

KENNEDALE CITY COUNCIL
AGENDA
REGULAR MEETING
July 12, 2012
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION - 5:30 PM
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

- A. Official appointment and Oath of Office for Councilmember, Place 1.

II. WORK SESSION

**NOTE: Pursuant to Section 551.071, Texas Government Code, the City Council reserves the right to adjourn into Executive Session at any time during the work session or the regular session to discuss posted executive session items or to seek legal advice from the City Attorney on any item posted on the agenda.*

- A. Review board and commission attendance since June 2011.
- B. Discuss the proposed Tax Increment Refinancing Zone.
- C. Discuss any other items on the agenda.

III. REGULAR SESSION

IV. ROLL CALL

V. INVOCATION

VI. UNITED STATES PLEDGE

VII. TEXAS PLEDGE

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

VIII. VISITOR/CITIZENS FORUM

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

IX. REPORTS/ANNOUNCEMENTS

In addition to any specific matters listed below, the city council may receive a report about items of community interest, including but not limited to recognition of individual officials, citizens or departments,

information regarding holiday schedules, upcoming or attended events, etc.

- A. TownCenter Veterans Memorial plaque presentations:
 - First Sergeant Thomas Hite of the United States Army.
 - Sergeant Major Samuel Hite of the United States Army.
- B. Updates and information from the City Manager, if any.
- C. Updates and information from Councilmembers, if any.
- D. Updates and information from the Mayor, if any.

X. CONSENT ITEMS

All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are considered to be routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately.

- A. Consider approval of minutes from June 14, 2012 regular meeting.
- B. Consider approval of minutes from July 2, 2012 Special Session.
- C. Consider approval of minutes from July 9, 2012 Special Session.
- D. Consider approval of minutes from July 10, 2012 Special Session.
- E. Consider approval of minutes from July 11, 2012 Special Session.

XI. REGULAR ITEMS

A. Conduct a public hearing to discuss designation of certain areas of New Hope Road and Bloxom Park Road in the City of Kennedale as "Tax Increment Reinvestment Zone Number One, City of Kennedale, Texas"

- 1. Staff Presentation
- 2. Public Hearing
- 3. Staff Response and Summary

B. Consider approving Ordinance 506, designating certain areas of New Hope Road and Bloxom Park Road in the City of Kennedale as "Reinvestment Zone Number One, Noncontiguous Geographic Area, New Hope Road and Bloxom Road, City of Kennedale."

C. Consider appointing a Councilmember to serve on the TownCenter Development District.

XII. EXECUTIVE SESSION

A. The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion on any item posted on the agenda and legal issues regarding litigation, settlement offers, and/or claims regarding the following matters:

- 1. Land use complaint regarding 937 Little School Road.
- 2. Inverse condemnation claim from EOG Resources, etc relating to the Moore South Unit.

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

XIV. ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Kennedale will provide for reasonable accommodations for persons attending City Council meetings. This building is wheelchair accessible, and parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meetings. Please contact Amethyst Cirno, City Secretary, at 817.985.2104 or (TDD) 1.800.735.2989

CERTIFICATION

I certify that a copy of the July 12, 2012, agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.

A handwritten signature in cursive script that reads "Amethyst G. Cirno".

Amethyst G. Cirno, City Secretary

Date: July 12, 2012

Agenda Item No: CALL TO ORDER - A.

I. Subject:

Official appointment and Oath of Office for Councilmember, Place 1.

II. Originated by:

Amethyst G. Cirimo, City Secretary and Communications Coordinator

III. Summary:

At this time the Oath of Office will be issued to the new councilmember.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

Date: July 12, 2012

Agenda Item No: WORK SESSION - A.

I. Subject:

Review board and commission attendance since June 2011.

II. Originated by:

Amethyst G. Cirimo, City Secretary and Communications Coordinator

III. Summary:

Please see the attached information regarding the past year's board/commission member attendance, as well as information on applications received thus far.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

1.	Attendance	attendance.pdf
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Up for reappointment this year. If blank, I have not yet received an application or other notification.
NOT up for reappointment this year

Application deadline is August 1 at 5:00 PM. Appointments will be made at the August regular meeting.

Attendance records are from June 2011 - June 2012. Detailed attendance records are attached.

ARTS & CULTURAL ADVISORY BOARD

2 meetings held

A&C		Re-applied?	Attendance	NOTES
2013	PLACE 1	Regular	Felipe Gutierrez	
2012	PLACE 2	Regular	Ernest Harvey	yes
2013	PLACE 3	Regular	Cheri Yori	
2012	PLACE 4	Regular	VACANT	
2013	PLACE 5	Regular	Jeffrey Nevarez	
2012	PLACE 6	Regular	VACANT	
2013	PLACE 7	Regular	VACANT	

New Applicants:

1st Choice	2nd Choice	3rd Choice	NOTES
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none yet received

BOARD/COMMISSION:

ARTS & CULTURAL ADVISORY BOARD

Meeting Held? (Y or N)		Y	N	N	N	N	N	N	N	N	N	N	N	N	2
													MEMBER TOTALS		
2011													2012		
JUNE													JUNE		
JULY													JUNE		
AUGUST													JUNE		
SEPTEMBER													JUNE		
OCTOBER													JUNE		
NOVEMBER													JUNE		
DECEMBER													JUNE		
JANUARY													JUNE		
FEBRUARY													JUNE		
MARCH													JUNE		
APRIL													JUNE		
MAY													JUNE		
JUNE													JUNE		
PRESENT													JUNE		
ABSENT													JUNE		
EXCUSED													JUNE		
STUDENT ATTENDANCE %													JUNE		
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X													X		
E													E		
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BOARD OF ADJUSTMENT

4 meetings held

BOA		Re-applied?	Attendance	NOTES
2013	(none) Regular	Brian Cassidy	100.00	
2012	(none) Regular	Rick Adams	100.00	
2012	(none) Regular	Linda Elam	25.00	
2013	(none) Regular	Patrick Vader	100.00	
2012	(none) Regular	VACANT	100.00	Jeff Madrid would like to move to this seat
2012	(none) Regular	Richard West	25.00	
2012	(none) Regular	Jeremy Redding	0.00	
2013	(none) Alternate	Jeff Madrid	75.00	
2013	(none) Alternate	Darrell Dixon	75.00	

New Applicants:

1st Choice	2nd Choice	3rd Choice	NOTES
Jeff Madrid			Currently serves as an alternate & would like to be a regular member.
	Ron Whitley		Ron applied last year but did not meet residency requirements.
		Lana Sather	Currently on BBA. Has reapplied to BBA.

BOARD/COMMISSION:

BOARD OF ADJUSTMENT

Meeting Held? (Y or N)		N	Y	N	Y	N	N	Y	N	N	N	N	Y	4			
														MEMBER TOTALS			
PLACE	NAME:	2011						2012									
		JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE			
		PRESENT		ABSENT		EXCUSED		STUDENT ATTENDANCE %									
1	Brian Cassidy	/	/	/	/	/	/	/	/	/	/	/	/	4	0	0	100
2	Rick Adams	/	/	/	/	/	/	/	/	/	/	/	/	4	0	0	100
3	Linda Elam	X	X	/	/	/	X	X	X	X	X	X	X	1	3	0	25
4	Patrick Vader	/	/	/	/	/	/	/	/	/	/	/	/	4	0	0	100
5	Cheryl Abbott	/	/	/	/	/	/	/	/	/	/	/	/	4	0	0	100
6	Richard West	X	X	X	X	X	X	X	X	X	X	X	X	1	3	0	25
7	Jeremy Redding	X	X	X	X	X	X	X	X	X	X	X	X	0	4	0	0
8	Jeff Madrid	/	/	/	/	/	X	X	X	X	X	X	/	3	1	0	75
9	Darrell Dixon	X	X	/	/	/	/	/	/	/	/	/	/	3	1	0	75
9	/	0	5	0	7	0	0	5	0	0	0	0	7	24	12	0	24
	L	0	0	0	0	0	0	0	0	0	0	0	0	TOTAL MONTHLY CLASS ATTENDANCE %			
	X	0	4	0	2	0	0	4	0	0	0	0	2				
	E	0	0	0	0	0	0	0	0	0	0	0	0				
	MEETING ATTENDANCE %		0	55.56	0	77.78	0	0	55.56	0	0	0	0	77.78	66.67	33.33	0

BUILDING BOARD OF APPEALS

BBA				3 meetings held	NOTES
		Re-applied?	Attendance		
2013	PLACE 1	Regular	Jeffrey Nevarez	100.00	
2012	PLACE 2	Regular	Billy Vester	100.00	
2013	PLACE 3	Regular	Brian Cassidy	100.00	
2012	PLACE 4	Regular	Lin Eason	66.67	
2013	PLACE 5	Regular	VACANT		
2012	PLACE 6	Regular	Lana Sather	100.00	
2013	PLACE 7	Regular	VACANT		

New Applicants:

1st Choice	2nd Choice	3rd Choice	NOTES
Ron Whitley		David Smith	Applied last year but did not meet residency requirements.
		David Smith	Currently serves on PRB.
		Stephen Brim	Currently on PRB and would like to be reappointed to that board.
			Currently on PRB and KKB, noted this as a second choice.

Meeting Held? (Y or N)		N	N	Y	Y	Y	N	N	3									
		2011						2012						MEMBER TOTALS				
PLACE	NAME:	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	PRESENT	ABSENT	EXCUSED	STUDENT ATTENDANCE %
															/	X	E	
1	Jeffrey Nevarez			/	/	/									3	0	0	100
2	Billy Vester			f	f	f									3	0	0	100
3	Brian Cassidy			/	/	/									3	0	0	100
4	Lin Eason			/	/	X									2	1	0	66.66667
5	Matthew Donahue			f	f	f									3	0	0	100
6	Lana Sather			/	/	/									3	0	0	100
7	Bill Munn			X	/	X									1	2	0	33.33333
															0	0	0	0
															0	0	0	0
7															18	3	0	18
	/	0	0	6	7	5	0	0	0	0	0	0	0	0	TOTAL MONTHLY CLASS ATTENDANCE %			
	L	0	0	0	0	0	0	0	0	0	0	0	0	0				
	X	0	0	1	0	2	0	0	0	0	0	0	0	0				
	E	0	0	0	0	0	0	0	0	0	0	0	0	0				
MEETING ATTENDANCE %		0	0	85.71	100	71.43	0	0	0	0	0	0	0	0	85.71	14.29	0	85.714286

ECOMONIC DEVELOPMENT CORPORATION

EDC				14 meetings held	
		Re-applied?	Attendance	NOTES	
2013	PLACE 1	Regular	Darrell Erwin	64.29	
2012	PLACE 2	Regular	Pat Turner	92.86	
2013	PLACE 3	Regular	Beverly Hayes	71.43	
2012	PLACE 4	Regular	Robert Mundy	100.00	
2013	PLACE 5	Regular	Donnie Graham	57.14	
2012	PLACE 6	Regular	Mark Yeary	100.00	
2013	PLACE 7	Regular	Rebecca Mowell	85.71	

New Applicants:

1st Choice	2nd Choice	3rd Choice	NOTES
		Ron Whitley	Ron applied last year but did not meet residency requirements.
		Ernest Harvey	Ernest currently serves on P&Z and A&C.

BOARD/COMMISSION:

ECONOMIC DEVELOPMENT CORPORATION

Meeting Held? (Y or N)		Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	14			
		2011										2012						MEMBER TOTALS		
PLACE	NAME:	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOV - Special	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH - Special	MARCH	APRIL	MAY	JUNE				
																	PRESENT	ABSENT	EXCUSED	STUDENT ATTENDANCE %
Regular	Darrell Erwin	X	/	/	X	X	/	/	/	/	/	X	/	X	/	/	9	5	0	64.29
Regular	Pat Turner	/	/	/	/	/	/	/	/	/	/	/	/	/	X	/	13	1	0	92.86
Regular	Beverly Hayes	/	X	/	/	/	/	X	/	X	/	/	/	/	X	/	10	4	0	71.43
Regular	Robert Mundy	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	14	0	0	100
Regular	Donnie Graham	/	X	/	X	X	X	/	/	/	/	X	X	/	/	/	8	6	0	57.14
Regular	Mark Yeary	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	14	0	0	100
Regular	Rebecca Mowell	/	/	/	/	X	/	/	/	X	/	/	/	/	/	/	12	2	0	85.71
																	0	0	0	0
																	0	0	0	0
7	/	6	5	7	5	4	6	6	0	5	7	5	6	6	5	7	80	18	0	80
	L	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	TOTAL MONTHLY CLASS ATTENDANCE %			
	X	1	2	0	2	3	1	1	0	2	0	2	1	1	2	0				
	E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
	MEETING ATTENDANCE %	85.71	71.43	100	71.43	57.14	85.71	85.71	0	71.43	100	71.43	85.71	85.71	71.43	100	81.63	18.37	0	81.63

KEEP KENNEDALE BEAUTIFUL COMMISSION

13 meetings held

KKB			Re-applied?	Attendance	NOTES
2013	PLACE 1	Regular	Stephen Brim	100.00	
2012	PLACE 2	Regular	LaCresha Sanders	yes	
2013	PLACE 3	Regular	NaMicha Williams	92.31	
2012	PLACE 4	Regular	Michael Chandler	84.62	
2013	PLACE 5	Regular	Michael Chandler	100.00	
2012	PLACE 6	Regular	Wilda Turner	84.62	
2013	PLACE 7	Regular	Rachel Rogers	69.23	
2012	PLACE 8	Regular	Vickie Chandler	92.31	
2013	PLACE 9	Alternate	Wayne Woofen	0.00	Will not be reapplying.
		Alternate	Fred Winters	69.23	

New Applicants:

1st Choice	2nd Choice	3rd Choice	NOTES
Laurie Sanders			Interested in Kennedale History, beautification efforts, and gardening.

BOARD/COMMISSION:

KEEP KENNEDALE BEAUTIFUL

Meeting Held? (Y or N)		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	13															
2011														2012														MEMBER TOTALS		
PLACE	NAME:	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	PRESENT	ABSENT	EXCUSED	STUDENT ATTENDANCE %												
															/	X	E													
1	Stephen Brim	f	f	f	f	f	f	/	/	/	/	/	/	/	13	0	0	100.00												
2	LaCresha Sanders	f	f	f	/	/	/	/	/	X	/	/	/	/	12	1	0	92.31												
3	NaMicha Williams	f	/	/	/	/	/	/	/	/	/	X	X	/	11	2	0	84.62												
4	Michael Chandler	/	/	/	/	/	/	/	/	/	/	/	/	/	13	0	0	100.00												
5	Wilda Turner	/	/	/	/	/	X	/	/	/	/	/	/	X	11	2	0	84.62												
6	Rachel Rogers	f	f	/	/	X	/	X	/	/	X	/	X	/	9	4	0	69.23												
7	Vickie Chandler	f	/	/	/	/	/	/	/	X	/	/	/	/	12	1	0	92.31												
8	Wayne Wooten	X	X	X	X	X	X	X	X	X	X	X	X	X	0	13	0	0.00												
9	Fred Winters	f	f	f	f	f	f	/	/	/	X	X	X	X	9	4	0	69.23												
9	/	8	8	8	8	7	7	7	8	6	6	6	5	6	90	27	0	90.00												
	L	0	0	0	0	0	0	0	0	0	0	0	0	0	TOTAL MONTHLY CLASS ATTENDANCE %															
	X	1	1	1	1	2	2	2	1	3	3	3	4	3																
	E	0	0	0	0	0	0	0	0	0	0	0	0	0	/	X	E	%												
MEETING ATTENDANCE %		88.89	88.89	88.89	88.89	77.78	77.78	77.78	88.89	66.67	66.67	66.67	55.56	66.67	76.92	23.08	0	76.92												

LIBRARY ADVISORY BOARD

4 meetings held

LAB			Re-applied?	Attendance	NOTES
2013	PLACE 1	Regular	Shirley Jackson	100.00	
2012	PLACE 2	Regular	Rebekah Brown	75.00	
2013	PLACE 3	Regular	Elaine Brower	75.00	
2012	PLACE 4	Regular	Rebecca Clark (Chair)	75.00	
2013	PLACE 5	Regular	Donald Rawe	75.00	
2012	PLACE 6	Alternate	Sharon Dehnel	100.00	Sharon was appointed mid-term last year and would like to continue.
2013	PLACE 7	Alternate	VACANT		

New Applicants:

1st Choice	2nd Choice	3rd Choice	NOTES
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none yet received

BOARD/COMMISSION:

LIBRARY ADVISORY BOARD

Meeting Held? (Y or N)		N	N	N	Y	N	N	Y	N	N	N	Y	4						
												MEMBER TOTALS							
2011												2012							
PLACE	NAME:	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	PRESENT	Late	ABSENT	EXCUSED	STUDENT ATTENDANCE %
															/	L	X	E	
1	Shirley Jackson				/		/		/					/	4	0	0	0	100
2	Rebekah Brown				f		f		f					X	3	0	1	0	75
3	Elaine Brower				/		/		X					/	3	0	1	0	75
4	Rebecca Clark (Chair)				/		/		/					X	3	0	1	0	75
5	Donald Rawe				/		/		X					/	3	0	1	0	75
6	Sharon Dehnel				f		f		f					/	4	0	0	0	100
7	VACANT				f		f		f					f	4	0	0	0	100
															0	0	0	0	0
															0	0	0	0	0
															0	0	0	0	0
7															24	0	4	0	24
	/	0	0	0	7	0	7	0	5	0	0	0	0	5	TOTAL MONTHLY CLASS ATTENDANCE %				
	L	0	0	0	0	0	0	0	0	0	0	0	0	0					
	X	0	0	0	0	0	0	0	2	0	0	0	0	2					
	E	0	0	0	0	0	0	0	0	0	0	0	0	0	/		X	E	%
MEETING ATTENDANCE %		0	0	0	100	0	100	0	71.43	0	0	0	0	71.43	85.7	###	14.3	0	85.71429

PARKS & RECREATION ADVISORY BOARD

11 meetings held

PRB		Re-applied?	Attendance	NOTES
2013	PLACE 1 Regular David Deaver		81.82	
2012	PLACE 2 Regular David Smith	yes	54.55	
2013	PLACE 3 Regular Michael Chandler		100.00	
2012	PLACE 4 Regular Donna Geron	yes	72.73	
2013	PLACE 5 Regular Cruz Pitre, Jr.		100.00	
2012	PLACE 6 Alternate Stephen Brim	yes	100.00	
2013	PLACE 7 Alternate Jill Turner		81.82	

New Applicants:

1st Choice	2nd Choice	3rd Choice	NOTES
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none yet received

BOARD/COMMISSION:

PARKS AND RECREATION

Meeting Held? (Y or N)		Y	N	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	11													
		2011												2012												MEMBER TOTALS		
PLACE	NAME:	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	APRIL 18 - Wksh	MAY	JUNE													
																PRESENT	ABSENT	EXCUSED	STUDENT ATTENDANCE %									
																/	X	E										
1	David Deaver	/		/	/	/		/		/	X	/	X	/	/	9	2	0	81.82									
2	David Smith	X		X	/	/		X		/	/	/	/	X	X	6	5	0	54.55									
3	Michael Chandler	/		/	/	/		/		/	/	/	/	/	/	11	0	0	100.00									
4	Donna Gerron	/		X	/	/		/		X	/	/	X	/	/	8	3	0	72.73									
5	Cruz Pitre, Jr.	/		/	/	/		/		/	/	/	/	/	/	11	0	0	100.00									
6	Stephen Brim	f		/	/	/		/		/	/	/	/	/	/	11	0	0	100.00									
7	Jill Turner	f		/	/	X		/		X	/	/	/	/	/	9	2	0	81.82									
																0	0	0	0.00									
																0	0	0	0.00									
7																65	12	0	65									
	/	6	0	5	7	6	0	6	0	5	6	7	5	6	6	TOTAL MONTHLY CLASS ATTENDANCE %												
	L	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
	X	1	0	2	0	1	0	1	0	2	1	0	2	1	1													
	E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	/	X	E	%									
MEETING ATTENDANCE %		85.71	0	71.43	100	85.71	0	85.71	0	71.43	85.71	100	71.43	85.71	85.71	84.42	15.58	0	84.42									

PLANNING & ZONING COMMISSION

12 meetings held

P&Z		Re-applied?	Attendance	NOTES
2013	(none)	Regular	Adrienne Kay	
2013	(none)	Regular	Billy Simpson	
2012	(none)	Regular	Lori Bryan	Will not be reapplying.
2012	(none)	Regular	Thomas Pirtle, III	
2013	(none)	Regular	Ray Cowan	
2012	(none)	Regular	Ernest Harvey	
2012	(none)	Regular	Charles Overstreet	
2013	(none)	Alternate	Carolyn Williamson	
2013	(none)	Alternate	Michael Herring	

New Applicants:

1st Choice	2nd Choice	3rd Choice	NOTES
	Stephen Brim		Currently on PRB and KKB, noted this as a third choice.
	David Smith		Currently on PRB and would like to be reappointed to that board.
	Patrick Vader		Currently on P&Z.
		Jeff Madrid	Currently serves on BOA
		Lana Sather	Currently on BBA & has reappplied for that seat.

BOARD/COMMISSION:

PLANNING & ZONING COMMISSION

Meeting Held? (Y or N)		Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	12			
		2011										2012					MEMBER TOTALS		
PLACE	NAME:	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	PRESENT	ABSENT	EXCUSED	STUDENT ATTENDANCE %	
		/	X	E											/	X	E		
Regular	Adrienne Kay	f	/	/	/	/	/	/	/	/	X	/	/	/	11	1	0	91.67	
Regular	Billy Simpson	/	/	/	/	/	X	/	/	/	X	/	/	X	9	3	0	75.00	
Regular	Lori Bryan	/	/	/	X	/	/	/	X	/	X	/	/	/	9	3	0	75.00	
Regular	Thomas Pirtle, III	/	X	/	/	/	/	/	/	X	/	X	/	/	9	3	0	75.00	
Regular	Ray Cowan	/	/	/	/	X	/	/	/	/	/	/	/	X	10	2	0	83.33	
Regular	Ernest Harvey	/	/	/	/	/	/	/	/	/	/	/	/	/	12	0	0	100.00	
Regular	Charles Overstreet	/	/	/	/	/	/	/	/	/	/	/	/	/	12	0	0	100.00	
Alternate	Carolyn Williamson	f	f	f	f	f	f		f	/	/	X	/	/	11	1	0	91.67	
Alternate	Michael Herring	f	f	f	f	f	f		f	/	X	/	/	/	11	1	0	91.67	
9	/	9	8	9	8	8	8	0	8	8	5	7	9	7	94	14	0	94	
	L	0	0	0	0	0	0	0	0	0	0	0	0	0	TOTAL MONTHLY CLASS ATTENDANCE %				
	X	0	1	0	1	1	1	0	1	1	4	2	0	2					
	E	0	0	0	0	0	0	0	0	0	0	0	0	0					
MEETING ATTENDANCE %		100	88.89	100	88.89	88.89	88.89	0	88.89	88.89	55.56	77.78	100	77.78	87.04	12.96	0	87.04	

Date: July 12, 2012

Agenda Item No: WORK SESSION - B.

I. Subject:

Discuss the proposed Tax Increment Refinancing Zone.

II. Originated by:

III. Summary:

Please see the revised draft that is attached.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	TIRZ - Revised	TIRZ Project Plan Draft 06272012.docx
2.	sheet1	New Hope Road TIRZ.xlsx
3.	sheet 2	New Hope Road TIRZ Economic Performance.xlsx

The City of Kennedale, Texas



Tax Increment Reinvestment Zone Number One - Noncontiguous Geographic Area

New Hope Road

PRELIMINARY PROJECT PLAN

The City of Kennedale
Reinvestment Zone Number One – Noncontiguous Geographic Area
Project Plan

**Tax Increment Reinvestment Zone
Number One – Noncontiguous Geographic Area
City of Kennedale, Texas
New Hope Road**

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The City of Kennedale
Reinvestment Zone Number One – Noncontiguous Geographic Area
Project Plan

OVERVIEW

Twenty Million Dollars in 25 Years...

During this harsh economic climate, when municipalities are struggling to meet budgetary obligations, the City of Kennedale is poised for expansive growth. The City of Kennedale desires to open the South West portion of the town to residential development. To do so, the City will need to develop New Hope Road, expand an existing sewer line, install a transit stop, and complete other key public projects. A key component to that growth will be the proper establishment and utilization of a Tax Increment Reinvestment Zone for New Hope Road.

The attached report consists of two primary portions. First, a research component looks at the history of Tax Increment Financing. The fundamentals of how Tax Increment Financing creates opportunities for development are explained. Furthermore, we explore the popularity and effectiveness of Tax Increment Financing as an economic development tool. In doing so, we uncover keys to success and warn against the unforeseen perils of Tax Increment Financing.

The second portion of the report is a Tax Increment Reinvestment Zone (TIRZ) feasibility study for the City of Kennedale. We examined Kennedale's current economic conditions, long term growth plan, proposed development, and tax values. This was all done for the purpose of projecting the performance and financial practicality of the New Hope Road TIRZ.

We can report that, based on the estimated projection over the life of the TIRZ, the New Hope Road TIRZ will produce approximately 20 million dollars. This is more than enough to bring all the desired public projects to fruition.

Tax Increment Financing is, by all accounts, one of the most popular and polarizing tools for economic development in the United States. Tax Increment Financing uses increased tax

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Reinvestment Zone Number One – Noncontiguous Geographic Area
Project Plan***

revenue, referred to as the increment, to finance public projects. These projects can vary in scope and size. However, it is expected that all public projects funded by the TIF are done so to spur future development. This portion of the report will look at the history, mechanics, perceived positives and negatives of Tax Increment Financing for the City of Kennedale.

The City of Kennedale

Reinvestment Zone Number One – Noncontiguous Geographic Area

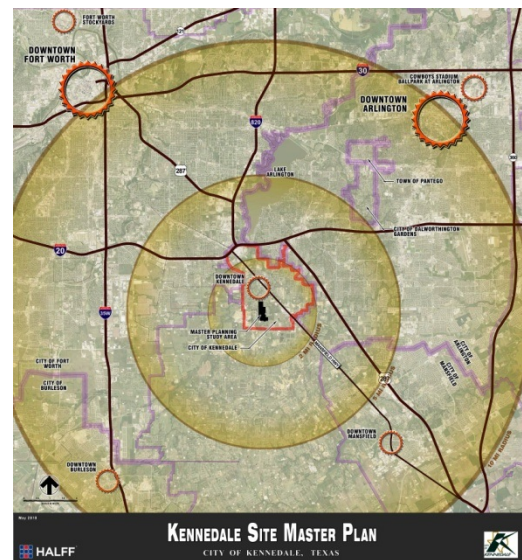
Project Plan

THE PROJECT PLAN

History

“Kennedale is a city of approximately 6,763 people located immediately southeast of Fort Worth in the south-central portion of the Dallas-Fort Worth Metroplex. Though it was not incorporated until 1947, Kennedale was founded in 1882. Kennedale was known in the late 19th and early 20th century for its agricultural areas, brickyards, and mineral wells. This, along with the city’s location along the Fort Worth and New Orleans Railway (today the Union Pacific Railroad) and the Mansfield Cardinal Road, led to the city’s early prosperity. The city’s downtown was destroyed by a fire in 1908, which resulted in few historic structures remaining in Kennedale.” (Kennedale 2012)

One of the largest selling points for the City of Kennedale is its location. Kennedale’s location between the vibrant area of Fort Worth’s Downtown and the booming development of Arlington make it attractive to businesses and residents alike. It gives both the ability to be somewhat removed from the hustle and bustle of the larger cities, while remaining within a “stone’s throw” of many major regional attractions.



“In the past, one of Kennedale’s greatest challenges has been the presence of sexually oriented businesses (primarily video stores, but also so-called “gentleman’s clubs”) within the city. These businesses were primarily located near the intersection of Kennedale Parkway and IH-20 – the city’s front door. Over the last year, these businesses have closed or relocated outside of Kennedale.” (Kennedale 2012) In light of the

The City of Kennedale
Reinvestment Zone Number One – Noncontiguous Geographic Area
Project Plan

relocation of these businesses, the City of Kennedale has positioned itself for rebranding and redevelopment.

“Kennedale has also been historically known for its



three race tracks (two oval tracks and one quarter-mile drag strip). All three of these facilities are located along Kennedale New Hope Road between downtown and Hudson Village Creek Road.” (Kennedale 2012) These race tracks have long been a barrier for development within the City of Kennedale. Many developers shy away from this area due to the stigma associated with the racetracks. In addition, they are a “nuisance” to many of the current residents, who have long complained about the elevated noise levels. With the establishment of the New Hope Road TIRZ, it would aide in the removal and replacement of the racetracks.

Several planning studies have been completed for the City of Kennedale over the last several years. Of particular interest for this report, are the recently adopted 2012 Comprehensive Plan and the Imagine Kennedale – 2015 Visionary Plan. The Imagine Kennedale Plan served as a framework of aspirations that ultimately shaped the Comprehensive Plan. The Comprehensive Plan will be referred to quite often in the following report. It outlines many of the goals and public projects within the New Hope Road TIRZ. As highlighted in the research portion of this report, having clear, distinct, and precise development goals are key to the success of any TIRZ. The City of Kennedale’s Comprehensive Plan provides that framework and guide.

Description of the Proposed Changes

The City of Kennedale
Reinvestment Zone Number One – Noncontiguous Geographic Area
Project Plan

The purpose of the New Hope Road TIRZ is to encourage residential development in the targeted area. In order to attract development, certain elements of infrastructure must be in place. Residential development requires three major components. Those components are water, sewer, and roadways. The City of Kennedale spent \$2.1 million between 2009 and 2011 to establish accessibility to an adequate water supply for New Hope Road. The New Hope TIRZ will help continue that commitment to development by finding all the other needed public projects. These projects include road construction, the extension of the sewer trunk tributary from Village Creek, parks, trails, and land banking for a commuter rail stop. All of the aforementioned are necessary for encouraging the desired development.

In the City's Comprehensive Plan, the intentions to transform New Hope Road into a "Boulevard" are made very clear. In the plan, a boulevard is described as being "most closely associated with the traditional minor arterial roadway. Based on this role, boulevards are expected to carry a fairly high capacity of both local and regional traffic, but in a more urban or local setting than the parkway. Bicycle and pedestrian use is also expected to be higher on these roads." (Kennedale 2012)



In addition, "Boulevards should be designed for medium-speed travel of vehicles (35 to 40 mph) in a walkable, urban environment. Boulevards may be long corridors and typically consist of 2 or 4 lanes. Because they carry a significant mix of local and through traffic, access management is

The City of Kennedale
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Project Plan

important along boulevards, such as synchronized signal timing, shared access for businesses, or even restricting access to side streets. Boulevards may be high ridership transit corridors. Curb parking may be allowed on boulevards in more urban contexts.”(Kennedale 2012)

New Hope Road would also have the following build out specifications:

Number of Through Lanes	2 lanes with 4 lane right of way
Lane Width	14’
Desired Operating Speed (mph)	35 - 40
Median	12’ - 18’
Driveway Access	Limited
Curb Parking	No
Pedestrian Facilities	5’ - 10’
Bicycle Facilities	Bike lane or buffered bike lane
Street side Width	18’ - 22’
Required ROW Width	100’ - 130’



Once the newly renovated boulevard is constructed, all necessary conditions would be in place for new development. A further examination of the City’s Comprehensive Plan reveals the intent for biking trails, housing, and a retail node.

One of the major developments anticipated in the Comprehensive Plan is a Neighborhood Village on New Hope Road. The plan details what can be expected from the “neighborhood village”. These villages serve the surrounding neighborhood and community. They are smaller and less intense than Urban Villages. Uses should include a dense mix of residences and

The City of Kennedale

Reinvestment Zone Number One – Noncontiguous Geographic Area

Project Plan

businesses. Neighborhood Villages should be very easily accessible by foot from the surrounding neighborhoods. (Kennedale 2012)

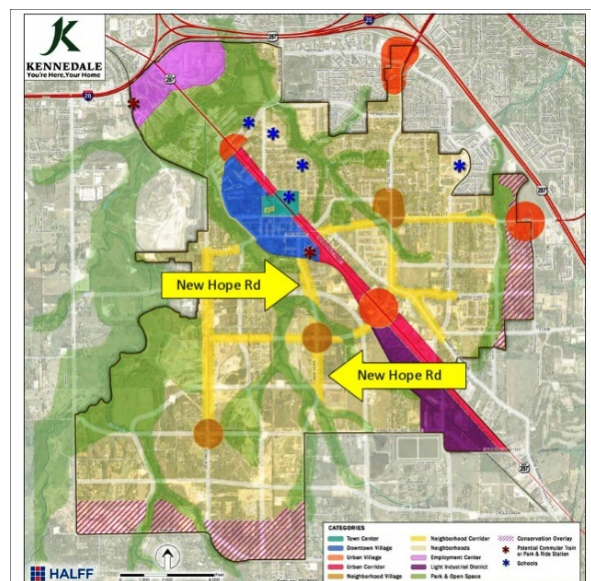


The plan indicates a vast expansion in the number of single family housing units over the life of the TIRZ. This increase translates into a significant increase to the City of Kennedale's tax base. However, it is important to note that with this increase in residents, there will also be a need for improved emergency response teams. The increased population and sprawl of residential coverage area can prove taxing to police, fire, and EMS response teams. The City has identified the most cost effective way to address this concern is to extend Little School Road from Kennedale Parkway to Dick Price Road. It is important to note that this extension will include an elevated railroad crossing, which will eliminate any delays in response from emergency personnel due to train crossings. The City anticipates submitting the Little School Road extension and bridge in a future county transportation bond program.

The 2012 Comprehensive Plan outlines the framework for the direction the City of Kennedale would like to go. The New Hope Road TIRZ is the catalyst for economic development that will assist in getting there.

One look at the map from the Comprehensive Plan shows how essential New Hope Road is to the future development of the City; it provides direct access to the Downtown Village, is adjacent to potential commuter stations, and connects neighborhood villages.

It must be stated that this road must be built for any of these developments, including the neighborhood village, to be possible.



The City of Kennedale

*Reinvestment Zone Number One – Noncontiguous Geographic Area
Project Plan*

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Project Plan

TAX INCREMENT ANALYSIS

The tax increment analysis was generated by performing the following task:

- ❖ Designating an eligible area as the New Hope Road TIRZ
- ❖ Determining the current base assessed value of the existing property within the TIRZ.
- ❖ Projecting the tax rate captured by the TIRZ, including any contributions from other taxing authorities
- ❖ Projecting new development within the TIRZ and determining the amount of tax increment created from the zone over the existing base value.

The economic projections included in this analysis are dependent on the following major assumptions:

- ❖ The timing and value of new development within the TIRZ.
- ❖ Appreciation of existing land and improvements within the TIRZ.
- ❖ Future tax rates and the percentage of participation of each taxing jurisdiction.
- ❖ Projected new development in the TIRZ was based on comparison of taxable values similar projects, particularly in nearby municipalities when available and consultations with staff.

The Tax Increment Reinvestment Zone Financing Plan provides information on the projected economic impact of the TIRZ. The plan details the tax valuation projections for the TIRZ, as well as the projected tax increments captured by the TIRZ. It also details the increment created from contributions of each taxing entity.

The final draft of the reinvestment zone plan must include the following:

- 1. A detailed list describing the estimated projects cost of the zone, including estimated expenses.**

The City of Kennedale

Reinvestment Zone Number One – Noncontiguous Geographic Area Project Plan

- a. Development within the New Hope Road TIRZ will consist of public improvements and private investment projects over time. These improvements will create a “boulevard” and “residential village” that will be welcoming and inviting to not only individuals, but businesses as well.
- b. The initial improvements contemplated in the New Hope Road TIRZ include public infrastructure (curb, drainage, sidewalks, etc.) all associated with the boulevard style development envisioned. The improvements planned for the New Hope Road TIRZ will include, but are not limited to the following:
 - ❖ Construction of New Hope Road*
 - ❖ Extension of 12 inch sewer line (3,800 ft.)*
 - ❖ Acquisition of 3.5 acres of commuter station
 - ❖ Beautification landscaping along primarily trees
 - ❖ Curbs and gutters abutted to the sidewalk
 - ❖ Administrative expenses to maintain
 - ❖ Landscaping along sidewalks to complement and beautification to further enhance a pedestrian friendly atmosphere
 - ❖ Parks and Trails



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Reinvestment Zone Number One – Noncontiguous Geographic Area
Project Plan***

New Hope Component

New Hope Road	
Construction Costs	\$7,000,000
Surveying, Engineering and Right of Way Acquisition	\$3,000,000
Sewer Extension	
Construction Costs	\$600,000
Easement	\$120,000
Engineering and Surveying Costs	\$80,000
Parks and Trails	
Construction Costs	\$670,000
Engineering and Design	\$80,000
Commuter Rail Stop	
Land Acquisition	\$500,000

Bloxom Park Component

Bloxom Park Road	\$150,000
Sewer Extension	\$400,000
Water Extension	\$175,000

2. A statement listing the kind, number and location of proposed public projects within the zone.

See above for a list of all proposed improvements in the zone.

3. The estimated amount of bonded indebtedness to be incurred.

- ❖ No bonded indebtedness is contemplated to be incurred at this time.
- ❖ If debt is to be issued, it will be based on size, scope, and timing of the projects.

4. The time when related cost and obligations are to be incurred.

- ❖ Please see the attached Economic Proforma Spreadsheet

5. A description of the methods of financing all estimated project costs and the expected sources of revenue to finance or pay project costs, including the percentage of tax increment to be derived from the property taxes of each taxing unit that levies taxes on real property in the zone.

***The City of Kennedale
Reinvestment Zone Number One – Noncontiguous Geographic Area
Project Plan***

- ❖ All project costs are expected to be paid for by the incremental property tax generated by the TIF on a pay-as-you-go basis.
- ❖ The percentage of tax increment derived from the property taxes of each taxing unit that levies taxes in the TIRZ is as follows:

<u>Taxing Unit</u>	<u>Contributing Percent</u>	<u>2011 Tax Rate</u>
City of Kennedale	100%	0.7225
Tarrant County	75%	0.264
Tarrant County Health District	50%	0.227897
Tarrant County College	50%	0.14897
Kennedale ISD	0%	1.512068

6. The current total appraised value of taxable real property in the zone.

- ❖ The current appraised value of the taxable real property in the New Hope Road TIRZ is estimated to be \$18,906,681 based upon 2011 values. This is approximately 3.5% of the total appraised value of all taxable property in the City of Kennedale, or well within the 50% limit required by Texas statute. (Based upon a 2011 total appraised value of \$541,688,203 for the City of Kennedale)
- ❖ The total acreage amount of the privately owned property used for residential purposes within the New Hope Road TIRZ is 123.73 acres or approximately 23% of the 544.67 acres of the TIRZ. This is well within the 30% maximum allowed by the State of Texas.

The City of Kennedale
Reinvestment Zone Number One – Noncontiguous Geographic Area
Project Plan

7. The estimated captured appraised value of the zone during each year of its existence. The actual increment generated will depend on several factors including but not limited to:

- a. The base value of the real property in the Zone subject to property tax.
 - ❖ Property value is estimated to be \$18,906,681.00
- b. Expected Growth of the Taxable Real Property in the Zone
 - ❖ The taxable real property in the Zone is projected to increase to \$120 million by 2035 and to generate a total increment of \$33 million over the life of the TIRZ.
 - ❖ The projection of the future tax increment captured is dependent on the timing and value of the new development as well as the appreciation of existing land and improvement.
 - ❖ A 2.5% annual base growth rate is used as an estimate for appreciation of existing improvements which is considered to be conservative.

8. Participation by Taxing Units

- ❖ The Taxing Units are decided upon their level of participation. The projected total contribution by each Taxing Unit over the life of the TIRZ are:

The City of Kennedale	\$11 million
Tarrant County	\$3.01 million
Tarrant County Health District	\$1.73 million
Tarrant County College	\$1.14 million
Kennedale ISD	\$0

The City of Kennedale
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9. Property Tax Rates and Collections

Property tax rates are conservatively assumed to remain unchanged from 2011 rates. The plan assumes a 100% collection rate by all taxing units.

10. The Duration of The Zone

The duration of the Zone will be lesser of the 25 years or when the project costs are paid. Assuming the Zone exists for its full term, the expiration date of the Zone will be December 31, 2038. The Zone will begin with the increment generated by the 2012 tax appraisal and end with the increment generated by the 2037 tax appraisal.

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CRITERIA AND REQUIREMENTS FOR THE REINVESTMENT ZONE

The City of Kennedale is proposing to create this Zone to transform New Hope Road from its currently zoned commercial use to a largely residential area. The land use change is consistent with the newly adopted Comprehensive Plan, and is important to the long-term success of Kennedale Town Center and future commuter rail stop because of the increased population and housing units. New Hope Road is envisioned as a neighborhood corridor with a neighborhood village at the intersection of New Hope Road and the future Little Road extension.

The project plan and financing plan must meet one of the criteria for a reinvestment zone as stated in Texas Tax Code Section 311.005. To designate a reinvestment zone, an area must:

(1) substantially arrest or impair the sound growth of the municipality or county designating the zone, retard the provision of housing accommodations, or constitute an economic or social liability and be a menace to the public health, safety, morals or welfare in its present condition and use because of the presence of faulty layout in relation to usefulness, and the predominance of defective or inadequate sidewalks and street layout, and unsafe noise and drainage erosion control issues.

The Zone, located along New Hope Road includes land from commercial racetracks. As Kennedale and the general area have grown, the noise generated from racing is increasingly a nuisance. The tracks have inadequate erosion control resulting in silt/sediment run off into bar ditches thereby reducing drainage capacity. The noise impedes the sale of homes, and the orderly development of property. Prior efforts to abate noise levels have been marginal. In order to induce residential development, New Hope Road should be rebuilt as a boulevard and wastewater service extended along the Village Creek tributary.

Also as stated in Texas Tax Code Section 311.005. To designate a reinvestment zone, an area must:

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“(a-1) Notwithstanding subsection (a), if the proposed project plan for a potential zone includes the use of land in the zone in connection with the operation of an existing or proposed regional commuter or mass transit rail system, or for a structure for facility that is necessary, useful or beneficial to such a regional rail system, the governing body of a municipality may designate an area as a reinvestment zone.”

The area of the Zone located along the railroad tracks at New Hope Road, includes the use of land in connection with the operation of a proposed regional commuter rail stop and for a structure or facility that is necessary, useful to the regional rail system. Therefore it also meets the criteria as set out in the Texas Tax Code.

A project plan must also be created and meet the requirements to create a TIRZ as required by Section 311.011 of the Texas Tax Code. The project plan must meet the four requirements listed below, as set forth in Section 311.011. Though this is a draft plan, the requirements are addressed below.

1. A map showing existing uses and conditions of real property in the zone and a map showing proposed improvements to and proposed uses of that property.

- The TIRZ will cover two noncontiguous geographic areas in the City of Kennedale as shown in the map below. The existing uses are described in Exhibit “A,” and Exhibit “B” map shows proposed improvements and proposed uses of that same property with the TIRZ in place.
- The boundary of the proposed zone is also shown in the map Exhibit “B” and more fully described in Exhibit “C” - Description of the Zone

2. Proposed changes of zoning ordinances, the master plan of the municipality, building codes, other municipal ordinances, and subdivision rules and regulations if any.

- Current zoning is for the proposed project is primarily commercial, however a recent adoption of the comprehensive land use plan, changes the zoning to residential, creates a

The City of Kennedale

Reinvestment Zone Number One – Noncontiguous Geographic Area Project Plan

neighborhood village, boulevard with sidewalks and trails for creation of multi transportation use.

These changes in zoning, master plan, codes and ordinances have been made through the established policies and procedures of the City.

3. A list of estimated non-project costs.

- Non-project costs are development costs not paid for by the zone. These costs include the residential development contemplated in the residential village area along New Hope Road.

4. A statement of a method of relocating persons to be displaced as a result of the implementation of this plan.

- No persons are currently contemplated to be displaced as a result of implementing this project plan.

In the event that any relocation arises as a result of implementing the project plan, they will be made through the established policies and procedures of the City.

Exhibit A – Current Zoning

New Hope TIRZ District

The City of Kennedale

Reinvestment Zone Number One – Noncontiguous Geographic Area

Project Plan

Current Zoning, New Hope TIRZ District

Exhibit B – Proposed Zoning New Hope TIRZ District

Proposed Zoning, New Hope TIRZ District

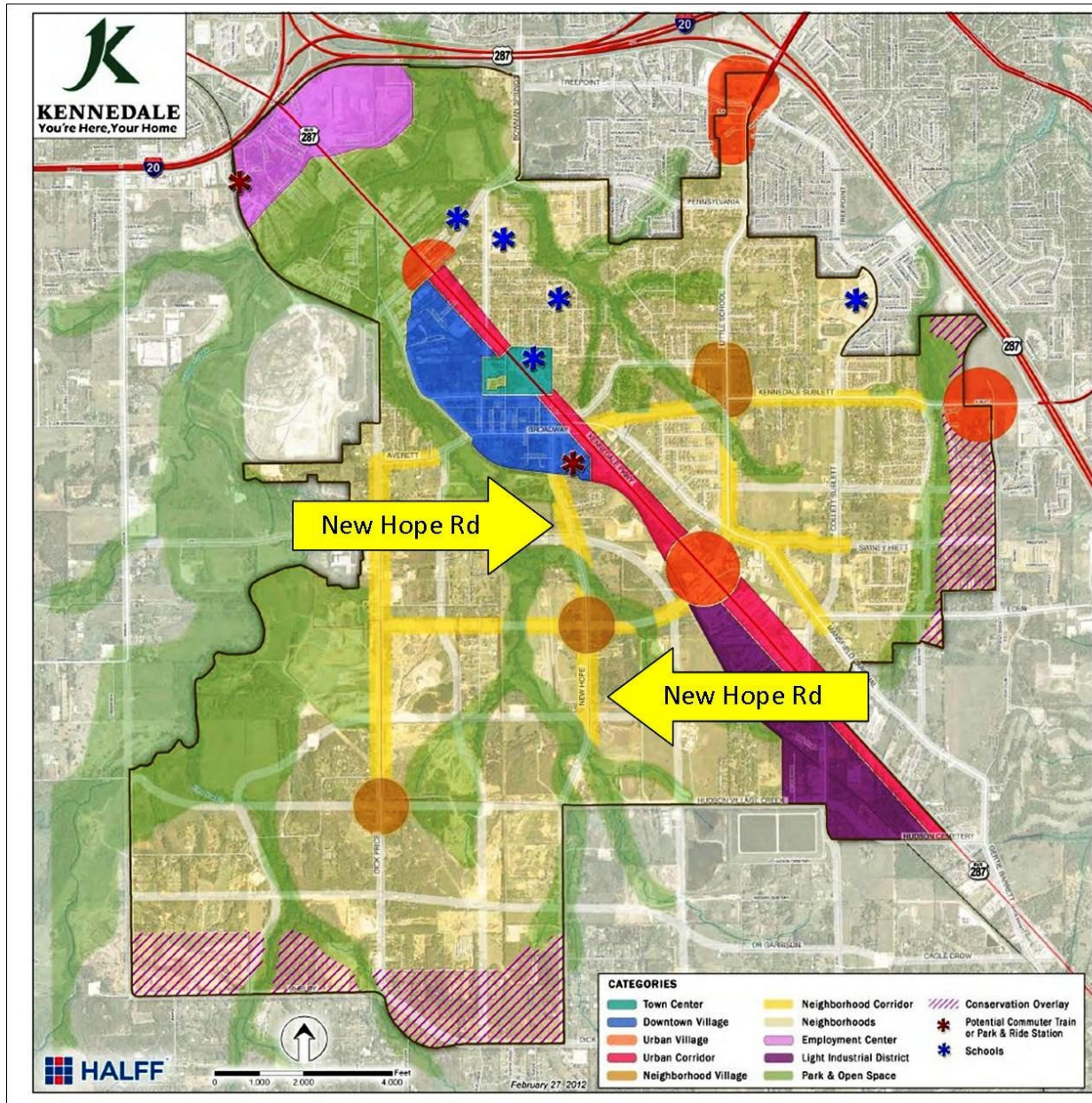


Exhibit C – Legal Description of Boundary of Zone

CA Boaz Subd Of J B Renfro Survey Blk Lots 29, 30, 31, 32B, 32C, 32D2A, 32Dr, 32E, 32R, 33, 34A, 34B, 35A, 35B, 36A, 36A1, 36A2 & NE Pt 37, 36A3, 36A4 & 36D, 36A5 & 36E, 36B, 36C, 37A, 37B, 37B1, 38, 39.

E C Cannon Survey A378 Trs 1J01 & 1Ee.

Wade H Hudson Survey A716 Tr 2, 2C, 2C01, 2C02, 2C03, 2C04, 2C04A, 2C05, 2C06, 2C07, 2C08, 2C09, 2C10, 2C10A, 2C11, 2C12; 2C13; 2C14, 2C15, 2C16, & 2C17 (AKA Bloxom Business Park Lts 26, 27, 28, 29); 2C18, 2C18, 2C19, 2C20, 2C21, 2C22, 2C23, 2C24, 2C25, 2C25A, 2C25B, 2D, 2E.

Kennedale Speedway Park Addn Blk 1 Lot 1.

Kennedale Sub-Station Addn Blk 1 Lot 1 and Blk 2 Lot 1.

City of Kennedale Addn Blk 23 Lot 1A; Blk 44 N100'7 & 8; Blk 44 Lts 1 2 S20'7 & 8; Blk 44 Lots 3 & 4; Blk 44 Lts 5, 6 & Vacated Alley; Blk 45 Lots 5-8 & Pt Closed Alley, Lots 1R & 3R; Blk 45 Lts 9-12 & Pt Closed Alley; Blk 45 Lts 13- 16 & Pt Closed Alley; Blk 66 Lts 1, 2, 15, 16 & Pt Of Closed Alley; Blk 66 Lts 3, 4B, 5B, 6B, 7B, 8B & Pt Of Closed Alley; Blk 66 Lts 4A, 5A, 6A, 7A, 8A & Pt Of Closed Alley; Blk 66 Lts 9, 10, 11, 12, 13A & Pt Of Closed Alley; Blk 66 Lts 13B, 14 & & Pt Of Closed Alley; Blk 67 Lts 1-12 & Closed Alley; Blk 88 Lots 1R, 2R, 3R, 4R, 5R, 6R, 7R; Blk 89 Lots 1, 2; Blk 90.

Kim Addn Blk 1 Lot 1.

Living Water Baptist Church Blk 1 Lot 1.

Pine Meadow Addn Blk 1, Lots 1-11, 12R, 13R, 14-32; Blk 2 Lots 1-3.

Raceway Estates Addn Blk Lots 1A1, 1A2, 1B, 2, 3, 4, 5A, 5B, 6A, 6B1, 6B2, 6B3, 7A, 7B.

Jesse B Renfro Survey A1260 Trs 1A, 1A01, 1A01A, 1A02, A03B, 1B, 1B01, 1B01A, 1C01, 1C01A, 1C02, 1D, 1E, 1F, 1F01, 1F01A, 1F01A1, 1G, 1G01, 1G01A, 1G02, 1G02A, 1H, 3E, 5E, 5E01, 5E02, 5E03, 5E04, 5E05, 5H, 1A3A & 1A3E, 1A3C & 1A3D, 5F, 5F1, & 5J.

R C Richey Survey A1358, Trs 1, 1A, 1B, 1C, 2, 2A, 2A01, 2A02, 2B1, 2B2, 2B4, 2B5.

R C Richey Survey A1359 Trs 1, 1A, 1B, 1C, 1D, 1E.

Robert C Richey Survey A1327 Trs 1A01, 1B, 1B01, 1C, 2, 2B, 2B01, 2B2, 2B3, 2B04, 2C, 2D, 2E, 2F, 2G, 2H, 2J, 2K, 2L, 2M.

Peter Rouche Survey A1338 Trs 1, 1B, 1C, 2, 2B, 2C.

Joel Snider Survey A1448 Trs 1A, 1B, 1C, 1D, 1D01, 2, 2A, 2B, 2C, 3, 3A, 3A01, 3B, 3B01.

C B Teague Survey A1506, Trs 2, 3, 4, 4A, 4A01, 4A01A, 4A01A1, 4A01B, 4A01C, 4A02, 4B, 4B01, 4B02, 4E, 4F, 5, 5A, 5A01, 5B.

NEW HOPE ROAD TIRZ TAX INCREMENT ANALYSIS																																	
			2011 Increment	2012 Increment	2013 Increment	2014 Increment	2015 Increment	2016 Increment	2017 Increment	2018 Increment	2019 Increment	2020 Increment	2021 Increment	2022 Increment	2023 Increment	2024 Increment	2025 Increment	2026 Increment	2027 Increment	2028 Increment	2029 Increment	2030 Increment	2031 Increment	2032 Increment	2033 Increment	2034 Increment	2035 Increment						
Base Year			2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036					
Base Year Taxable Value			18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00	18,906,681.00					
Annual Increase on Existing Value	multiplied 2.5% x line 6	0.025		\$472,667.03	\$484,483.70	\$496,595.79	\$0.00	\$0.00	\$509,010.68	\$521,735.95	\$534,779.35	\$548,148.83	\$561,852.55	\$575,898.86	\$590,296.33	\$605,053.74	\$620,180.08	\$635,684.58	\$651,576.69	\$667,866.11	\$684,562.76	\$701,676.83	\$719,218.75	\$737,199.22	\$755,629.20	\$774,520.24	\$793,883.25	\$813,730.33					
Cumulative Annual Increase	added lines 7 + line 6			\$472,667.03	\$957,150.73	\$1,453,746.52	\$0.00	\$0.00	\$1,962,757.20	\$2,484,493.15	\$3,019,272.50	\$3,567,421.33	\$4,129,273.88	\$4,705,172.74	\$5,295,469.08	\$5,900,522.81	\$6,520,702.90	\$7,156,387.48	\$7,807,964.17	\$8,475,830.28	\$9,160,393.04	\$9,862,069.87	\$10,581,288.62	\$11,318,487.84	\$12,074,117.04	\$12,848,637.28	\$13,642,520.53	\$14,456,250.86					
Addition In Value From New Development Housing																																	
Cumulative Housing Units added																																	
Cumulative Housing Value Addition @ \$250K Per Home						15		15		15		20		20		20		20		20		20		20		20		20					
Commercial	multiplied \$250K x line 11	\$250,000.00				15		30		45		60		75		95		115		135		155		175		195		215					
								\$3,750,000.00		\$7,500,000.00		\$11,250,000.00		\$15,000,000.00		\$18,750,000.00		\$23,750,000.00		\$28,750,000.00		\$33,750,000.00		\$38,750,000.00		\$43,750,000.00		\$48,750,000.00					
												\$2,000,000.00		\$2,000,000.00		\$2,000,000.00		\$2,000,000.00		\$2,000,000.00		\$2,000,000.00		\$2,000,000.00		\$2,000,000.00		\$2,000,000.00					
																	\$3,000,000.00		\$3,000,000.00		\$3,000,000.00		\$3,000,000.00		\$3,000,000.00		\$3,000,000.00		\$3,000,000.00				
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																										\$5,000,000.00		\$5,000,000.00		\$5,000,000.00			
Industrial							\$500,000.00		\$500,000.00		\$500,000.00		\$500,000.00		\$500,000.00		\$500,000.00		\$500,000.00		\$500,000.00		\$500,000.00		\$500,000.00		\$500,000.00		\$500,000.00		\$500,000.00		
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NEW HOPE ROAD TIRZ ECONOMIC PROFORMA			NEW HOPE ROAD TIRZ																												
			2011 Increment	2012 Increment	2013 Increment	2014 Increment	2015 Increment	2016 Increment	2017 Increment	2018	Increment	2019 Increment	2020 Increment	2021	Increment	2022 Increment	2023 Increment	2024	Increment	2025	Increment	2026 Increment	2027	Increment	2028 Increment	2029 Increment	2030 Increment	2031 Increment	2032 Increment	2033 Increment	2034
Base Year			2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035				
PROCEEDS																															
TIRZ Increment Created			\$0.00	\$5,243.30	\$10,617.67	\$63,271.66	\$110,516.87	\$157,903.23	\$205,434.29	\$258,660.15	\$342,543.79	\$404,397.23	\$471,956.89	\$534,133.75	\$596,478.41	\$658,995.06	\$754,967.00	\$817,840.64	\$880,899.49	\$944,148.19	\$1,007,591.48	\$1,071,234.24	\$1,135,081.43	\$1,199,138.18	\$1,263,409.73	\$1,383,366.44	\$1,448,083.82				
Interest on TIRZ Funds	0.01			\$0.00	\$52.43	\$106.18	\$632.72	\$1,105.17	\$1,579.03	\$2,054.34	\$2,586.60	\$3,425.44	\$4,043.97	\$4,719.57	\$5,341.34	\$5,964.78	\$6,589.95	\$7,549.67	\$8,178.41	\$8,808.99	\$9,441.48	\$10,075.91	\$10,712.34	\$11,350.81	\$11,991.38	\$12,634.10	\$13,833.66				
Proceeds on Debt Issued:																															
New Hope Road Debt or County Road Bond Participation			0	0	0	0	0	0	\$3,000,000.00	\$5,000,000.00	\$3,000,000.00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Proceeds on EDC Loan			0	0	0	0	\$ 500,000.00	\$ 200,000.00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
TWDB Loan			0	0	0	0	0	\$ 800,000.00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total Annual Proceeds			\$0.00	\$5,243.30	\$10,670.10	\$63,377.84	\$611,149.59	\$1,159,008.40	\$3,207,013.32	\$5,260,714.49	\$3,345,130.39	\$407,822.67	\$476,000.86	\$538,853.32	\$601,819.75	\$664,959.84	\$761,556.95	\$825,390.31	\$889,077.90	\$952,957.18	\$1,017,032.96	\$1,081,310.15	\$1,145,793.77	\$1,210,488.99	\$1,275,401.11	\$1,396,000.54	\$1,461,917.48				
Debt Service:			TBD																												
Carry Forward of Unspent Funds In PY			\$0.00	\$5,243.29	\$15,913.40	\$73,995.51	\$674,421.25	\$1,269,525.27	\$3,364,916.55	\$5,466,148.78	\$3,603,790.54	\$750,366.46	\$880,398.09	\$1,010,810.21	\$1,135,953.50	\$1,261,438.25	\$1,420,552.01	\$1,580,357.31	\$1,706,918.54	\$1,833,856.67	\$1,961,181.15	\$2,088,901.63	\$2,217,028.01	\$2,345,570.42	\$2,474,539.29	\$2,659,410.27	\$2,845,283.92				
PROJECT COST			BUDGET	PROJECTION																											
Construction of New Hope Road																															
Surveying, Engineering, Right of Way Acquisition	\$3,000,000.00	\$3,000,000.00							\$3,000,000.00																						
Construction	\$7,000,000.00	\$7,000,000.00							\$7,000,000.00																						
Acquisition of Land For Commuter Rail Stop			\$500,000.00	\$500,000.00							\$100,000.00					\$150,000.00			\$150,000.00				\$100,000.00								
Sewer Extension							\$80,000.00																								
Surveying, Engineering	\$80,000.00	\$80,000.00				\$120,000.00																									
Easement	\$120,000.00	\$120,000.00					\$600,000.00																								
Construction	\$600,000.00	\$600,000.00																													
Parks and Trails																															
Engineering and Design	\$80,000.00	\$80,000.00																													
Construction	\$670,000.00	\$670,000.00																													
Bloxom Park Component																															
Bloxom Park Road(county interlocal)	\$150,000.00	\$150,000.00					\$150,000.00																								
Sewer Extension	\$400,000.00	\$400,000.00				\$400,000.00																									
Water Extension	\$175,000.00	\$175,000.00				\$175,000.00																									
Total Cost			\$12,775,000.00	\$12,775,000.00	\$0.00	\$775,000.00	\$750,000.00	\$3,000,000.00	\$7,000,000.00	\$0.00	\$100,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00	\$0.00	\$0.00	\$150,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

2035	Increment
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2036
\$1,513,032.51
\$14,480.84

0
0
0
\$1,527,513.35
\$2,975,597.17

\$0.00

Date: July 12, 2012

Agenda Item No: WORK SESSION - C.

I. Subject:

Discuss any other items on the agenda.

II. Originated by:

III. Summary:

At this time Council may pull any other items from the regular agenda for discussion.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: July 12, 2012

Agenda Item No: REPORTS/ANNOUNCEMENTS - A.

I. Subject:

TownCenter Veterans Memorial plaque presentations:

- First Sergeant Thomas Hite of the United States Army.
- Sergeant Major Samuel Hite of the United States Army.

II. Originated by:

City Council, City Council

III. Summary:

Councilmember Fernandez will introduce the individuals and Mayor Clark will present the plaques.

1. First Sergeant Thomas Hite of the United States Army.
2. Sergeant Major Samuel Hite of the United States Army.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: July 12, 2012

Agenda Item No: REPORTS/ANNOUNCEMENTS - B.

I. Subject:

Updates and information from the City Manager, if any.

II. Originated by:

Bob Hart, City Manager

III. Summary:

At this time Bob Hart will provide updates on city projects

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

Date: July 12, 2012

Agenda Item No: REPORTS/ANNOUNCEMENTS - C.

I. Subject:

Updates and information from Councilmembers, if any.

II. Originated by:

City Council, City Council

III. Summary:

At this time councilmembers may provide updates or announcements.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: July 12, 2012

Agenda Item No: REPORTS/ANNOUNCEMENTS - D.

I. Subject:

Updates and information from the Mayor, if any.

II. Originated by:

City Council, City Council

III. Summary:

At this time the Mayor will provide any updates.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: July 12, 2012

Agenda Item No: CONSENT ITEMS - A.

I. Subject:

Consider approval of minutes from June 14, 2012 regular meeting.

II. Originated by:

Amethyst G. Cirimo, City Secretary and Communications Coordinator

III. Summary:

Please see the attached minutes

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	minutes	06.14.2012 CC Minutes.doc
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KENNEDALE CITY COUNCIL
AGENDA
REGULAR MEETING
June 14, 2012
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

I. CALL TO ORDER

Mayor John Clark called the meeting to order at 5:30 PM. All members were present.

II. WORK SESSION

A. Discuss Place 1 appointment process.

Bob Hart walked through the application process, asking the Council to provide guidance on interview questions, timing, and the general process. Council approved of the sample questions, asked that an hour of interview time be given to each candidate, hold a special meeting on Monday July 2 at 6:00 PM to review applications and discuss next steps, set the meetings on July 9 and 10 at 5:00 PM to 9:00 PM, hold interviews and discussion of candidates in executive session, and asked that Bob Hart and Amethyst Cirno be present for the interviews. Council also decided to make a selection on July 10 so that the new member can be present for the meeting on the 12th.

B. Discuss Tax Increment Reinvestment Zone.

This item was pushed to the July regular meeting.

C. Discuss staff recommendation for Professional Auditing Services.

Sakura Dedrick approached the council, noting that state law requires that the city go out to bid for auditing services every 5 years. Ms. Dedrick noted that 6 submissions were sent to the city, all proposals were thoroughly examined, references were called, and all submissions were rated. Ms. Dedrick has recommended that the City Council approve Patillo, Brown, and Hill to remain the auditors for the city.

D. Discuss any other items on the agenda.

No other items were discussed.

III. REGULAR SESSION

Mayor Clark called the regular session to order at 7:00 PM.

IV. ROLL CALL

Roll Call

Present Frank Fernandez, John Clark (Not Voting), Brian Johnson, Kelly Turner, Liz Carrington

**Note: Place 1 is currently vacant.*

V. INVOCATION

VI. UNITED STATES PLEDGE

VII. TEXAS PLEDGE

VIII. VISITOR/CITIZENS FORUM

Two individuals signed up to speak.

1. Kristyn Sanders of 1258 Lynnete Court congratulated John Clark on his new position as Mayor and encouraged him to pursue a recycling program for the city.
2. Charles Roberson of 213 Broadway Street approached the council, noting that he has been a resident of the city for over 20 years. He commended the council and city staff for their work toward the betterment of Kennedale and noted that the progress and cooperation he has seen in recent years makes him proud to be a resident. He expressed thanks to past Mayor Lankhorst and encouraged Mayor Clark to continue the city's great work.

IX. REPORTS/ANNOUNCEMENTS

A. Updates and information from the City Manager, if any.

Bob Hart noted that the University of North Texas will be providing a paying for 50% of an intern for the city. The intern will be working through the summer of 2012 and beyond.

B. Updates and information from Councilmembers, if any:

No updates were given.

C. Updates and information from the Mayor, if any:

Mayor Clark noted that the ribbon cutting for Fellowship Academy was held over the weekend and was well attended. The Mayor also commended staff and the community for assisting with the recent transition in City Council.

X. CONSENT ITEMS

A. Consider approval of regular meeting minutes from May 17, 2012.

B. Consider approval of special meeting minutes from May 22, 2012.

C. Consider accepting a \$74,399.08 grant award for the Police mobile video system.

Motion To approve the consent agenda as presented. , **Action** Approve, **Moved By** Kelly Turner, **Seconded By** Frank Fernandez
Motion Passed Unanimously

XI. REGULAR ITEMS

A. Oath of Office for Liz Carrington, Council Place 2, 2012-2014 term.

City Secretary Amethyst Cirimo issued the oath of office.

B. Oath of Office for Kelly Turner, Council Place 4, 2012-2014 term.

City Secretary Amethyst Cirimo issued the oath of office.

C. Oath of Office for John Clark, appointed as Mayor for the remainder of the 2012-2014 term.

City Secretary Amethyst Cirimo issued the oath of office.

D. Election, appointment, and issuance of the Oath of Office for Mayor Pro-Tem.

Motion To designate Councilmember Brian Johnson as Mayor Pro-Tem. , **Action** Approve, **Moved By** Frank Fernandez, **Seconded By** Kelly Turner

Vote: Motion passed

Summary: Aye = 3, Nay= 1, Abstain= 0

Aye: Frank Fernandez, Kelly Turner, Liz Carrington

Nay: Brian Johnson

E. Nominate a Councilmember to serve as the voting representative to the North Central Texas Council of Governments.

Bob Hart noted that Councilmember Kelly Turner has served in this capacity in the past

Motion To reappoint Councilmember Kelly Turner., **Action** Approve, **Moved By** Brian Johnson , **Seconded By** Frank Fernandez
Motion Passed Unanimously

F. Consider approving Ordinance 505, amending Chapter 17 of the City Code by adding a section titled 'Post Construction Runoff Control.'

Bob Hart noted that under our stormwater drainage utility we are required to have an ordinance dealing with this subject. The ordinance is a model, standard ordinance.

Councilmember Turner asked for a clarification of the term post construction debris. James Cowey noted that the ordinance deals with the construction of permanent landscaping or structures to deal with general erosion after the construction process. Larry Ledbetter also provided clarity on homeowner and property issues post construction.

Motion To approve Ordinance 505 regarding post construction runoff., **Action** Approve, **Moved By** Liz Carrington, **Seconded By** Kelly Turner
Motion Passed Unanimously

G. Considering authorizing City Manager to ratify contract for Professional Auditing Services.

Sakura Dedrick reiterated points made during the work session, noting that the city would like to sign a contract for services with Patillo, Brown, and Hill.

Motion To allow the City Manager to ratify a contract with Patillo, Brown, and Hill for auditing services. , **Action** Approve, **Moved By** Brian Johnson , **Seconded By** Liz Carrington
Motion Passed Unanimously

XII. EXECUTIVE SESSION

No executive session was held.

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

XIV. ADJOURNMENT

Motion , Action Adjourn, **Moved By** Brian Johnson , **Seconded By** Liz Carrington
Motion Passed Unanimously

The meeting was adjourned at 7:45 PM.

Date: July 12, 2012

Agenda Item No: CONSENT ITEMS - B.

I. Subject:

Consider approval of minutes from July 2, 2012 Special Session.

II. Originated by:

III. Summary:

please see the attached minutes.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	minutes	07.02.2012 CC Minutes - Special Session.doc
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**KENNEDALE CITY COUNCIL
AGENDA
SPECIAL SESSION
July 2, 2012
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

I. CALL TO ORDER

Mayor Clark called the meeting to order at 6:05. Councilmember Liz Carrington was not present at this time.

II. ROLL CALL

III. REGULAR ITEMS

IV. EXECUTIVE SESSION

A. The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1. Review and discuss all applications received and finalize the interview process and schedule.

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

Mayor Clark reopened the regular session at 7:12 PM.

A. Announce the Place 1 interview process and schedule.

Mayor Clark announced that there were eight applicants and that interviews would be held on Monday, July 9th and Tuesday, July 10th.

VI. ADJOURNMENT

A motion to adjourn was made by Liz Carrington, seconded by Kelly Turner. The motion passed unanimously.

The meeting was adjourned at 7:13 PM.

Date: July 12, 2012

Agenda Item No: CONSENT ITEMS - C.

I. Subject:

Consider approval of minutes from July 9, 2012 Special Session.

II. Originated by:

Amethyst G. Cirimo, City Secretary and Communications Coordinator

III. Summary:

Minutes will be available at the meeting.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

Date: July 12, 2012

Agenda Item No: CONSENT ITEMS - D.

I. Subject:

Consider approval of minutes from July 10, 2012 Special Session.

II. Originated by:

Amethyst G. Cirimo, City Secretary and Communications Coordinator

III. Summary:

Minutes will be available at the meeting.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

Date: July 12, 2012

Agenda Item No: CONSENT ITEMS - E.

I. Subject:

Consider approval of minutes from July 11, 2012 Special Session.

II. Originated by:

Amethyst G. Cirimo, City Secretary and Communications Coordinator

III. Summary:

Minutes will be provided at the meeting.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

Date: July 12, 2012

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

Conduct a public hearing to discuss designation of certain areas of New Hope Road and Bloxom Park Road in the City of Kennedale as "Tax Increment Reinvestment Zone Number One, City of Kennedale, Texas"

1. Staff Presentation
2. Public Hearing
3. Staff Response and Summary

II. Originated by:

Bob Hart, City Manager

III. Summary:

Bob Hart will present information on this topic, and it will be opened up for public input. Please see detailed information that was provided during the work session.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

Date: July 12, 2012

Agenda Item No: REGULAR ITEMS - B.

I. Subject:

Consider approving Ordinance 506, designating certain areas of New Hope Road and Bloxom Park Road in the City of Kennedale as "Reinvestment Zone Number One, Noncontiguous Geographic Area, New Hope Road and Bloxom Road, City of Kennedale."

II. Originated by:

Bob Hart, City Manager

III. Summary:

Consider adopting the ordinance.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	O506	Ordinance 506 - TIRZ Creation.docx
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ORDINANCE NO. 506

AN ORDINANCE DESIGNATING CERTAIN NONCONTIGUOUS GEOGRAPHIC AREAS IN THE CITY OF KENNEDALE AS "TAX INCREMENT REINVESTMENT ZONE NUMBER ONE – NONCONTIGUOUS GEOGRAPHIC AREAS, NEW HOPE ROAD AND BLOXOM ROAD, CITY OF KENNEDALE;" CREATING A BOARD OF DIRECTORS FOR THE ZONE; PROVIDING THE EFFECTIVE AND TERMINATION DATES FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; AND CONTAINING OTHER MATTERS RELATED TO THE ZONE.

WHEREAS, the City Council desires to promote the development of certain noncontiguous geographic areas in the City of Kennedale, which are more specifically described in Exhibit "A" of this Ordinance (the "Zone"), through the creation of a new reinvestment zone as authorized by and in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and

WHEREAS, the City has prepared a preliminary financing plan for the Zone and provided a copy of that plan to the governing body of each taxing unit that levies taxes on real property in the Zone, in accordance with Section 311.003(b) of the Texas Tax Code; and

WHEREAS, on July 12, 2012, the City Council held a public hearing regarding the creation of the Zone and its benefits to the City and to property in the Zone and afforded a reasonable opportunity for (i) all interested persons to speak for or against the creation of the Zone, its boundaries or the concept of tax increment financing and (ii) owners of real property in the Zone to protest inclusion of their property in the Zone, as required by Sections 311.003(c) and (d) of the Texas Tax Code; and

WHEREAS, notice of the public hearing was published in a newspaper of general circulation in the City on July 1, 2012, which satisfies the requirement of Section 311.003(c) of the Texas Tax Code that publication of the notice occur not later than the seventh day before the date of the public hearing; and

WHEREAS, no owner of real property in the proposed Zone protested the inclusion of their property in the proposed Zone; and

WHEREAS, the City has provided all information and made all presentations, given all notices and done all other actions required by Chapter 311, Texas Tax Code, or other law as a condition to the creation of the proposed Zone.

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

Section 1. Findings

- (a) That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are adopted as part of this Ordinance for all purposes;
- (b) That the City Council further finds and declares that the proposed improvements in the Zone will significantly enhance the value of all the taxable real property in the proposed Zone and will be of general benefit to the City;
- (c) That the City Council further finds and declares that the proposed Zone meets the criteria and requirements of Section 311.005 of the Texas Tax Code because the proposed Zone is predominantly open or undeveloped and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impairs or arrests the sound growth of the City and surrounding areas;
- (d) That the City Council, pursuant to the requirements of Chapter 311, Texas Tax Code, further finds and declares:
 - (1) That the proposed Zone is a noncontiguous geographic area located wholly within the corporate limits of the City of Kennedale in accordance with Section 311.003(a), Texas Tax Code;
 - (2) That the total appraised value of taxable real property in the proposed Zone does not exceed fifty percent of the total appraised value of taxable real property in the City and the industrial districts created by the City;
 - (3) That thirty percent or less of the property in the Zone, excluding property that is publicly owned, is used for residential purposes (defined as any property occupied by a house having fewer than five living units); and
 - (4) That the development or redevelopment of the property in the proposed Zone will not occur solely through private investment in the reasonably foreseeable future.

Section 2. Designation of Zone

The City Council hereby designates the Zone described in the boundary description and depicted in the map, both attached hereto as Exhibit "A" and made a part of this Ordinance for all purposes, as a reinvestment zone pursuant to and in accordance with Chapter 311 of the Texas Tax Code. This reinvestment zone shall be known as "Reinvestment Zone Number One, Noncontiguous Geographic Area, New Hope Road and Bloxom Road, City of Kennedale."

Section 3. Zone Board of Directors

A board of directors for the Zone ("Board") is hereby created. The Board shall consist of seven (7) members who shall serve for terms of two (2) years each. Of these seven (7) members, each taxing unit other than the City that levies taxes on real property in the Zone may, but is not required to, appoint one (1) member to the Board. After each taxing unit other than the City designates to the City either the name of the member that the taxing unit wishes to appoint or the fact that the taxing unit wishes to waive its right to appoint a member, the City Council shall appoint whatever number of members are necessary to fill the remaining positions on the Board. Each year the City Council shall appoint a member to serve as chair for a term of one year beginning January 1 of the following year per Section 311.009(f) of the Texas Tax Code. The City Council authorizes the Board of Directors to elect from its members a vice chair and such other officers as the Board of Directors sees fit.

The Board shall make recommendations to the City Council concerning the administration, management and operation of the Zone. The Board shall prepare and adopt a project plan and a reinvestment zone financing plan for the Zone and submit such plans to the City Council for its approval. The Board shall perform all duties imposed upon it by Chapter 311 of the Texas Tax Code and all other applicable laws. Notwithstanding anything to the contrary herein, the Board shall not be authorized to (i) issues bonds; (ii) impose taxes or fees; (iii) exercise the power of eminent domain, or (iv) give final approval to the Zone's project plan and financing plan.

Section 4. Term of Zone

That the Zone shall take effect upon the adoption of this Ordinance and terminate on the earlier of (i) December 31, 2037 or an earlier termination date designated by an Ordinance adopted after the effective date of this Ordinance or (ii) the date on which all project costs, tax increment bonds and interest on those bonds and other obligations have been paid in full.

Section 5. Determination of Tax Increment Base

The tax increment base for the Zone, as defined by Section 311.012(c) of the Texas Tax Code, shall be the total appraised value of all real property in the Zone

taxable by a taxing unit for the year 2012, which is the year in which the Zone was designated as a reinvestment Zone.

Section 6. Tax Increment Fund

A tax increment fund for the Zone (the "TIF Fund") is hereby established. The TIF Fund may be divided into additional accounts and sub-accounts authorized by resolution or Ordinance of the City Council. The TIF Fund shall consist of (1) the percentage of the tax increment, as defined by Section 311.012(a) of the Texas Tax Code, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the TIF Fund under an agreement with the City authorized by Section 311.013(f) of the Texas Tax Code, plus (ii) one hundred percent (100%) of the City's tax increment, as defined by section 311.012(a) of the Texas Tax Code, subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available funds whose calculation is based on receipt of any portion of such tax increment. The TIF Fund shall be maintained in an account at a depository bank of the City and shall be secured in the manner prescribed by law for Texas cities. In addition, all revenues from (i) the sale of any obligations hereafter issued by the City and secured in whole or in part from the tax increments; (ii) revenues from the sale of any property acquired as part of an adopted tax increment financing plan; and (iii) other revenues dedicated to and used in the Zone shall be deposited into the TIF Fund. Prior to the termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Texas Tax Code, for the Zone, to satisfy the claims of holders of tax increment bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the project plan and reinvestment zone financing plan and achieve their purpose pursuant to Section 311.010(b) of the Texas Tax Code.

Section 7. Tax Increment Agreements

Pursuant to Sections 311.008 and 311.013 of the Texas Tax Code, the City Manager and City Attorney are hereby authorized to execute and deliver, for and on behalf of the City, tax increment agreements with taxing units that levy real property taxes in the Zone.

Section 8. Severability

If any portion, section or part of a section of this Ordinance is subsequently declared invalid, inoperative or void for any reason by a court of competent jurisdiction, the remaining portions, sections or parts of sections of this Ordinance shall be and remain in full force and effect and shall not in any way be impaired or affected by such decision, opinion or judgment.

Section 9. Notices

The contents of the notice of the public hearing, which hearing was held before the City Council on July 12, 2012, and the publication of said notice, are hereby ratified, approved and confirmed.

Section 11. Effective Date

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

PASSED AND APPROVED ON THIS 12th DAY OF JULY, 2012.

John Clark, Mayor

ATTEST:

Amethyst Cirimo, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Wayne K. Olson, City Attorney

EXHIBIT A - MAP

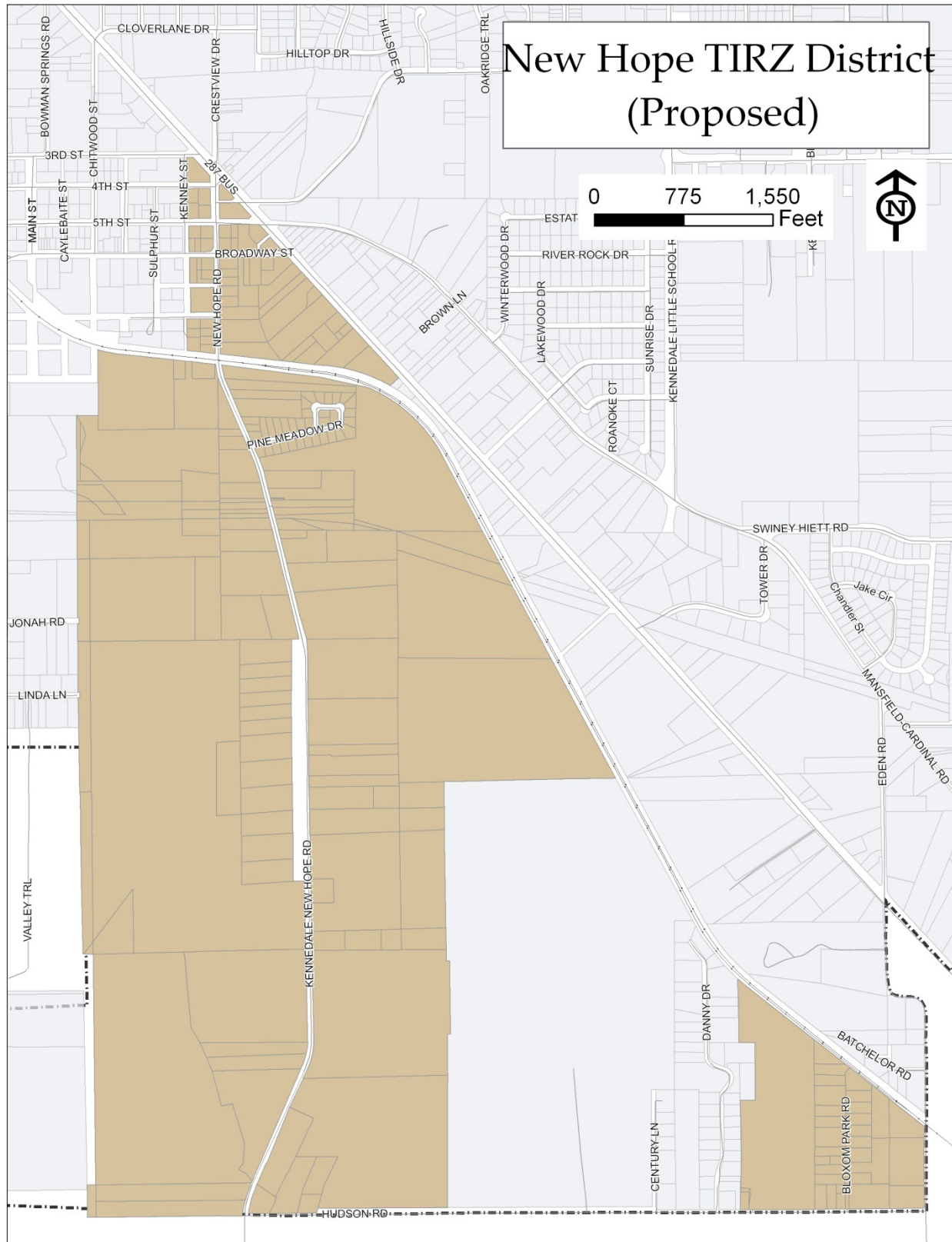


EXHIBIT A - BOUNDARY DESCRIPTION

CA Boaz Subd Of J B Renfro Survey Blk Lots 29, 30, 31, 32B, 32C, 32D2A, 32Dr, 32E, 32R, 33, 34A, 34B, 35A, 35B, 36A, 36A1, 36A2 & NE Pt 37, 36A3, 36A4 & 36D, 36A5 & 36E, 36B, 36C, 37A, 37B, 37B1, 38, 39.

E C Cannon Survey A378 Trs 1J01 & 1Ee.

Wade H Hudson Survey A716 Tr 2, 2C, 2C01, 2C02, 2C03, 2C04, 2C04A, 2C05, 2C06, 2C07, 2C08, 2C09, 2C10, 2C10A, 2C11, 2C12; 2C13; 2C14, 2C15, 2C16, & 2C17 (AKA Bloxom Business Park Lts 26, 27, 28, 29); 2C18, 2C18, 2C19, 2C20, 2C21, 2C22, 2C23, 2C24, 2C25, 2C25A, 2C25B, 2D, 2E.

Kennedale Speedway Park Addn Blk 1 Lot 1.

Kennedale Sub-Station Addn Blk 1 Lot 1 and Blk 2 Lot 1.

City of Kennedale Addn Blk 23 Lot 1A; Blk 44 N100'7 & 8; Blk 44 Lts 1 2 S20'7 & 8; Blk 44 Lots 3& 4; Blk 44 Lts 5, 6 & Vacated Alley; Blk 45 Lots 5-8 & Pt Closed Alley, Lots 1R & 3R; Blk 45 Lts 9-12 & Pt Closed Alley; Blk 45 Lts 13- 16 & Pt Closed Alley; Blk 66 Lts 1, 2, 15, 16 & Pt Of Closed Alley; Blk 66 Lts 3, 4B, 5B, 6B, 7B, 8B & Pt Of Closed Alley; Blk 66 Lts 4A, 5A, 6A, 7A, 8A & Pt Of Closed Alley; Blk 66 Lts 9, 10, 11, 12, 13A & Pt Of Closed Alley; Blk 66 Lts 13B, 14 & & Pt Of Closed Alley; Blk 67 Lts 1-12 & Closed Alley; Blk 88 Lots 1R, 2R, 3R, 4R, 5R, 6R, 7R; Blk 89 Lots 1, 2; Blk 90.

Kim Addn Blk 1 Lot 1.

Living Water Baptist Church Blk 1 Lot 1.

Pine Meadow Addn Blk 1, Lots 1-11, 12R, 13R, 14-32; Blk 2 Lots 1-3.

Raceway Estates Addn Blk Lots 1A1, 1A2, 1B, 2, 3, 4, 5A, 5B, 6A, 6B1, 6B2, 6B3, 7A, 7B.

Jesse B Renfro Survey A1260 Trs 1A, 1A01, 1A01A, 1A02, A03B, 1B, 1B01, 1B01A, 1C01, 1C01A, 1C02, 1D, 1E, 1F, 1F01, 1F01A, 1F01A1, 1G, 1G01, 1G01A, 1G02, 1G02A, 1H, 3E, 5E, 5E01, 5E02, 5E03, 5E04, 5E05, 5H, 1A3A & 1A3E, 1A3C & 1A3D, 5F, 5F1, & 5J.

R C Richey Survey A1358, Trs 1, 1A, 1B, 1C, 2, 2A, 2A01, 2A02, 2B1, 2B2, 2B4, 2B5.

R C Richey Survey A1359 Trs 1, 1A, 1B, 1C, 1D, 1E.

Robert C Richey Survey A1327 Trs 1A01, 1B, 1B01, 1C, 2, 2B, 2B01, 2B2, 2B3, 2B04, 2C, 2D, 2E, 2F, 2G, 2H, 2J, 2K, 2L, 2M.

Peter Rouche Survey A1338 Trs 1, 1B, 1C, 2, 2B, 2C.

Joel Snider Survey A1448 Trs 1A, 1B, 1C, 1D, 1D01, 2, 2A, 2B, 2C, 3, 3A, 3A01, 3B, 3B01.

C B Teague Survey A1506, Trs 2, 3, 4, 4A, 4A01, 4A01A, 4A01A1, 4A01B, 4A01C, 4A02, 4B, 4B01, 4B02, 4E, 4F, 5, 5A, 5A01, 5B.

Date: July 12, 2012

Agenda Item No: REGULAR ITEMS - C.

I. Subject:

Consider appointing a Councilmember to serve on the TownCenter Development District.

II. Originated by:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

Date: July 12, 2012

Agenda Item No: EXECUTIVE SESSION - A.

I. Subject:

The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion on any item posted on the agenda and legal issues regarding litigation, settlement offers, and/or claims regarding the following matters:

1. Land use complaint regarding 937 Little School Road.
2. Inverse condemnation claim from EOG Resources, etc relating to the Moore South Unit.

II. Originated by:

III. Summary:

At this time the city council will meet in executive session.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments: