship with all City staff, departments, divisions, and related agencies or third-parties.

On an as-needed basis, the Contractor shall be expected to meet with KFD on-site at City facilities or at a mutually agreeable alternate location. The Contractor shall be responsible for any expenses incurred to attend these meetings.

To ensure that all KFD or other related City personnel are trained regarding documentation, charges, and applicable laws and regulations that relate to the health care billing process, the Contractor shall be responsible for 3 (three) consecutive on-site training sessions at City facilities, at time of contract execution and as needed throughout the term of the contract.

The Contractor shall be responsible for informing KFD of any and all information pertinent to ambulance billing, including, but not limited to changes in Medicare and Medicaid procedural requirements.

The Contractor must provide the City with 24 (twenty-four) -hour a day, real-time electronic access to account data to include status of payments from insurance companies and Explanation of Benefits (EOBs). There must be an inquiry capability that allows City staff to view individual account activity as well as aggregate financial data.

All computer data, reports, information, and metadata concerning work performed under this RFP, including, but not limited to, patient information and balances due shall remain the property of the City at all times. Further, the Contractor must agree to surrender any and all information concerning work performed under this RFP (written and electronic format) within thirty (30) days of the termination of this contract. The Contractor shall also provide the City with final reports and statistics, including all data requested by the City at that time, within thirty (30) days after the termination of the contract, The City may agree to extend this time period to accommodate the final billing.

All work performed under this contract shall be of the highest professional standards and shall in every respect meet or exceed standard industry practice and comply with the Fair Debt Collection Practices Act (FDCPA). No harassing or “strong-arm” collection tactics shall be employed, under any circumstances.

SECTION V: TERMS AND CONDITIONS

ELECTRONIC DOCUMENTS

Requesting Offerors may be supplied with the original documents in electronic form to aid in the preparation of RFP submittal. By accepting these electronic documents, Offerors agree not to edit or change the language or format of these documents. Submission of a proposal by Offerors signifies full agreement with this requirement.

RECEIPT OF RFP SUBMITTALS

Any submitted proposal must be received by the City no later than the time and date specified. The mere fact that the proposal was dispatched will not be considered; the Offeror must ensure that the submittal is actually delivered and time stamped. Regardless of cause, late proposals will not be accepted and will automatically be disqualified from further consideration. It shall be the Offeror's sole risk to assure delivery at the designated office by the designated time. Late proposals will not be opened and may, upon request, be destroyed or returned to the Offeror, at the expense of the Offeror.

QUESTIONS AND INQUIRIES

Questions or inquiries regarding this RFP should be submitted (*preferably in writing*) no later than seven (7) calendar days prior to the specified due date, and should be directed to Fire Chief James Brown at jbrown@cityofkennedale.com or 817-985-2151. The apparent omission or silence within these specifications as to any detail or description concerning any point shall be regarded as meaning that only the best current industry practices are to prevail. All interpretations of these specifications shall be made on the basis of this statement.

CITY PREROGATIVE TO ACCEPT/REJECT RFP SUBMITTALS

The City reserves the right to accept or reject any or all proposal as a result of this request, to negotiate with all qualified sources, or to cancel, in part or in its entirety, this RFP, if found to be in the best interest of the City. All submittals become the property of the City.

There is no express or implied obligation for the City to reimburse Offerors for any expenses incurred in relation to the preparation of proposals in response to this RFP; and the City will not reimburse responding Offerors for these expenses, nor will the City pay any subsequent costs associated with the provision of any additional information or presentation or to procure a contract for these services.

CERTIFICATION AND AGREEMENT

Proposals must be accompanied by a completed copy of Attachment A at the end of this RFP and any Offeror proposed and/or required agreements and/or contracts regarding this RFP.

COMMUNICATION

Offerors shall communicate only with the staff identified herein during the entire RFP process (from this solicitation to award). The City shall not be responsible for any verbal or non-verbal communication between a potential bidder and any other employees of the City; and such action may be cause for rejection of the subject bidder's submittal. Only written requirements and qualifications, and addenda as issued by the City Finance Department will be considered.

COMPANY OWNERSHIP/MANAGEMENT

Should there be any change in the Firm's ownership or management, the contract may be terminated unless a mutual agreement is reached with the new owner or manager to continue the contract with its present provisions and prices. This contract is nontransferable by either party.

DISCLOSURE
At the public opening, there shall be no disclosure of contents to competing Offerors, and all proposals shall be kept confidential during the negotiation process. Except for trade secrets and confidential information which an Offeror identifies as proprietary, all proposals and accompanying documents shall be open for public inspection upon award of the contract.

AWARD OF THE CONTRACT
Award of a contract shall be made to the responsible Offeror whose proposal is determined to be the best offer, taking into consideration the relative importance of the factors set forth in this request. The contents of the submittal of the successful Offeror may become, at the City's option, a contractual obligation if a contract ensues. Failure of the successful Offeror to accept this obligation may result in cancellation of the award.

Any submittal shall be considered an offer only, and the ultimate decision, by the City, to accept or reject shall be a function of the evaluated quality, reliability, capability, reputation, and expertise of the Offeror. The City reserves the right to terminate the selection process at any time and to reject any and all proposals.

The City reserves the right to accept the proposal that is, in its judgment, the best and most favorable to the interests of the City and to the public; to reject the low price proposal; to accept any item of any RFP submittal; to reject any and all RFP submittal; and to waive irregularities and informalities in any RFP submitted or in the RFP process, provided; however, the waiver of any prior defect or informality shall not be considered a waiver of any future or similar defect or informality. Offerors should not rely upon or anticipate such waivers in their submittal.

ADDENDA
Any addenda to the RFP specifications issued during the period between issuance of this RFP and receipt an Offeror's submittal shall be considered to be included in the RFP and, upon successful award of a contract, shall become a part thereof. Receipt of any such addenda should be acknowledged by Offerors in their cover letters.

FALSE OR MISLEADING STATEMENTS
If, in the City's opinion, an RFP submittal contains false or misleading statements or references that do not support a function, attribute, capability, or condition as contended by the Offeror, the entire RFP submittal may be rejected at the sole discretion of the City.

CLARIFICATION OF RFP SUBMITTALS
The City reserves the right to seek clarification of any item in a submittal or to seek to obtain additional information considered necessary to properly evaluate the submittal. Failure of an Offeror to respond to such request for additional information or clarification may result in rejection of that Offeror's submittal.

RESPONSIVENESS
Proposals should respond to all requirements of this RFP to the maximum extent possible. Offerors are asked to clearly identify any limitations or exceptions to the requirements inherent in the proposed system. Alternative approaches may be given consideration, if the approach clearly offers the City similar or better service.

REJECTION OF RFP SUBMITTALS
Submittals not prepared in accordance with all instructions herein may be rejected or disqualified. If not rejected, the City may require correction of any deficiency and, upon compliance with these instructions, may choose to accept the corrected submittal.

INDEMNIFICATION AND RELEASE
It is understood that any resulting contract executed shall contain the following language:

"It is further agreed that the Contractor (separately and collectively the "Indemnitee") shall indemnify, hold harmless, and defend the City, its officers, agents, and employees from and against any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person or for damage to any property arising out of or in connection with the work done by the Contractor under this Contract. Such indemnity shall apply regardless of whether the claims, losses, damages, causes of action, suits, or liability arise in whole or in part from the negligence of the City, any other party indemnified hereunder, the Contractor, or any third party.

The Contractor assumes full responsibility for the work to be performed hereunder and hereby releases, relinquishes, and discharges the City, its officers, agents, and employees from all claims, demands, and causes of action of every kind and character, including the cost of defense thereof, for any injury to or death of any person and any loss of or damage to any property that is caused by, alleged to be caused by, arising out of, or in connection with the Contractor's work to be performed hereunder. This release shall apply regardless of whether said claims, demands, and causes of action are covered in whole or in part by insurance and regardless of whether such injury, death, loss, or damage was caused in whole or in part by the negligence of the City, any other party released hereunder, the Contractor, or any third party."

FORMAT REQUIREMENT
The following instructions describe the required form for proposals. Responses to the following items will be used for evaluation. Submittals which do not contain responses to each of the required items will be considered incomplete and may be rejected by the City. Submitted documents should provide a straightforward, concise description of the Offeror's capabilities to satisfy the requirements of this RFP. Emphasis should be on completeness, clarity of content, and conveyance of the information requested. The requirements stated do not preclude Offerors herein from furnishing additional reports, functions, and costs as deemed appropriate.

To facilitate the review of the responses, Offerors shall follow the described RFP format. Organizing the information within each tab in the order listed below is appreciated.

TAB A: QUALIFICATIONS AND EXPERIENCE

1) Briefly introduce your Firm, providing a summary of the administration, organization, and staffing of your Firm, including multiple offices, if applicable.
2) List the primary contact person for your Firm.
3) If your Firm has multiple locations, specify from which you propose to service the City's account.
4) Describe the experience of the Firm in the last thirty-six (36) months in performing services of similar size and scope, including qualifications and experience with emphasis on municipal and other governmental experience.
5) Provide the Firm's specific performance for your customers in Texas.
6) Discuss your staff's training.
7) Either list the Firm's professional relationships involving the City or any of its component units for the past five (5) years, including a statement outlining why such relationships would not constitute a

conflict of interest relative to performing the proposed ambulance billing and collections services; or provide an affirmative statement that your Firm is independent of the City and all component units.

8) Provide a statement that the Firm complies with all applicable Federal, State, and local laws and regulations as they apply to the services being provided, including maintaining confidentiality for all medical and patient information in accordance with HIPAA.

TAB B: PROCEDURES

The Offeror shall provide a proposed billing and collection protocol including sample language and timelines. This shall include, but not be limited to:

9) Describe the steps taken by your Firm when billing a customer, including the specific procedures for Medicare, Medicaid, private insurance, and self-pay.

10) Discuss your Firm's average time necessary to bill and collect from various agencies.

11) Describe how your Firm avoids the common problem of insurance companies refusing to pay due to timeliness of filing. For example, insurance companies refusing to process invoices before Medicare has paid; then, once payment is received from Medicare, refusing to pay claiming that the invoice was not received in a timely manner. How do you propose to prevent this and similar problems?

12) How often does your Firm invoice ambulance customers and how long do you typically pursue payment?

13) Describe how your Firm proposes to ensure that you have correct and complete insurance information for each customer.

14) Describe how your Firm proposes to increase the City's collection rate.

15) Provide suggestions for increasing customers' response to requests for information. For example, customers often ignore invoices or statements because they think their insurance will handle everything. They do not respond until the account goes to collections, at which point they might discover that the claim has been denied or the City had incorrect insurance information.

16) Discuss the procedures for the City remitting patient run reports to your Firm.

17) Discuss your Firm's procedures for handling invoices returned due to undeliverable mailing addresses.

18) Describe your Firm's billing system, including whether the City will have continuous online/remote access to the system for informational and audit trail purposes.

19) What assurances can your Firm provide that all runs submitted by the City to your Firm will be billed in a timely manner?

20) If it is discovered that a run was submitted to your Firm in a timely manner, but your Firm did not bill in a timely manner, billed incorrectly, or did not bill at all, how will this be rectified?

21) Does your Firm's system maintain data on each of a patient's insurance carriers (primary, secondary, tertiary, etc.) or only the primary carrier?

22) When a customer is entered into your Firm's billing system, does your system have the capability of pulling up prior data for that customer and comparing current and prior insurance information?

23) Discuss your Firm's procedures for Medicare and other write-offs.

24) Discuss your Firm's procedures for remitting delinquent accounts to collections.

25) How will your Firm handle, process, and manage requests for medical records from lawyers, legal firms, courts, investigators, etc.?

26) Provide evidence and examples of past preparations made by your Firm for other anonymous clients and the awards received and fees associated with these ASPP claims.

27) Provide examples of participation and management in similar ambulance subscription programs if your Firm has done so in the past for other clients.

28) Discuss how your Firm keeps up with all trauma reporting and all other reporting required by the Texas DSHS.

29) Explain how your Firm may assist the City with renewal of CMS certification.

TAB C: REPORTING

30) List all standard reports available.

31) Detail any applicable charges for custom reporting.

32) Provide current samples of 1) monthly, 2) quarterly, and 3) yearly reports.

33) Describe statistical information available.

34) List all available digital file formats (.xls, .txt, .pdf, etc.) available for unloading/exporting reports.

TAB D: RATES AND EXPENSES

35) Include details of your Firm's pricing model and revenue projections specific to the City of Kennedale for the initial three (3) years, including assumptions.

TAB E: REFERENCES

36) Provide five (5) references (preferably governmental agencies) including the name of the agency, contact name, telephone, fax, and email address.

TAB F: CERTIFICATION PAGE

37) Acknowledgement of any addenda issued and affirmative statement of willingness to sign the City's Standard Form of Agreement.

TAB G: ADDITIONAL SERVICES

38) Are there any additional services that you Firm offers that would be beneficial to the City?

SECTION VI: EVALUATION FACTORS

The City will review all submittals to determine compliance with the requirements as specified in the RFP. Only those proposals that, in the opinion of the City's designated selection committee, meet the requirements of the RFP will be further evaluated. Submittals that pass the preliminary review will be evaluated on how well the proposal meets the needs of the City as described in the Firm's response to each requirement listed in the RFP. The selection committee will review all written RFP submittals that meet the minimum requirements and will select those that it deems to be the top two (2) to four (4) for further review. It is important that the responses be clear and complete so that the selection committee can adequately understand all aspects. After receipt of submittals, the City will use the following criteria in the selection process:

- 30% Ability to satisfy 'TAB' B and 'TAB' C, including but not limited to Procedures and Reports
- 30% Ability to fulfill RFP items not covered in the 'TAB' sections, including but not limited to, ASPP preparation, ESO integration, billing and collection, and ambulance subscription management
- 20% Rates and expenses
- 10% Qualifications and experience
- 10% References and feedback from current customers

APPENDIX A: CERTIFICATE OF INTERESTED PARTIES

ATTENTION VENDORS (CONTRACTORS) DOING BUSINESS WITH THE CITY OF KENNEDALE:

Certificate of Interested Parties

In 2015, the Texas Legislature adopted House Bill 1295 (www.ethics.state.tx.us/tec/1295-Info.htm), which added section 2252.908 of the Government Code and applies to all contracts entered into on or after January 1, 2016. The law states that a governmental entity may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity at the time the business entity submits the signed contract to the governmental entity. The law applies to all contracts/purchases of a governmental entity that require an action or vote by the governing body of the entity.

With regards to City of Kennedale purchases, a vendor that is awarded a contract or purchase that is greater than $50,000 is required to electronically create a Form 1295 through the Texas Ethics Commission website (www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm) and submit a signed and notarized copy of the form to the City. A contract, including City-issued purchase order, will not be enforceable or legally binding until the City receives and acknowledges receipt of the properly completed Form 1295 from the awarded vendor.

Thank you for your cooperation.

James Brown
Fire Chief
City of Kennedale
817-985-2151
jbrown@cityofkennedale.com

ATTACHMENT A: LETTER OF CERTIFICATION

Responses to this RFP must be completed and submitted as required in this document. The certification form below should be completed fully.

The undersigned representative certifies, on behalf of the Firm named below, that the information provided in this proposal to the City is accurate and complete, that they are duly authorized to submit the same, that the undersigned has reviewed this RFP in its entirety and accepts the terms and conditions herein, that the Firm is willing to sign the City's Standard Form of Agreement if selected as the successful bidder, that this proposal has not been prepared in collusion with any other Firm, and that the contents of this submittal have not been communicated to any other Firm prior to the official opening of proposals.

Firm Representative Signature ________________________________

Date ________________________________

Title ________________________________

Typed Name ________________________________

Contractor/Firm Name ________________________________

Phone Number ________________________________

Bid Address ________________________________

P.O. Box or Street ________________________________

City, State ZIP ________________________________

Purchase Order Address ________________________________

P.O. Box or Street ________________________________

City, State ZIP ________________________________

Remit Address ________________________________

P.O. Box or Street ________________________________

City, State ZIP ________________________________

Federal Tax ID No. ________________________________

KENNEDALE
Fire Department

DATE: May 17, 2019

TO: GEORGE CAMPBELL

FROM: JAMES BROWN

NUMBER #19002

SUBJECT: EMS RFP

A committee comprised of Debbie Scott, Ryan Florence, Montae Lane and James Brown was established to review the two the bids submitted for the fire departments RFP for the EMS billing and collections vendor. A grading matrix was created to determine which vendor best met the needs for the city.

Factor	Weight
Ability to satisfy TAB B & C	30%
Ability to fulfill RFP items not covered is TAB sections	30%
Rates and experience TAB D	20%
Qualifications and experience	10%
References and feedback from current customers. TAB E	10%

(Factors for grading criterion)

The two vendors were:

Emergicon
1717 McKinney Avenue, Ste. 700
Dallas TX 76201

Whittman Enterprises, LLC
11093 Sun Center Drive
Rancho Cordova, California 95670

The committee met on May 16, 2019 to evaluate the bid submittals to make a determination on which company to award the contract to. During the meeting we talked to both vendors, via conference call, to allow both vendors to answer any questions that the committee had.

Both vendors were very close in all five categories. Wittman's rates were approximately 2.5% less, where Emergicon predicts a high future collection rate and their ability to fulfill additional items in the RFP graded higher in a several areas. These additional items are; no cost ongoing training, local customer support and service, and the ability to connect to our fire CAD system to obtain any needed report data. Emergicon also offers management of an ambulance subscription program, and a revenue recovery program from fire call.

It is our recommendation to award this contract to Emergicon due to the belief that the additional items listed above would better meet the ongoing needs of our organization.

RFP Evaluation Form – [EMS Billing & Collections]

Contractor: Emergicon **Evaluator:** Debby Scott

Date Evaluated: 5-16-19

Proposals will be evaluated on "best value" based on the evaluation criteria as stated below. The cost proposal will not be opened by the review committee until after the qualifications points are awarded. A 500-point scale will be used to create the final evaluation recommendation. When assessing points, utilize a 1- 5 scale which will then be multiplied by the weight assigned.

Points	Guidance
5	Couldn't imagine a better response
4	Excellent, insightful response
3	More than adequate response
2	Adequate response, no special insights
1	Inadequate response
0	No response given

Factor	Weight
Ability to satisfy TAB B & C	30%
Ability to fulfill RFP items not covered in TAB sections	30%
Rates and experience TAB D	20%
Qualifications and experience TAB A	10%
References and feedback from current customers. TAB E	10%

Evaluation

Criteria	Possible Points	Points Awarded	Multiplier (To be done by project manager)	Total Points
Ability to satisfy TAB B & C	0 - 5	4	30	120
Ability to fulfill RFP items not covered in TAB sections	0 - 5	4	30	120
Rates and experience TAB D	0 - 5	3	20	60
Qualifications and experience in TAB A	0 - 5	3	10	30
References and feedback from current customers TAB E	0 - 5	4	10	40
TOTAL SCORE (To be tallied by project manager)				370

RFP Evaluation Form – [EMS Billing & Collections]

Contractor: Emergicon **Evaluator:** Ryan Florence

Date Evaluated: 5-15-19

Proposals will be evaluated on "best value" based on the evaluation criteria as stated below. The cost proposal will not be opened by the review committee until after the qualifications points are awarded. A 500-point scale will be used to create the final evaluation recommendation. When assessing points, utilize a 1- 5 scale which will then be multiplied by the weight assigned.

Points	Guidance
5	Couldn't imagine a better response
4	Excellent, insightful response
3	More than adequate response
2	Adequate response, no special insights
1	Inadequate response
0	No response given

Factor	Weight
Ability to satisfy TAB B & C	30%
Ability to fulfill RFP items not covered in TAB sections	30%
Rates and experience TAB D	20%
Qualifications and experience TAB A	10%
References and feedback from current customers. TAB E	10%

Evaluation

Criteria	Possible Points	Points Awarded	Multiplier (To be done by project manager)	Total Points
Ability to satisfy TAB B & C	0 - 5	4	30	120
Ability to fulfill RFP items not covered in TAB sections	0 - 5	5	30	150
Rates and experience TAB D	0 - 5	3	20	60
Qualifications and experience in TAB A	0 - 5	5	10	50
References and feedback from current customers TAB E	0 - 5	5	10	50
TOTAL SCORE (To be tallied by project manager)				430

RFP Evaluation Form – [EMS Billing & Collections]

Contractor: Emergicon **Evaluator: Montae Lane**

Date Evaluated: 5/17/19

Proposals will be evaluated on "best value" based on the evaluation criteria as stated below. The cost proposal will not be opened by the review committee until after the qualifications points are awarded. A 500-point scale will be used to create the final evaluation recommendation. When assessing points, utilize a 1- 5 scale which will then be multiplied by the weight assigned.

Points	Guidance
5	Couldn't imagine a better response
4	Excellent, insightful response
3	More than adequate response
2	Adequate response, no special insights
1	Inadequate response
0	No response given

Factor	Weight
Ability to satisfy TAB B & C	30%
Ability to fulfill RFP items not covered in TAB sections	30%
Rates and experience TAB D	20%
Qualifications and experience TAB A	10%
References and feedback from current customers. TAB E	10%

Evaluation

Criteria	Possible Points	Points Awarded	Multiplier (To be done by project manager)	Total Points
Ability to satisfy TAB B & C	0 - 5	4	30	120
Ability to fulfill RFP items not covered in TAB sections	0 - 5	4	30	120
Rates and experience TAB D	0 - 5	3	20	60
Qualifications and experience in TAB A	0 - 5	4	10	40
References and feedback from current customers TAB E	0 - 5	4	10	40
TOTAL SCORE (To be tallied by project manager)				380

RFP Evaluation Form – [EMS Billing & Collections]

Contractor: Emergicon **Evaluator:** James Brown

Date Evaluated: 05/16/19

Proposals will be evaluated on "best value" based on the evaluation criteria as stated below. The cost proposal will not be opened by the review committee until after the qualifications points are awarded. A 500-point scale will be used to create the final evaluation recommendation. When assessing points, utilize a 1- 5 scale which will then be multiplied by the weight assigned.

Points	Guidance
5	Couldn't imagine a better response
4	Excellent, insightful response
3	More than adequate response
2	Adequate response, no special insights
1	Inadequate response
0	No response given

Factor	Weight
Ability to satisfy TAB B & C	30%
Ability to fulfill RFP items not covered is TAB sections	30%
Rates and experience TAB D	20%
Qualifications and experience	10%
References and feedback from current customers. TAB E	10%

Evaluation

Criteria	Possible Points	Points Awarded	Multiplier (To be done by project manager)	Total Points
Ability to satisfy TAB B & C	0 - 5	4	30	120
Ability to fulfill RFP items not covered is TAB sections	0 - 5	5	30	150
Rates and experience TAB D	0 - 5	3	20	60
Qualifications and experience	0 - 5	5	10	50
References and feedback from current customers. TAB E	0 - 5	4	10	40
TOTAL SCORE (To be tallied by project manager)				420

RFP Evaluation Form – [EMS Billing & Collections]

Contractor: Wittman **Evaluator:** Debby Scott

Date Evaluated: 5-17-19

Proposals will be evaluated on "best value" based on the evaluation criteria as stated below. The cost proposal will not be opened by the review committee until after the qualifications points are awarded. A 500-point scale will be used to create the final evaluation recommendation. When assessing points, utilize a 1- 5 scale which will then be multiplied by the weight assigned.

Points	Guidance
5	Couldn't imagine a better response
4	Excellent, insightful response
3	More than adequate response
2	Adequate response, no special insights
1	Inadequate response
0	No response given

Factor	Weight
Ability to satisfy TAB B & C	30%
Ability to fulfill RFP items not covered in TAB sections	30%
Rates and experience TAB D	20%
Qualifications and experience TAB A	10%
References and feedback from current customers. TAB E	10%

Evaluation

Criteria	Possible Points	Points Awarded	Multiplier (To be done by project manager)	Total Points
Ability to satisfy TAB B & C	0 - 5	4	30	120
Ability to fulfill RFP items not covered in TAB sections	0 - 5	3	30	90
Rates and experience TAB D	0 - 5	4	20	80
Qualifications and experience in TAB A	0 - 5	4	10	40
References and feedback from current customers TAB E	0 - 5	4	10	40
TOTAL SCORE (To be tallied by project manager)				370

RFP Evaluation Form – [EMS Billing & Collections]

Contractor: Whitman **Evaluator:** Ryan Florence

Date Evaluated: 5-15-19

Proposals will be evaluated on "best value" based on the evaluation criteria as stated below. The cost proposal will not be opened by the review committee until after the qualifications points are awarded. A 500-point scale will be used to create the final evaluation recommendation. When assessing points, utilize a 1- 5 scale which will then be multiplied by the weight assigned.

Points	Guidance
5	Couldn't imagine a better response
4	Excellent, insightful response
3	More than adequate response
2	Adequate response, no special insights
1	Inadequate response
0	No response given

Factor	Weight
Ability to satisfy TAB B & C	30%
Ability to fulfill RFP items not covered in TAB sections	30%
Rates and experience TAB D	20%
Qualifications and experience TAB A	10%
References and feedback from current customers. TAB E	10%

Evaluation

Criteria	Possible Points	Points Awarded	Multiplier (To be done by project manager)	Total Points
Ability to satisfy TAB B & C	0 - 5	4	30	120
Ability to fulfill RFP items not covered in TAB sections	0 - 5	4	30	120
Rates and experience TAB D	0 - 5	4	20	80
Qualifications and experience in TAB A	0 - 5	5	10	50
References and feedback from current customers TAB E	0 - 5	4	10	40
TOTAL SCORE (To be tallied by project manager)				410

RFP Evaluation Form – [EMS Billing & Collections]

Contractor: Wittman Enterprises **Evaluator: Montae Lane**

Date Evaluated: 5/17/19

Proposals will be evaluated on "best value" based on the evaluation criteria as stated below. The cost proposal will not be opened by the review committee until after the qualifications points are awarded. A 500-point scale will be used to create the final evaluation recommendation. When assessing points, utilize a 1- 5 scale which will then be multiplied by the weight assigned.

Points	Guidance
5	Couldn't imagine a better response
4	Excellent, insightful response
3	More than adequate response
2	Adequate response, no special insights
1	Inadequate response
0	No response given

Factor	Weight
Ability to satisfy TAB B & C	30%
Ability to fulfill RFP items not covered in TAB sections	30%
Rates and experience TAB D	20%
Qualifications and experience TAB A	10%
References and feedback from current customers. TAB E	10%

Evaluation

Criteria	Possible Points	Points Awarded	Multiplier (To be done by project manager)	Total Points
Ability to satisfy TAB B & C	0 - 5	4	30	120
Ability to fulfill RFP items not covered in TAB sections	0 - 5	3	30	90
Rates and experience TAB D	0 - 5	4	20	80
Qualifications and experience in TAB A	0 - 5	4	10	40
References and feedback from current customers TAB E	0 - 5	4	10	40
TOTAL SCORE (To be tallied by project manager)				370

RFP Evaluation Form – [EMS Billing & Collections]

Contractor: Whittman **Evaluator:** James Brown

Date Evaluated: 05/16/19

Proposals will be evaluated on "best value" based on the evaluation criteria as stated below. The cost proposal will not be opened by the review committee until after the qualifications points are awarded. A 500-point scale will be used to create the final evaluation recommendation. When assessing points, utilize a 1- 5 scale which will then be multiplied by the weight assigned.

Points	Guidance
5	Couldn't imagine a better response
4	Excellent, insightful response
3	More than adequate response
2	Adequate response, no special insights
1	Inadequate response
0	No response given

Factor	Weight
Ability to satisfy TAB B & C	30%
Ability to fulfill RFP items not covered is TAB sections	30%
Rates and experience TAB D	20%
Qualifications and experience	10%
References and feedback from current customers. TAB E	10%

Evaluation

Criteria	Possible Points	Points Awarded	Multiplier (To be done by project manager)	Total Points
Ability to satisfy TAB B & C	0 - 5	4	30	120
Ability to fulfill RFP items not covered is TAB sections	0 - 5	4	30	120
Rates and experience TAB D	0 - 5	4	20	80
Qualifications and experience	0 - 5	5	10	50
References and feedback from current customers. TAB E	0 - 5	4	10	40
TOTAL SCORE (To be tallied by project manager)				410

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: DECISION ITEMS - A.

I. Subject:
Consider approval of Resolution 554, adopting an incentive policy, establishing guidelines and criteria for tax abatement, and electing to become eligible to participate in tax abatement

II. Originated by:

Melissa Dailey, Director of Planning & Economic Development

III. Summary:
In order to provide economic incentives to attract development, the City is required to adopt a resolution and policies and guidelines every two years stating that it elects to become eligible to participate in these incentives. This resolution does not obligate the City to enter into any incentive agreements. Attached is the proposed resolution and policies and guidelines for economic incentives.

Staff will be available at this work session to respond to questions.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	R554 Economic Development Incentives	R554 Economic Development Incentives.pdf

RESOLUTION NO. 554

A RESOLUTION OF THE CITY OF KENNEDALE, TEXAS, ADOPTING AN INCENTIVE POLICY; ESTABLISHING GUIDELINES AND CRITERIA FOR TAX ABATEMENT AGREEMENTS; ELECTING TO BECOME ELIGIBLE TO PARTICIPATE IN TAX ABATEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the future economic viability of the City of Kennedale depends on the ability to attract new investments through the location of new businesses and the expansion and modernization of existing businesses; and

WHEREAS, the City Council has determined that the creation and retention of job opportunities that result from new economic development is in the best interest of the City of Kennedale; and

WHEREAS, the establishment of economic development incentives, including tax abatements, may encourage enhancement of the local economy; and

WHEREAS, the City Council wishes to adopt guidelines and criteria governing tax abatement agreements as required by section 312.002(a) of the Texas Tax Code; and

WHEREAS, the policy adopted herein authorizes tax abatement for both new facilities and structures and for the expansion or modernization of existing facilities and structures.

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

SECTION 1.

The City Council does hereby adopt the incentive policy, attached hereto as Exhibit "A" and incorporated herein for all purposes. The policy shall govern all incentive and tax abatement matters considered by the City from and after the date of this Resolution, until said policy expires or is repealed or amended as provided by law.

SECTION 2.

The policy is effective for two (2) years from the date of adoption. During that period, the policy may be amended or repealed only by a vote of ¾ of the members of the City Council. The policy is intended as a guide for use in developing incentives and tax abatement programs and agreements under the provisions of Chapter 312 of the Texas Tax Code.

SECTION 3.

The City of Kennedale intends to consider providing tax abatements and hereby elects to become eligible to participate in tax abatement.

SECTION 4.

The adoption of the policy and the City's election to become eligible to participate in tax abatement as provided herein shall not be construed to require the City of Kennedale to approve any proposed incentive or tax abatement agreement for a project which may meet the requirements of the policy. Incentives and tax abatements must be reviewed on a case-by-case basis and shall be granted only if the City Council determines in its sole discretion that the incentive or tax abatement is in the best interest of the citizens of the City of Kennedale.

SECTION 5.

This Resolution shall become effective upon passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE ON THE 21st DAY OF MAY, 2019.

APPROVED:

____

MAYOR BRIAN JOHNSON

[CITY SEAL

ATTEST:

____

CITY SECRETARY LESLIE E. GALLOWAY

Resolution 554: EXHIBIT A

City of Kennedale Incentive Policy

GENERAL PURPOSE AND OBJECTIVES

The City of Kennedale is committed to an ongoing improvement in the quality of life for its citizens through the attraction and retention of high quality development that drives a dynamic and sustainable economic environment. Kennedale will, on a case-by-case basis, consider providing incentive packages as a stimulus for economic development activity including business attraction, relocation, and retention.

PUBLIC FUNDS INVESTMENT GUIDING PRINCIPLES

In carrying out its economic development objectives, the City of Kennedale will adhere to the following guiding investment principles to best determine the strategic investment of resources in eligible projects:

- Project supports comprehensive plan implementation
- Project will retain, expand, or attract targeted industries
- Project will contribute to a top-tier workforce by retaining or expanding daytime population and preferred job types
- Project includes preferred quality of life benefits such as open space preservation and project enhancements
- Public investment is performance-based and considers reasonable return on investment via direct financial return and other indirect benefits
- Investments will be made into projects sponsored by a financially viable company in good legal standing with the City and State
- Project will make a unique or unequaled contribution to development or redevelopment efforts in the City of Kennedale due to its magnitude, significance to the community, or aesthetic quality

CRITERIA

Recommendations for investment will be based on the evaluation of criteria including the following:

FISCAL IMPACT

- What is the estimated total value of capital investment for buildings, other real property improvements and furniture, fixtures, and equipment?
- What is the value of the Real and Business Personal Property that will be added to the tax rolls?
- How much direct sales tax will be generated?
- Will infrastructure construction be required?
- Will the project generate overnight stays in the community? If so, how many annually?
- What is the estimated return on public investment?
- Does the company have a history of and/or a commitment to community support in Kennedale?

EMPLOYMENT IMPACT

- How many jobs will be brought to Kennedale?
- How many jobs will be retained?
- What types of jobs will be created?
- What will the total annual payroll be?
- What is the average annual salary of jobs created and/or retained?

COMMUNITY IMPACT

- How compatible is the project with the City's comprehensive plan goals?
- How does the project support goals related to preferred quality of life benefits such as preservation of open space and project enhancements?

PROJECT ELIGIBILITY

- Does the project meet the following minimum preferred thresholds?
  - Capital investment: $2 million
  - Jobs created or retained: 50
  - Average annual total compensation for jobs created or retained: $40,000
  - Average education level: 4-year degree
  - Target industry alignment
- If the project does not meet the preferred thresholds, will it make a unique or unequaled contribution to the development or redevelopment efforts in the City? How?

TARGET INDUSTRIES

The City of Kennedale has identified the following target industries:

- Retail
- Office
- Mixed-Use Developments
- Medical and Healthcare
- Manufacturing
- Finance, Insurance and Wealth Management
- Information Technology and Media

ELIGIBLE ACTIVITIES

Investment funds may be used for one or more of the following eligible activities to assist a targeted industry in locating in the City or to facilitate a redevelopment project:

- Capital investments related to real property construction and acquisition
- Improvements to an existing building
- On-site and/or off-site infrastructure

- Site enhancements that the City may choose to support in order to encourage upgraded aesthetics or amenities. Examples include parks and open space, public art, decorative fountains, underground utilities, and enhanced landscaping
- Other purposes which bring value to the community as determined by the Kennedale City Council

EXCLUSIONARY FACTORS

- Even though a project may meet all of the minimum project qualifications, it will not be considered for public investment if any of the following factors apply:
- If the project would, for any reason, result in a net reduction of the ad valorem tax valuation of all facilities in the City owned by the company, or its parent, subsidiary, or affiliated companies, assistance will not be provided.
- Investment will not be provided to companies not in good legal standing with the state or that have not met their obligations as businesses in the City of Kennedale.
- No prior commitment to investment shall be binding if the company originally receiving the assistance assigns it to another company, unless the City has consented to such assignment in writing, as specified in an approved investment agreement.
- The financial condition of the company receiving the assistance must not be such that the ability of the company to meet its obligations is uncertain.

AVAILABLE INVESTMENT TOOLS

The following economic development investment tools are available for use by the City of Kennedale for those economic development projects that meet the eligibility criteria. Not all tools are available for each project and projects may be offered more than one tool. The type and number of investment tools to be used is the sole discretion of the Kennedale City Council. Investment from the City of Kennedale does not preclude other state and county incentives.

Tax Abatement: This is a tool whereby all or a portion of the increase in the value of real and/or business personal property can be exempted from taxation. Legal authority for tax abatements comes from Chapter 312 of the Texas Property Tax Code; therefore, cities must meet the provisions of the Code when using abatements. Tax abatement may be offered to both new facilities and structures and for the expansion or modernization of existing facilities and structures.

Chapter 380 Economic Development Grants: This incentive option is authorized under Chapter 380 of the Texas Local Government Code. It is an agreement between the taxpayer and taxing entity to offer a variety of fee-based or tax-based incentives, grants (which may or may not be repaid), or rebates. This is a flexible option, but there are certain state law requirements that must be met in all cases.

Infrastructure Participation: The City of Kennedale has a track record of facilitating development through enhancement of water, sewer, and roadway infrastructure relevant to sites selected for significant projects as needed.

Tax Increment Reinvestment Zone (TIRZ): Tax Increment Financing is a tool to finance public improvements within a defined area. The improvements should enhance the environment and attract new investment. The statutes governing tax increment financing are in Chapter 311 of the Texas Tax Code.

Public Improvement District (PID): A PID is a defined geographical area established to provide specific types of improvements or maintenance within the area which are financed by assessments against the property owners within the area. Chapter 372 of the Texas Local Government Code authorizes the creation of PIDs by cities.

Fee Waivers or Reimbursement: The City of Kennedale will consider a waiver or reimbursement of development fees on eligible projects.

RETURN ON INVESTMENT CONSIDERATIONS

Each eligible project must provide a return on investment (ROI) for the public funds investment provided. The City of Kennedale calculates ROI for both direct and indirect benefits. The specific ROI will be determined through analysis of:

- The project's total capital investment and resulting taxable value generating an annual increase of property tax revenue
- The number and types of jobs to be created or retained
- The project's estimated ability to generate direct sales tax revenue as well as indirect sales tax revenue

APPROVAL

All applicants are considered on a case-by-case basis and all incentive and abatements are subject to final approval of the City Council. Even though a project may meet the criteria as set forth in this policy, an application may be denied at the sole discretion of the City Council. In order to encourage the retention and/or expansion of existing business, or attract businesses which satisfy a community goal or objective, or meet a special need of the community, the City Council may, on a case-by-case basis, approve an incentive or abatement which may not comply with the values and terms contained within this policy.

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: DECISION ITEMS - B.

I. Subject:
Review and consider contract for Animal Control services from North Texas Animal Control Authority

II. Originated by:

Tommy Williams, Police Chief

III. Summary:
Attached is an updated contract for out-sourced temporary animal control services from the North Texas Animal Control Authority (NTACA). This is a private company providing animal control services to both public entities and private citizens. The NTACA is the company that we contracted with previously when the former Animal Control Officer (ACO) was off work due to a work related injury. Due to our current ACO being accepted to be a Kennedale police officer, we will need to be able to provide service until such time as we hire a new ACO. This contract will be a renewable document that rolls over each year unless we or the NTACA decide to terminate or there is a need to renegotiate terms. This will allow us to utilize them in future for extended absences such as vacations or injury.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:
Approve

VII. Alternative Actions:

VIII. Attachments:

1.	ACO Contract May 2019_TOASE	ACO Contract May 2019_TOASE.pdf

AGREEMENT FOR ANIMAL CONTROL SERVICES

THIS AGREEMENT (hereinafter referred to as the "Agreement") is made and entered into by Kerry Payne, a private contractor, dba North Texas Animal Control Authority (hereinafter referred to as the "NTACA") and the City of Kennedale, a Texas municipal corporation, (hereinafter referred to as "Kennedale" or the "City").

RECITALS:

WHEREAS, Kennedale seeks to supplement its current animal services program with additional resources for on-call, patrol, and emergency responses; and

WHEREAS, the NTACA desires to furnish these additional resources; and

WHEREAS, the parties hereto desire to enter into this Agreement for the NTACA to provide to Kennedale said resources at the highest level possible, in accordance with the terms and conditions set forth herein; and

WHEREAS, all payments to be made hereunder shall be made from current revenues available to the paying party; and

WHEREAS, the parties have concluded that this Agreement fairly compensates the performing party for the services provided hereunder, and is in the best interest of each party.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND CONSIDERATION PROVIDED FOR HEREIN, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY CONFIRMED, THE PARTIES HERETO AGREE TO THE FOLLOWING:

Section 1. Incorporation of Preamble.

All matters stated above in the preamble are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. Term.

This Agreement shall become effective May 1, 2019, and shall automatically renew annually on that same date, unless notice of termination is given. Any changes in the terms and conditions shall require the approval of the governing body of the City of Kennedale.

Section 3. Scope of Services.

The NTACA hereby agrees to provide the City with the following services and personnel as requested by the City:

a. **On-Call Services**: The NTACA will provide an on-call Animal Control Officer ("ACO") for a two (2) week period of every month as mutually agreed and scheduled by the parties. All service calls shall be dispatched through the Kennedale Police Department directly to the NTACA. Any response requested from the City shall be responded to within sixty (60) minutes.

b. **Daily Patrol Services**: At the request of the Kennedale Police Department, the NTACA will provide an hourly patrol service to the City in the event of an absence of the City's ACO or any other reason. The City may either allow the NTACA to utilize a City-owned animal control vehicle or to utilize a designated vehicle owned by the NTACA.

c. **Monthly Reports**: The NTACA will supply a report to the Kennedale Police Department no later than 12:00 p.m. on the 3rd Monday of each month. The report shall summarize all activity within the City from the previous on-call period.

d. **Impoundment and Boarding**: An ACO is authorized to capture and impound any animal upon having probable cause to believe the animal to be in violation of any provision of the Kennedale Code of Ordinances or state law, which authorizes or requires the animal's capture and impoundment. The boarding of all animals impounded for the City shall utilize the facilities currently contracted for these purposes by the City.

   If, by identification tag, the owner of an impounded animal can be identified, the ACO will make every attempt to return the animal to its home and notify the owner of any violations witnessed by the ACO.

   The ACO on-scene may humanely destroy any animal that, in the professional judgment of the NTACA and its employees, is in great pain and suffering due to injury from which the animal probably will not recover, appears to have rabies, or t is at large and is posing an imminent danger to human beings or to other animals.

e. **Private Client Relationships**: The City agrees to allow the NTACA to offer, where typical City services would not apply, its complete line of animal-related services to the residents of the City of Kennedale as individual clients, at no additional cost to the City. These services include, but are not limited to:

   - pet transportation and taxi services
   - lost pet recovery services
   - deceased pet removal, cremation, and/or burial
   - nuisance wildlife rescue and/or control
   - pet insurance programs
   - escape prevention

The resident would be considered a client of the NTACA and would be solely responsible for any fees incurred. The NTACA shall not solicit or perform any of its animal related services while performing services under this Agreement.

f. **24-Hour Information Line**: The NTACA agrees to operate on a 24-hour basis and maintain phone lines that are answered 24 hours a day, 7 days a week to provide callers with helpful information regarding pet-related needs. Any resident from the City may take advantage of this 24-hour service so that the NTACA may better assist their individual needs.

Section 4. Kennedale's Obligations.

The City agrees to perform the following:

a. On-call weeks shall begin at 5:00 p.m. on Friday and end at 5:00 p.m. on Friday. All animal control calls received during this time period will be answered by an NTACA ACO. The City agrees to pay One-Hundred Dollars ($100.00) per on-call week for stand-by services. In addition, the City agrees to pay Seventy-Five Dollars ($75.00) for each response location responded to by an NTACA ACO, regardless of length of time or time of day of the call.

b. The City agrees to pay for all patrol services performed by an NTACA ACO as requested by the City. Patrol times requested by the City may vary, in the discretion of the City. The City agrees to pay Thirty Dollars ($30.00) per hour of patrol requested and performed utilizing a City-owned animal control vehicle. The City agrees to pay Thirty-Five Dollars ($35.00) per hour of patrol requested and performed utilizing an animal control vehicle owned by the NTACA.

Section 5. Termination.

a. This Agreement may be terminated at any time, by either party, by giving ninety (90) days written notice to the other party via the mailing addresses provided herein. In the event of such termination by either party, the NTACA will be compensated for all service performed prior to the termination date, together with any payments then due and authorized by this Agreement. The termination date shall be the date ninety (90) days after the date of the notice of termination

b. If the City fails to make payment to the NTACA within thirty (30) days after the date of billing for any invoiced amounts, the NTACA may determine a date upon which to suspend services to the City and shall notify the City of the date services will be suspended by telephone and in writing to the phone number and address provided herein.

c. The City's recourse for failure of the NTACA to furnish any services under this Agreement will be the right to make a proportionate reduction in the fee to be paid or terminate this Agreement by giving proper notice.

Section 6. Notices & Payments.

a. All written notices, invoices, payments, or refunds shall be sent to the following addresses:

North Texas Animal Control Authority (NTACA)	Kennedale Police Department
P.O. Box 1358	401 Municipal Drive
Roanoke TX 76262	Kennedale TX 76060
(Charles) Kerry Payne, Owner	Police Chief Tommy Williams
214-513-8228	817-985-2161

b. The NTACA shall provide an invoice to the City at the end of each week. City agrees to pay invoices every Two (2) weeks, so long as the NTACA timely submits invoices.

Section 7. Dispute Resolution.

In order to ensure an effective relationship between the parties and to provide the best possible services, it is mutually agreed that all questions arising under this Agreement shall be handled and resolved between the Chief of Police for the City and the Owner of the NTACA.

Section 8. Jurisdiction.

By this Agreement, the City grants full and complete authorization and jurisdiction to the NTACA to perform all services provided for in this Agreement. Said jurisdiction shall apply to all land within the incorporated boundaries of the City of Kennedale, Texas.

Section 9. Venue.

Venue for any legal dispute arising pursuant to this Agreement shall be in Tarrant County, Texas.

Section 10. Supervision/Certification.

At all times during the term of this Agreement, all NTACA ACOs shall be under the supervision and control of a representative of the NTACA. Also, all NTACA ACOs shall be certified in their respective areas of expertise to carry out their duties.

Section 11. Performance.

Both parties mutually agree that the NTACA is an independent contractor and shall have exclusive control of performance under this Agreement. The employees of the NTACA in no way are to be considered employees of the City of Kennedale.

Section 12. Indemnification.

THE NTACA DOES HEREBY COVENANT AND CONTRACT TO WAIVE ALL CLAIMS AGAINST THE CITY AND TO RELEASE, INDEMNIFY AND HOLD HARMLESS THE CITY AND ALL OF ITS OFFICIALS, OFFICERS, AGENTS, EMPLOYEES AND INVITEES, IN BOTH THEIR PUBLIC AND PRIVATE CAPACITIES, FROM ANY AND ALL LIABILITY, CLAIMS, SUITS, DEMANDS OR CAUSES OF ACTION, INCLUDING ALL EXPENSES OF LITIGATION AND/OR SETTLEMENT, THAT MAY ARISE BY REASON OF DEATH OR INJURY TO PERSONS OR DAMAGE TO OR LOSS OF USE OF PROPERTY OCCASIONED BY ANY WRONGFUL INTENTIONAL ACT OR OMISSION OF NTACA, AS WELL AS ANY NEGLIGENT OMISSION, ACT OR ERROR OR NTACA, ITS OFFICIALS, OFFICERS, AGENTS, EMPLOYEES, AND INVITEES, OR OTHER PERSONS FOR WHOM THE NTACA IS LEGALLY LIABLE WITH REGARD TO THE PERFORMANCE OF THIS AGREEMENT. THE NTACA WILL, AT ITS OWN COST AND EXPENSE, DEFEND AND PROTECT THE CITY AGAINST ANY AND ALL SUCH CLAIMS AND DEMANDS, INCLUDING PAYMENT OF THE CITY'S REASONABLE ATTORNEYS' FEES. IN THE EVENT A CLAIM IS BROUGHT AGAINST THE CITY, THE CITY SHALL HAVE THE RIGHT TO RETAIN LEGAL COUNSEL OF ITS CHOOSING IN DEFENSE OF SUCH A CLAIM, AND SUCH ELECTION SHALL NOT RELIEVE THE NTACA OF ITS OBLIGATIONS UNDER THIS SECTION. THE PROVISIONS OF THIS INDEMNIFICATION ARE SOLELY FOR THE BENEFIT OF THE PARTIES HERETO AND NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY.

Section 13. Insurance.

a. The NTACA shall obtain and maintain, at all times during the term of this Agreement, liability insurance in an amount of not less than Two Million Dollars ($2,000,000) aggregate and not less than One Million Dollars ($1,000,000) per single occurrence. The NTACA shall furnish the City with a certificate showing proof of such coverage and the declaration page of the policy. Such insurance policy shall name the City as an additional named insured with respect to any covered liability arising out of the performance of this Agreement. Coverage shall be on an occurrence form and in accordance with the limits and provisions specified herein. Claims-made policies are not acceptable. Such insurance shall not be cancelled or materially altered to reduce the policy limits until the City has received at least one hundred twenty (120) days advance written notice of such cancellation or change, so that the City will have the option of terminating this Agreement before the effective date of such cancellation or change. The NTACA shall be responsible for notifying the City of such change or cancellation.

b. Prior to performance of any other obligation contained herein, the NTACA shall file with the City original certificates of insurance with endorsements for the required insurance, which shall clearly state all of the following:

(i). policy number;
(ii). name of insurance company;
(iii). name and address of the agent or authorized representative;
(iv). name, address, and telephone number of insured;
(v). policy expiration date;
(vi). specific coverage amounts;
(vii). that NTACA's insurance is primary with respect to any other valid or collectible insurance that the City may possess; and
(viii). that any other insurance the City might possess shall be considered excess only and shall not be required to contribute with this insurance.

c. Any insurance provider of the NTACA shall be admitted and authorized to do business in the State of Texas and shall be rated at least "A" by the A.M. Best Insurance Rating Guide. Insurance policies and certificates issued by non-admitted insurance companies are not acceptable.

d. Any deductibles or self-insured retentions must be stated on the NTACA's certificates of insurance, which shall be sent to and approved by the City.

EXECUTED this the **_________** day of **________________**, 2019.

North Texas Animal Control Authority (NTACA)

____

BY: CHARLES KERRY PAYNE, OWNER

Attest:

____

BY: WITNESS ____________________________

City of Kennedale

____

BY: MAYOR BRIAN JOHNSON

Attest:

____

BY: CITY SECRETARY LESLIE E. GALLOWAY

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: DECISION ITEMS - C.

I. Subject:
Consider making appointments to various advisory boards and commissions

II. Originated by:

George Campbell, City Manager

III. Summary:
Appointment to fill vacant or expiring terms on advisory boards and commissions normally takes place in August and September of each year in time to have new members appointed prior to the beginning a each new fiscal year. There are currently, however, a number of vacancies that existed prior to the May 4 Election. Additional vacancies now exist as a result of the election of Chad Wandel and Josh Altom to the City Council. In order to minimize disruption, over the next few months, to the business of these boards, it is recommended that Council consider making out-of-cycle appointments to the vacant positions as soon as possible.

The following vacancies exist on boards that meet frequently and for which appointments would be particularly beneficial:

Board of Adjustment/Building Board of Appeals (BOA/BBA)
• All places are currently filled. The terms for Places 1, 3, 5, 7, and 9 will expire in September.
• The Chair and Vice Chair of BOA have not been named by the City Council as required and could be appointed at this time.

Economic Development Corporation (EDC)
• With the election of Josh Altom to the City Council (and his desire to be replaced on the EDC), there are currently two vacancies. Mr. Altom's Place 2 term would expire in September of 2020 and the Place 5 seat recently vacated by Ralph Grimes expires in September of 2019. Other places that will expire in September include Places 1, 3, and 7.
• The Current Chair of EDC is Mark Yeary. The Vice Chair position requires election by the EDC Board Membership (rather than appointment by the Council).

Keep Kennedale Beautiful Commission (KKB)
• There are currently no vacancies on this commission. Places 1, 3, 5, 7 and 9 will expire in September.

Library Advisory Board (LAB)
• There are currently no vacancies on this board. Places 1, 3, and 5 will expire in September.

Parks and Recreation Board (PRB)
• There are currently no vacancies on the Parks Board, however Mr. Donald Spikes has not attended any meetings or returned emails from staff.
• Places 1,3, 5, and 7 will expire in September.

Planning and Zoning Commission (P&Z)
• With the election of Chad Wandel to the City Council there are currently two vacancies on the P & Z. Place 1 (vacated by the resignation of Lary Adkins last November) expires in September 2019 and Place 2 (Wandel) will expire in September 2020.
• The Chair and Vice Chair positions, previously held Mr. Wandel and Mr. Adkins respectively, require appointment by

the City Council.

Utility Infrastructure Board (UIB)
• Only Place 9, an alternate position, on the UIB is currently vacant. Places 1, 3, 5, 7 and 9 will expire in September 2019.

Tax Increment Reinvestment Zone
• Place 3 on the TIRZ Board is currently vacant as a result of the resignation of Lary Adkins. Place 4 is vacant as a result of Mr. Rockie Gilley no longer serving on the City Council. As a result Council could appoint a member of the City Council to Place 4. Places 1,3,5, and 7 will expire in September 2019.
• The position of Chair requires appointment by the City Council.

TownCenter Development District/Municipal Management District (TDD)
• Place 2 (and EDC Board position other than the Chair) is currently vacant. Place 5 is currently vacant as a result of Council member Gilley no longer serving on the City Council.
• The terms for Places 1,3, and 5 will expire in September.

Charts showing the current membership of each of the Boards and Commissions above are attached for your more complete review.

Council consideration of appointments to fill vacant positions, particularly on the Planning and Zoning Commission and the EDC as soon as possible is appreciated. The applications we currently have for positions on various boards and commissions are also attached.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	CURRENT_Board Membership	Current Board Membership.pdf
2.	Beck, Ann Parks	Beck, Ann Parks.pdf
3.	Dibella, Martha P&Z	Dibella, Martha P&Z.pdf
4.	Hicks, Heather KKB_Library	Hicks, Heather KKB_Library.pdf
5.	Massengill, Bo UIB	Massengill, Bo UIB.pdf
6.	Mundy, Robert EDC_TIRZ_TDD	Mundy, Robert EDC_TIRZ_TDD.pdf
7.	Adams, Greg P&Z	Adams, Greg P&Z.pdf

BOA Board of Adjustment/Building Board of Appeals

EXP	Place	
2019	1	Eric Elam
2020	2	Jeff Nevarez
2019	3	Perry Clementi
2020	4	Martin Young
2019	5	Lana Sather
2020	6*	Kelli Rod, Alternate
2019	7*	Josh Virnoche, Alternate
2020	8*	Thelma Kobeck, Alternate
2019	9*	Azam Shaikh, Alternate

**These Places Serve as Alternates*

Appointment of Chair and Vice Chair needed

EDC Economic Development Corporation Board

Exp	*Place*	*Name*
2019	1	Johnny Trevino
2020	2	**VACANT (was Josh Altom)**
2019	3	Ronald Whitley
2020	4	Darold Tippey
2019	5	**VACANT (was Ralph Grimes)**
2020	6	Mark Yeary, President
2019	7	April Coltharp

Membership Elects Officers

KKB Keep Kennedale Beautiful Commission

Exp	Place	Name
2019	1	Cesar Guerra
2020	2	Darlene Winters
2019	3	Vinita Thomas
2020	4	Michael Chandler, Chair
2019	5	Wilda Turner
2020	6	Kenneth Michels
2019	7	Linda Miller
2020	8	Laurie Sanders, Vice Chair
2019	9	Lauren Warn

Membership Elects Officers

PRB Parks & Recreation Board

Exp	Place	Name
2019	1	David Deaver, Chair
2020	2	Jeff Nevarez
2019	3	Michael Chandler, Vice Chair
2020	4	Gary Swan
2019	5	Phil Wallace
2020	6	Josh Hayes
2019	7	Donald Spikes - **NO ATTENDANCE**

Membership Elects Officers

P&Z Planning & Zoning Commission

Exp	Place	Name
2019	1	**VACANT (was Lary Adkins)**
2020	2	**VACANT (was Chad Wandel)**
2019	3	Bob Gruenhagen
2020	4	Kayla Hughes
2019	5	Sheldon Gerron
2020	6	Billy Don Gilley
2019	7	John Hivale
2020	8	Brent Jones, Alternate
2019	9	Allen Ray, Alternate

**These Places Serve as Alternates*

Appointment of Chair and Vice Chair needed

UIB Utility & Infrastructure Board

Exp	Place	Name
2019	1	Harry Browne
2020	2	Kenneth Michels
2019	3	Johnny Trevino, Vice Chair
2020	4	Jeff Gregory
2019	5	Tom Newsom
2020	6	Idin Deljavan, Chair
2019	7	Mark Perkins
2020	8*	Amy Cates (Alternate)
2019	9*	**VACANT (Alternate)**

**These Places Serve as Alternates*

Membership Elects Officers

TIRZ Tax Increment Reinvestment Zone #1 Board

Exp.	*Place*	*Name*	*Representing*
2019	1	Darold Tippey	City of Kennedale
2020	2	Bruce Cates	City of Kennedale
2019	3	**VACANT (was Lary Adkins)**	**City of Kennedale**
2020	4	**VACANT (was Rockie Gilley)**	**City of Kennedale**
2019	5	Jeni McGarry	Tarrant County
2020	6	Scott Rule	Tarrant County Hospital District
2019	7	Mark McClendon	Tarrant County College District

Appointment of Chair needed

TDD TownCenter Development District

Exp	*Place*	*Name*	*Qualifying Place*
2019	1	EDC President Mark Yeary	EDC President
2020	2	**VACANT (was Mark Yeary)**	**EDC Board Member**
2019	3	Mayor Brian Johnson	Mayor
2020	4	Mayor Pro Tem Sandra Lee	Councilmember
2019	5	**VACANT (was Rockie Gilley)**	**Councilmember**

Applications Received

Heather Hicks	LAB; KKB
Bo Massengill	UIB
Ann Beck	PRB
Martha Dibella	P&Z
Robert Mundy	EDC; TDD; TIRZ
Greg Adams	P&Z

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STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

Date: May 21, 2019

Agenda Item No: DECISION ITEMS - D.

I. Subject:
Consider appointment of a Chair and Vice Chair of the Planning & Zoning Commission

II. Originated by:

George Campbell, City Manager

III. Summary:
This item is placed on the agenda in order that the Council may consider appointing a Chair and Vice Chair of the Planning and Zoning Commission. The position of Chair became vacant with the May 4 election of Mr. Chad Wandel to the City Council. The position of Vice Chair had become vacant with the resignation last November of Mr. Lary Adkins.

Council consideration of appointments to the positions of Chair and Vice Chair of the Planning and Zoning Commission is appreciated.

CURRENT MEMBERSHIP
Place 1: VACANT *(Lary Adkins resigned)*
Place 2: VACANT *(Chair Chad Wandel was elected to Council)*
Place 3: Bob Gruenhagen
Place 4: Kayla Hughes
Place 5: Sheldon Gerron
Place 6: Billy Don Gilley
Place 7: John Hivale
Place 8: (Alternate) Brent Jones
Place 9: (Alternate) Allen Ray

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: May 21, 2019

Agenda Item No: DECISION ITEMS - E.

I. Subject:
Consider appointment of a Chair and Vice Chair of the Board of Adjustment and Building Board of Appeals

II. Originated by:

George Campbell, City Manager

III. Summary:
This item is placed on the agenda in order that the Council may consider appointing a Chair and Vice Chair of the Board of Adjustment and Building Board of Appeals. Although this Board has no current vacancies there is no record that a current chair and vice chair have been appointed by the City Council.

Council consideration of appointment to the positions of Chair and Vice Chair of the Board of Adjustment and Building Board of Appeals is appreciated.

CURRENT MEMBERSHIP
Place 1: Eric Elam
Place 2: Jeff Nevarez
Place 3: Perry Clementi
Place 4: Martin Young
Place 5:J Lana Sather
Place 6 (Alternate): Kelli Rod
Place 7 (Alternate): Josh Virnoche
Place 8 (Alternate): Thelma Kobeck
Place 9 (Alternate): Azam Shaikh

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: May 21, 2019

Agenda Item No: EXECUTIVE SESSION - A.

I. Subject:
Discussion with the City Attorney regarding settlement agreement between Ron Sturgeon, et al and the City of Kennedale

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: May 21, 2019

Agenda Item No: EXECUTIVE SESSION - B.

I. Subject:
Discussion with the City Attorney regarding salvage yard special exception/special use permits

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: May 21, 2019

Agenda Item No: EXECUTIVE SESSION - C.

I. Subject:
Discussion with City Attorney regarding legal issues associated with potential tax abatement, Chapter 380 incentives, and EDC grants

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: May 21, 2019

Agenda Item No: EXECUTIVE SESSION - D.

I. Subject:
Potential tax abatement, Chapter 380 incentives, and EDC grant to relocating industrial business prospect

II. Originated by:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments: